FINAL
ENVIRONMENTAL IMPACT STATEMENT

VOLUME 4 - DEIR WRITTEN COMMENT LETTERS FROM AGENCIES, COMMUNITY GROUPS, CONSULTING FIRMS

SOLEDAD CANYON

SAND AND GRAVEL MINING PROJECT

OEPC #FES-00-18

BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE

JUNE 2000

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Prepared for:

BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE
690 W. Garnet Avenue
P.O. Box 1260
North Palm Springs, California 92258

Project Applicant:

TRANSIT MIXED CONCRETE COMPANY
1201 West Gladstone Street
Azusa, California 91702

EIS Consultant:

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

JUNE 2000

VOLUME 4 – DEIR WRITTEN COMMENT LETTERS FROM STATE AND LOCAL AGENCIES, AND COMMUNITY GROUPS/ASSOCIATIONS AND CONSULTING FIRMS

INDEX OF DEIR COMMENT LETTERS

DEIR LETTERS RECEIVED FROM STATE AGENCIES

CODE	AGENCY	SIGNATURE/TITLE	DATE	EIS LETTERS-CROSS REFERENCE
S-1	State of California-Business and Transportation Agency-DOT	Stephen J. Buswell, IGR/CEQA Program Manager	3/24/99	EIS Letter S-10
S-2	Department of Conservation – Office of Governmental and Environmental Relations	Jason Marshall, Assistant Director	4/7/99	EIS Letter S-1 enclosure
S-3	California Regional Water Quality Control Board	Jonathan Bishop, Chief of Regional Programs	4/11/99	
S-4	State Water Resources Control Board	Ross Swenerton, Chief/Environmental Review Unit 2	6/1/99	EIS Letter S-3
S-5	California Regional Water Quality Control Board Los Angeles Region	Jonathan Bishop, Chief Administrator	6/14/99	
S-6	Department of Conservation	James S. Pompy, Manager	6/16/99	
S-7	Department of Conservation	Jason Marshall, Assistance Director	9/10/99	EIS Letter S-1
S-8	California Integrated Waste Management Board	Marcia Kiesse, Permitting & Inspection Branch	9/10/99	
S-9	California Regional Water Quality Control Board	Jonathan Bishop, Chief, Regional Planning	11/12/99	
S-10	State of California Governor's Office of Planning and Research State Clearinghouse	Terry Roberts, Senior Planning, State Clearinghouse	11/16/99	EIS Letter S-7. Enclosures include: EIS Letter S-1, EIS Letter S-10
S-11	California Legislature	George Runner, Assemblyman 36th District	9/22/99	

DEIR LETTERS RECEIVED FROM LOCAL AGENCIES

CODE	AGENCY	SIGNATURE TITLE	DATE	EIS LETTERS- CROSS REFERENCE
L-1	LA Department of Public Works	Harry W. Stone, Director of Public Works	4/7/99	
L-2	LA Department of Public Works- Building and Safety/Land Development Division	Ron Lacayo, Special Assignments	4/7/99	
L-3	LA Department of Public Works- Environmental Programs Division (memo)	Carlos Ruiz	3/29/99	
L-4	LA Department of Public Works- Flood Maintenance Division (memo)	Kenneth H. Erhard	3/25/99	
L-5	LA Department of Public Works- Hydraulic/Water Conservation Division (memo)	Thomas V. Schriber	3/23/99	
L-6	LA Department of Public Works- Traffic and Lighting Division (memo)	K.E. Weary	2/2/99	
L-7	LA Department of Public Works- Traffic and Lighting Division (memo)	K.E. Weary	3/25/99	
L-8	LA Department of Public Works- Transportation Planning Assessments (memo)	Barry S. Witler	3/30/99	
L-9	LA County Department of Health Services	Chris Mastro, EHS III	3/25/99	
L-10	Southern California Association of Governments- Department of Regional Planning	J. David Stein, Manager, Performance Assessment and Implementation	3/17/99	
L-11	City of Santa Clarita	Jo Anne Darcy, Mayor	3/25/99	
L-12	LA Department of Parks and Recreation	Kimel Conway, Chief of Planning	3/31/99	
L-13	City of Santa Clarita	Jefferey Lambert, AICP, Director of Planning and Building Services	4/14/99	EIS Letter L-1 Appendix A
L-14	Newhall County Water District	Thomas E. Schollenherger, General Manager	4/19/99	EIS Letter L-7
L-15	County of Los Angeles, Fire Department	Michael Wilkinson, Chief, Forestry Division, Prevention Bureau	4/20/99	
L-16	City of Santa Clarita	Jefferey Lambert, AICP, Director of Planning and Building Services	7/2/99	EIS Letter L-1
L-17	Antelope Valley, Air Pollution Control District	Robert Zeller, Supervising Air Quality Engineer	7/6/99	
L-18	City of Santa Clarita	Lisa Hardy, AICP	7/7/99	

CODE	AGENCY	SIGNATURE/TITLE	DATE	EIS LETTERS-CROSS REFERENCE
L-19	City of Santa Clarita	Jeffrey Lambert, Director of Planing and Building Services	9/3/99	
L-20	South Coast Air Quality Management District	Steve Smith, Program Supervisor, CEQA Section Planning, Rule Development & Area Sources	9/10/99	EIS Letter L-10
L-21	Acton Chamber of Commerce	Scott Litchfield, President	8/31/99	
L-22	Acton-Agua Dulce Unified School District	Jim Duzick, President	9/7/99	
L-23	Newhall School District	Marc Winger, Superintendent	9/8/99	
L-24	Saugus Union School District	Gail Wickstrom, Superintendent	9/8/99	
L-25	Alameda Corridor Transportation Authority	Tim Buresh, Director of Construction and Engineering	7/6/99	
L-26	Sulphur Springs School Distict	Robert Nolet, Superintendent of Schools	8/11/99	
L-27	Acton Agua Dulce Unified School District	Jim Duzick, President Steve Harbeson, Clerk Sally McCord, Member Mark Nielsen, Vice President Martin Barofsky, Member	9/9/99	
L-28	County of Los Angeles Fire Department	Signature Illegible	6/9/99	
L-29	Saugus Union School District	Gail Wickstrom, Ed. D. Superintendent	10/19/99	EIS Letter L-4
L-30	Board of Supervisors County of Los Angeles	Michael D. Antonovich, Supervisor 5th District	10/12/99	
L-31	City of Santa Clarita	Jeffrey Lambert, AICP Director of Planning & Building Services	10/4/99	
L-32	South Coast Air Quality Management District	Steve Smith, Program Supervisor, CEQA Section	9/10/99	
L-33	Richard C. Slade & Associates LLC	Richard C. Slade, Certified Engineering Geologist No. 929	9/13/99	

DEIR LETTERS RECEIVED FROM COMMUNITYGROUPS/ ASSOCIATIONS/ CONSULTING FIRMS

CODE	GROUP/FIRM NAME	SIGNATURE/TITLE	DATE	EIS LETTERS-CROSS REFERENCE
C-1	Sand Canyon Homeowners Association	Sand Canyon Home Owners Association	3/26/99	
C-2	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President NHC 1999	3/29/99	

CODE	GROUP/FIRM NAME	SIGNATURE, TITLE	DATE	EIS LETTERS-CROSS REFERENCE
C-3	Agua Dulce Civic Association Inc.	Donna Saufley, Corresponding Secretary	3/31/99	
C-4	Agua Dulce Town Council	Diane Terito, Secretary	3/31/99	
C-5	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President NHC 1999	4/4/99	
C-6	Carmona and Associates	John Carmona	4/5/99	
C-7	Friends of the Santa Clara River	Barbara Wampole, Vice Chair	4/6/99	
C-8	Acton Town Council	Monet Pierce	4/6/99	
C-9	International Union of Operating Engineers	Steve A. Billy Treasurer	4/18/99	
C-10	Sierra Club-Angeles Chapter	Martin Schlageter, Conservation Director	5/15/99	EIS Letter C-8
C-11	Santa Clarita Organization for Planning the Environment	Lynne A. Plambeck	5/11/99	EIS Letter C-7
C-12	Friends of Santa Clarita River	Ron Bottorff, Chair	5/17/99	
C-13	Santa Clarita Alliance for Environmental Safety	Mary K. Riggins	6/8/99	
C-14	Remy, Thomas and Moose, LLP	Tina A. Thomas	7/14/99	EIS Letter C-3
C-15	Safe Action For the Environment	Tana Lampton, Director Safe Action For the Environment	9/13/99	EIS LetterC-6
C-16	Jeb Stuart Air Quality Consultant	Jeb Stuart, Air Quality Consultant	8/24/99	
C-17	Richard C. Slade & Associates LLC	Richard C. Slade, Certified Engineering Geologist No. 929	9/13/99	Moved to L-33
C-18	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President NHC, A/AD	9/13/99	EIS Letter C-9
C-19	SCOPE	Lynne A. Plambeck, 1st Vice President	7/23/99	
C-20	Democratic Alliance for Acton (DAA)	Diane Trautman, President	7/27/99	EIS Letter C-12
C-21	Acton Town Council	David P. Weary, President Acton Town Council	8/18/99	
C-22	San Marino Environmental Associates	Jonathan N. Baskin, Thomas R. Haglund Principal Senior Scientists	9/10/99	EIS Letter C-2
C-23	Law Offices Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shaping, LLP	R.J. Comer	9/10/99	
C-24	Friends of the Santa Clara River	Ron Bottorff, Chair	9/13/99	
C-25	SCOPE	Lynne A. Plambeck	9/9/99	EIS Letter C-4
C-26	Agua Dulce Town Council and Agua Dulce Civic Association	James F. Duzick, President Diane Terito, Land Use Chair	9/6/99	EIS Letter C-13
C-27	S.A.F.E.	Andrew G. Fried, President	9/12/99	EIS Letter C-17, Attachment A
C-28	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President	9/13/99	
C-29	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President	9/13/99	

CODE	GROUP/FIRM NAME	SIGNATURE, TITLE	DATE	EIS LETTERS-CROSS REFERENCE
C-30	Sierra Club	Henry Schulz	9-13-99	EIS Letter C-1
C-31	Acton Civic Association	Kent M. Madsen, Acting President	9-13-99	
C-32	Safe Action For the Environment	Andrew G. Fried, President	9/12/99	EIS Letter C-17, Attachment B
C-33	Agua Dulce Town Council	James Duzick, President Diane Terito, Land Use Chair, Agua Dulce Civic Association	11/14/99	
C-34	Hall and Associates	Carlyle W. Hall, Attorney for SAFE	11/12/99	EIS Letter C-17
C-35	Center for Biological Diversity	Peter Galvin, Conservation Biologist	11/23/99	EIS Letter C-15
C-36	Thousand Trails	Steve Werner, Manager Thousand Trails	10/14/99	
C-37	Baker & McKenzie	Kerry Shapiro	11/24/99	

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STATE OF CALIFORNIA—BUSINESS AND TRANSPORTATION AGENCY

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, ADVANCE PLANNING OFFICE 1-10C
120 SOUTH SPRING STREET
LOS ANGELES, CA 90012
TEL: (213) 897-3747 FAX: (213) 897-6317
E-mail: Cheryljpowell/D07/CAGOV@DOT

March 24, 1999

IGR/CEQA/#990240/CP
Soledad Canyon Sand & Gravel Mining Project
LA-14-35.71
SCH# 91111066

Mr. Daryl Koutnik
L.A. County Department of Regional Planning
Impact Analysis Section, Room 1348
Los Angeles, CA 90012

Dear Mr. Koutnik:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. The project's purpose and objectives are to: provide a reliable and economically sound source of construction minerals primarily for the Santa Clarita Valley and the greater Los Angeles area, develop construction mineral reserves, develop a source of ready-mixed concrete for the Santa Clarita Valley, mine the project site to produce 56.1 million tons of PCC aggregates, and provide for the environmentally sound and economically feasible reclamation of the site.

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

If you have any questions regarding this response please reference IGR/CEQA # 990240 and call me at (213) 897-4429 or Cheryl Powell, the IGR/CEQA Coordinator for the project at (213) 897-3747.

Sincerely,

STEPHEN J. BUSWELL
IGR/CEQA Program Manager
Transportation Planning Office

Cc: DeLicia Wynn
State Clearinghouse

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State of California **The Resources Agency**

MEMORANDUM

To: Project Manager
Resources Agency

Date: April 7, 1999

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Jason Marshall
Assistance Director

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

S-3

California Regional Water Quality Control Board

Los Angeles Region

Winston H. Hickox
Secretary for Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: http://www.swrcb.ca.gov/~rwqcb4

Gray Davis
Governor

April 11, 1999

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

Dear Mr. Koutnik:

Draft Environmental Impact Report:
Soledad Canyon Sand and Gravel Mining Project (no. 91165)
(State Clearinghouse no. 91111066)

Based on the information you provided to us, we understand that Transit Mixed Concrete Company proposes to mine a total of 83 million tons of material on a site of approximately 500 acres adjacent to the Santa Clara River north of Soledad Canyon Road. These 500 acres would be used to produce and sell approximately 56.1 million tons of sand and gravel over 20 years and to extract between 38.43 and 64.59 acre/feet per month (460-775 af/yr) of water from at least one well of unknown depth. The water would be used for (in order of volume) product washwater, compacting fines for earth fills [sic], dust suppression, concrete production, and truck washing. Water would be recycled with no planned return of water to the river. A habitat protection plan is included for one of four essential habitats in California for the endangered unarmored threespine stickleback, which lies adjacent to the site. The plan includes annual and occasional monthly monitoring of water temperature, oxygen levels, stream depth and flow with specific action levels which can result in changed operations. Habitat improvement is provided through a plan for eradication of exotic giant reed. Also included is a reclamation plan for reseeding the site with locally collected seeds to maintain plant diversity after extraction of the sand and gravel.

The following elements were not included or were not clearly stated in the report: 1) The acreage of flood plain/streambed which will be disturbed or mined and post-operation reclamation plans for any riparian habitat; 2) The reclamation plans for the settling pits; 3) Confirmation that streambeds will not be disturbed or evidence of a 404/401 permit application; 4) The evidence that the proposed operation will not discharge coagulants, surfactants and oil and grease into the Santa Clara River even during wet periods when the settling ponds will be filled or, alternatively, a Report of Waste Discharge (ROWD) document describing these discharges to conform with the Porter/Cologne Act.

On September 17, 1998 we received your draft Environmental Impact Report (EIR) for the Soledad Canyon Sand and Gravel Mining Project (i.e. the Project). The project will receive public review on Thursday, April 22, 1999. We have several concerns regarding your Project's impact

on beneficial uses for the Santa Clara River and tributaries, among which include habitat for warm water aquatic life and rare/threatened/endangered species, agricultural beneficial use, and recharge of groundwater. Our objective, in outlining our concerns, is to work with you to ensure that any EIR contains conditions and requirements to protect all beneficial uses.

Water Quality Impacts: Thank you for identifying the habitat encroachments for some threatened and endangered species in your application package and discussing mitigation for threatened habitat. However, an analysis of impacts (in both water column and sediments)—and associated beneficial uses—was not apparent in the material you submitted. Specifically, what additional pollutants will enter the Santa Clara River system from the changes in land use connected with this specific Project? Such an analysis should consider load to both surface and groundwater, as they are in hydraulic continuity throughout much of the Santa Clarita Valley. Finally, once you've determined the pollutant loading and changes in water quality, you should then analyze impacts to beneficial uses resulting from any degradation of water quality.

Potential contaminants include the coagulant and surfactants used in dust suppression and the oil and grease introduced to the site through mining equipment and truck operations. We agree that it is possible to contain these contaminants under optimal conditions using settling ponds. However, stream flow records adjacent to the site at the Lang gaging station show that stream flows are quite variable. The location of the settling ponds relative to 100 year flood levels is necessary to demonstrate that the ponds will not be breached during flooding. Further, the volumes of overland runoff from winter storms are much higher than average surface flows. A mitigation plan for these potential contaminants would demonstrate that 100 year storm conditions would not produce runoff in sufficient volumes to fill the settling ponds and cause spillage. A mitigation plan should also maintain drainage flows within the operational area such that dust suppressants will wash into the settling ponds during rainstorms. Finally, estimations of contaminant volumes entering the groundwater through on-site percolation are necessary to protect groundwater quality as discussed above.

Another specific example of potential contaminants is chloride. The Project lies in a reach of the Santa Clara River which is listed in the Clean Water Acts' 303(d) list as impaired for chloride. Dust suppression activities, especially during droughts, will include application of chloride containing compounds. The depth to the water table of over 25 feet is cited as a sufficient safeguard to prevent the chloride from entering the stream. As discussed above, we would disagree that surface runoff would not move this material into the stream. Further, we would request that the additional chloride loading to the surface and groundwater be quantified.

Similarly, the downstream portions of the Santa Clara River are listed as impaired for ammonia. What nitrogen loads, including ammonia, would you estimate would be introduced to ground and surface water through the planned installation of a septic system at the site in soils with poor porosity?

Lost habitat: We appreciate your characterization of the habitat for the unarmored threespine stickleback adjacent to your properties. The average stream and groundwater flows on which you base your Project consumption allow an estimate of the impact of water extraction on streamflow. However, protection of fish habitat should be based on minimum historical flows and a mechanism to reduce pumping coincident with declining stream because even where subsurface recharge is 'instantaneous', a lag between detection of loss of stream flow and recharge is not protective of fisheries.

The monitoring plan itself documents habitat changes related to the stickleback. We are concerned that the action levels are not related to specific operational procedure. You provide estimates of the water required for those procedures and we suggest that you link specific changes in practices to changes in flow volume as opposed to your less specific plan to 'respond'. For example, what operational change would you make to increase water levels in your monitoring area by 1 foot. Further, you link your response to average measured parameters, and as was mentioned above, the minimum numbers should trigger action, not the average.

The material you provided on the stickleback indicates that their feeding habits are disturbed by turbidity in the water because they are visual feeders. We suggest that your monitoring plan and action levels should be protective of the fisheries by including a turbidity measure as well as an action plan for flood conditions should the siltation ponds be breached.

Finally, the acreage of flood plain and streambed which will be disturbed or mined should be estimated. If riparian habitat will be destroyed, the animal and plant communities which will be disrupted should be documented and mitigation plans developed.

Water Rights: You characterize riparian right in the Santa Clara River extending to the base flow or 'subterranean stream'. We are concerned that your Project water use estimates are compared to groundwater volumes available in the Saugus Formation and deeper aquifers. Further, the specifications for your groundwater wells were not included in the information you provided. Should you intend to apply only riparian rights to the Project's use, the well design would be different than for the production wells such as those in the Acton Basin aquifer whose high production rates you use as evidence against a water shortage. In fact, in the immediate vicinity of the Project where the sediment is thin and subsurface flow rises to the surface, we suspect that the potential for recharge

from these other water sources is absent. Therefore, we would like to see additional supporting evidence that the subsurface aquifer in the immediate vicinity of the Project can provide the quantities that you estimate, without eliminating the surface flow the deemed necessary to fisheries.

Thank you again for the opportunity to comment on your draft EIR. We hope our suggestions will be helpful in working together to protect the beneficial uses. If we can be of additional assistance, please let us know. For technical questions please call Elizabeth Erickson at 213 576 6683.

Sincerely,

Jonathan Bishop
Chief of Regional Programs

Cc
Harry Schueller, Chief of Division of Water Rights

State Water Resources Control Board

S-4

Winston H. Hickox
Secretary for Environmental Protection

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

Gray Davis
Governor

In Reply Refer
to: A29967:91165

JUN 0 1 1999

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

Dear Mr. Koutnik:

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

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

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

General Comments

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

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

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

Specific Comments

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

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

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

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

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

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

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

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

Sincerely,

Ross Swenerton

Ross Swenerton, Chief
Environmental Review Unit 2

Enclosure

cc: See next page

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

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

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

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

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

ORIGINATOR

RECEIVED

JUN 0 2 1999

KERRY SHAPIRO

916/657-0446

FAX: 916/657-2388

In Reply Refer
to: 316:NW:29967

APR 15 1992

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

Dear Mr. McCarthy:

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

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

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

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

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

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

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

4. Impacts of the project on downstream water quality.

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

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

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

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

Sincerely,

Ross Swenerton, Chief
Environmental Review Unit 2

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

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

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

California Regional Water Quality Control B

Los Angeles Region

Winston H. Hickox
Secretary for Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, CA 90013
Phone (213) 576-6600 FAX (213) 576-6640

Gray Davis
Governor

S-5

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

FROM: Jonathan Bishop, Chief
Regional Programs Section
LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD

DATE: June 14, 1999

SUBJECT: **SOLEDAD CANYON TRANSIT MIX EIR (SCH# 91111066)**

We have reviewed the additional documentation provided by Transit Mix for the Soledad Canyon EIR; however, we remain pessimistic about the applicant's ability to mitigate our concerns as described in the attached letter. We will be meeting with Transit Mix on June 23rd to further discuss our concerns with this project as well as inadequacies in the application.

Attachment : April 20, 1999 RWQCB comments
cc: Elizabeth Erickson

DEPARTMENT OF CONSERVATION
801 K Street, MS 09-06
Sacramento, CA 95814
TEL: (916) 323-9198
FAX: (916) 322-4862
EMAIL: OMRCAL@CONSRV.CA.GOV

S-6

June 16, 1999

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

Dear Mr. Koutnik:

Transit Mixed Concrete Company Soledad Canyon Sand and Gravel Project
Mining and Reclamation Plan CA Mine ID # 91-19-0009

The Office of Mine Reclamation (OMR) conducted a site visit to the Soledad Canyon Sand and Gravel Project on June 7, 1999. This letter summarizes our field visit and includes reclamation plan recommendations we discussed in the field. Transit Mixed Concrete was represented by Mr. Brian Mastin and Mr. John Hecht. The county was represented by Ms. Julie Moore and Mr. Kerwin Chee. The following comments have been prepared by Mary Ann Showers and Catherine Gaggini.

1. The Draft Environmental Impact Report (DEIR) states that, topsoil would be salvaged where "practical." The requirement for topsoil salvage was discussed in our previous letter and in the field. Based on our field observations along the ridge road, the depth of soil is about five feet deep. We feel that at least 75% of the North Fill Storage Area is accessible to equipment and that topsoil should be salvaged after vegetation is removed. According to the applicant, topsoil will now be salvaged in advance of mining. The topsoil will be scraped to the sides of the working area during vegetation removal. Topsoil should be reapplied subsequent to fill placement. The 80% compaction level proposed for surface fines should not preclude plant establishment. The resoiled area should be ripped to at least 18 inches prior to planting. Stockpiled growth media should be clearly identified in the field and on maps to prevent inadvertent removal as product. Topsoil stockpiles can be seeded with revegetation species for erosion control. The reclamation plan should be revised to include a statement that topsoil will be salvaged per our discussions.

2. The plan proposes to apply seed by hydroseeding. We strongly recommend against this approach due to the aridity of the site and the prevailing winds. Since site-collected seed will be used for revegetation, hydroseeding could result in increased revegetation costs due to seed loss. According to Mr. Hecht, an

imprinter will be available for seed application. We support this approach since the imprinter will incorporate seed directly into the ground. Alternative seed application methods are drill seeding and broadcast seeding followed by harrowing.

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

   Containerized plants may require irrigation for the first one or two growing seasons depending on rainfall. If irrigation is used, plants should be self-sufficient for at least two years following cessation of irrigation and maintenance. Deliberately overplanting containers will ensure that an adequate number of plants survive.

4. Revegetation performance standards are presented on page 1-62. The plan does not, however, include standards for "Concurrent Reclamation" and states that "... the performance standard will be determined in the field." As discussed during our site visit, the reclamation plan should propose a cover standard for erosion control. Such as standard can be stated, for example, as 80% cover with no bare areas larger than 10' X 10'.

5. We recommend that the plan clarify that seeding and container installation for the North Fines Area will be concurrent to differentiate between "concurrent" and "final" reclamation of the mine and facilities areas.

6. We offer the following recommendations for the seed and container mixes proposed in the reclamation plan. For <u>Concurrent Reclamation – Mine Areas,</u> add hairy yerba santa (*Eriodictyon trichocalyx*), golden yarrow (*Eriophyllum confertiflorum*), chia (*Salvia columbariae*), Turkish rugging (*Chorizanthe staticoides*), and desert dandelion (*Malacothrix glabrata*) to the seed mix. These species were colonizing disturbed areas at the mine site. We recommend that crested needlegrass (*Achnatherum coronatum*) be used for final rather than concurrent reclamation.

   For the <u>North Fines Storage Area</u>, add thick-leaf yerba santa (*Eriodictyon crassifolium*), golden yarrow, chia, desert dandelion, and corethrogyne (*Lessingia [=Corethrogyne] filaginifolia*) to the seed mix. Thick-leaf yerba santa

can be removed from the container plant list since it seeds readily. We observed chaparral whitethorn (*Ceanothus leucodermis*) along the crest of the ridge line. This species could be added to the container plant list.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 323-8565.

Sincerely,

James S. Pompy, Manager
Reclamation Unit

cc: Julie Moore, AICP

STATE OF CALIFORNIA – THE RESOURCES AGENCY

DEPARTMENT OF CONSERVATION

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

S-7

September 10, 1999

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

Dear Mr. Koutnik:

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

Jason Marshall
Assistant Director

Enclosures

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

Robert L. Hill
Division of Mines and Geology, Sacramento

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

References

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

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

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

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

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

State of California | The Resources Agency

MEMORANDUM

To: Project Coordinator
Resources Agency

Date: June 22, 1999

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

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

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

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

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

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

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

State of California

The Resources Agency

MEMORANDUM

To: Project Manager
Resources Agency

Date: April 7, 1999

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

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

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

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

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

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

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

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

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

Jason Marshall
Assistance Director

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

California Integrated Waste Management Board

Dan Eaton, Chairman
8800 Cal Center Drive • Sacramento California 95826 • (916) 255-2200
www.ciwmb.ca.gov

Winston H. Hickox
Secretary for Environmental Protection

Gray Davis
Governor

S-8

September 10, 1999

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

RE: SCH# 91111066 - DRAFT EIR FOR SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT, PROJECT NO. 91165

Dear Dr. Koutnik:

The California Integrated Waste Management Board (CIWMB or Board) staff have reviewed the draft environmental impact report (DEIR) that was prepared for the proposed Soledad Canyon sand and gravel mining project. The following represents CIWMB staff's understanding of the scope of the proposed project based on the project description and documents provided by the Lead Agency.

PROJECT DESCRIPTION

The proposed Soledad Canyon sand and gravel mining project will consist of mining a total of 83 million tons of material to produce and sell approximately 56.1 million tons of sand and gravel over a 20 year period. In addition, the project includes operation of a concrete batch plant to produce and deliver ready-mixed concrete to the local market. The surface mining operations will be conducted on 460 acres of the 500 acre site. The remaining 40 acres will support processing facilities.

The project site is located northerly of Soledad Canyon Road, south of the Antelope Valley Freeway and west of Agua Dulce Canyon. The site is currently vacant, with a 45-acre portion of the site having previously been mined since 1968 by prior sand and gravel operators.

COMMENTS

One purpose of CIWMB staff's review of an environmental document is to help decision-makers identify potential impacts from proposed projects, evaluate whether any such impacts are significant, and determine whether significant impacts can be mitigated to a level of insignificance in compliance with the California Environmental Quality Act

(CEQA) statutes and guidelines. In addition, since the Applicant may require a Solid Waste Facility Permit (see comment below), CIWMB staff must also ascertain that the subject environmental document is adequate for use in the permitting process. The proposed project must be described in sufficient detail to allow estimation of the facility's ability to meet the standards to prevent environmental damage and to provide long-term protection of the environment, the primary consideration in issuing, modifying, or revising any solid waste facility permit (see Title 27 Section 21570). Environmental Review staff offer the following comments:

- In Section 1.4.3.5 the Lead Agency states that green wastes stripped from mining areas will be retained on site and composted for use in the proposed concurrent revegetation program. This activity may require a permit either as a green material composting operation or as a green material composting facility. The Lead Agency should consult with the Local Enforcement Agency for more information. The contact person is Richard Hanson (Department of Health Services) and he may be reached at (323) 881-4151.

- The DEIR included consideration of seven alternatives, including "No Project" and "Reduced Quantity Mining Concept" alternatives. The Lead Agency states that the "No Project" alternative would result in a significant reduction in regional reserves and possible significant regional economic implications in the ability to supply construction materials to the Santa Clarita Valley and greater Los Angeles area. The "Reduced Quantity Mining Concept" alternative was found to be infeasible from an economic perspective because of a previous determination that, in order to provide aggregate material for the greater Los Angeles market with a reasonable economic return, 56.1 million tons of sand and gravel was needed. In calculating future market needs, did the Lead Agency consider the potential reduction in the quantities of virgin materials needed due to the use of recycled aggregate? Use of recycled aggregate may significantly reduce the environmental impacts associated with this project as it is proposed.

  The DEIR also states that, under the "No Project" alternative, the site would remain in its present state as vacant land that includes an existing quarry mined by a previous operator. It goes on to discuss the potential adverse impacts of this alternative, such as slopes which may be unstable and would not be revegetated, the potential for erosion and sedimentation, and potential impacts to water quality and unarmored threespine stickleback habitat in the Santa Clara River due to sedimentation from the unreclaimed quarry. But it does not follow that these potential adverse impacts can only be averted or mitigated by allowing large scale surface mining and batch plant operations at this site over the next 20 years. The DEIR seems to suggest that an alternative would need to meet the project proponent's objective to maximize the use of the proposed site. That objective cannot be met by any project alternative, except one that further intensifies the use of the site, hence, further intensifies the environmental impacts of the project.

Board staff appreciate the opportunity to provide comments on the DEIR. Please notify us of any public hearings concerning this project, pursuant to Public Resources Code Section 21092.5(b).

If you have any questions regarding these comments, please call me at (916) 255-3880.

Sincerely,

Marcia Kiesse

Marcia Kiesse
Permitting & Inspection Branch
Permitting & Enforcement Division

Cc: Richard Hanson, LEA for Los Angeles County

California Regional Water Quality Control

Los Angeles Region

Winston H. Hickox
Secretary for Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: http://www.swrcb.ca.gov/~rwqcb4

Gray Davis
Governor

S-9

November 12, 1999

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

Dear Mr. Koutnik:

Draft Environmental Impact Report: Soledad Canyon Sand and Gravel Mining Project (no. 91165) (State Clearinghouse no. 91111066)

Based on the information you provided to us, we understand that Transit Mixed Concrete Company proposes to mine a total of 83 million tons of material on a site of approximately 500 acres adjacent to the Santa Clara River north of Soledad Canyon Road. These 500 acres would be used to produce and sell approximately 56.1 million tons of sand and gravel over 20 years and to extract between 38.43 and 64.59 acre/feet per month (460-775 af/yr) of water from at least one well of unknown depth. The water would be used for (in order of volume) product washwater, compacting fines for earth fills [sic], dust suppression, concrete production, and truck washing. Water would be recycled with no planned return of water to the river. A habitat protection plan is included for one of four essential habitats in California for the endangered unarmored threespine stickleback, which lies adjacent to the site. The plan includes annual and occasional monthly monitoring of water temperature, oxygen levels, stream depth and flow with specific action levels which can result in changed operations. Habitat improvement is provided through a plan for eradication of exotic giant reed. Also included is a reclamation plan for reseeding the site with locally collected seeds to maintain plant diversity after extraction of the sand and gravel.

We appreciate the opportunity to review the Environmental Impact Statement you have provided. Transit Mixed has also provided us additional information concerning the storm water discharges from similar operations as per our request. We appreciate Transit Mix's responsiveness to our concerns, however the regulatory framework by which we must evaluate the project is being redefined.

Specifically, the Water Quality Control Board must evaluate cumulative effect, not just site specific project impacts, in watersheds where water quality standards are not currently being met. As a result, an environmental document must provide information to allow us to evaluate the potential for non-regulated impacts to the watershed as a whole.

The site lies adjacent to tributaries to the Santa Clara River watershed which was listed in 1998 as impaired for pesticides, nitrogen, algae, salts, and coliform. (a complete listing of the impairments is attached) Despite the additional information which was provided, we still are unable to concur that the project has mitigated the impact on surface waters without additional project-specific estimates of the projected near and long term loads of these pollutants to the surface and groundwater. Further, because water quality objectives are currently measured in units of concentration, the anticipated changes in the diluting volume of ground and surface water is necessary to estimate the potential impact to downstream beneficial uses which may result from the project.

While we do not expect project applicants to complete regional impact studies, we do require sufficient supporting information so that we may evaluate the potential damage of the project to the entire watershed through synergistic effects.

Please provide the following information, for the near and long term, to allow us to evaluate the potential impact of the project:

1) Estimates of the concentration (mg/l) and load(lbs./day) from the project of any potential sources, both point and non-point, of pollution that is currently impairing the waterbody.

2) Estimates of the amount of additional runoff generated by the project in wet seasons and dry seasons.

3) Estimates of the amount of increased or decreased percolation due to the project.

4) Estimates of the net change in cubic feet per second groundwater and surface water contributions due the project in 10 and 100 year drought and 10 and 100 year flood conditions .

If you have any questions please call Elizabeth Erickson at (213) 576 6683.

Sincerely,

Jonathan Bishop
Chief, Regional Planning
Los Angeles Regional Water Quality Control Board

S-10

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse

Gray Davis
GOVERNOR

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

Loretta Lynch
DIRECTOR

November 16, 1999

Daryl Koutnik
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subject: Soledad Canyon Sand and Gravel; Project 91-165 (Surface Mining Permit)
SCH#: 91111006

Dear Daryl Koutnik:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 15, 1999, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's eight-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

Sincerely,

Terry Roberts

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH# 91111006
Project Title Soledad Canyon Sand and Gravel; Project 91-165 (Surface Mining Permit)
Lead Agency Los Angeles County Department of Regional Planning

Type eir Draft EIR
Description Sand and gravel mining project on a site of approximately 500 acres consisting of a total of 83 million tons of material to produce and sell approx. 56.1 million tons of sand and gravel over a 20-year period; and a concrete batch plant to produce and deliver ready-mixed concrete to the local market. A reclamation plan for both concurrent and final reclamation processes is proposed.

Lead Agency Contact

Name Daryl Koutnik
Agency Los Angeles County
Phone 213/974-6461 **Fax**
email
Address Department of Regional Planning
320 West Temple Street
City Los Angeles **State** CA **Zip** 90012

Project Location

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

Proximity to:

Highways Hwy 14
Airports Agua Dulce Air Park
Railways Southern Pacific
Waterways Santa Clara River
Schools
Land Use Vacant undeveloped land
Zoning: M-2 (Heavy Manufacturing)
GP: Non-urban

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

Reviewing Agencies Resources Agency; Department of Conservation; Department of Parks and Recreation; California Highway Patrol; Air Resources Board; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; State Lands Commission; Caltrans, District 7; Integrated Waste Management Board; Department of Fish and Game, Region 5

Date Received 02/26/1999 **Start of Review** 02/26/1999 **End of Review** 11/15/1999

State of California **The Resources Agency**

MEMORANDUM

FILED
APR 9 1999
STATE
CLEARINGHOUSE

To: Project Manager
Resources Agency

Date: April 7, 1999

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Jason Marshall
Assistance Director

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

STATE OF CALIFORNIA—BUSINESS AND TRANSPORTATION AGENCY GRAY DAVIS, *Governor*

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, ADVANCE PLANNING OFFICE 1-10C
120 SOUTH SPRING STREET
LOS ANGELES, CA 90012
TEL: (213) 897-3747 FAX: (213) 897-6317
E-mail: Cheryljpowell/D07/CAGOV@DOT

March 24, 1999

IGR/CEQA/#990240/CP
Soledad Canyon Sand & Gravel Mining Project
LA-14-35.71
SCH# 91111066

FILED
APR 16 1999
STATE
CLEARINGHOUSE

Cleared 4/12

Mr. Daryl Koutnik
L.A. County Department of Regional Planning
Impact Analysis Section, Room 1348
Los Angeles, CA 90012

Dear Mr. Koutnik:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. The project's purpose and objectives are to: provide a reliable and economically sound source of construction minerals primarily for the Santa Clarita Valley and the greater Los Angeles area, develop construction mineral reserves, develop a source of ready-mixed concrete for the Santa Clarita Valley, mine the project site to produce 56.1 million tons of PCC aggregates, and provide for the environmentally sound and economically feasible reclamation of the site.

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

If you have any questions regarding this response please reference IGR/CEQA # 990240 and call me at (213) 897-4429 or Cheryl Powell, the IGR/CEQA Coordinator for the project at (213) 897-3747.

Sincerely,

Original Signed By

STEPHEN J. BUSWELL
IGR/CEQA Program Manager
Transportation Planning Office

Cc: DeLicia Wynn
State Clearinghouse

California Integrated Waste Management Board

Dan Eaton, Chairman
8800 Cal Center Drive • Sacramento California 95826 • (916) 255-2200
www.ciwmb.ca.gov

Winston H. Hickox
Secretary for Environmental Protection

Gray Davis
Governor

RECEIVED
SEP 13 1999
STATE CLEARINGHOUSE

Clear 6/14/99 Late

September 10, 1999

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

RE: SCH# 91111006 - DRAFT EIR FOR SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT, PROJECT NO. 91165

Dear Dr. Koutnik:

The California Integrated Waste Management Board (CIWMB or Board) staff have reviewed the draft environmental impact report (DEIR) that was prepared for the proposed Soledad Canyon sand and gravel mining project. The following represents CIWMB staff's understanding of the scope of the proposed project based on the project description and documents provided by the Lead Agency.

PROJECT DESCRIPTION

The proposed Soledad Canyon sand and gravel mining project will consist of mining a total of 83 million tons of material to produce and sell approximately 56.1 million tons of sand and gravel over a 20 year period. In addition, the project includes operation of a concrete batch plant to produce and deliver ready-mixed concrete to the local market. The surface mining operations will be conducted on 460 acres of the 500 acre site. The remaining 40 acres will support processing facilities.

The project site is located northerly of Soledad Canyon Road, south of the Antelope Valley Freeway and west of Agua Dulce Canyon. The site is currently vacant, with a 45-acre portion of the site having previously been mined since 1968 by prior sand and gravel operators.

COMMENTS

One purpose of CIWMB staff's review of an environmental document is to help decision-makers identify potential impacts from proposed projects, evaluate whether any such impacts are significant, and determine whether significant impacts can be mitigated to a level of insignificance in compliance with the California Environmental Quality Act

Board staff appreciate the opportunity to provide comments on the DEIR. Please notify us of any public hearings concerning this project, pursuant to Public Resources Code Section 21092.5(b).

If you have any questions regarding these comments, please call me at (916) 255-3880.

Sincerely,

Marcia Kiesse

Marcia Kiesse
Permitting & Inspection Branch
Permitting & Enforcement Division

Cc: Richard Hanson, LEA for Los Angeles County

CAPITOL
BOX 942849
CA 94249-0036
(916) 319-2036
FAX (916) 319-2136

DISTRICT OFFICE
V. LANCASTER BLVD.
CASTER, CA 93534
(661) 723-3368
X (661) 723-6307

DISTRICT OFFICE
23920 VALENCIA BLVD.
SUITE 250
SANTA CLARITA, CA 91355
(661) 259-4516
FAX (661) 259-3116

Assembly
California Legislature

GEORGE RUNNER
ASSEMBLYMEMBER, THIRTY-SIXTH DISTRICT
VICE-CHAIRMAN, ASSEMBLY BUDGET COMMITTEE

COMMITTEES:
- Vice-Chair, BUDGET
- APPROPRIATIONS
- HEALTH
- HOUSING AND COMMUNITY DEVELOPMENT
- INTERNATIONAL TRADE AND DEVELOPMENT
- JOINT LEGISLATIVE BUDGET COMMITTEE
- JOINT COMMITTEE ON FAIRS ALLOCATION AND CLASSIFICATION
- SELECT COMMITTEE ON AEROSPACE INDUSTRY
- SELECT COMMITTEE ON LONG-TERM PLANNING FOR COMMERCIAL AND GENERAL AVIATION AIRPORT CAPACITY

S-11

September 22, 1999

Julie Moore, Project Planner
County of Los Angeles Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

Dear Ms. Moore:

I wish to convey to the Regional Planning Commission my objections to the proposed mining project in my district.

Transit Mixed Concrete Company is proposing a massive, long term mining project that will involve surface mining of 83 million tons of material on a 460-acre site over a twenty year period between the cities of Santa Clarita and Agua Dulce.

My opposition to this project stems from what I believe are two aspects that will adversely affect my constituents, namely transportation and air quality issues.

Increased truck traffic will compound already existing heavy traffic in that area of my district and I do not see that this can satisfactorily be mitigated considering the 20-year length of the project.

Also of concern to me are air quality issues related to a project of this magnitude. I do not believe the Environmental Impact Report reveals that air quality problems can be brought to meet current standards for the area if the proposed project is approved.

After careful evaluation of information regarding this project, I am respectfully registering my opposition to Transit Mixed Concrete Mining Project #91165.

Sincerely,

George Runner
Assemblyman, 36th District

L-1

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100

HARRY W. STONE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

DATE April 7, 1999

APR 12

IN REPLY PLEASE REFER TO FILE: P-2

Mr. Kerwin Chih
Acting Section Head, Impact Analysis Section
Department of Regional Planning, County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012-3828

Attention Mr. Daryl Koutnik

Dear Mr. Chih:

RESPONSE TO REVIEW OF ENVIRONMENTAL DOCUMENTS

Enclosed are comments from the following Divisions within this Department regarding Project No. 91-165 Soledad Canyon:

- [x] Land Development - Drainage and Grading
- [x] Traffic and Lighting
- [ ] Materials Engineering - Geology and Soils
- [x] Environmental Programs
- [ ] Waterworks and Sewer Maintenance
- [x] Other Flood Maintenance, Hydraulic/Water Conservation, Transportation/Plan

If you have any questions regarding the comments, please contact the person listed on the enclosed comments. For additional information, please contact Ms. Yolanda Correa at (626) 458-4335.

Very truly yours,

HARRY W. STONE
Director of Public Works

For: DAVID YAMAHARA
Assistant Deputy Director
Planning Division

FORM.36/km

Enc.

L-2

DEPARTMENT OF PUBLIC WORKS - COUNTY OF LOS ANGELES
BUILDING AND SAFETY/LAND DEVELOPMENT DIVISION

April 7, 1999

TO: Planning Division
Attn: Yolanda

RE: **REVIEW OF DRAFT .E.I.R. FOR SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT NO. 91-165 DATED FEBRUARY 1999**

We have reviewed the subject environmental document from a DRAINAGE AND GRADING standpoint and find it acceptable.

Prepared by Ron Lacayo

Ron Lacayo
Special Assignments Section
(626) 458-3151

RL
soledad.eir

March 29, 1999

TO: Scott Schales
Planning Division

Attention Vik Bapna

FROM: Carlos Ruiz CR
Environmental Programs Division

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
SOLEDAD CANYON SAND AND GRAVEL MINING
UNINCORPORATED LOS ANGELES COUNTY

We have reviewed the subject DEIR in concert with our August 20, 1998, comments on the project's Screencheck DEIR, and we are providing the following comment:

> Should any operation within the subject development include the modification, removal, or installation of underground storage tanks and/or industrial waste control or disposal facilities, Environmental Programs Division must be contacted for required approvals and operating permits.

If you have any questions regarding the above comment, please contact Chuk Agu at Extension 2188.

LM:my
CR EP-4\P:\sec\sldd2

March 25, 1999

TO: Dave Yamahara
Planning Division

FROM: Kenneth H. Erhard KE
Flood Maintenance Division

REVIEW OF ENVIRONMENTAL DOCUMENT
PROJECT 91-165 SOLEDAD CANYON SURFACE MINING

We reviewed the subject Draft Environmental Impact Report (EIR) dated February 1999 and have the following comments:

Section 1.4.1.2 Drainage Concept and Erosion Control

The EIR states that final design of debris basins will be reviewed and approved by the Department. The sediment control facilities should be designed in accordance with the "Small Dams Ordinance." However, effectiveness of the debris basins depends on periodic maintenance and timely removal of entrapped debris. Since all of the sediment control facilities are located on private properties, lack of maintenance can lead to eventual failure of the debris basins and increase of sediment load to downstream watershed and/or the Santa Clara River. The Memorandum of Understanding between the County of Los Angeles and the Transit Mixed Concrete Company for the use of the SPS, should also include provisions for periodic inspections and permits for the facilities under the "Small Dam Ordinance" to assure continuous maintenance of all of the sediment control facilities during the projected 20 year life-span of the project.

If you have any questions concerning these comments, please contact Wayne Snively of my Hansen Yard staff at Extension 4381.

WHS KT
TMCEIR.WPD

cc: Building and Safety/Land Development
Flood Maintenance (2) (FEU-West, West Files)

March 23, 1999

TO: David Yamahara
Planning Division

FROM: Thomas V. Schriber
Hydraulic/Water Conservation Division

PROJECT 91-165 SOLEDAD CANYON SURFACE MINING

We have reviewed the Draft Environmental Impact Report for the proposed Project 91-165 Soledad Canyon Surface Mining and have no comments.

If you have any questions concerning our review, please contact Gabriella Wibawa at 458-6142.

Your materials are returned herewith.

GW:mc
SOLEDAD.DER

Attach.

cc: H/WC (3) (Wood, Lilley, Files)

February 2, 1999

TO: Dave Yamahara
Planning Division

FROM: K. E. Weary
Traffic and Lighting Division

TRAFFIC INDEX INFORMATION MEMO (OCTOBER 14, 1998)
SOLEDAD CANYON SAND AND GRAVEL MINING
PROJECT NO. 91165
SOLEDAD AREA

We have reviewed this Project which consists of a sand and gravel extraction processing facility and a ready-mixed concrete batch plant. The site is located 2.9 miles east of the Antelope Valley (SR-14) Freeway on Soledad Canyon Road entirely within the unincorporated area of Los Angeles County. This memo supersedes our August 26, 1998, memo (copy attached).

The operation of the proposed Project is planned in two phases. Phase I from 1999 to 2009 and Phase II from 2009 to 2019. Phase I production is expected to peak at 2.15 million tons of processed aggregate per year and Phase II at 4.2 million tons of processed aggregate per year. The Project is estimated to generate approximately 1,448 passenger car equivalent (PCE) trips per day with Phase I and approximately 2,448 PCE trips per day with Phase II.

We recommend the following mitigation measures be the sole responsibility of the Project:

Project Access Road/Soledad Canyon Road

- Provide one shared left-turn/through lane and one exclusive right-turn lane on the north approach and align with existing access road for the C A Rasmussen Mining facility.
- Provide sufficient pavement on Soledad Canyon Road to provide a left-turn lane and one shared through/right-turn lane on both the east and west approaches.
- Provide adequate sight distance and a westbound merging lane to the satisfaction of this Department.
- Detailed striping plans for these improvements should be prepared and submitted to this Department for review and approval.

The cumulative traffic of the proposed Project along with other related projects will have significant impacts to the following County intersections. The Project should contribute its proportionate share of the cost of the following mitigation measures:

SR-14 Northbound Ramps/Soledad Canyon Road

- Widen and modify the east approach of Soledad Canyon Road to provide two through lanes and one exclusive right-turn lane (add one westbound through lane).

- The Project's percent share for this improvement is 9.1 percent.

Soledad Canyon Road from SR-14 northbound ramps to the Bee Canyon Mobile Home Park's (Project No. 93147) most easterly access road operates at Level of Service (LOS) D. The Project adds 164 PCE trips during the a.m. peak-hour. This combined with other related projects exceeds the significant impact threshold according to page 6 of the Los Angeles County Traffic Impact Analysis Report Guidelines. This and related projects will increase the total traffic volume to about 15,000 average daily trips (ADT) on Soledad Canyon Road from SR-14 northbound ramps to the Bee Canyon Mobile Home Park in 2008. We would recommend that Soledad Canyon Road be widened from a two-lane roadway to a four-lane roadway. However, our review of the roadway indicates this improvement is not feasible due to physical constraints.

Enter into a secured agreement with this Department to pay for pro-rata shares of the traffic signal installation costs at the following intersections. Traffic signals should only be installed when actual traffic conditions warrant the signals:

- Project Access Road/Soledad Canyon Road

  The Project should pay the entire cost.

- SR-14 Southbound Ramps/Soledad Canyon Road

  The Project should pay its share which is estimated to be 6.5 percent.

- SR-14 Northbound Ramps/Soledad Canyon Road

  The Project should pay its share which is estimated to be 9.1 percent.

March 25, 1999

TO: Dave Yamahara
Planning Division

FROM: K. E. Weary
Traffic and Lighting Division

DRAFT ENVIRONMENTAL IMPACT REPORT (FEBRUARY 1999)
TECHNICAL APPENDICES
TRAFFIC AND CIRCULATION STUDY (MAY 7, 1998)
SOLEDAD CANYON SAND AND GRAVEL MINING
PROJECT NO. 91165
SOLEDAD AREA

As requested, we have reviewed the Draft Environmental Impact Study. The document contains a previously reviewed Traffic and Circulation Study dated May 7, 1998. Our February 2, 1999, comments (copy attached) are still valid and applicable to this Project.

If you have any questions, please contact Suen Fei Lau of our Traffic Studies Section at Extension 5909.

SFL:ce
T-2/SOLEDAD4

Attach.

cc: Brian T. Sasaki

March 30, 1999

TO: Scott Schales
Environmental and Special Studies

FROM: Barry S. Witler
Transportation Planning/Assessments

Barry S. Witler 3/31/99

DRAFT ENVIRONMENTAL IMPACT REPORT
SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT
PROJECT NO. 91165

As requested, we have reviewed the subject document and offer the following comments:

Our September 1, 1998 comments on the project's Screencheck Draft EIR are included in Appendix H. The applicant's response to our comments satisfactorily addressed our concern regarding the project's conformance with the County Highway Plan and the related reservation of right of way and slope easements along Soledad Canyon Road. However, the applicant should note that computation of easements should include that area which may be required for line of sight. Additionally, the feasibility of using side slope gradients steeper than 2:1 should be documented in a geotechnical report and submitted to the Department for approval.

If you have any questions, please contact Andy Narag at Extension 4356.

AHN
P-3:C:\files\andyn\wpfiles\pr91165c.wpd

cc: Planning (Witler)

L-9

COUNTY OF LOS ANGELES - DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH
SOLID WASTE MANAGEMENT PROGRAM
2525 Corporate Place, Monterey Park, California 91754 (323) 881-4151

March 25, 1999

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

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT/SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT/PROJECT NO. 91165

Dear Dr. Koutnik;

Staff of the Los Angeles County Health Department, Solid Waste Management Program, Local Enforcement Agency (LEA) have reviewed the Draft Environmental Impact Report (DEIR) and offer the following comments:

An unpermitted/illegal landfill in Bee Canyon just west of the proposed mining site has been identified by this office. The site is immediately east of the creek at the base of highway 14, and west of the base of the mountains where the proposed project will be located.

According to the DEIR page 3-76, 35 percent of the proposed site runs off to Bee Canyon, which in turn drains into the Santa Clara River. Outfalls for run off discharge will be installed at the northwest portion of the facility.

Explain how the drainage outfalls mentioned on page 3-104, will minimize or control run off from the site to the unpermitted landfill? Will runoff from the outfalls increase the potential for waste at the unpermitted site to become exposed and/or water quality to be degraded? Describe how drainage from the site to Bee Canyon will be controlled so that negative impacts to the public health or environment will be mitigated.

Also, on page 1-46 of the DEIR, composting of green waste onsite is mentioned as a means to reduce solid waste taken to landfills. Depending on the amount a material composted onsite, a permit may be required from the LEA. Consult the California Code of Regulations, Title 14, Chapter 3.1.

If you have any questions or require additional information, please contact Chris Mastro, at (323) 881-4151.

Sincerely,

Chris Mastro, EHS III
Bureau of Environmental Protection

L-10

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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County of Ventura: Judy Mikels, Ventura County • Andrew Fox, Thousand Oaks • Toni Young, Port Hueneme

Riverside County Transportation Commission: Tom Mullen, Riverside County

Ventura County Transportation Commission: Bill Davis, Simi Valley

March 17, 1999

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

RE: **Comments on the Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Operation - SCAG No. I 9900059**

Dear Dr. Koutnik:

Thank you for submitting the **Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Operation** to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG assists cities, counties and other agencies in reviewing projects and plans for consistency with regional plans.

The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. If you have any questions regarding the attached comments, please contact me at (213) 236-1917.

Sincerely,

J. DAVID STEIN
Manager, Performance Assessment and Implementation

COMMENTS ON THE
Comments on the Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Operation SCAG No. I 9900059

PROJECT DESCRIPTION

The proposed Project is for sand and gravel mining in Soledad Canyon on approximately 500 acres. About 83 million tons of material will be mined over the next 20 years, to produce and sell about 56.1 tons of sand and gravel. In addition, a batch plant will be operated at the site. The project is located north of Soledad Canyon Road and the Santa Clara River, west of Agua Dolce Canyon, and east of the City of Santa Clarita.

I. INTRODUCTION TO SCAG REVIEW PROCESS

The document that provides the primary reference for SCAG's project review activity is the Regional Comprehensive Plan and Guide (RCPG). The RCPG chapters fall into three categories: core, ancillary, and bridge. The Growth Management (adopted June 1994), Regional Transportation (adopted April 1998), Air Quality (adopted October 1995), Hazardous Waste Management (adopted November 1994), and Water Quality (adopted January 1995) chapters constitute the core chapters. These core chapters respond directly to federal and state planning requirements. The core chapters constitute the base on which local governments ensure consistency of their plans with applicable regional plans under CEQA. The Air Quality and Growth Management chapters contain both core and ancillary policies, which are differentiated in the comment portion of this letter. The Regional Transportation Element (RTE) constitutes the region's Transportation Plan (also referred to as Community Link 21). The RTE policies are incorporated into the RCPG.

Ancillary chapters are those on the Economy, Housing, Human Resources and Services, Finance, Open Space and Conservation, Water Resources, Energy, and Integrated Solid Waste Management. These chapters address important issues facing the region and may reflect other regional plans. Ancillary chapters, however, do not contain actions or policies required of local government. Hence, they are entirely advisory and establish no new mandates or policies for the region.

Bridge chapters include the Strategy and Implementation chapters, functioning as links between the Core and Ancillary chapters of the RCPG.

Each of the applicable policies related to the proposed project are identified by number and reproduced below in italics followed by SCAG staff comments regarding the consistency of the Project with those policies.

II. CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE

A. Core Chapters

Core Growth Management Policies

None applicable

Ancillary Growth Management Policies

3.20 Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and lands containing unique and endangered plants and animals.

SCAG Staff Comments. The Draft EIR acknowledges that the project will result in the loss of 187 acres of vegetation communities, including four sensitive plant types. Seed collection for revegetation will be incorporated into the reclamation plan. State and County Plans support the use of the site for mining sand and gravel. The project is supportive of this ancillary policy.

3.21 SCAG shall encourage the implementation of measures aimed at preservation and protection of recorded and unrecorded cultural sites and archeological sites.

SCAG Staff Comments. The Draft EIR acknowledges the on-site existence of an historical archeological site. The historical site will be fenced to make certain it is not disturbed, supportive of this ancillary policy.

3.22 Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood and seismic hazards.

SCAG Staff Comments. It is not anticipated that groundwater will be affected by the mining operations. Fire hazards are mitigated on-site with a 600,000 gallon water reservoir, man-power, and machinery. Mitigation measures regarding slope stability assure future safety, supportive of this ancillary policy.

The Open Space and Conservation Chapter includes two goals that are particularly applicable to this project. The goals pertain to: 1) resource production and, 2) resource protection.

Resource Production

- *Maintain adequate viable resource production lands, particularly lands devoted to commercial agriculture and mining operations.*

SCAG Staff Comments. The proposed project is designed and utilized in an appropriate and environmentally safe manner to mine and process sand and gravel on economically viable resource production lands. Mining of these resource will also contribute to the economy of the Santa Clarita Valley by providing new jobs. The Project is supportive of this ancillary RCPG goal.

Resource Protection

- *Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

SCAG Staff Comments. See comments for Policy 3.20. The project is supportive of this ancillary RCPG goal.

Conclusions

The project is consistent with the above noted goals and policies in the Regional Comprehensive Plan and Guide. All mitigation measures associated with the project should be monitored in accordance with CEQA requirements.

23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

City of
Santa Clarita

March 25, 1999

Julie Moore, Project Planner
County of Los Angeles Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

Re: Draft EIR for the Soledad Canyon Sand and Gravel Mining Project

Dear Ms. Moore:

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

The Notice of Completion indicates that the public review period for the Draft Environmental Impact Report ends on April 14, 1999. At the March 23, 1999, meeting of the Santa Clarita City Council, the Council requested a 90-day extension of the environmental review period given the scope and nature of this project and its potential to adversely affect the City's residential population, environmental resources, and visual character. The time extension would provide further opportunity for the public to comment on the proposal and the potential environmental consequences. Please notify Jeffrey Lambert, Director of Planning and Building Services, at (661) 255-4913, following your decision. Thank you for your cooperation.

Sincerely,

Jo Anne Darcy
Mayor

cc: Dr. Daryl Koutnik, LA County Department of Regional Planning
City Councilmembers
Representative Buck McKeon
Senator Pete Knight
Assemblyman George Runner
Jeffrey Lambert, Director of Planning

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L-12

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Rodney E. Cooper, Director

March 31, 1999

Mr. Kerwin Chih, Head
Impact Analysis Section
Department of Regional Planning
320 West Temple Street, Room 1348
Los Angeles, California 90012

Dear Mr. Chih:

SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT - COMMENTS
State Clearinghouse Number 91111066/County Project Number 91-165

Thank you for including the Department of Parks and Recreation in the environmental review process for the above referenced project. The Draft Environmental Impact Report (DEIR) has been reviewed by this department's planning and environmental staff. The County's Santa Clara river trail is within the southwest corner of Area B. This Area is identified in the project for the processing facilities. It is requested that the final EIR address the following trail impacts:

1. Include a discussion of potential direct, indirect, short-term, and cumulative impacts on the Santa Clara River Trail. Provide specific mitigation measures to address all impacts to the trail.
2. Dedicate an easement to the County for continued public use of the trail in its current location adjacent to the Santa Clara River.

We look forward to reviewing the final EIR. If you have any questions please contact Ms. Lillie Lowery at (213) 738-2977.

Sincerely,

Kimel Conway
Chief of Planning

lrh:c:033099iii

23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

L-13

City of
Santa Clarita

April 14, 1999

Julie Moore, Project Planner
Department of Regional Planning
County of Los Angeles
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

Re: Response to Draft EIR for the Soledad Canyon Sand and Gravel Mining Project

Dear Ms. Moore:

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

The City of Santa Clarita received the Draft EIR for the Soledad Canyon Sand and Gravel Mining Project in March 1999. Pursuant to the California Environmental Quality Act ("CEQA"), the City has prepared a response to the Draft EIR which identifies environmental issues and other areas of concern related to the project's long-term impacts on the Santa Clarita Valley. The comments submitted are only preliminary. The City will supplement and clarify comments in an additional letter to be submitted prior to the end of the 60-day review period extension.

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

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Land Use

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

Project's Relationship to the City of Santa Clarita

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

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

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

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

Commission that will extend beyond the current City boundary. A future SOI would likely include the proposed TMC site.

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

Land Use Conflicts

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

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

- Established City of Santa Clarita communities (Pinetree) to the northwest;
- Existing mobile home/RV park ¼ mile southwest of the project site;
- Established rural community of Agua Dulce to the northeast;
- Shadow Pine development (499 single-family lots) to the northwest;
- Tract Map No. 87459 (637 units) to the northwest;

- Proposed Bee Canyon Mobile Home Park (650 units) adjacent to the proposed project site;
- Rio Dulce development (622 lots) to the northeast;
- Angeles National Forest to the south; and
- Santa Clara River (SEA No. 23), which extends through the site for approximately 2,000 feet.

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

The approval of this large-scale surface mining operation may also pave the way for the approval of future mining projects in the Santa Clarita Valley. The Draft EIR indicates that three (3) applications are on file with the County of Los Angeles. With the approval of TMC's current proposal, the area will become predominantly industrial, overshadowing the existing and planned residential communities in the area. With future mining proposals, approval of the TMC project would likely be used to (1) support arguments of land use compatibility, and (2) establish that there is a trend toward industrial uses in this area of the Santa Clarita Valley, regardless of the high residential population within a three-to-four mile radius of the area.

Aesthetics/Visual Resources

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

> The Antelope Valley Freeway (Highway 14) located north and northwest of the project site is defined as a secondary priority study route for scenic highways in the Santa Clarita Area Plan prepared by Los Angeles County. It also marks a gateway into the Santa Clarita Valley and the City of Santa Clarita, which may be drastically changed with the 200-foot reduction of a ridgeline and the filling and smoothing of ravines. This scenic vista must be preserved, as indicated in Section 3.1.10.1 (Visual Qualities, page 3-240), "ridgelines should be preserved." The surface mining operation, as proposed, would fail to satisfy this goal.
>
> The Angeles National Forest is located south of the project site. The area hiker or adventurer will have a direct view of the proposed mining operations, potentially without screening to the south. In addition,

Metrolink commuters will have full, unscreened views of the site for over one continuous minute.

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

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

The transformation of the secondary ridgeline will be glaringly obvious to users of the Antelope Valley Freeway. This will especially be noticeable during the filling of the North Fines Storage Area (NFSA) as haul trucks will transform the north-facing side of the ridge into a solid, filled-in ravine, contrasting to the surrounding terrain. Section 3.1.10.2 (Visual Qualities, page 3-252) makes the assumption that, "Many drivers, when they are concentrating on the road in front of them, are not as aware of other surroundings (including landform)." While this statement can be true for the occasional driver unfamiliar with the area, the same can't be said of the daily commuter making approximately five (5) weekly round trips from the Greater Los Angeles area to the Antelope Valley and vice versa. The fact that this subjective remark is used as a measure of significance and intended to justify a major alteration of a secondary ridgeline is unacceptable and unprofessional and should be removed from the environmental analysis.

Section 3.1.10.2 (Visual Qualities, page 3-269) states that, "the site will blend into the surrounding terrain in a manner consistent with other disturbances," which assumes that adding to an existing visual impact is acceptable and does not require mitigation. While the City acknowledges that there is some hillside degradation in the project area, the applicant should not assume that existing conditions justify further damage to a significant scenic region. The Draft EIR further indicates plans to reclaim the proposed TMC site, while not specifying a monitoring agency to ensure how the process will be completed. The City of Santa Clarita recommends that, aside from issuing a bond for the land reclamation, the applicant must also hire an independent monitoring agency to monitor the reclamation process.

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

Public Health and Safety

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

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

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

The Public Health Section of the Draft EIR states that, "Mining operations may require occasional blasting onsite" (page 3-325). The project proposes to conduct blasting twice a week for the first 10 years of the project, increasing this to four times a week during the latter 10 years. This translates to 104 blasting events per year, or 1,040 blastings over the first 10-year period. This doubles to 208 blasting events per year during Phase II, or 2,080 blastings over the course of this 10-year period. The Public Health Section fails to provide any quantitative analysis of the number and frequency of blasting events proposed as part of the project, referring only to these activities as "occasional." Even the simple calculations provided above do not appear in the analysis of public health impacts.

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

All industrial operations, especially those involving explosives and major processing functions, carry with them some potential for public hazard. The fact that there are extensive regulations, safety procedures and employee training requirements indicates the level of risk associated with this industry. Given the nature and size of the proposed operation, the City believes that the Draft EIR improperly concluded that, "No potential unavoidable adverse impacts will remain after mitigation" (page 3-326). The City finds this statement to be presumptuous and unsupported.

Traffic and Circulation

Project operations would occur over a 20-year period and involve daily materials transport to areas throughout Los Angeles and the Antelope Valley. The project will rely solely on the segment of the Antelope Valley Freeway extending through the Santa Clarita Valley to execute daily transportation operations. Although traffic volumes do not trigger the Los Angeles County threshold for significance, the Draft EIR should acknowledge that the addition of heavy, oversized equipment and haul trucks on a major freeway and local roads over a 20-year period will result in significant adverse impacts. Daily Phase I operations will involve 75 ready-mixed concrete trucks, seven cement/fly ash trucks, and 265 aggregate trucks that will interface with passenger vehicles on Soledad Canyon Road and the Antelope Valley Freeway. During Phase II, the number of aggregate trucks will increase to 500. The Draft EIR does state that, "The majority of traffic generated by the Project will be heavy trucks," (page 3-302), however, this is only in reference to the access road. No mitigation is provided for project-related traffic traveling on the Antelope Valley Freeway.

The segment of the Antelope Valley Freeway that extends through the Santa Clarita Valley serves as the critical link between the Antelope Valley and the Greater Los Angeles area. During peak morning and evening hours, the Antelope Valley Freeway is heavily congested with commuters traveling between the Antelope Valley and locations throughout the Greater Los Angeles area. Transportation operations associated with the proposed project would exacerbate poor traffic conditions along this major transportation corridor during peak hours, thus affecting regional mobility between the Antelope Valley, Santa Clarita Valley and the San Fernando Valley.

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

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

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

The Draft EIR states that "95 percent of Project traffic would travel to the Antelope Valley Freeway via Soledad Canyon Road" (page 3-292). Although the quantitative analysis of project-related traffic found that volumes would be insignificant, the interface of passenger and large commercial vehicles warrants mitigation measures to avoid roadway conflicts. Table 3.1.11-5, Related Projects, confirms that land uses in the project vicinity are divided between residential uses and mining operations. Therefore, the City recommends that the applicant assume a "worst case" scenario and install the traffic signal at the Soledad Canyon Road/Antelope Valley Freeway Ramps intersection as part of Phase I of project implementation. This will ensure that a higher level of roadway protection is provided for both passenger and commercial vehicles transitioning from Soledad Canyon Road to the freeway and vice versa.

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

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

Air Quality

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

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

The discussion of sensitive receptors on pages 3-159 to 3-160 with regard to air quality impacts is summed up in five sentences. This discussion fails to provide the number of affected residences or any descriptors regarding residential types, means of access, neighborhood orientation, recreational areas, etc. Given that long-term pollutant exposure to neighboring residences poses the largest public health threat, this discussion is clearly inadequate. Later on page 3-174, it is concluded that "Because of the extreme distances from sensitive receptors, no nuisance complaints are anticipated" with regard to fugitive dust. This statement is not supported and does not differentiate between the residences ¼-mile from the site, or the community of Agua Dulce located three miles from the site. Given the project's intensity and size, it is unclear whether three miles would serve as an adequate buffer to reduce

potential air quality impacts. Therefore, this evaluation should be expanded to clearly depict the existing uses of the area and how topography and wind patterns could affect pollutant exposure.

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

Noise & Vibration

Sensitive receptors located in the immediate project area include: the River's End Mobile Home/RV Park adjacent to the site; established single-family residential communities located within two miles of the site; sensitive habitat/wildlife; and the proposed Bee Canyon Mobile Home Park (if approved, this development would be adjacent to the project site). Section 3.1.5.1 states that "few sensitive receptors are located in this area" (page 3-119). The Draft EIR should specifically identify all sensitive receptors and present findings which show the projected level of noise and vibration-related disturbances. In addition, Figure 3.1.5-2 should be revised to include dwellings to the northeast on Agua Dulce Canyon Road, the community of Agua Dulce, the City of Santa Clarita, and residential developments located north of the Antelope Valley Freeway.

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

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

complaints? Will TMC alter operations if a significant number of complaints are received? The City finds that the Draft EIR fails to consider these potential noise-related problems. How does TMC propose to address these issues?

Although the Draft EIR presents some measures to reduce significant noise levels to adjacent sensitive receptors, the analysis does not significantly address the site-specific characteristics. Topographic features, climatic conditions, and locations of adjacent land uses each affect noise levels off the project site. The Draft EIR makes a comparison to a TMC mining facility in Azusa, claiming that no significant noise impacts are produced by mining operations at this particular facility. However, the mining facility in Asuza is located in a remote area not in proximity to sensitive noise receptors. Furthermore, the Azusa site is located below-grade, entirely contained in a large pit; therefore, the majority of the noise is contained within the project site. The Soledad Canyon facility would be located within a mountainous area with various canyons and valleys having the capability to amplify and carry the noise produced by the mining operations. The Draft EIR should provide a more detailed analysis of the site's characteristics and its potential to exacerbate noise impacts resulting from project operations.

In Section 3.1.5.1 (page 3-126), the community of Agua Dulce is identified as a sensitive noise receptor, however, there is no reference to the City of Santa Clarita. Please explain why the City is excluded from the analysis of noise and vibration impacts.

Cultural Resources

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

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

Geology

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

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

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

Biological Resources

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

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

The Draft EIR states that, "a large population of slender horned spineflower (1,000 + individuals, *Dodecahema leptoceras*), a state and federally-listed endangered species, was observed on benches within the alluvial wash in Bee Canyon well outside the project area." The Draft EIR fails to indicate the

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distance from the project site, which is directly adjacent to Bee Canyon. In addition, the Draft EIR assumes that this state and federally-listed endangered species will not be affected, when due to the proximity to the site there appears to be a potential for an impact. Although outside the project area, the Draft EIR must further analyze potential impacts to the slender horned spineflower. Does the North Fines Storage area (NFSA) operations present a danger to the species? The applicant should address this in the Draft EIR.

The Draft EIR states that, "no significant impacts will occur to the wildlife movement corridors." Although no mining operations will occur in the river corridor, the Draft EIR should assess potential impacts to sensitive habitat/wildlife based on noise and vibration from increased truck traffic and mining operations. How does TMC propose to address this issue? Although the Draft EIR (page 3-238) states that noise levels will be below 65 dBA in the riparian habitat, the project will introduce additional noise that is currently not present. In addition "stray lighting" could create an impact since the majority of wildlife migrates during the nighttime hours. The use of low-intensity lighting and directional shielding will help to reduce stray light; nevertheless, the project will introduce lights which are currently not present on the site's habitat.

The Draft EIR concludes that sensitive wildlife including the San Diego coast horned lizard, coast patch-nosed snake, coastal rosy boa, and coastal western whiptail were not observed on the site, therefore, "no significant impact on this species is anticipated." However, it appears that a high potential for these animals is possible based on the site's "suitable habitat." The Draft EIR analysis makes too many assumptions that no significant impacts will occur to sensitive wildlife because none or very few were observed during site visits. In Table 3.1.8-1 (Threatened, Endangered, and Candidate Wildlife Species that Potentially Occur Onsite and in Neighboring Offsite Habitats), survey results contain "no comments" for a majority of the species listed. Given that the analysis is based in large part on the "binocular surveys" and assumptions that only those species found on-site are affected, a more detailed survey should be performed to analyze all areas affected by the project, including those outside the project boundary.

Water Quality/Stormwater Management

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

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

Water Resources

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

Recycling Program

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

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

Recreation (Trails)

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

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

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

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

Cumulative Impacts

With approval of TMC's project, a precedent will be set for the establishment of future mining projects in the area. Cumulatively, the TMC site, with existing and proposed mining in the area, will further contribute to growing land use incompatibilities. Contrary to Section 3.4 (Cumulative Impacts), which states that only a "small number of sensitive receptors" exist in the area, the Draft EIR fails to justify the appropriateness of the TMC proposal and further ignores many of the contributing negative factors.

Although CEQA Guidelines (Section 15130 [G]) normally do not require a great amount of detail to be provided under the "cumulative impacts" analysis, the TMC project can be considered the exception. The proposed project requires further analysis due to its potential to set a trend for other mining proposals in the area. The Draft EIR should address this by providing a comprehensive table of all mining projects in the immediate project area and the region which are ongoing or are being processed at the county, state or federal level to fully assess the potential cumulative impacts.

Furthermore, the Draft EIR continuously makes reference to cumulative impacts attributed to residential and commercial projects as opposed to the proposed mining operations. The Draft EIR states that, "Cumulative residential projects have the potential for inducing growth within neighborhood areas and encouraging land uses that may not be compatible with mineral extraction uses. Such incompatible land uses would result in significant cumulative impacts." However, the Draft EIR fails to consider the

opposite position. For the existing sensitive uses, land use incompatibility would result from approval of TMC's proposed project.

Alternatives to the Project

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

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

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

In defining the Reduced Quantity Mining Concept Alternative, the Draft EIR states that "the objective of this reduced quantity analysis is to examine a reasonable alternative to the Project that would feasibly attain most of the Project's objectives but which would avoid or reduce significant environmental effects" (page 3-404). Later in this section, however, the Draft EIR states, "the Reduced Quantity Mining Concept Alternative is not considered to be the most viable alternative because it fails to meet most of the TMC Project objectives and is not economically feasible" (page 2-414). These statements directly conflict with one another and indicate that alternative mining proposals which reduce the scope of work will automatically be deemed infeasible as they compromise the project objectives.

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

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

Concluding Statements

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

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

Again, thank you for the opportunity to comment on the proposed Soledad Canyon Sand and Gravel Mining Project. Please note that due to the size of the TMC proposal and complexity of the Draft EIR, the City will be submitting a supplemental letter to clarify specific areas of concern. If you have any questions, please contact Enrique Diaz, Assistant Planner I, or Lisa Hardy, Associate Planner, at (661) 255-4330.

Sincerely,

Jeffrey Lambert, AICP
Director of Planning and Building Services

cc: Mayor Darcy and City Councilmembers
George Caravalho, City Manager
Vince Bertoni, Planning Manager

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L-14

NEWHALL COUNTY WATER DISTRICT

23780 North Pine Street
P.O. Box 220970
Santa Clarita, California 91322-0970
Telephone (805) 259-3610
Fax (805) 259-9673

Directors
TOM CAMPBELL, President
DICK A. UNGER, Vice President
BARBARA DORE
MICHAEL KOTCH
VALERIE THOMAS

General Manager
T. E. SHOLLENBERGER

Director of Finance/Administration
KARIN J. RUSSELL

Attorney
H. JESS SENECAL

April 19, 1999

Dr. Daryle Koutnik
Los Angeles County
Department of Regional Planning
Impact Analysis Section, Room 1348
329 West Temple Street
Los Angeles, CA 90012

Re: Draft EIR for the Soledad Canyon Sand and Gravel Mining Project SCH # 91111066, County Project # 91165

Dear Dr. Koutnik:

Newhall County Water District (District) has reviewed the February 1999 draft EIR for the Soledad Canyon Sand and Gravel Mining Project and submits the following comments:

Background

Newhall County Water District was formed in 1954 under County Water District laws (Division 12 of the 3 California Water Code) to provide water for the residents of Newhall, an unincorporated area of Los Angeles County. The District currently serves 6,500 residential customers and additional commercial and industrial connections for three (3) district water service areas, one of which (Pinetree Service Area) will be directly impacted by this project. The District owns and operates four (4) municipal water wells, water transmission pipelines, and wastewater pipelines two to three miles downstream of the proposed improvements in the Santa Clara River wash.

NEWHALL COUNTY WATER DISTRICT

23780 North Pine Street
P.O. Box 220970
Santa Clarita, California 91322-0970
Telephone (805) 259-3610
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Directors
TOM CAMPBELL, President
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MICHAEL KOTCH
VALERIE THOMAS

General Manager
T. E. SHOLLENBERGER

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Attorney
H. JESS SENECAL

Comments

The following comments are based upon a focused review of the EIR project description, water resources section, cumulative impacts, and technical appendices detailing the stormwater pollution prevention plan, spill prevention control and counter measures plan, and water budget. Comments address inconsistencies, inaccuracies and omissions in the environmental analysis that directly pertain to the District's interests and operations.

1. **Project Water Requirements.** The EIR states that the project will divert water for operational uses including aggregate production, concrete production, compaction of excess fines, dust suppression, and truck washing, using a combination of appropriate and riparian water rights. With respect to water requirements, the following analysis inconsistency is noted. The EIR is inconsistent in the quantity of water the project proposes to divert. The draft EIR technical appendices C2-----Answer to Vested Rights Protests vs. Application No. 29967 (pageC2-vii) estimates 598 AFY of total water usage. However, the impact analysis for water resources in the draft EIR (page 3-66) estimates up to 746 AFY is needed, and the analysis of cumulative impacts (page 3-354) estimates total usage up to 775 AFY, with appropriations of 322 AFY and up to 453 AFY diverted under riparian water rights.

2. **Local and Regional Impacts to Water Resources.** The documents identifies the estimated annual safe yield of the alluvial and Saugus Formation and the availability of imported water to the Castaic Lake Water Agency to downstream water users within the Eastern Subunit. They further conclude:

NEWHALL COUNTY WATER DISTRICT

23780 North Pine Street
P.O. Box 220970
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Fax (805) 259-9673

Directors
TOM CAMPBELL, President
DICK A. UNGER, Vice President
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T. E. SHOLLENBERGER

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H. JESS SENECAL

"TMC's total annual requirement (Phase 1: 442 acre feet and Phase 2: 746 acre feet) is not significant relative to the above estimates of water resource availability in the Eastern Subunit and thus is not considered a significant impact."

With this understanding of the water supply and demand analysis provided in the draft EIR, the following analysis flaws/omissions are noted.

The EIR states that "it is evident that TMC's [Transit Mixed Concrete Company] projected water use should be considered adverse regional impact." However, the EIR never quantifies these "nonsignificant" impacts. The District's Pinetree municipal wells are located in the Santa Clara River, approximately two to three miles downstream of the project within the alluvial portion of the Santa Clara River. The District is greatly concerned about any impact upon the portion of the Santa Clara River and the underlying groundwater basin. The draft EIR never addresses potential project impacts to these downstream wells and basin recharge capacity. The projects proposed water diversion is approximately 59% of the District's 1997-98 groundwater production for municipal use within the Pinetree Service Area. It is the District's position that the project would likely result in a decline in the water level within the District's Pinetree municipal wells resulting in a decrease in production and an increase in the cost of pumping. This is particularly true during the dry season when TMC proposes to divert the greatest quantities of water. This should be considered a significant impact. During past droughts the district has been adversely affected.

NEWHALL COUNTY WATER DISTRICT

23780 North Pine Street
P.O. Box 220970
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Fax (805) 259-9673

Directors
TOM CAMPBELL, President
DICK A. UNGER, Vice President
BARBARA DORE
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VALERIE THOMAS

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Periods of reduced water supply would be extended during drought conditions by this project.

Furthermore, the EIR states that the State Water Resources Control Board (SWRCB) will "fully consider the potential for any regional impacts" when considering TMC"s application to appropriate water and relies on this as support for the EIR's conclusion of nonsignificance. Water appropriations account for only approximately forty-two (42) percent of the estimated total water diversions proposed by the project. The EIR cannot rely on the future analysis of the SWRCB in determining significance particularly since the appropriations application does not account for the full amount of water diverted. In addition, Newhall County Water District and other parties are protesting TMC's application to appropriate water.

3. **Cumulative Impacts.** The EIR states the cumulative impacts related to growth of both mining and other projects will have the potential to significantly impact both local surface and groundwater resources. As a mitigation the EIR states that the project will have a Water Shortage Contingency Plan (WSCP). However, the WSCP is not included in the EIR nor is there a summary of the WSCP that the EIR could use to support the EIR's assertion that the WSCP adequately mitigates impacts to local and regional water supplies.

Conclusion

Newhall County Water District is of the position that resolution of the discrepancies and unevaluated issues raised in this letter will require addition of "significant new information" in the context of CEQA Guidelines Section 15088.5, thereby requiring recirculation of a revised EIR prior to consideration of certification.

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23780 North Pine Street
P.O. Box 220970
Santa Clarita, California 91322-0970
Telephone (805) 259-3610
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Directors
TOM CAMPBELL, President
DICK A. UNGER, Vice President
BARBARA DORE
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VALERIE THOMAS

General Manager
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KARIN J. RUSSELL

Attorney
H. JESS SENECAL

Thank you for the opportunity to review this environmental document. We look forward to your response and would be glad to answer any questions you might have regarding these comments.

Sincerely yours,

NEWHALL COUNTY WATER DISTRICT

T E Shollenberger

Thomas E. Shollenberger
General Manager

TES/mem-p
Our file # 99-0037

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

L-15

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

April 20, 1999

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

Dear Mr. Koutnik:

SUBJECT: ENVIRONMENTAL IMPACT REPORT COUNTY -- SOLEDAD CANYON PROJECT #91-165, DRAFT/SOLEDAD CANYON SURFACE MINING, STATE CLEARING HOUSE #91111066 -- (EIR #621/1999)

The Draft Environmental Impact Report for the Soledad Canyon Surface Mining Project #91-165 has been reviewed by the Planning, Subdivision, and Forestry Divisions of the County of Los Angeles Fire Department. The following are their comments:

The applicant shall participate in an appropriate financing mechanism, such as a developer fee or an in-kind consideration in lieu of developer fees, to provide funds for fire protection facilities which are required by new commercial, industrial or residential development in an amount proportionate to the demand created by this project. Currently, the developer fee is a set amount per square foot of building space, adjusted annually, and is due and payable at the time a building permit is issued. In the event that the developer fee is no longer in effect at the time of building permit issuance, alternative mitigation measures shall be required.

CODE REQUIREMENTS

The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and hydrants.

Commercial structures may require fire flows up to 5,000 gallons per minute at 20 gallons per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of the buildings, its relationship to other structures, property lines, and types of construction used.

This property is located within the area described by the Forester and Fire Warden as Fire Zone 4 or Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows and brush clearance and fuel modification plans, must be met.

Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.

When involved with a subdivision, Fire Department requirements for access, fire flow and hydrants are addressed at the Los Angeles County Subdivision Committee Meeting, during the subdivision tentative map stage.

It is strongly suggested that fire sprinkler systems be installed in all commercial and residential buildings. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.

COMMERCIAL OR INDUSTRIAL:

All on-site driveways shall provide a minimum unobstructed width of 26 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building.

Driveway width for commercial or industrial developments shall be increased when any of the following conditions will exist:

1. Provide 28 feet width when buildings are three stories or more than 35 feet in height above access level. Also for using fire truck ladders, the centerline of the access roadway shall be located parallel to, and within 30 feet of the exterior wall on one side of the proposed structure.

2. Provide 34 feet when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.

3. Provide 42 feet when parallel parking is allowed on each side of the access roadway/driveway.

4. All "Fire Lanes" will be depicted on the final map and will be designated with the appropriate signage. "Fire Lanes" are any ingress/egress roadway/driveway with paving less than 34 feet in width and will be clear-to-the-sky.

The statutory responsibilities of the County of Los Angeles Fire Department include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Fire Zone 4 or Very High Fire Hazard Severity Zones, archeological and cultural resources and the County Oak Tree Ordinance. The areas germane to these responsibilities have been addressed.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

Michael A. Wilkinson

MICHAEL A. WILKINSON, CHIEF, FORESTRY DIVISION,
PREVENTION BUREAU

MAW:jmb

L-16

23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

City of
Santa Clarita

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July 2, 1999

Julie Moore, Project Planner
Department of Regional Planning
County of Los Angeles
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

Re: Comments on the Draft EIR for the Soledad Canyon Sand and Gravel Mining Project - Supplemental Letter

Dear Ms. Moore:

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

On April 14, 1999, we transmitted to you a letter containing our initial comments on the DEIR. Since preparing our initial comments, we have had the DEIR reviewed by a team of EIR specialists, geologists, civil engineers, biologists, and traffic engineers. This letter summarizes the findings of our review team. The attached technical memos detail the findings of our technical specialists, and form the basis of our conclusions regarding the defects in the DEIR. We would, therefore, request responses to each of the issues raised in the attached technical memos as well as the body of this letter.

These comments are submitted as a supplement to, rather than a replacement for, our April 14, 1999, letter. To the degree possible, we have attempted to avoid repetition between the two letters. This comment letter is thus intended to: (1) document issues and concerns not addressed in our April 14, 1999, comment letter; and (2) to provide additional information to document the basis of concerns raised in our April 14, 1999, letter.

The DEIR is Legally Inadequate

In preparing our comments on the DEIR, we have focused on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which significant

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

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

The EIR fails to include information necessary to enable an independent peer review of the many findings and conclusions contained in the EIR. CEQA Guidelines Section 15147 mandates that:

> The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. . .

The EIR is legally inadequate because it does not include the following information which is necessary for our City's technical experts to review the accuracy of the EIR analysis:

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

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

The importance of this independent review function is highlighted by the following analytic and informational errors in the EIR identified by our team of technical experts:

- The seismic analysis deviates from standard procedures in a way which would appear to underestimate the potential for site-specific ground motion. (See Attachment B).

- The noise analysis may potentially understate impacts, since it is not based on worst-case assumptions about hours of operation. (See Attachment A).

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

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

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

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

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

Analysis fails to address potential freeway and Congestion Management Plan (CMP) impacts. (See Attachment F).

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

Unless these major analytic and informational defects in the document are corrected, the EIR cannot provide decisions makers with information which enables them to make a decision which intelligently takes account of environmental consequences of the project, pursuant to CEQA Guidelines Section 15151.

3. **Project Description**

As noted by the Courts in numerous cases (see for example, *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185), "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." Our review has revealed the following significant problems with the project description contained in the EIR:

- In keeping with *Laurel Heights Improvement Association of San Francisco, Inc. v. Regents of the University of California*, the DEIR should consider the potential impacts of the mining of 64 million tons of sand and gravel, rather than just the 56.1 million tons analyzed in the EIR, since mining of 64 million tons is reasonably foreseeable, as evidenced by the fact that it is the total tonnage resulting from proposed Cuts 1 to 4, as noted in Table 1.4-1 of the EIR. (See Attachment A)

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

- Project objectives are framed in a way so as to inappropriately limit the range of alternatives considered. The framing of the objectives violates the Courts holding in *Kings County Farm Bureau v. City of Hanford*. (See Attachment A).

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

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

4. **Thresholds of Significance**

The EIR contains examples of both inaccurate thresholds of significance (i.e. thresholds which are not consistent with those established by the responsible agency) and thresholds which are set too high. As a result, a number of the significance judgements are incorrect and the significance of impacts is understated. It does not appear that the thresholds have been developed through a public review process, nor do they appear to be supported by substantial evidence pursuant to Section 15064.7 of CEQA.

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

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

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

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

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

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

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

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

- The EIR does not fully address potential liquefaction hazards. (See Attachment B).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- The EIR fails to address the potential health hazards of increased exposure to San Joaquin Valley Fever associated with grading. (See Attachment D).

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

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

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

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

6. Inappropriate or Inadequate Mitigation Measures

As specified in Section 15126.4(a)(2) of the CEQA Guidelines, "mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments." We have serious concerns about the adequacy, enforceability and monitorability of the mitigations, as currently structured. Specifically:

- The Financial Assurance Bond is inadequate as a mitigation. (See Attachment A).
- Throughout the document, mitigation measures are not worded in an enforceable fashion. (See Attachment A).
- The inspection schedule included in the Storm Water Pollution Prevention Plan (SWPPP) for the project is insufficient to fully mitigate project impacts. (See Attachment C).
- The project impact narrative includes assumptions about actions which will occur to prevent impacts, but these actions are not included as mitigation measures (see for example page 3-104). Unless some method for enforcement is included, project impacts should be classified as significant and unmitigated. In addition, some of these actions (such as use of sandbags) will not mitigate project impacts. (See Attachment C).
- The mitigation contention that reclaimed habitat would be re-invaded by native species is simplistic and unsound. Significant unmitigated habitat impacts will remain given the grading and re-vegetation plan. No mitigation, or inadequate mitigation, is provided for wildlife corridor impacts and impacts to sensitive and endangered species. (See Appendix E).
- The fair-share assessment of off-site project traffic mitigation costs is inaccurate and needs to be reassessed using a correct Passenger Car Equivalency factor. Current project traffic mitigations are inadequate to reduce impacts to a less-than-significant level. (See Attachment F).
- The EIR fails to include mitigations for potential project pavement impacts. (See Attachment G).

7. Impact Judgements

Given these errors and omissions in the analysis and the deficiencies in the mitigations currently contained in the EIR, we believe that the project will result in significant

unmitigated impacts. Specifically, we believe there is a clear potential for significant unmitigated impacts in the following areas, based on our technical review of the document:

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

8. **Project Alternatives**

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

9. **The Cumulative Impact Analysis Is Inadequate**

The requirements for cumulative impact analysis are specified in Section 15130 of the CEQA Guidelines. In addition, a number of court cases provide guidance regarding proper cumulative impact analysis. There are a number of problems with the existing cumulative analysis:

- The analysis of cumulative water resources, water quality, air quality, and biota impacts is inconsistent with the analytic requirements as specified in *Kings County Farm Bureau v. City of Hanford.* (See Attachment A).

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

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

Recirculation of the EIR Prior to Certification is Required

We believe that correcting the defects in the DEIR which we have identified will require adding significant new information to the EIR. As detailed in Section 15088.5 of the CEQA Guidelines, significant new information requiring recirculation include, for example, a disclosure showing that:

> (1) A new significant environmental impact would result form the project or from a new mitigation measure proposed to be implemented.
>
> (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
>
> (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
>
> (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

We believe an adequate response to our comments will meet this recirculation criteria. Furthermore, we believe that any failure to fully respond to our comments and recirculate the document would result in an EIR which is inadequate as an informational document.

The Severity of the Defects in the Document

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

> The above, when considered in its totality, leads the Board to the finding and determination that Applicant's evidence submitted in support of its application is *not* competent, *not* credible; and does *not* provide a reasonable assurance of trustworthiness in Applicant to employ and/or follow fundamental scientific and

> engineering principles and practices in the construction, operation and management of its facility. *(Emphasis in the original)*

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

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

As noted by the Court in *Laurel Heights Improvement Association of San Francisco, Inc. v. Regents of the University of California*, (47 Cal.3d at 420): "[b]ecause an EIR cannot be meaningfully considered in a vacuum devoid of reality, a project proponent's prior environmental record is properly a subject of close consideration in determining the sufficiency of the proponent's promises in an EIR." Not only did the Ohio Hazardous Waste Facility Board express concerns about Southdown's analysis, but Southdown is currently being sued by the Greene Environmental Coalition, which asserts that Southdown has not only violated the Clean Water Act, but that Southdown sold the contaminated landfill to two asset-less corporations in a Fraudulent Conveyance in an effort to avoid responsibility for implementing a court ordered remediation plan. (Case No. C-3-93-270, United States District Court, Southern District of Ohio, Western Division.)

We would hope that the County's decision-makers would look at the degree to which the project sponsor has appeared to have made a good faith effort at providing an analysis of project impacts, as well as the prior history of the applicant and its parent company, when considering the advisability of the project. Given the potential impacts of the project on the environment, the inadequacy of the analysis performed to date, and strong local opposition to the project, we would urge disapproval of the project.

<u>In Conclusion</u>

Again, thank you for the opportunity to comment on the proposed Soledad Canyon Sand and Gravel Mining Project. Please note that due to the size of the TMC proposal and the complexity of the DEIR, the City held a community strategy workshop on June 16 on the project to assist our citizens in understanding the contents of the EIR and the nature of the project. At the workshop, the City collected comments on the DEIR and the project which our citizens submitted at the conclusion of the workshop. We will transmit these comments and concerns to you. The City firmly believes that public comment on documents of this type is important to ensuring their accuracy and relevance and

we know that the County shares our belief and desire to encourage public participation in the review process.

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

Sincerely,

Jeffrey Lambert, AICP
Director of Planning and Building Services

APPENDIX A
REVIEW OF THE
THE EIR BY DR. SUSAN O'CARROLL,
WILLDAN ASSOCIATES

WILLDAN ASSOCIATES

MEMORANDUM

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

FROM: SUSAN O'CARROLL, Ph.D Susan O'Carroll

DATE: JUNE 1, 1999

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

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

Project Description

- Page 1-9 - The project objectives have been framed in a way which inappropriately limits the range of alternatives considered in the EIR. As noted in Section 15126.6(a) of the California Environmental Quality Act (CEQA) Guidelines:

  > An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

  The EIR frames the project objectives in such a way as to limit the range of alternatives considered. In particular, the focus on providing construction materials "primarily for the Santa Clarita Valley and the greater Los Angeles area" and mining the site so as to "produce 56.1 million tons of PCC aggregates and provide $28 million in royalties to the Federal Government," has hindered consideration of project alternatives which would lessen potential environmental impacts. As noted in Section 15124 of the CEQA Guidelines, the purpose of the statement of objectives is to:

> Help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary.

The purpose is not to prejudice the analysis in favor of the project or to provide a forum to arguing for the project. The EIR's use of the project applicant's contract with the BLM to mine 56.1 million tons of PCC aggregates and provide $28 million in royalties, as a way to limit the range of alternatives considered, is similar to the situation in *Kings County Farm Bureau v. City of Hanford* (221 Cal.App.3d 692). In *Kings County* the Court held that the lead agency could not be freed of obligation to prepare a detailed analysis of an alternative to using natural gas as a power plant fuel simply because the applicant, prior to commencing CEQA review, contracted with a utility to generate power with coal. The EIR analysis should consider a range of reduced quantity mining concept alternatives which are designed to reduce water resources, visual and traffic impacts of the project. In addition, the EIR should consider an alternative *use* on the site, consistent with the existing zoning and land use designation.

- Page 1-18 to 1-19 - of the EIR discusses the potential economic impacts of the project. This type of discussion is inappropriate in an EIR, since it is not tied to the potential for physical changes in the environment. In addition, the discussion is written in a way which argues for the project. An EIR is intended as an impartial analysis of the potential environmental impacts of a project, not as a marketing tool for a project. Either this discussion should be removed from the document, or a more complete analysis of the potential economic effects of the project should be included. Such an analysis would consider the potential economic effects of the project on the residential market in the Santa Clarita Valley and on the attractiveness of the area as a site for movie production. We would note that the movie industry has a much higher multiplier effect than a sand and gravel mining operation.

- Figures 1.4-1 and 1.4-2 - should show the location of the project boundaries. These figures need directional arrows. In addition, key features such as the names of roadways, the river, etc., should be indicated.

- Page 1-32 - Since the project is clearly designed for mining of 64 million tons of aggregate production, this level of production should be the level analyzed in the EIR, since it would appear that the additional production is reasonably foreseeable. As noted by the court in *Laurel Heights Improvement Association of San Francisco, Inc. v. Regents of the University of California* (1988) (47 Cal.3d at 396):

> An EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects.

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

What is the potential affect on the Reclamation Plan and the applicant's responsibility for reclamation with and without the additional production? On page 1-47 it states:

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

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

- Page 1-37 - The description of the project schedule is inadequate. The schedule should detail the timing of pre-production, Phase I and Phase II activities so as to enable accurate independent review of the analysis of potential project impacts, such as traffic.

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

- Page 1-46 - It is unclear why use of the facility as a County of Los Angeles Sediment Placement Site (SPS) won't result in additional truck trips to and from the site. Use of the facility as an SPS is part of the project, and the potential environmental effects of this use, rather than SPS use on another site, must be addressed in the EIR. In addition, if approval is required for use of the facility as an SPS, this should be listed in Table 1.1-2.

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

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

- Since a number of measures to reduce project impacts have been included in the project description, rather than specified as project mitigations, the Conditions of Approval should be included as a technical appendix to the EIR, otherwise a meaningful peer review of the Conditions of Approval aimed at ensuring that the stated design features will, in fact, occur is precluded. The need for peer review is further indicated by the weak wording in the description of measures which have been included in the project description. This weak wording leave the reviewer with the impression that the actions are recommendations, rather than requirements. For example, on page 1-61 it states: " TMC is responsible for horticultural monitoring. The monitoring should be conducted by a trained professional with expertise in native plant horticulture." The word "should" is too weak; the word "shall" is a more appropriate guarantee of action.

- Pages 1-64 to 1-65 - It would appear that the Financial Assurance Performance Bond is inadequate to meet both federal and state requirements. As noted on page 1-64 of the EIR, federal regulations require that a performance bond amounting to 20 percent of the contract value be deposited with BLM. The current bond is based on only the Phase I contract value. Unless there are separate contracts for Phases I and II, or there are clear performance-based provisions for termination of the contract following Phase I, the bond should be based on the full contract amount.

  As noted on page 1-65 of the EIR, State financial assurance guidelines indicate that a financial assurance should be "in an amount sufficient to reclaim, pursuant to the lead agency approved reclamation plan, lands disturbed since January, 1976; lands to be disturbed in the next year; and lands not reclaimed successfully pursuant to the approved reclamation plan." It would appear that the amount of the bond posted is sufficient to comply with only one of these conditions, reclamation of lands to be disturbed in the next year (i.e. year 1), a year in which no mining activity will occur.

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

- The Project Description, as well as the discussion of Water Resources (3.1.2.1) does a very poor job of making clear that water resources to support the project "are to be developed from three wells located in the area southwest of Area B with on-

demand pumping and an above ground pipeline to the facilities site." Although this is stated on page 1-45 and several other places in the document, the analysis leaves the reader with the impression that water extraction will occur on-site. The ownership of the land from which water will be extracted needs to be made clear, as well as the nature of the contractual relationship for water use. More importantly, the potential environmental impacts associated with the construction and operation of the wells and pipeline needs to be specifically and clearly addressed in the EIR. Failure to do so is a violation of CEQA. (See *Santiago County Water District*, 118 Cal.App.3d 818.)

- In a number of places throughout the document, the EIR states that the project site has been mined for much of the past 30 years (page 1-1), or for two decades (page 2-16). These statements give the reader an inaccurate perception that the proposed project merely constitutes a continuation of existing use. This is incorrect. No mining has occurred on the site since 1986. Since that time, there has been a major change in land use in the area, which has become increasingly residential. These statements should be modified to make clear to the reader that no mining has occurred on the site for the past 13 years.

Geotechnical

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

- Page 3-14 - The nature of the potential hazards which would occur if something were built on the abandon silt ponds should be explained.

- Page 3-14 - Since part of the existing south silt pile is located on the project site, any hazards associated with the silt pile must be addressed in the EIR, whether or not the TMC project will directly affect the silt pile. The project will result in activity on the site, and thus increased risk associated with silt pile-related hazards. Unless mitigated, these hazard impacts associated with the silt pile should be classified as significant unmitigated project impacts.

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

- Page 3-21 - The document indicates that the results of the Preliminary Environmental Site Assessment and soils testing conducted by West Coast Environmental (1997a, 1997b) indicated the potential for hazardous materials or hazardous waste to be associated with the site. The discussion concludes that this is an adverse, but not significant impact, but does not provide any evidence to support this conclusion. Without proper provision of data in support of the conclusion in the EIR, hazardous materials conditions should be identified as significant. Although the discussion indicates that known areas of contaminated

soils will be removed and properly disposed, and that suspect areas will be tested, these measures are not included as mitigations. Unless these measures are included as mitigations or another mechanism to ensure enforcement is provided, potential hazardous materials impacts must be classified as significant unmitigated impacts. (See CEQA Guidelines Section 15126.4(a)(2).)

Water Resources

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

- Pages 3-58 to 3-59 - The thresholds of significance for criteria 1 and 2 are too high; impacts will result at much lower levels. Criteria 1 indicates that impacts will be considered significant if: "use of water by the Project substantially affects water resource availability for municipal, agricultural, industrial, private, or recreational uses." Any project induced alterations in ability to serve other water clients in the area should be considered significant.

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

- A discussion of the effect of cumulative development in the area should be included in this section, as well as in Section 3.4. Because of the potential for other mining projects in the area, a quantitative analysis of the effects of cumulative projects on water resources should be included in the EIR.

Flooding

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

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

Water Quality

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

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

- A discussion of the effect of cumulative development in the area should be included in this section, as well as in Section 3.4. Because of the potential for other mining projects in the area, a quantitative analysis of the effects of cumulative projects on water quality should be included in the EIR.

- Page 3-111 - The EIR indicates that low concentrations of salt may be toxic to plants, but does not contain an analysis of the degree to which the application of salt will result in a significant impact on biological resources on the project site. This type of analysis needs to be included in the EIR. As described, impacts are potentially significant. The EIR fails to address this potentially significant biological resource impact.

- Page 3-111 - The EIR indicates that "Lignin sulfonates may cause aesthetic problems in surface water because of discoloration." This is a potentially significant aesthetic impact of the project, which is not addressed in the aesthetics analysis (Section 3.1.10). Given the statement contained in the EIR, it would appear that the project would have a significant unmitigated aesthetic impact, which is not addressed in the analysis.

Noise

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

- Page 3-133 - As noted in the EIR, the "projects blasting ground vibrations will range from barely perceptible (at Capra Road residence), to distinctly perceptible (at River's End Trailer Park), to strongly perceptible (if Bee Canyon Mobile Home Park is built). On-going strongly perceptible blasting over a twenty year period is a significant project impact. A public awareness program to make people aware of something which is self-evident does not mitigate the impact of blasting on sensitive receptors in the area. This should be classified as a significant unmitigatible impact.

- Page 1-37 - of the Project Description indicates that "excavation activities will take place 6 days a week between the hours of 5:00 a.m. and 10:00 p.m but generally will not exceed 14 hours per day." The project noise analysis should be based on a worst-case hours of operation scenario.

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

- Mitigation N3 - CEQA requires that an EIR analyze the potential impacts of any mitigation measures (Guidelines 15126.4(a)(1)(D)). Construction of soundwalls or berms adjacent to affected Bee Canyon lots could result in significant aesthetic impacts. These impacts must be analyzed in the Soledad Canyon Sand and Gravel Mining Project EIR.

- As noted on page 3-318 of the EIR, a Noise Impact Management Corridor runs northeast to southwest approximately parallel with the Antelope Valley Freeway. The project's consistency with corridor policies and regulations should be addressed in this section of the EIR.

Public Services

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

Air Quality

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

- The air quality mitigation measures are not written in a way which will facilitate mitigation monitoring. This is detailed more fully under the subheading Mitigation Measures below.
- Page 3-186 - The EIR argues that since Phase 2 project emissions amount to only about 6.7 percent of the PM-10 emissions attributable to Mineral Processes in the South Coast Air Basin, the project is consistent with the AQMP. However, there has been no showing that the project represents 6.7 percent or more of the Mineral Processes projected for the South Coast Basin during that time period. Since the project would fulfill annual approximately 10 percent of the 1994 aggregate demand for Los Angeles County, and Los Angeles County is only one of the six counties contained in the South Coast Basin, and aggregate production is not the only mineral process in the South Coast Basin, it would appear that a fair argument can be made that the project represents a disproportionate amount of the air emissions budgeted for Mineral Processes and thus violates the AQMP. This would be a significant unmitigated project impact.

Biota

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

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

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

- Page 3-224 - Use of the word "substantial" in the wording of thresholds of significance sets the thresholds too high. It should be eliminated from the wording of the significance thresholds and the potential for project impacts should be reassessed using the revised thresholds.

- Page 3-227 - As noted on page 3-82 of the EIR, two of the project's desilting/debris basins (Basins A and F) will be constructed in blue line streams. This is not discussed in the biota section of the EIR.

  The discussion of the impact of project on these blueline streams is inadequate. The statements on page 3-227 are conclusionary in nature. There are no facts or analysis contained in the EIR to support the contention that the following impacts are less than significant:
  - impacts to two blueline streams resulting from construction of Basins A and F;
  - impacts on the north-central channel draining to Been Canyon resulting from the construction of the NFSA;
  - and impacts to the southwestern channel resulting from Cut 3.

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

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

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

- Page 3-228 - Once the noise analysis is corrected to address the comments of Hans Giroux, the project's potential noise impacts on sensitive wildlife should be reassessed.

Cultural and Paleontological Resources

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

Visual Qualities

- The analysis of visual impacts is totally inadequate. It mainly compares current land forms with the land forms which will exist in 20 years following restoration. The analysis largely fails to address the visual impacts associated with 20 years of ongoing mining on the site. The visual impacts associated with on-going mining are clearly significant. This conclusion is evident when one looks at the amount of activity that will be visible, based on Figures 3.1.10-8, 9, 10, 11, and 12. Impacts will be even greater than imagined in reviewing these figures, since they depict final contours, and do not include the benches and working roadways which would be visible (see admission on page 3-252). The EIR fails to adequately acknowledge or describe these significant adverse impacts. These are significant unmitigated impacts of the project.

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

- Page 3-254 - The EIR indicates that revegetation will occur starting every growing season after mining activity in a particular area has ceased. The EIR must explain what is meant by a "particular area." Does this refer to a cut, or portion thereof? This term is very important to a reader seeking to understand how long cuts will remain exposed and the degree to which on-going revegetation will reduce visual impacts. Mitigation Measure VQ1 suffers from this same problem and must be further detailed to explain the timing of revegetation.

- Page 3-254 - The EIR indicates that "because little topsoil in the areas will be disturbed, resoiling is not expected." It is unclear how wholesale mining can fail to disturb topsoil. This needs to be explained in more detail.

- As previously noted, the EIR indicates that "Lignin sulfonates may cause aesthetic problems in surface water because of discoloration." This is a potentially significant aesthetic impact of the project, which is not addressed in the aesthetics analysis.

Given the statement contained in the EIR, it would appear that the project would have a significant unmitigated aesthetic impact, which is not addressed in the analysis. An analysis of this potentially significant project impact must be added to the EIR.

Traffic

This section of the EIR has been reviewed by Edward Cline, a traffic engineer, who has detailed the technical deficiencies in the traffic analysis in a separate memo, and by Tom Kirk, a civil engineer, who has detailed the technical deficiencies in the pavement analysis in a separate memo. For this reason, I have not included comments on the traffic analysis.

Land Use

This section of the EIR has been reviewed by City staff, who have detailed the technical deficiencies in the Land Use Section in the City's April 14, 1999, letter commenting on the EIR. For this reason, I have not included comments on the land use analysis.

Public Health and Safety

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

Mitigation Measures

- Throughout the document, the mitigation measures are very poorly framed and are therefore, arguably unenforceable. It should be clear from the wording of the mitigation how the measure will be enforced, who will be responsible for implementing the mitigation measure, who will be responsible for enforcement, and the timing of the mitigation measure. In addition, mitigation measures should be framed as mandates, not recommendations. For this reason, the word "should" must be replaced with "shall," wherever it occurs in a mitigation.

  A reading of Section 3.3 of the EIR demonstrates the problems with the mitigation measures as currently worded. For example, Mitigation Measure N1 contains the needed elements for a mitigation measure; Mitigation Measure N2 does not. As previously noted, this measure states what could reduce impacts, but provides no mandate that the required actions will occur.

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

- The full Reclamation Plan should be provided in mitigation measure form and repeated in Section 3.3.

Cumulative Impacts

The cumulative impact analysis is inadequate:

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

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

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

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

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

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

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

Alternatives

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

Editorial Comments

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

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

WILLDAN ASSOCIATES

MEMORANDUM

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

FROM: Doug Santo
Manager Geology/Geotechnical Division

DATE: June 7, 1999

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

Mr. Lambert -

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

Section 1.1 to 1.5 inclusive
Section 3.1 inclusive

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

COMMENTS

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

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

the local scientific community regarding earthquake parameters that contribute to seismic hazard. Page 3-8 of the EIR states:

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

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

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

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

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

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

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

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

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

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

Silt Ponds - The EIR states:

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Section 3.1.2.2 Impacts, Aquifer Storage and Effects of Pumping During Wet Season: The EIR states:

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

And later:

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

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

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

CLOSURE

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

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

Respectfully submitted,

WILLDAN ASSOCIATES

REGISTERED GEOLOGIST NO. 5917 DOUGLAS S. SANTO Exp. 9/30/00 CERTIFIED ENGINEERING GEOLOGIST NO. 1866 STATE OF CALIFORNIA

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

REGISTERED GEOLOGIST NO. 5917 DOUGLAS S. SANTO Exp. 9/30/00 CERTIFIED HYDRO-GEOLOGIST NO. 450 STATE OF CALIFORNIA

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

WILLDAN ASSOCIATES

MEMORANDUM

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

FROM: ELROY KIEPKE

DATE: MAY 26, 1999

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

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

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

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

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

The Water Quality Section, page 3-104, mentions that sandbags will be placed on the benches and roads across the longitudinal flow lines, as necessary, for temporary drainage control. This proposal is not practical and will not be implemented at an operating aggregate mine. This

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

The Water Quality Section, page 3-105, mentions the capacity of drainage facilities are designed to retain debris of a 50-year storm event and allow for a delayed release for lower intensity higher frequency storms. The outlet is to be designed for a 40-hour release time. This will require a complex and intricate outlet structure. No details have been provided which indicate anything other than a CMP standpipe with torch cut holes. Thus, it would appear that the facilities, as described, do not meet the mitigation standard. Significant unmitigated impacts will result.

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

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

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

Giroux & Associates
Environmental Consultants

MEMO

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

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

RE: Soledad Canyon Sand & Gravel Mining Project DEIR

DATE: June 30, 1999

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

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

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

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

NOISE

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

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

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

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

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

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

AIR QUALITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FH & A

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

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

30 June 1999

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Species omitted from the DEIR discussions or supporting field documents

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

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

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

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

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

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

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

Unarmored threespine stickleback protection plan

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

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

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

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

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

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

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

Summary and conclusions

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

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

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

Respectfully submitted,

Frank T. Hovore, Principal Biologist

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

WILLDAN ASSOCIATES

MEMORANDUM

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

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

DATE: May 28, 1999

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

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

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

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

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

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

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

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

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

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

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

Based on the results of the various evaluations and analyses, a list of mitigation measures was developed for the project. They are outlined on pages 3-303 and 3-304 of the Draft EIR.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SOURCE: Ref. 6

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

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

where:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Four- or six-lane highways.

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

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

WILLDAN ASSOCIATES

MEMORANDUM

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

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

From: Thomas Kirk, RCE,
Pavement Consulting Engineer

Subject: EIR REVIEW - PAVEMENT IMPACTS FOR SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

Date: June 8, 1999

The discussion in the EIR of the project's potential pavement impacts consists of one paragraph that contains very limited and poorly founded conclusions. The conclusions are based on an analysis in the technical appendix which is lacking in supporting data. The conclusions are in many instances incorrect. In addition, the analysis does not address the full scope of implications or all of the mitigation measures available. Specific flaws, incongruities, contradictions, shortfalls and all omissions are summarized below:

1. Traffic loading of pavement is obscure since:

   a) Data is not provided to substantiate the statements made in the EIR.

   b) Pertinent information is not brought forward into the body of the EIR from the technical data.

2. The calculations and data for Traffic Index (TI) value are not provided. The limited information leads to many questions, the likely answers to which are fatal to a reasonable assessment of impacts:

   a) Is "2000 TI" for 1999-2008, or 2000-2019 under Phase 1 loading, or something else?

   b) Is "2008 TI" for 2008-2019, or 2000-2019 under Phase 1-Phase 2 loading, or something else?

   c) How many axles do the trucks in Table 3.1.11-9 have?

   d) What is the TI for existing traffic in the 2000 and 2008 TI periods and how was existing traffic loading calculated for these years?

e) What are the truck percentages for future traffic volumes in Table 3.1.11-6?

f) What is the growth rate for 2000 and 2008 TI's?

g) What are the projected impacts of other future quarry projects? Have these future quarry projects been accounted for in the analysis?

h) Where are the worksheets referenced in the Associated Transportation Engineering (ATE) letter of February 19, 1998, to The Chambers Group? They are not in the report.

i) Some of the data for the ATE letter truck volumes is stated in that letter, but it doesn't appear to include existing traffic, growth rates, other future projects, etc. Is this the case?

j) What year was the County's pavement analysis done?

k) What improvements have been made by the County and when were they done?

Without the answers to the above questions, no reasonable pavement analysis can be attempted. The documentation provided in the EIR and its appendixes is insufficient to allow meaningful peer review and comment on the analysis.

3. Though it is impossible to evaluate the reliability of any information due to the above questions, it is still possible to identify some errors and contradictions:

   a) The ATE letter of 2/19/98 states traffic loading has a TI of 10.5. Subsection 3.1.11.2 of the EIR references a TI of 11.0.

   b) TI values in the ATE letter contradict the truck volume data in the same letter.

4. The pavement analysis is obscure and apparently flawed:

   a) ATE's letter of February 19, 1998 states that pavement will suffice until 2008. However, the referenced data clearly shows deficient pavement in two segments.

   b) RMA's letter of March 7, 1996 seems to provide for overlay of the two segments referenced in a) above, but it is not stated when the overlay should be performed.

   c) There are two tables in the RMA Group appendix, one labeled Table 1 and the other not labeled. Identical data with different results in the final column are shown. These tables appear to be the basis for all conclusions on the need for pavement restructuring, but as it stands are confusing.

   d) RMA's letter of March 7, 1996 states that the roadway will to be widened with TI increasing to 11. Does this mean TI 11 with other traffic, not including the proposed project? If so, the proposed project should definitely participate in widening the roadway. If not, the TI must be incorrect and is much too low, since TI 11 was used for the pavement analysis by the county in 19??. In any case, participation in the winding is

never otherwise addressed in the report and would seem an obvious mitigation measure to separate truck traffic from commuter and other passenger traffic. In fact a third lane for acceleration at the roadway entry should be considered.

e) The ATE letter of 2/19/99 potentially contradicts RMA's letter referenced in b) above, requiring the overlay in 2008, rather than much earlier, as would be needed due to the inadequacy of the two substandard segments. No data exists in the report that demonstrates these segments will survive until 2008. On the contrary, the tables attached to RMA's letter clearly show failure in these segments before that time, considering the dramatically increased loading from the proposed project.

f) Actually, the ATE letter is grossly flawed when it states that the only segments needing upgrading are the two sections identified as substandard in an early time frame, but are shown to be upgraded only for the period after 2008. We know that the traffic in Phase 2 is vastly greater and may be an additional TI of 11 on top of the TI for Phase 1. Indications are that the substandard segments will need to be upgraded by 2004, and the entire segment will require upgrading in 2008.

The project impacts will be severe on traffic and pavement. These impacts are understated in the EIS and the mitigations provided will not fully mitigate impacts.

5. The need for widening of the roadway should be attributed in large part to the proposed project. This is a significant project mitigation which is not identified in the EIS, therefore impacts remain significant and unmitigated. For traffic flow and safety reasons, the heavy truck traffic should be kept out of the main passenger traffic lane.

6. An obvious, though unaddressed, mitigation for nearly every concern in the EIS is construction of a private haul road to the vicinity of Bee Canyon. This measure becomes highly efficacious in light of the following:

a) The developer can place his pavement investment for overlay and widening in an onsite roadway and also save on traffic signal costs.

b) The developer's cost will be substantially less than City's open bid process, in that the developer manufactures the materials for the roadway onsite. Hauling and raw material costs should therefore be minimal. A macacam roadway would be an excellent choice in that the developer would only have to pay outside costs for spraying asphalt on the aggregate road bed.

c) The net increased costs may be zero, and provide mitigation of offsite safety, pavement degradation, noise, dust, broken windshields, and reduced traffic flow for the portion of the haul route replaced with this roadway.

d) Future developments could be required to sign a reimbursement agreement for the right to use the same road across the developer's property, thereby mitigating the same concerns for future developments.

7. There is a potentially significant environmental impact not addressed in the EIS, and that is the effect of the occasional dropping of gravel in the roadway. Broken windshields are a serious concern for drivers on high-speed routes near quarries.

8. To ensure that pavement mitigation measures correspond to original intent, a bond should be acquired covering payments linked to actual pavement loading from the site, e.g. tons shipped. This would reconcile these potential problems:

   a) The site shifts to Phase 2 earlier than planned;

   b) The developer folds the operation as insolvent just before the required overlay, but well after the damage to pavement is done.

L-17

Antelope Valley

43301 Division St., Suite 206
P.O. Box 4409 Lancaster CA 93539-4409

(805) 723-8070
Fax (805) 723-3450

Charles L. Fryxell, Air Pollution Control Officer

July 6, 1999

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

Re: Soledad Canyon Sand and Gravel Mining Project DEIR

Dear Dr. Koutnik:

The Antelope Valley Air Pollution Control District (AVAPCD) has reviewed the Draft Environmental Impact Report (DEIR) for the proposed Soledad Canyon Sand and Gravel Mining Project. The AVAPCD concurs with the findings and mitigation presented in the DEIR.

Thank you for the opportunity to review the DEIR for the proposed Soledad Canyon Sand and Gravel Mining Project. If you have any questions regarding this letter, please contact Alan De Salvio, Air Quality Engineer, at (760) 245-1661 extension 6122.

Sincerely,

Robert G. Zeller
Supervising Air Quality Engineer

cc: John A. Hecht, West Coast Environmental
Diane Terito, Agua Dulce Town Council

Soledad S&G DEIR.doc

23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

L-18

City of
Santa Clarita

July 7, 1999

RECEIVED
JUL 07 1999

Julie Moore, Project Planner
Department of Regional Planning
County of Los Angeles
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

Re: Public Comments Received on the Draft EIR for the Soledad Canyon Sand and Gravel Mining Project

Dear Ms. Moore:

Enclosed please find public comments received by the City of Santa Clarita for the proposed Soledad Canyon Sand & Gravel Mining Project. We are providing these comments to you for your distribution to the Los Angeles County Regional Planning Commission prior to the July 14, 1999, public hearing.

Additionally, we have enclosed a copy of the transcript for the May 11, 1999, Santa Clarita City Council meeting. This transcript contains Jeff Lambert's, director of Planning & Building Services, presentation to the City Council, comments from the Councilmembers, and oral comments received from the public.

Again, thank you for the opportunity to comment on the proposed Soledad Canyon Sand and Gravel Mining Project. If you have any questions, please contact Enrique Diaz, Assistant Planner II, or myself at (661) 255-4330.

Sincerely,

Lisa Hardy, AICP
Associate Planner

LMH
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23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

L-19

COPIES: EACH COMMISSIONER
STAFF
✓ J. Moore
Gutwein
Culbertson

City of
Santa Clarita

September 3, 1999

Julie Moore, Project Planner
County of Los Angeles Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

Re: Draft EIR for the Soledad Canyon Sand and Gravel Mining Project

Dear Ms. Moore:

This letter is in regards to the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete Company. As you know, the City of Santa Clarita has submitted an initial letter of response dated April 14, 1999 and followed with a supplemental letter dated July 2, 1999. In addition, the City will be submitting a response letter to the Environmental Impact Statement (EIS) to the Bureau of Land Management prior to the September 13, 1999 deadline.

The City of Santa Clarita appreciates the two previous extensions to the public review period granted by the Los Angeles County Regional Planning Commission. Recently the City Council has been contacted by several agencies, groups and residents regarding the upcoming end to the comment period for the Draft EIR and is requesting an extension providing further opportunity for the public to adequately comment on the proposal and the potential environmental impacts. Please notify Lisa Hardy or Enrique Diaz at (661) 255-4330, following your decision. Thank you for your cooperation.

Sincerely,

for

Jeffrey Lambert, AICP
Director of Planning & Building Services

cc: Dr. Daryl Koutnik, LA County Department of Regional Planning
Santa Clarita City Councilmembers
Congressman McKeon
State Senator Knight
Assemblyman Runner

JAD:LMH:kdl
s:\pbs\current\mined2

South Coast
Air Quality Management District
21865 E. Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 · http://www.aqmd.gov

FAXED: SEPTEMBER 10, 1999

September 10, 1999

Ms. Julie Moore
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Draft Environmental Impact Report (DEIR) for the Soledad Canyon Sand and Gravel Mining Project, SCH No. 91111066

Dear Ms. Moore:

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated in the Final Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the certification of the Final EIR. The AQMD would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Dr. Charles Blankson, Transportation Specialist – CEQA Section, at (909) 396-3304 if you have any questions regarding these comments.

Sincerely

Steve Smith

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:CB

LAC990421-10
Control Number

Draft Environmental Impact Report (DEIR) for the Soledad Canyon Sand and Gravel Mining Project

1. While construction emissions may be below the daily significance thresholds, according to the discussion on pages 3-161 and 3-162 of the DEIR, the information presented in Table 3.1.7-4 is unclear. Column 2 of the table shows emissions from four different sources, namely heavy equipment, materials-hauling trucks, employee commute, and other sources. Presenting this much information in one column makes it difficult to review the data adequately. It is recommended that to present the information in an easier to read format, Table 3.1.7-4 should be revised by disaggregating the emissions sources into separate columns.

2. Table 3.1.7-4 represents a summary of construction emissions from the proposed project. In some cases it is difficult to identify the individual sources in Appendix E2 that contribute to the total construction emissions. It is recommended that a table similar to the tables in Appendix E2 on pages E2-1 and E2-2 be prepared for construction emissions sources. Simply stated, the table would identify each emissions source, emissions factors for each source, relevant parameters such as hours of operation, number of units, and the total emissions for each source. Such a table would facilitate review of the project by the public.

3. EMFAC7G emission factors and composite mobile on-road emission factors are included throughout Appendix E2. Here again it is difficult to identify the individual emission factors used in calculating the emissions presented in Table 3.1.7-4. It would facilitate review of the emissions from on-road mobile sources if the lead agency would prepare a table that specifically identifies the following: the on-road mobile source; e.g., automobiles, light-duty trucks, medium-duty trucks, etc.; number of vehicle trips in each category, trip length and totals for each category; and composite emission factors.

4. On page 3-164 of the DEIR, there is a projection that the proposed project will generate up to 754 new ADTs on unpaved roads at the site. As a result, the proposed project may be subject to AQMD Rule 403 – Fugitive Dust, requirements for dust control, which could include, for example paving the unpaved roads or other dust control measures. The Final EIR should include an analysis or discussion of whether Rule 403 is applicable to the proposed project. If Rule 403 is applicable, the dust control measures to be implemented should be specifically identified. Finally, any dust control measures required by Rule 403 should be factored into the fugitive dust estimates for this project.

5. On page 3-182 of the DEIR it is stated that fugitive dust emissions due to scraper travel over unpaved surfaces will also be controlled using chemical dust suppressants with a control efficiency of over 80 percent. Please specify in the Final EIR how often the suppressants will be applied in order to maintain the projected 80 percent control efficiency.

6. It is stated on page 3-183 of the DEIR that the inactive areas will be controlled by dust suppressants with an efficiency in excess of 80 percent. In the Final EIR please specify the type of dust suppressant that is being considered for use as well as the frequency of use since both determine the level of efficiency.

7. On page 3-183, it is stated that fugitive emissions from equipment activity in the North Fines Storage Area will be controlled with water spray with a control efficiency in excess of 50 percent. The lead agency should specify in the Final EIR how often and when the water spray would be applied to maintain a control efficiency of 50 percent.

8. Regarding the location of sensitive receptors in the project vicinity, it is indicated on page 3-159 of the DEIR that the nearest residence is located approximately 3,000 feet from the processing facility. There are two residences within 1,000 feet east of the facility. There is also a trailer park about 6,000 feet from the processing facility and the community of Agua Dulce is about three miles to the north of the project site. There is no mention of the Stone Crest homes to the north-west of the facility. Given that the Santa Ana winds can move down this canyon at speeds in excess of 25 mph, it is recommended that when those conditions arise, the lead agency include a mitigation measure that requires plant operators to cease all fugitive dust generating activities.

9. Section 3.1.7.3 of the DEIR on mitigation measures should be revised to facilitate review by the public. As currently written, it is not clear in some cases what constitutes mitigation. For example, under the subsection "Conveyor Systems" on page 3-181 of the DEIR, it is stated, "The presented values, referring to Table 3.1.7-15, include the use of covered transfer points controlled by negative pressure vented to a bag house augmented by water or surfactant spray in the main plant area." It is unclear whether or not this is a mitigation measure or part of the project description. Further it should be stated how this measure will be enforced. Similarly, under the subsection "Rock and Sand Processing" which states "all permitted dust-producing equipment involved in rock crushing and conveyance must be vented to filters and kept moist using spray bars", it is not clear whether or not this is mitigation or part of the project description. Instead of having two major mitigation categories, AQ1 for construction and AQ2 for operational impacts, it is recommended that the lead agency number each specific mitigation measure so it is clear what constitutes each mitigation measure to distinguish them from non mitigation text. Numbering each of the actions to be undertaken would remove the ambiguities in the text. Please clarify in the Final EIR.

10. There is no mention of compliance with federal National Standards of Performance for New Sources (NSPS Subpart 000) Standards for Performance For Nonmetallic Mineral processing Plants. Since the facility is bound by this federal regulation, a mention of compliance or noncompliance is recommended. Further, it should be mentioned in the Final EIR whether or not compliance with this federal regulation is taken into consideration when evaluating air quality impacts.

11. All diesel-fired engines should be EPA/ARB certified per the requirements of 40 CFR Part 89.

12. When the lead agency develops a mitigation monitoring plan and it is indicated that the AQMD is responsible for monitoring any mitigation measures, the AQMD would like to review the mitigation monitoring plan prior to its approval.

13. The AQMD reviewed the modeling results in the DEIR and offers the following comments. The lead agency used USEPA's ISCST3 model to estimate NO_2 and PM_{10} concentrations for the relevant time periods. The lead agency used adequate grid spacing to identify maximum impacts and appropriate meteorological data from the Newhall station. However, the "NOCALM" model option was not used. The AQMD's modeling results, using the "NOCALM" option, are provided in Tables 1 and 2 below.

Table 1
NO_2 and PM_{10} Impacts for Phase 1
Soledad Canyon Sand and Gravel Mining Project

Pollutant	Averaging Period	Concentration ($\mu g/m^3$)
NO_2	1-Hour	708.91
	Annual	12.654
PM10	4-Hour	175.57
	24-Hour	71.99
	Annual	11.76

Table 2
NO2 and PM10 Impacts for Phase 2
Soledad Canyon Sand and Gravel Mining Project

Pollutant	Averaging Period	Concentration ($\mu g/m^3$)
NO_2	1-Hour	1155.26
	Annual	20.67
PM10	4-Hour	267.34
	24-Hour	109.97
	Annual	18.59

The lead agency should re-evaluate whether or not the revised results will have significant adverse effects on the sensitive receptors identified in the DEIR. Furthermore, the high concentrations identified for PM_{10} would likely result in violations of AQMD Rule 403 – Fugitive Dust. This means that the fugitive dust control measures in the DEIR are insufficient to prevent a violation of Rule 403. As a result, additional or enhanced fugitive dust control measures should be identified in the Final EIR. Finally,

the AQMD would be willing to work with the lead agency and project proponent to develop additional fugitive dust mitigation measures and a fugitive dust emission control plan. Please contact Dr. Julia Lester of the AQMD at (909) 396-3162 to assist with the development of the fugitive dust control plan.

L-21

ACTON

CHAMBER OF COMMERCE

P.O. Box 81 • Acton, CA 93510 (805) 269-5785

August 31, 1999

Ms. Julie Moore, Project Manager
County of Los Angeles
Department of Regional Planning
Impact Analysis Secton, Room 1348
320 WestTemple Street
Los Angeles, CA 90012

RE: Transit Mixed Concrete Proposed Project
Soledad Canyon Road

Dear Ms. Moore:

The proposed mining project being requested by the BLM and Transit Mixed Concrete would have a negative effect on the fragile economy of our businesses here in Acton.

Acton is a rural community supplying a unique lifestyle for families who do not want to live in the city. There are many small and home-based businesses in our town, enjoying the fact that they do not commute.

TMC had a community meeting with our town in May. At that time they explained that there will be shipping of product 7 days a week, 24 hours a day with 754 average daily traffic in Phase 1 and 1284 ADT in Phase II, the majority of it being truck traffic. TMC told our community that approximately 5% of the trucks would be going north on Soledad Canyon Road. The trucks would be going through town and past an Elementary School.

This high volume of truck traffic would change the face of our community with the dirt and noise that would be created, therefore effecting our economy, our lifestyle and our health.

We have businesses on Soledad Canyon, Recreational Parks such as Thousand Trails, Robins Nest, Oasis and more. Soledad Canyon is a two lane road. The trucks would be extremely hazardous to the RV's and campers going in and out of these parks year round.

If not controlled, over the next 15 years, mining could change the face of the local communities. Designation of mining areas was done over ten years ago, when the populations of Canyon Country, Agua Dulce and Acton were relatively small. Neither Los Angeles County nor Santa Clarita has done anything to discourage residential development. With the new growth in these communities naturally comes new business that must be protected.

Therefore, the Acton Chamber of Commerce is requesting that:

LOS ANGELES COUNTY DOES NOT ISSUE A "DOCUMENT OF OVERRIDING CONSIDERATIONS" IN FAVOR OF THE TMC PROPOSED PROJECT

Sincerely,

Scott Litchfield

Scott Litchfield
President
Acton Chamber of Commerce

L-22

Acton-Agua Dulce Unified School District
32248 Crown Valley Road • P.O. Box 68 • Acton, California 93510
(661) 269-5999 • (661) 269-0750 • Fax (661) 269-0849

September 7, 1999

Supervisor Michael Antonovich
869 Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Ref: CA-060-07 – Transit Mixed Concrete (TMC) Surface Mining Project

Dear Mike,

The closing date for acceptance of written comments on the Draft EIR/EIS is Monday, September 13. Many of the school districts affected by this project did not receive copies of the Draft EIR/EIS until recently. Some have hired professionals to review the EIR documents, and some have hired legal council to represent them. Since these districts were not noticed (and neither was ours in the planning process of designating this land as mining area as is legally required by SMARA), we would like to ask that you persuade regional planning to extend the cutoff date from September 13 to allow more time for all school districts to assess the mining impact and prepare written comments.

Sincerely,

Jim Duzick by [illegible]
Jim Duzick, President
Acton-Agua Dulce Unified School District Board of Trustees

NEWHALL SCHOOL DISTRICT

L-23

September 8, 1999

Mr. George Pederson
Los Angeles County Planning Commission Office
Via FAX (213) 974-6384

Dear Mr. Pederson:

It has come to our attention that the Newhall School District was not supplied with an EIR and other documents upon which to base a reaction to the Transit Mixed Mining proposal in the eastern Santa Clarita Valley. Although the project is not within the District itself, we believe that it has potential negative effects on air quality, transportation, and water availability. This project appears to have regional impact and all of these concerns may have impact on our students.

In light of the fact that we would like to receive documents and react to the project, we respectfully request that the hearing and comment period be extended for at least 90 days so that we can receive documents and respond to them.

Thank you for this consideration.

Sincerely,

Marc Winger, Ed.D.
Superintendent

pc: The Honorable Michael Antonovich
Los Angeles County Supervisor, 5th District

25375 Orchard Village Road, Valencia, California 91355-3000 • (661) 286-2200 • FAX (661) 286-2290

SAUGUS UNION SCHOOL DISTRICT

24930 Avenue Stanford, Santa Clarita, California 91355 661-294-7500 Fax 661-294-7560

COPIES: EACH COMMISSIONER
STAFF J. moore
Gutwein
Culberts

September 8, 1999

Ms. Esther Feldman, Chairperson
Los Angeles county Regional Planning Commission
320 West Temple St., Room 1390
Los Angeles, CA 90012
FAX: 213 974 6384

Re.: Continuance of EIR and EIS comment period for the Southdown/Transit Mixed mining project.

Dear Chairperson Feldman:

This is an official request from the Saugus Union School District with schools located in Santa Clarita and the County areas called Canyon County and Bouquet Canyon. On behalf of the Board of Trustees, I request that you continue the EIR and EIS comment period on the Southdown/Transit Mixed gravel and sand mining project for sixty days or until November 1, 1999. Saugus Schools have not to date received copies of the EIR and EIS reports on this project. Therefore, I further request that the EIR and EIS documents on the Southdown/Transit Mixed project be forwarded immediately to Saugus Schools for review by our staff and counsels.

Saugus Schools are greatly concerned about Indoor Air Quality for our students and staff. Our schools have recently been reviewed by the Environmental Projection Agency and the California Department of Health Services. Indoor Air quality is only as good as the outdoor air quality. Several of our schools are within 8 miles of the proposed gravel and sand mining project.

Given this, we request time to study the EIR/EIS of this project. We are very interested in the information on wind patterns and potential dust created. Also we are seriously concerned with emissions from engines of increased equipment useage in this mining project.

BOARD OF TRUSTEES • Eileen Connolly • Rose Koscielny • Gary G. Murr • Jonathan L. Myl • Judy Umeck •
SUPERINTENDENT • Gail Wickstrom, Ed.D. "QUALITY EDUCATION IN DEPTH FOR ALL STUDENTS"

Short of being granted a continuance of time to review the EIR/EIS of the proposed project, then Saugus Schools must oppose this project because of our fear of its impact on the air quality which would effect the health and safety of our students and staff.

Thank you for your consideration of our request.

Sincerely,

Gail Wickstrom, Ed. D.
Superintendent

CC: George Pederson, Los Angeles County Planning Commissioner
Supervisor Mike Antonovich
Congressman Buck McKeon
Bureau of Land Management

L-25

ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY
ONE CIVIC PLAZA, SUITE 650, CARSON, CALIFORNIA 90745 - TEL. (310) 233-7480 - FAX (310) 233-7483

July 6, 1999

Ms. Julie Moore
County of Los Angeles
Department of Regional Planning
Impact and Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

Subject: Proposed Soledad Canyon Mining Project-Transmit Mixed Concrete
County of Los Angeles, California Project No. 91165

Dear Ms. Moore:

The purpose of this letter is to support the Transit Mixed Concrete's proposed mining project in Soledad Canyon. The primary purpose of the project is to not only increase the availability of quality aggregate materials throughout the Southern California region but also to ensure the continued availability of quality aggregate as other sources are depleted.

The Alameda Corridor transportation project is just starting its intense three year construction period and has the potential to become one of the largest users of concrete and aggregate materials in the region over the next several years. The successful completion of the project on time and within budget is directly dependent on readily available quality construction materials at low competitive costs. Timely approval of new projects such as the Soledad Canyon mining project ensures good supplies at competitive prices.

It should be highlighted that Los Angeles County Public Works Department is the lead agency on four major project elements along the Alameda Corridor with two nearing completion and the remaining two going to bid within the next 45 days. These four County projects are concrete and aggregate use intensive projects and clearly benefit directly from a quality source of competitively priced aggregate products.

The Alameda Corridor Transportation Authority strongly supports the proposed mining project in Soledad Canyon and urges the Regional Planning Commission to approve the project.

Sincerely,

Tim Buresh

Tim Buresh, P.E.
Director of Construction & Engineering

SULPHUR SPRINGS SCHOOL DISTRICT

Administrative Offices

17866 Sierra Highway
Canyon Country, CA 91351
661/252-5131
FAX 661/252-8814

L-26

Resolution R-99-23
Soledad Canyon Sand and Gravel Mining Project

Whereas the Sulphur Springs Union Elementary School District is responsible for the public education of students in grades kindergarten through six in the east end of the Santa Clarita Valley encompassing most of the area known as Canyon Country; and

Whereas the District's schools are all currently at or above their individual capacities; and

Whereas there is a critical need for additional student housing in the eastern extremity of the District; and

Whereas the District has been negotiating with a developer for a school site located just south of the Spring Canyon Road freeway underpass; and

Whereas this site is located approximately one mile from the proposed Soledad Canyon Sand and Gravel Mining Project, a portion of which is within the boundaries of the Sulphur Springs District; and

Whereas the District currently has three schools located in a direction that is prevailingly downwind and within three miles of the proposed Project; and

Whereas air quality and other health related issues are of critical importance to the wellbeing of the District's students and staff; and

Whereas there have been serious concerns raised regarding the quality and accuracy of data presented related to health risks from the proposed mining operation, and those concerns would most likely make this site unacceptable to the State and this District.

Therefore, now be it resolved, the Board of Trustees of the Sulphur Springs School District takes an official position to recommend that the County of Los Angeles reject the proposal by Transit Mixed Concrete Company for the development of the Soledad Canyon Sand and Gravel Mining Project as approval of this project would seriously affect the District's ability to provide adequate community school facilities and would have a significant potential for adversely affecting the health of our students.

Approved and Passed this 11th day of August, 1999 by the Board of Trustees of the Sulphur Springs School District by the following vote:

AYES: 5
NAYS: 0
ABSENT: 0
ABSTAIN: 0

I, the undersigned, as Executive Secretary of the Board of Trustees, do hereby certify the foregoing to be a true and correct copy of a Resolution passed by the Board of Trustees of the Sulphur Springs School district at a regular meeting held on the 11th day of August, 1999.

Robert Nolet

Robert Nolet, Ed. D., Superintendent of Schools

EXHIBIT J

Acton-Agua Dulce Unified School District
32248 Crown Valley Road • P.O. Box 68 • Acton, California 93510
(661) 269-5999 • (661) 269-0750 • Fax (661) 269-0849

RESOLUTION #99-00.5

Soledad Canyon Sand and Gravel Mining Project

WHEREAS, the Acton-Agua Dulce Unified School District is responsible for the public education of students K-12 in a location directly to the east and northeast of Soledad Canyon, the proposed site of the Gravel Mining project; and,

WHEREAS, the location of all Acton-Agua Dulce Unified School District schools are situated in a corridor exposed to the prevailing easterly and northeasterly winds; and,

WHEREAS, air quality and other health related issues are of critical importance to the well-being of the District's students and staff; and,

WHEREAS, there have been serious concerns raised regarding data presented related to health risks from the proposed mining operation; and

WHEREAS, there exists no assurance of full mitigation of known or potential health risks associated with the mining project,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Acton-Agua Dulce Unified School District takes an official position to recommend that the County of Los Angeles reject the proposal by Transit Mix Concrete Company for the development of the Soledad Canyon Sand and Gravel Mining Project as approval of this project would have a significant potential for adversely affecting the health and well-being of our students and staff.

PASSED AND ADOPTED by the governing board of the Acton-Agua Dulce Unified School District at a regular meeting held on this 9th day of September, 1999 by the following vote, to wit:

AYES: 5 NOES: 0 ABSENT: 0

ATTEST:

Jim Duzick, President
Board of Trustees

Mark Nielsen, Vice President
Board of Trustees

Steve Harbeson, Clerk
Board of Trustees

Martin Barofsky, Member
Board of Trustees

Sally McCord, Member
Board of Trustees

KT

L-28

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

FIRE PREVENTION DIVISION
5823 Rickenbacker Road
Commerce, California 90040

ATE: 6/9/99

I: Department of Regional Planning
Permits and Variances

IBJECT: CUP 91-165

CATION: Agua Dulce / Mint Gym

_____ The Fire Department has no additional requirements for this permit.

_____ The required fire flow for this development is _____ gallons per minute for _____ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.

_____ Install _____ 6"X 4"X 2 ½" fire hydrants, conforming to AWWA Standard C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.

_____ Location: _____

X Access: 26' width minimum Access, F.D. Access All GATES, Turn Arounds ¼ – ½ Mile

X Special requirements: Fire Protection with barrier Posts at all Fuel storage and Propane Storage as per code. Brush Clearance per code.

Fire Protection facilities, including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call Inspector ~~Jenna Masi~~ J R Jones @ (323) 890-4243

cc: Case File: _____ Division: _____ Battalion: _____ Station: _____

L-29

SAUGUS UNION SCHOOL DISTRICT

24930 Avenue Stanford, Santa Clarita, California 91355 661-294-7500 Fax 661-294-7560

October 19, 1999

Ms. Esther Feldman, Chairperson
Los Angeles County Regional Planning Commission
320 West Temple Street, Room 1390
Los Angeles, California 90012

Dear Ms. Feldman:

Saugus Union School District requested an extension of time in order to review the EIR/EIS for the proposed Transit Mixed sand and gravel mining project in Soledad Canyon. Thank you for granting this request. We understand that the Planning Commission and perhaps the Bureau of Land Management as well has required that Transit Mixed Concrete Company rewrite the EIR/EIS for this proposed project.

Staff of Saugus Union School District did review the existing EIR/EIS from the proposed project and believe this project is not in the best interest of the children of Saugus Schools. The Board of Trustees passed the enclosed Resolution No 99-28, which calls on the County of Los Angeles and the Bureau of Land Management to reject the proposed project.

Staff of Saugus Schools would review any new EIR/EIS which might be developed in light of recent decision made by the Planning Commission of Los Angeles County and the Bureau of Land Management; but, until that time, the above resolution in opposition to this project stands.

Thank you for your courtesies regarding this project proposal and its timelines.

Sincerely,

Gail Wickstrom, Ed.D.
Superintendent

GW: jm
Enclosure
cc: Michael D. Antonovich, Supervisor
Allan Cameron, Comprehensive Development Consulting
Robert C. Keller, Chair, City of Santa Clarita Planning Commission
Richard Grabowski, Deputy State Director for Minerals
Howard "Buck" McKeon, Congressman
George Pederson, Los Angeles County Planning Commissioner
Tim Salt, California Desert District, Bureau of Land Management

BOARD OF TRUSTEES • Eileen Connolly • Rose Koscielny • Gary G. Murr • Jonathan L. Myl • Judy Umeck •
SUPERINTENDENT • Gail Wickstrom, Ed.D.

RESOLUTION NO. 99-28

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAUGUS UNION SCHOOL DISTRICT REJECTING THE PROPOSAL BY TRANSIT MIXED CONCRETE COMPANY FOR THE DEVELOPMENT OF THE SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

Whereas, the Saugus Union Elementary School District is responsible for the public education of nine thousand students in grades kindergarten through six in the Santa Clarita Valley; and

Whereas, the Saugus Union Elementary School District has three schools within eight miles of the proposed Soledad Canyon Sand and Gravel Mining Project of Transit Mixed Concrete Company; and

Whereas, the Saugus Union Elementary School District is very concerned with indoor air quality as well as outdoor air quality and the effects on the health of its students and staff; and

Whereas, about 10% of Saugus Union Elementary School District students are already acutely sensitive to poor air quality; and

Whereas, the impact of the Soledad Canyon Sand and Gravel Mining Project on local schools is not addressed in the Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the project; and

Whereas, the EIR/EIS states that up to 92% of the dust produced by the mining would be PM 10; and, since the City of Santa Clarita does not currently meet the PM 10 federal and state air quality standards and is not expected to meet them in the foreseeable future; and

Whereas, the EIR/EIS indicates that the proposed project would cause an average of 700 truck trips daily which would generate ozone; and, since the City of Santa Clarita does not currently meet the ozone federal and state air quality standards and is not expected to meet them until after 2010; and

Whereas, the proposed project would most likely adversely affect air quality and make it more difficult to achieve good air quality in the Santa Clarita Valley where Saugus Schools have children enrolled; and

Whereas, serious concerns have been raised regarding the quality and accuracy of the data presented related to impacts on schools, air quality and health risks from the proposed mining operations; and

Now therefore be it resolved, that the Board of Trustees of the Saugus Union Elementary School District takes an official position to recommend that the County of Los Angeles and the Bureau of Land Management reject the proposal by Transit Mixed Concrete Company for the development of the Soledad Canyon Sand and Gravel Mining Project.

PASSED and ADOPTED THIS 5th day of October, 1999 at a regular meeting, by the following vote, to wit:

AYES: 5 NOES: 0 ABSENT: 0

Attest:

Gail Wickstrom, Superintendent/Secretary
Secretary to the Board of Trustees

Eileen Connolly, President
President of the Board of Trustees

COPIES: EACH COMMISSIONER

L-30

J. Ortwein
J. Moore
J. Fries

Board of Supervisors
County of Los Angeles

MICHAEL D. ANTONOVICH
SUPERVISOR FIFTH DISTRICT

October 12, 1999

Mr. Esther Feldman, Chairman
Regional Planning Commission
Room 170, Hall of Records
320 West Temple Street
Los Angeles, California 90012

Dear Chairman Feldman: Esther

The local newspapers have reported that the Bureau of Land Management has instructed Transit Mix Concrete Company to revise significant portions of its environmental impact statement (EIS) to insure that the air quality issues are fully disclosed for their Soledad Canyon proposal.

While I understand that the EIS is technically a different document from the project environmental impact report (EIR) required by the County, it is important that the two documents be consistent as to the impacts resulting from the proposal.

Consequently, I believe that the community would be better served if the Planning Commission would instruct the applicant to revise the project EIR at the same time as the EIS is revised, and that the matter be taken off calendar by the Commission until the two documents are updated.

Please give this matter your consideration at your earliest convenience. Thank you.

Sincerely,

Mike Antonovich

MICHAEL D. ANTONOVICH
Supervisor, Fifth District

MDA:dvd:tmstmx/ltr

cc: Commissioner George Pederson
Congressman Howard McKeon
Department of Regional Planning
City of Santa Clarita
Transit Mix

ROOM 869 KENNETH HAHN HALL OF ADMINISTRATION, 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012
TELEPHONE (213) 974-5555 • (213) 974-1010 (FAX)

L-31

of
Santa Clarita

23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

October 4, 1999

Julie Moore, Project Planner
County of Los Angeles Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

Re: Draft EIR for the Soledad Canyon Sand and Gravel Mining Project

Dear Ms. Moore:

This letter is in regards to the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete Company. The City of Santa Clarita recently became aware of the request made by the Bureau of Land Management regarding the supplement to the EIS addressing issues requiring further analysis.

The City of Santa Clarita requests for the County to incorporate new analysis prepared for the EIS into the Environmental Impact Report and then circulate the supplemental document for 45 days. The public review period for the Draft Environmental Impact Report was recently extended by the Los Angeles County Regional Planning Commission until January 3, 2000. The City feels it is necessary for the review period for the supplemental analysis to coincide with the EIR deadline for comments.

The time extension would provide further opportunity for the public to comment on the supplemental document and the potential environmental consequences. Please notify Jeffrey Lambert, Director of Planning and Building Services, at (661) 255-4913, following your decision. Thank you for your cooperation.

Sincerely,

Jeffrey Lambert, AICP
Director of Planning & Building Services

cc: Dr. Daryl Koutnik, LA County Department of Regional Planning
Mayor Darcy &City Councilmembers
Representative Buck McKeon
Senator Pete Knight
Assemblyman George Runner
Jeffrey Lambert, Director of Planning

JAD:LMH:ed
s:\pbs\current\tmc\extblm

OCT 12 1999

PRINTED ON RECYCLED PAPER

L-32

South Coast
Air Quality Management District
21865 E. Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 · http://www.aqmd.gov

FAXED: SEPTEMBER 10, 1999

September 10, 1999

Ms. Julie Moore
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Draft Environmental Impact Report (DEIR) for the Soledad Canyon Sand and Gravel Mining Project, SCH No. 91111066

Dear Ms. Moore:

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated in the Final Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the certification of the Final EIR. The AQMD would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Dr. Charles Blankson, Transportation Specialist – CEQA Section, at (909) 396-3304 if you have any questions regarding these comments.

Sincerely

Steve Smith

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:CB

LAC990421-10
Control Number

Draft Environmental Impact Report (DEIR) for the Soledad Canyon Sand and Gravel Mining Project

1. While construction emissions may be below the daily significance thresholds, according to the discussion on pages 3-161 and 3-162 of the DEIR, the information presented in Table 3.1.7-4 is unclear. Column 2 of the table shows emissions from four different sources, namely heavy equipment, materials hauling trucks, employee commute, and other sources. Presenting this much information in one column makes it difficult to review the data adequately. It is recommended that to present the information in an easier to read format, Table 3.1.7-4 should be revised by disaggregating the emissions sources into separate columns.

2. Table 3.1.7-4 represents a summary of construction emissions from the proposed project. In some cases it is difficult to identify the individual sources in Appendix E2 that contribute to the total construction emissions. It is recommended that a table similar to the tables in Appendix E2 on pages E2-1 and E2-2 be prepared for construction emissions sources. Simply stated, the table would identify each emissions source, emissions factors for each source, relevant parameters such as hours of operation, number of units, and the total emissions for each source. Such a table would facilitate review of the project by the public.

3. EMFAC7G emission factors and composite mobile on-road emission factors are included throughout Appendix E2. Here again it is difficult to identify the individual emission factors used in calculating the emissions presented in Table 3.1.7-4. It would facilitate review of the emissions from on-road mobile sources if the lead agency would prepare a table that specifically identifies the following: the on-road mobile source; e.g., automobiles, light-duty trucks, medium-duty trucks, etc.; number of vehicle trips in each category, trip length and totals for each category; and composite emission factors.

4. On page 3-164 of the DEIR, there is a projection that the proposed project will generate up to 754 new ADTs on unpaved roads at the site. As a result, the proposed project may be subject to AQMD Rule 403 – Fugitive Dust, requirements for dust control, which could include, for example paving the unpaved roads or other dust control measures. The Final EIR should include an analysis or discussion of whether Rule 403 is applicable to the proposed project. If Rule 403 is applicable, the dust control measures to be implemented should be specifically identified. Finally, any dust control measures required by Rule 403 should be factored into the fugitive dust estimates for this project.

5. On page 3-182 of the DEIR it is stated that fugitive dust emissions due to scraper travel over unpaved surfaces will also be controlled using chemical dust suppressants with a control efficiency of over 80 percent. Please specify in the Final EIR how often the suppressants will be applied in order to maintain the projected 80 percent control efficiency.

6. It is stated on page 3-183 of the DEIR that the inactive areas will be controlled by dust suppressants with an efficiency in excess of 80 percent. In the Final EIR please specify the type of dust suppressant that is being considered for use as well as the frequency of use since both determine the level of efficiency.

7. On page 3-183, it is stated that fugitive emissions from equipment activity in the North Fines Storage Area will be controlled with water spray with a control efficiency in excess of 50 percent. The lead agency should specify in the Final EIR how often and when the water spray would be applied to maintain a control efficiency of 50 percent.

8. Regarding the location of sensitive receptors in the project vicinity, it is indicated on page 3-159 of the DEIR that the nearest residence is located approximately 3,000 feet from the processing facility. There are two residences within 1,000 feet east of the facility. There is also a trailer park about 6,000 feet from the processing facility and the community of Agua Dulce is about three miles to the north of the project site. There is no mention of the Stone Crest homes to the north-west of the facility. Given that the Santa Ana winds can move down this canyon at speeds in excess of 25 mph, it is recommended that when those conditions arise, the lead agency include a mitigation measure that requires plant operators to cease all fugitive dust generating activities.

9. Section 3.1.7.3 of the DEIR on mitigation measures should be revised to facilitate review by the public. As currently written, it is not clear in some cases what constitutes mitigation. For example, under the subsection "Conveyor Systems" on page 3-181 of the DEIR, it is stated, "The presented values, referring to Table 3.1.7-15, include the use of covered transfer points controlled by negative pressure vented to a bag house augmented by water or surfactant spray in the main plant area." It is unclear whether or not this is a mitigation measure or part of the project description. Further it should be stated how this measure will be enforced. Similarly, under the subsection "Rock and Sand Processing" which states "all permitted dust-producing equipment involved in rock crushing and conveyance must be vented to filters and kept moist using spray bars", it is not clear whether or not this is mitigation or part of the project description. Instead of having two major mitigation categories, AQ1 for construction and AQ2 for operational impacts, it is recommended that the lead agency number each specific mitigation measure so it is clear what constitutes each mitigation measure to distinguish them from non mitigation text. Numbering each of the actions to be undertaken would remove the ambiguities in the text. Please clarify in the Final EIR.

10. There is no mention of compliance with federal National Standards of Performance for New Sources (NSPS Subpart 000) Standards for Performance For Nonmetallic Mineral processing Plants. Since the facility is bound by this federal regulation, a mention of compliance or noncompliance is recommended. Further, it should be mentioned in the Final EIR whether or not compliance with this federal regulation is taken into consideration when evaluating air quality impacts.

11. All diesel-fired engines should be EPA/ARB certified per the requirements of 40 CFR Part 89.

12. When the lead agency develops a mitigation monitoring plan and it is indicated that the AQMD is responsible for monitoring any mitigation measures, the AQMD would like to review the mitigation monitoring plan prior to its approval.

13. The AQMD reviewed the modeling results in the DEIR and offers the following comments. The lead agency used USEPA's ISCST3 model to estimate NO_2 and PM_{10} concentrations for the relevant time periods. The lead agency used adequate grid spacing to identify maximum impacts and appropriate meteorological data from the Newhall station. However, the "NOCALM" model option was not used. The AQMD's modeling results, using the "NOCALM" option, are provided in Tables 1 and 2 below.

Table 1
NO_2 and PM_{10} Impacts for Phase 1
Soledad Canyon Sand and Gravel Mining Project

Pollutant	Averaging Period	Concentration ($\mu g/m^3$)
NO_2	1-Hour	708.91
	Annual	12.654
PM10	4-Hour	175.57
	24-Hour	71.99
	Annual	11.76

Table 2
NO2 and PM10 Impacts for Phase 2
Soledad Canyon Sand and Gravel Mining Project

Pollutant	Averaging Period	Concentration ($\mu g/m^3$)
NO_2	1-Hour	1155.26
	Annual	20.67
PM10	4-Hour	267.34
	24-Hour	109.97
	Annual	18.59

The lead agency should re-evaluate whether or not the revised results will have significant adverse effects on the sensitive receptors identified in the DEIR. Furthermore, the high concentrations identified for PM_{10} would likely result in violations of AQMD Rule 403 – Fugitive Dust. This means that the fugitive dust control measures in the DEIR are insufficient to prevent a violation of Rule 403. As a result, additional or enhanced fugitive dust control measures should be identified in the Final EIR. Finally,

the AQMD would be willing to work with the lead agency and project proponent to develop additional fugitive dust mitigation measures and a fugitive dust emission control plan. Please contact Dr. Julia Lester of the AQMD at (909) 396-3162 to assist with the development of the fugitive dust control plan.

L-33

RICHARD C. SLADE & ASSOCIATES LLC

CONSULTING GROUNDWATER GEOLOGISTS

September 13, 1999

Ms. Julie Moore
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Job No. S9919

Subject: Review of Draft Environmental Impact Reports
Proposed Sand and Gravel Mining Operation
Soledad Canyon, Los Angeles County, California
State Clearinghouse No. 91111066
Los Angeles County Department of Regional Planning Project No. 91165

Dear Md. Moore:

The comments in this letter are being submitted to you at the request of and on behalf of the Castaic Lake Water Agency, a public agency. This letter presents our hydrogeologic review of the Draft Environmental Impact Report (DEIR) for a proposed sand and gravel mining operation plan, to be located east of Lang, within Soledad Canyon in Los Angeles County. The proposed mining operation is to be operated by Transit Mixed Concrete Company (TMC) of Azuza, California. This letter has been prepared with regard to a California Environmental Quality Act (CEQA) hearing to be conducted by the Los Angeles County Planning Commission at Valencia High School on September 13, 1999.

For this hydrogeologic review of the DEIR we have been provided with the following documents:

A. Chambers Group, February 1999, Draft Environmental Impact Report and Technical Appendices, Soledad Canyon Sand and Gravel Mining Project, Project No. 91165, State Clearinghouse No. 91111066, Los Angeles County Department of Regional Planning.

B. West Coast Environmental, March 11, 1994, Answer to Vested Rights Protests vs. Application No. 29967, Transmit Mixed Concrete Company, Soledad Canyon Project.

C. Ground Water Systems, Inc. April 23, 1993, Evaluation of Water Resources in the Vicinity of the Transmit Mixed Concrete Company – C.A. Rasmussen Company Properties in the Soledad Canyon, Los Angeles County, California.

D. Western Technologies, Inc, September 12, 1989, Hydrogeological Assessment Report, Soledad Canyon, Los Angeles County, California.

6442 COLDWATER CANYON AVE., SUITE 214 • NORTH HOLLYWOOD, CALIFORNIA 91606 • TELEPHONE: (818) 506-0418 • FAX: (818) 506-1343
NAPA VALLEY OFFICE: 176 MAIN ST., SUITE B, ST. HELENA, NAPA VALLEY, CALIFORNIA 94574 TELEPHONE: (707) 963-3914

Our technical review is limited to the groundwater issues involving the proposed sand and gravel mining plan. Excluded from our review and evaluation have been the following technical issues: faulting and seismicity, excavating, grading, slope stability, foundations, erosion control, site drainage, flood hazard or geotechnical engineering. In addition, our personnel have performed no field geologic mapping or water well testing for this project.

During our technical review, we noted a number of deficiencies with respect to the groundwater aspect of the DEIR. The following provides a list of those deficiencies:

1. No information is presented on the construction of the existing well PW-2 and one other onsite well (PW-1?) located northeast of existing well PW-2. This documentation should be included within the DEIR.

2. Reports B, C, and D listed above, although referenced in the DEIR, are not physically a part of the DEIR. As a result, technically, the DEIR is not a complete, stand-alone document.

3. The existing onsite well northeast of PW-2 is not mentioned in the DEIR and is not plotted on Figure 1.4-4. It is stated in the DEIR that three wells will be used to supply the project, namely existing well PW-2 and two new wells yet to be drilled, PW-3 and PW-4 located farther downstream. Is the existing well northeast of PW-2 to be destroyed? The existence and the disposition of that well should be discussed in the DEIR.

4. No groundwater monitoring program has been detailed in the DEIR, although it is mentioned that four existing groundwater monitoring wells will be maintained to monitor water levels of the Santa Clara River underflow (p. 3-67). A regular program of water-level measurements and water-quality monitoring should be implemented for the three production wells as well as the existing groundwater monitoring wells. The collection of water levels should be performed at a minimum on a monthly basis and then recorded, graphed, and examined by qualified personnel in order to determine long-term trends/changes in water levels and/or water quality. Water samples should be collected on a semi-annual basis and be analyzed for Title 22 general minerals, metals, and other selected parameters such as total petroleum hydrocarbons (TPH) and oil and grease (O&G).

5. On p. 3-65, it is mentioned that TMC recognizes during unusually dry periods, when recharge and stream underflow could be very low that pumping for mining will be reduced or ceased. However, it is not mentioned: how this program of pumping reduction or termination would be initiated or implemented; who will determine what specific underflow values of water levels in key wells

will initiate the program; and who will oversee the pumping restrictions. These items should be addressed in the DEIR.

6. During a protracted drought, such as that which occurred in 1975-1976 or from 1985 to 1991, does the DEIR have adequate plans in case there is insufficient surface water to maintain habitats of insufficient groundwater to maintain mining operations? Can mining operations and production be halted (not merely adjusted as the DEIR states may occur in one year of below average rainfall) in August, September, and October (the main breeding period of certain habitats) following such protracted droughts? The DEIR should address these issues.

7. There has been no mention of the monitoring and recording of flow rates and amounts from each production well, and possible pumping schedules. The use of well-maintained and calibrated flow meters are recommended in order to adequately track temporal flow from each water well used for the proposed project. The DEIR also appears to assume that the production wells for the mining operations will operate continuously. Is this correct? Do the pumpage rates and volumes provided in the DEIR for the wells account for a more typical 70% operational pump rate?

8. If additional wells become necessary to supply the project, what provisions are there for locating them and/or obtaining the necessary State permits for water rights? These items are not addressed in the DEIR.

9. On page 17 in Appendix B1, a storm water sampling program is outlined. Sampling is to consist of two events, one during the first storm event and one additional event. We recommend that the events be increased to at least three, for the first two storms and one additional event. This is because it may be more common to encounter possible contaminants in surface water following the first few storms of the season that provide sufficient surface water runoff for monitoring purposes rather than following several normal storms or a few very large events.

   Furthermore, some provision in the DEIR should be made for sampling surface water following an accidental spill that may occur during the rainy season, but after the initial standard storm water sampling has been performed. Also, the laboratory analytical parameters for water-quality samples appear not to have been listed; these parameters should be provided in the DEIR.

10. In Appendix C1 of the DEIR, they state that typical water use by this same general type of mining facility is on the order of 1200 acre-feet per year (AF/yr). The DEIR then reports that TMC will utilize process water clarifiers (the clarifier technology) for "complete recycling of washing water", thereby reducing consumption by 35%. Finally, the DEIR states that water use rates

can be further reduced by the recovery of water draining off of aggregate stockpiles.

11. The DEIR should provide further explanation of how they can provide "complete recycling of washing water". For example, is evaporation considered or is the amount of wash water being held on the dry gravel grains (specific retention) being considered in their analyses? Also, will the washing be performed in either closed containers or upon paved surfaces so that none of the water is lost to runoff or infiltration into the soils?

12. The DEIR should also provide more details on how they can recover water draining off of aggregate stockpiles. For example, are the stockpiles being placed on paved surfaces so that there is no infiltration into the ground?

13. The desilting and debris basins according to Appendix B1 of the DEIR are being designed "to perform adequately during a 50-year storm." Is this storm event the state-of-the-art event required for such facilities by existing regulations? What assurances and what specific mitigations are there for cleaning, repairing, and maintaining these facilities during normal years and during/immediately after periods of excessive rainfall such as that which occurred n 1969, 1983, or 1993.

Very truly yours,
RICHARD C. SLADE & ASSOCIATES, LLC

Earl L. Lawrence
for
Richard C. Slade
Certified Engineering Geologist No. 929

C-1

SAND CANYON HOMEOWNERS ASSOCIATION
P.O. Box 1081
Canyon Country, CA 91351

March 26, 1999

Dr Darryl Koutnik
County of Los Angeles
320 West Temple Street; Rm 1310
Los Angeles, CA 90012

Re: EIR 9111066
Project No.: 91165
Soledad Canyon Sand & Gravel Mining Project

Dear Dr. Koutnik:

The Sand Canyon Homeowners Association has just been made aware of an Environmental Impact Report filed in the above-captioned matter. The concern of this association extends to the area of this proposed project, which is about 3 miles from the location of the residences of the membership. The possible impact of the mining operation on our area includes water use, water pollution, water depletion, air pollution, traffic, visual and auditory impact.

The purpose of this letter is to request that the review period of the submitted E.I.R. be extended not less than an additional 90 days from the present review period's termination date of April 11, 1999. This will permit a considered examination of the E.I.R. by our Board and Membership, which will enable us to endorse or object after careful deliberation.

Very truly yours,

Sand Canyon Homeowners Association

Board of Directors:
Leslie Christensen
John Coleman
Mike Erb
Robert Fleck
Dave Hauser
Barry King
Ruth Ann Levison

Cc: Michael Antonovich; City of Santa Clarita; Dr. Darryl Koutnik

C-2

Natural History Club *of Acton/Agua Dulce*

"Protectors of Natural, Ecological & Cultural Resources"

March 29, 1999

Ms. Julie Moore/ L.A.County Dep't Regional Planning
320 West Temple Street Room 1348
Los Angeles, CA 90012 FAX: (213) 626-0434

Subject: Proposed Hearing - April 21,1999 - re: Surface Mining Permit # 91-165-(5)

The Natural History Club respectfully requests a CONTINUANCE to a later date regarding this project.

There has simply been a great hardship in acquiring enough time to disseminate the draft EIR (2 volumes, State Clearinghouse No. 91111066) to as many interested and knowledgeable persons as possible. Two sets of the documents are available in the village of Agua Dulce. As far as we know, no sets were disseminated to the town of Acton. Our Organization requested, and was sent in a timely fashion (2/26/99), two (2) sets of the DEIR from Brian Mastin of Transit Mixed. However, given the huge scope of the project, we will need much more time to assimilate and disseminate information.

Please continue this Hearing for at least ninety (90) days.

Respectfully,

Stacey Nickels

Stacey Nickels, President NHC 1999

cc: Agua Dulce Civic Assoc.
Acton Town Council

NHCA . P.O. Box 965 - Acton, CA 93510 . (661) 269-1824; 268-1136; FX (661) 268-8864

C-3

Agua Dulce Civic Association Inc.
...Serving Agua Dulce since 1957

March 31, 1999

The Department of Regional Planning
County of Los Angeles
320 West Temple Street, Room 150
Los Angeles, California 90012

RE: Surface Mining Permit No. 91-165 – (5)
Draft Environmental Impact

Ladies and Gentlemen:

The Agua Dulce Civic Association hereby requests a continuance or postponement of the public hearing on the referenced land use proposal and draft environmental impact report. The hearing is currently scheduled for April 21, 1999 at 9:00 a.m., with a deadline for written correspondence of 6:00 p.m. April 14, 1999. We request that both the public hearing and deadline for written correspondence be delayed for a minimum of 90 days. Our organization requires additional time to review this substantial and important matter.

Your consideration of our request is greatly appreciated. Please contact our president, LaVerne Harris, at (661) 268-0472, if you have any questions. Thank you.

Respectfully submitted,

Donna Saufley

Donna Saufley
Corresponding Secretary

/dls

cc File

C-4

AGUA DULCE TOWN COUNCIL

Jim Duzick, President
(805) 268-1295
FAX: (805) 268-8345

COUNCIL MEMBERS

Diane Terito, Secretary
(805) 268-8701
FAX: (805) 268-7325
Email: tgtmkt1@aol.com

Mike Terito, Treasurer
(805) 268-8701
FAX: (805) 268-7325

George Dyer
(805) 268-1258
FAX: (805) 268-1183

Doc Ellis
(805) 268-1313

Dave McCord
(805) 268-6134
FAX: (805) 268-0728

Darrell Readmond
(805) 268-1087
FAX: (805) 268-1087

March 31, 1999

Los Angeles County Department of Regional Planning
James E. Hartl, AICP - Director of Planning
320 West Temple Street
Los Angeles, CA 90012

RE: Project 91-165-(5)
Transit Mixed Concrete

BY FAX: (213) 626-0434

Dear Mr. Hartl:

It is our understanding that the Planning Commission will entertain a motion at it's meeting this morning to postpone the hearing on the above referenced project.

Due to the complex nature of the project, and the recent publication of the Environmental Impact Report, the Agua Dulce Town Council would like to add its voice to the request for a ninety (90) day postponement of this hearing.

Sincerely yours,

Diane Terito

DIANE TERITO
Secretary

cc: Supervisor Michael Antonovich
Mr. David Vanatta, Chief Planning Deputy to Supervisor Antonovich
Mrs. JoAnne Darcy, Deputy to Supervisor Antonovich

C-5

Natural History Club *of Acton/Agua Dulce*

"Protectors of Natural, Ecological & Cultural Resources"

April 4,1999

Dr. Daryl Koutnik, Department of Regional Planning, County Los Angeles
Impact Analysis Section, Rm.1348
320 West Temple Street
Los Angeles, Ca 90012

Subject: DEIR (State Clearing House No. 91111066), Transit Mixed Project #91165
Discussion for Agenda Planner's Meeting: April 7, 1999

Dr. Koutnik,

There has been an insufficient comment time period provided to the public regarding this project. There simply has not been adequate time to address the scope of environmental issues raised.

Under CEQA forty five (45) days would be enough to satisfy procedure requirements. It is not enough time to allow the public to participate in ascertaining the extent of the project 's impacts nor discerning the adequacy of proposed mitigation measures.

Because of the magnitude of this proposed project, the comment period should be extended to 120 days, or until such time as State Water Quality Control Board finishes their Hearing Process.

Respectfully,

Stacey Nickels

Stacey Nickels, President NHC

cc: The 5 Regional Planners

NHCA . P.O. Box 965 - Acton, CA 93510 . (661) 269-1824; 268-1136; FX (661) 268-8864

CARMONA & Associates

C-6

"A COMPLETE LAND PLANNING ASSISTANCE COMPANY"

• Planning • Urban Design • Project Coordination •

April 5, 1999

Dr. Daryl Koutnik
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
32 0 West Temple street
Los Angeles, Ca. 90012

Re: Comments on Draft Environmental Impact Report (State Clearing House Number 91111066) For Soledad Canyon Sand and Gravel Mining Project No. 91165.

Dear Dr. Koutnik;

Please find the attached comments to the above referenced Draft Environmental Impact Report (DEIR) for Soledad Canyon Sand and Gravel Mining Project (Project), Exhibit A. The most significant concern regarding the subject DEIR and Project is that insufficient comment period was provided to the public to adequately address the breath of environmental issues raised.

Specifically, a forty-five (45) day review period may satisfy the California Environmental Quality Act (CEQA) in regards to procedure. However, the review period falls in the spirit of the law to provide the public adequate time to participate in the public participation in discovering the extent of the Project impacts and adequacy of proposed mitigation measures. **Given the scope and intensity of this Project the comment period should be extended by 120-days or to such time that the State Water Resources Control Board concludes their hearing process (anticipated to be begin in August 1999).**

LEAD AGENCY RESPONSIBILITY OF PREPARING A DEIR

The lead Agency shall cause the preparation and be responsible for the preparation of the Environmental Impact Report and the processing thereof. Appearance of the position of the preparer of the DEIR should not be an advocacy position in either support or disfavor of a project The EIR is a public information document assessing relevant issues of concern and intended to factually assess environmental concerns.

The Planning Staff and decision maker may wish to step back and consider the public responsibility in regards to this particular DEIR. The adequacy of content and assessment, and the tense of delivery of the information appears to "finding a way " to resolve rather then a delivery of objective findings.

The obvious effort by the staff and preparer of the DEIR is evident, and is impressive. The comments offered above are impressions from someone not so close to the subject material, and experienced in the environmental process.

271 Lexington Street Upland California 91786 • Phone (909) 567.4911 • FAX (909) 940.6144

COMMENTS DEIR
April 5, 1999
Page 2 of 3.

RECOMMENDED ACTIONS

1.) The county staff is hereby directly requested to consider the comments provided herein, for inclusion and expansion of assessment of the DEIR.

2.) **A STAFF RECOMMENDATION to the Planning Commission**, that the DEIR comment period be extended to August 15, 1999, or such time that the State Water Resources Control Board concludes consideration of the Applicant's Case Number 29967 regarding diversion of water resources..

STATEMENT OF INVOLVEMENT

I am a Urban Planner who is providing professional time to undefined persons who are direct parties of interest. I have no desire to stop or support this Project and am providing this effort as a matter of public service.

Respectfully Submitted

John Carmona

attc: Exhibit A, Comments to DEIR.

EXHIBIT A
COMMENTS TO DEIR
SOLEDAD CANYON SAND & GRAVEL MINING PROJECT
(Project No. 91165)

The most significant issue regarding the County of Los Angeles (One of two Lead Agencies, Federal & State) procedure rest in the fact that directly related other public discretionary considerations are on-going during the DEIR review and comment period, specifically:

1.) The DEIR is inadequate as a public information document while the issue of the State Water Resource Control Board (SWRCB) has yet to consider and assess the environmental and analytical impacts to the diversion of water flow from the Santa Clara River. This application has been in process since June 1991, and is tentatively scheduled for consideration in August 1999.

2.) Missing comments and assessments from down stream water purveyors within the sphere of influence should have been invited to formally comment as a prerequisite of the preparation of the DEIR (scoping of critical known issues by responsible and relevant agencies for inclusion). Discovery of these potential impacts now rest with the public and notification of the following agencies and organizations is encouraged:

- Santa Paula
- City of Ventura
- Fillmore
- Calleguas Water District
- County of Ventura
- United water Conservation District

3.) The Air Quality Management District should have been contacted and requested to comment on the creation of new source generation of dust and air born contaminant within an Project area. Specifically identifying the issue of the wind and climate characteristics related to existing sub-regional air quality conditions and a new fugitive dust Project source. The Notice of Preparation AQMD letter of response dated November 26, 1991 does little to address the air quality new source generation of dust and other unavoidable contaminants divulged within the DEIR.

A serious question of environmental process and procedure is clearly raised, should the Lead Agency ultimately consider reaching any determination regarding a "Statement of Over Riding Consideration" pertaining to 401 & 403 issues. Further, referring such issues to the domain of AQMD as a Responsible Agency raises the question of legitimacy of the lead agency's responsibility as decision maker serving as the protection of the public welfare.

4.) Traffic and highway capability to support heavy vehicles. The DEIR does not contain adequate discussion and/or assessment of increased dangers associate with the mixing of significant increases of industrial heavy vehicle traffic and automobiles on a mountain two lane road. Further, discussion of Soledad Canyons Road's design speed capability and road bed life/load capabilities should be expanded. The request of the County"s Transportation Planning Assessment request (letters of December 13, 1995 & September 1, 1998, DEIR) suggest that consideration of road widening and upgrading road alignment for sight distance safety consideration is important and should be reviewed as a component of the DEIR. *

* Note: DEIR Response to comments pages 6-10, are inadequate replacement for the formal staff assessment recommendations (post office discussions should not replace the need to know facts).

*** Reservation of additional comments specific to the DEIR shall be provided prior to certification.**

C-7

Friends of the Santa Clara River

660 Randy Drive Newbury Park, California 91320 (805) 498-4323

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Santa Clarita Organization for Planning the Environment (SCOPE)

Sierra Club, Angeles Chapter

Sierra Club, Los Padres Chapter

Surfrider Foundation

Ventura Audubon Society

Los Angeles Department of Regional Planning
Los Angeles Hall of Records
300 West Temple St.
LA, CA 90012
April 6, 1999

To: George Pederson: Planning Commissioner
Re: Transit Mix Gravel Mine DEIR and Public hearing

Dear Commissioner Pederson,

Friends of the Santa Clara River is very concerned about the impacts of the Transit Mix Gravel Mining proposal and feels that a project with such serious negative impacts regionally and to the river specifically requires more time for public review of the DEIR.
We would like to request a ninety day extension for public comment and a continuance for a public hearing of our concerns.

Gratefully yours,

Barbara Wampole

Barbara Wampole,
Vice Chair, Friends of the Santa Clara River

Post-it® Fax Note 7671	Date 4/6/99	# of pages ▶ 1
To George Pederson	From Barbara Wampole	
Co./Dept. LA Co. Planning	Co. Friends of Santa Clara	
Phone # 213-974-6469	Phone # 661 257 3056	
Fax # 213 ~~974~~ 626-0434	Fax # 661 294 9290	

ACTON TOWN COUNCIL

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269-1331

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269-4267

Calvin Oglesby
269-5854

April 6, 1999

Department of Regional Planning

Re: Soledad Canyon Sand & Gravel Mining Project 91-165. State Clearing House No. 91111066

Dr. Daryl Koutnik

It has come to our attention that the Department of Regional Planning is planning to vote on whether to postpone a vote on the Soledad Canyon Sand & Gravel Mining Project

The Acton Town Council has not received any information about this project. Since we are neighbors of this project, the Acton Town Council must be advised of any decision made by Regional Planning

We request that you delay any final decision. and request that the Acton Town Council be placed on your mailing list for this project, and be provided with any documents that have been released regarding this project

Sincerely,

Monét Pierce

Monét Pierce
ATC President

cc: Mr. George Perlerson
Mr. Dave Vannatta
Ms. Sherry Lasagna

C-9

M. C. WAGGONER
Business Manager
and
General Vice-President

INTERNATIONAL UNION OF OPERATING ENGINEERS

LOCAL 12

Via Express Mail

April 14, 1999

Julie Moore, Project Administrator
County of Los Angeles Department of Regional Planning
Hall of Records
320 West Temple Street
Los Angeles, CA 90012

Re: Request for Documents Pursuant to California Public Records Act
Government Code Section 6250, et seq.
Project: Soledad Canyon Sand and Gravel Mining Project;
Surface Mining Permit No. 91-165-(5)
Applicant: Southdown, Inc. dba Transit Mixed Concrete Company

Dear Ms. Moore:

Please accept this transmittal as a formal request for copies of the following documents pertaining to the above referenced project/applicant:

1. Draft Environmental Impact Report
2. Environmental Assessment for Sale of Sand and Gravel
3. Environmental Impact Statement, Soledad Canyon Sand and Gravel Mining Project
4. Federal Biological Assessment
5. Mining and Reclamation Plan

We are requesting the documents pursuant to California Public Records Act, Government Code Section 6250, et seq., and are prepared to pay the statutory duplication fees set forth by the County of Los Angeles.

Inasmuch as a public hearing is scheduled for April 21, 1999, we respectfully request that the requested documents be made available within the ten (10) day limit set forth in the California Public Records Act. We are further prepared to pick up the documents when ready.

Thanking you in advance for your cooperation and prompt response to this request.

Sincerely,

Steve A. Billy, Treasurer
I. U. O. E., Local Union No. 12

SAB:smc
cc: Bob Sells, Transit Mixed Concrete Co.

150 EAST CORSON STREET • P.O. BOX 7109 • PASADENA, CA 91109-7209 • TELEPHONE (626) 792-8900

C-10

ANGELES CHAPTER • SIERRA CLUB
3435 WILSHIRE BOULEVARD • SUITE 320 • LOS ANGELES • CALIFORNIA 90010-1904 • (213) 387-4287 • FAX (213) 387-5383

RECEIVED
BUREAU OF LAND MANAGEMENT
99 MAY 17 AM 10 50
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

5-15-99

Mr. James Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
PO Box 1260
N. Palm Springs, Ca. 92258

Re: Transit Mix Surface Mining Proposal Soledad Canyon and Highway 14

Dear Sirs:

We have received your notice of release of the Draft EIS for this project. We request that you send the Angeles Chapter a copy of the document for review.

We would also like to suggest to you and the County of Los Angeles that it would be most efficient for all concerned if the two projects were joined and public hearings were held jointly for both processes. This was done for the NEPA/CEQA process during the Elsmere Canyon Landfill review, another local landuse issue, and worked quite well for all concerned. It eliminates the public and Agency staffs having to attend double sets of hearings and write duplicative comments.

We would greatly appreciate your consideration of this proposal and your earliest possible reply

Sincerely,
MARTIN SCHLAGETER
Conservation Coordinator

cc: Regional Planning Dept.
County of Los Angeles

C-11

SCOPE

Santa Clarita Organization for Planning the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, CANYON COUNTRY, CA 91386

RECEIVED
BUREAU OF LAND MANAGEMENT
99 MAY 17 AM 9 58
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

5-11-99

Mr. James Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
PO Box 1260
N. Palm Springs, Ca. 92258

Re: Transit Mix Surface Mining Proposal Soledad Canyon and Highway 14

Dear Sirs:

We are a local non-profit organization that focuses on watershed and planning issues in the Santa Clarita Valley. We have received your notice of release of the Draft EIS for this project. We request that you send our organization a copy of the document for review. We have received the County's EIR and would greatly appreciate being able to compare the two documents.

We would also like to suggest to you and the County of Los Angeles that it would be most efficient for all concerned if the two projects were joined and public hearings were held jointly for both processes. This was done for the NEPA/CEQA process during the Elsmere Canyon Landfill review, another local landuse issue, and worked quite well for all concerned. It eliminates the public and Agency staffs having to attend double sets of hearings and write duplicative comments.

We would greatly appreciate your consideration of this proposal and your earliest possible reply

Sincerely,

Lynne A. Plambeck
1st Vice President

cc: City of Santa Clarita

C-12

Friends of the Santa Clara River
660 Randy Drive Newbury Park, California 91320 (805) 498 - 4323

May 17, 1999

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

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Santa Clarita Organization for Planning the Environment (SCOPE)

Sierra Club, Angeles Chapter

Sierra Club, Los Padres Chapter

Surfrider Foundation

Ventura Audubon Society

Re: Draft EIR, Soledad Sand and Gravel Mining Project (No. 91165)

Dear Mr. Koutnik,

Friends of the Santa Clara River is, of course, primarily concerned about impacts to the Santa Clara River and its sensitive species. Although impacts to the river will be substantially less than for an in-river mining project, a project of this scope adjacent to the river has the potential for very significant impacts.

We realize that the 50-year "burned and bulked" capital flood is the normal design case used in flood impact analysis. However, we are concerned that a 500-year no-burn flood may be a more stringent case for the settling ponds. Demonstrating that the settling ponds are outside 500-year flood levels is necessary. The EIR properly acknowledges that runoff from mined areas during such storms will of course be much greater than average flows. What actions will be taken if settling pond breaching should occur to contain the damage?

We are very concerned about water quality and the type of pollutants which will enter the Santa Clara River due to this project. The EIR identifies certain pollutants (Table 3.1.4-14) and states that the SWPPP and SPCCP will "minimize contamination of stormwater runoff". The question remains, will they be minimized sufficiently enough to avoid damage to the river's aquatic and benthic lifeforms? Any impacts to beneficial uses from degraded water quality must be defined and mitigated.

Thank you for the opportunity to comment on this project.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

C-13

MARY K. RIGGINS

29230 N. Sequoia Road, Canyon Country, California 91351
661/299-2373 Fax: 661/250-1059
mkemrigg@gateway.net

RECEIVED
BUREAU OF LAND MANAGEMENT
99 JUN 18 PM 1:11

June 8, 1999

Ms. Julie Moore
Project Manager
Dept. of Regional Planning
County of Los Angeles
Impact Analysis Section, Room 1348
320 West Temple St.
Los Angeles, California 90012

Re: Soledad Canyon Sand and Gravel Mining Project No. 91-165-(5)

Dear Ms. Moore,

Please find enclosed the original, plus five copies, of signed petitions (over 2500 signatures) and over 500 letters, signed by the residents of the Santa Clarita Valley in opposition to the above named project. You will notice there is only one copy (per stack) of the first page of the letter..the remainder are the signed second pages. Please make sure a copy is delivered to each Regional Planning Commissioner. (Mr. Toy, Ms. Campbell, Ms. Feldman, Ms. Vargo and Mr. Pederson).

I will also send copies to Supervisor Mike Antonovich, Senator Barbara Boxer, Mayor Jo Ann Darcy (Santa Clarita), Jeff Lambert (Santa Clarita Planning) and to Mr. James Kenna at Bureau of Land Management.

As residents of Canyon Country, specifically Stonecrest development (located less than 1.5 miles from project site) we demand this project be rejected...and we will continue to fight against its approval.

Thank You,

Mary K. Riggins

Mary K. Riggins
S.A.F.E.S.
(Santa Clarita Alliance for Environmental Safety)

C-14

REMY, THOMAS and MOOSE, LLP
ATTORNEYS AT LAW

MICHAEL H. REMY
TINA A. THOMAS
JAMES G. MOOSE
WHITMAN F. MANLEY
JOHN H. MATTOX
ANDREA A. MATARAZZO
ERIK K. SPIESS
LEE AXELRAD
JENNIFER S. HOLMAN

455 CAPITOL MALL, SUITE 210
SACRAMENTO, CALIFORNIA 95814

Telephone: (916) 443-2745
Facsimile: (916) 443-9017
E-mail: randt@cwo.com
http://www.cwo.com/~randt

GEORGANNA E. FOONDOS
LAND USE ANALYST

BRIAN J. PLANT
MARIAN KING
OF COUNSEL

VIA HAND-DELIVERY

July 14, 1999

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

Re: February 1999 Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project (State Clearinghouse No. 91111066; County Project No. 91165).

Dear Dr. Koutnik:

I am submitting these comments on behalf of the International Union of Operating Engineers, Local 12. The February 1999 Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project ("DEIR") fails to comply with the California Environmental Quality Act (Pub. Resources Code, div. 13, § 21000-21177 ("CEQA")) and the State CEQA Guidelines (Cal. Code Regs. tit. 14, div. 6, ch. 3, §§ 15000 et seq. ("CEQA Guidelines")). The DEIR must be revised and recirculated.

The DEIR has five major flaws. First, the DEIR's project description is inadequate because the DEIR fails to analyze the reasonably foreseeable significant adverse environmental impacts of mining more than 64 million tons of product. Second, the DEIR's traffic analysis is inadequate because it ignores the significant adverse environmental effects that will occur at intersections involving four roads: (1) the Antelope Valley Freeway (Route 14); (2) Interstate 5; (3) the Simi Valley Freeway (Route 118); and (4) the San Diego Freeway (Route 405). Third, the DEIR's noise analysis is inadequate because it fails to

address significant adverse noise impacts associated with offsite vehicle trips between the Project site and the intersection of the Antelope Valley Freeway and Interstate 5. Fourth, the DEIR's analysis of historical and archaeological impacts is inadequate because it is based upon provisions of law no longer in effect. Fifth, the DEIR's alternatives analysis is inadequate because the DEIR fails to analyze a reasonable range of alternatives.

Below, I discuss each of these major flaws together with a host of other defects. As described below, the DEIR will have to be substantially revised because of these flaws. Then, the revised DEIR will have to be recirculated.

1. Project Description

a. The Project Description Does Not Include Reasonably Foreseeable Future Mining.

The DEIR's project description is inadequate because the DEIR fails to analyze the reasonably foreseeable significant adverse environmental impacts of mining more than 64 million tons of product. The DEIR defines the Project as the mining of 56.1 million tons of sand and gravel (DEIR, pp. 1-4, 1-21), and the DEIR's cumulative impacts analysis considers the impacts of mining an additional 7.9 million tons of product (DEIR, pp. S-2, 1-3, 1-21, 3-353). Although it is reasonably foreseeable that the applicant will mine more than 64 million tons of product from the site, the DEIR does not address that future activity.

The DEIR contains credible substantial evidence that the federal government plans to extract more than 64 million tons of product from the site and that Transit Mixed Concrete ("TMC") will be the operator chosen to extract those additional minerals. The DEIR notes that the federal government has prepared an environmental assessment ("EA") and a finding of no significant impact ("FONSI") "for the sale of up to 100 million tons as was advertised in the Notice of Sand and Gravel Sale." In other words, the federal government has taken concrete steps toward formulating and fulfilling plans to mine more than 64 million tons of product from this site in view of the fact that the demand for minerals from this site will still be substantial when TMC's current contract expires. Therefore, credible substantial evidence establishes that the federal government's plans extend at least to the production of 100 million tons.

The DEIR goes on to explain that "[t]he original mining concept analyzed mining of 170 million tons of product. The Notice of Sand and Gravel Sale offered for sale by the

BLM in a public competitive bid up to 100 million tons of sand and gravel from the subject lands." (DEIR, p. 3-405; see also id., pp. S-16, 3-365, 3-405, 3-414.) Thus, there is even some evidence that the federal government's plans envision the extraction of more than 100 million tons. Indeed, the DEIR notes that the Project site contains "several hundred million tons" of product. (DEIR, p. 2-15.).

In recognition of the federal government's plans for the site, the DEIR uses language that foresees further mining:

- "[I]f the material meets the quality requirements for PCC aggregate, mining may continue until the excavation is restricted by the south property limit or the Soledad Canyon Fault." (DEIR, p. 1-33.)

- "Additional aggregate product would be available from this property. The exact tonnage remaining to be mined would depend on the mining economics at that time and the requirements of additional contracts with the BLM." (DEIR, p. 1-21.)

- "Potential impacts of any future mining of additional material in accordance with the mining concept (if any) are discussed in the cumulative impacts section of the EIR (Section 3.4)." (DEIR, p. 1-4; see DEIR, p. S-13.)

- "[A]t the conclusion of the Federal Contracts . . . [a]ny areas not used for continued mining will be reclaimed and revegetated for use as open space." (DEIR, p. 3-323 [mitigation measure LU1].)

The DEIR also provides substantial evidence that, if the federal government fulfills its plan to extract 100 million tons of product, as specified in the aforementioned Notice of Sand and Gravel Sale, TMC itself will be chosen to conduct those further operations. After TMC has mined 56.1 million tons from the site, there will be 43.9 million tons remaining from the 100 million tons that was described in the EA, FONSI, and Notice of Sand and Gravel Sale. The only entity that will be able to economically extract that limited amount from the site is TMC. The DEIR states that, for the current contract, TMC chose to bid the figure of 56.1 million tons because that figure represents the *minimum* amount of product needed to make the mining project financially worthwhile. (DEIR, p. S-21.) The DEIR also states that "A lesser quantity of material mined was found to be infeasible from an economic perspective. . . . [P]roducing less material than 56.1 million tons would still involve similar

royalty, facility construction, and operating costs as compared to the investment in the Project." (DEIR, pp. S-21, 3-416.) Since the costs of starting up a mining operation at this site cannot be recovered by mining 43.9 million tons, it is reasonably foreseeable that TMC itself will be the successful bidder on any contract to extract that further amount or any other further amount that is less than 56.1 million tons.

After 56.1 millions tons have been produced, there will still be an unmet regional demand for aggregates. (DEIR, pp. 1-13 through 1-20.) "[T]he Final EIS for the [Bureau of Land Management's ("BLM")] South Coast Resource Management Plan recognizes the increasing demand for sand and gravel to be used as construction aggregate material and recognizes that BLM public and split estate lands will be increasingly in demand to supply sand and gravel . . . ." (DEIR, p. 3-414.) The countywide demand for construction aggregate is approximately 3.4 tons per person per year. (DEIR, p. 1-9.) Population is correlated with demand for aggregate. (DEIR, appen. G, pp. 21, 25.) There is no evidence that, 20 years from now, the regional population will have ceased growing, or that demand for aggregates will otherwise abate. On the contrary, the DEIR notes that the Santa Clarita Valley is a developing region with an unusually high per capita rate of consumption of aggregates. (DEIR, p. 1-14.) Assuming that TMC's federal contracts expire in the year 2025, the remaining regional demand at that time is expected to exceed 100 million tons per year. (DEIR, appen. G, p. 32.) Meanwhile, other regional reserves will have been depleted around the year 2016. (DEIR, p. 1-15.) Thus, although the DEIR states that "[t]he exact tonnage remaining to be mined will depend on the mining economics at that time and the requirements of additional contracts with the BLM" (DEIR, p. 1-21), the DEIR itself provides convincing evidence that the "mining economics" will dictate further extraction when TMC's existing federal contracts expire.

The DEIR's project description is legally inadequate because it "piecemeals" the Project, reducing it into components in order to avoid analyzing it as a whole. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 193 [139 Cal.Rptr. 396].) "A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the Project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental costs, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance." (Id. at pp. 192-193.) "Responsibility for a project cannot be avoided by limiting the title or description of the Project." (Rural Landowners Association v. Lodi City Council (1983) 143 Cal.App.3d 1013,

1024-1025 [192 Cal.Rptr. 325].) Rather, project descriptions should account for all reasonably foreseeable future phases of proposed projects. (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 393-399 [253 Cal.Rptr. 426] (Laurel Heights I); City of Santee v. County of San Diego (1989) 214 Cal.App.3d 143, 1440-1457 [263 Cal.Rptr. 340].)

The DEIR attempts to excuse its failure to consider the reasonably foreseeable further phases of this Project. For example, the DEIR states that "it is unclear, and thus speculative, whether additional mining will occur at all after the 20-year period." (DEIR, p. 3-353.) Some projects may be "reasonably foreseeable" even though they may never be built. What matters is whether they appear foreseeable at the time of EIR preparation. (City of Antioch v. City Council (1986) 187 Cal.App.3d 1325, 1337 [232 Cal.Rptr. 507]; see also Mountain Lion Coalition v. California Fish and Game Commission (1989) 214 Cal.App.3d 1043, 1048, 1050 [263 Cal.Rptr. 104] (upholding trial court order requiring the California Fish and Game Commission, when enacting new regulation authorizing mountain lion hunting, to assess cumulative impacts of future hunting seasons, even though future regulatory actions would be necessary to approve such seasons).)

At the end of 20 years, TMC will have recovered its costs, made a profit, extracted less than half the available product (DEIR, p. 3-405), provided the federal government with more than $21 million in royalties, and provided both the State of California and the county with half a million dollars in royalties apiece (DEIR, pp. S-6, 1-9, 1-18). Meanwhile, competing nearby sources of aggregates will have been depleted. (DEIR, p. 1-15.) Confronting this set of circumstances, it is not the least bit "speculative" that TMC and the federal government will seek, and the county will approve, further mining activities. (Compare DEIR, p. 3-353.)

The DEIR argues that further environmental review would be needed before TMC could mine more than 56.1 million tons. (DEIR, p. 1-4, 1-21.) That argument is immaterial, however, because the FONSI, EA, and Notice of Sand and Gravel Sale, as well as the DEIR's projections of future demand for aggregates, constitute credible and substantial evidence that BLM has taken and will continue to take concrete steps toward implementing plans to extract more than 56.1 million tons of product from the site. (Compare Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 737, 739 [270 Cal.Rptr. 650] ("[A]lthough applicants may enter into contracts and agreements prior to the completion of the environmental review process, such contracts or agreements cannot be used to avoid the scrutiny envisioned by CEQA."); Simmons v. U.S. Army Corps of Engineers (7th Cir.

1997) 120 F.3d 664, 670) ("The public interest in the environment cannot be limited by private agreements.").)

The inadequacy of the Project description also highlights a second defect. The reclamation plan for the mine is based on a misleading project description. To the extent that further mining will postpone reclamation of the site, it is misleading for the DEIR to claim that the reclamation plan adequately mitigates the effects of the Project. The DEIR states that "[b]ased on the assumption that BLM does not contract out future mining, final reclamation will occur." (DEIR, p. 1-47.) This implies that if BLM *does* contract out future mining, final reclamation will *not* occur.

In view of the DEIR's inadequate and misleading project description, the DEIR must be revised to consider the impacts of the reasonably foreseeable production of 100 million tons of product from the site. A DEIR revised to evaluate the reasonably foreseeable impacts of the Project will also need to include mitigation measures commensurate with those impacts. (Pub. Resources Code, §§ 21002, 21081; CEQA Guidelines, §§ 15002, subd. (a)(3), 15021, subd. (a)(2), 15091, subd. (a); Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 730-731 [270 Cal.Rptr. 650].)

b. The Project Description Improperly Assumes That the Mine Will Operate at the Most Environmentally Benign Rate of Production.

The DEIR assumes that TMC will mine up to 2.15 million tons per year during the first 10 years and up to 4.2 million tons per year during the second 10 years. (DEIR, p. 1-1.) The DEIR offers no factual basis for this assumption. On its face, the assumption is implausible. The fact that the mine has an annual productive capacity of at least 4.2 million tons per year, as assumed for the second decade, indicates that the assumed productive capacity for the first decade should likewise be 4.2 million tons, not 2.15 million tons.

Moreover, the DEIR has been based on an assumption that TMC will take as much time as possible to extract 56.1 million tons from the site. The existing federal contracts, however, give TMC the option of *either* mining up to 56.1 million tons *or* mining for 20 years. (DEIR, p. S-4.) If TMC extracts 56.1 million tons during a shorter span than 20 years, annual impacts will be higher than those analyzed in the DEIR. Consequently, the DEIR's assumption that TMC will choose to draw out the fulfillment of its contract over the full 20-year period assumes a best-case scenario for the environment. The DEIR quietly admits that TMC might accelerate production: "the anticipated mining and production volumes are

estimates only and could change on an annual basis because of market conditions or other factors." (DEIR, p. 1-37.) However, the DEIR does say how these estimates were formulated.

The DEIR's faulty assumption of the most a leisurely rate of extraction allowable under the federal contracts infects all aspects of the DEIR, especially those describing impacts attributable to ongoing operations. For example, higher production rates will entail more truck trips each year on area roads. In order to validly evaluate the environmental impacts of TMC fulfilling its federal contracts, the DEIR must not take the liberty of presuming which of the two permissible modes of contract performance—product weight or years of operation—TMC will choose. If the DEIR must make some assumption, the DEIR should not assume that TMC will choose what appears to be the more environmentally benign alternative of spreading mining over 20 years. The DEIR must be revised to assume the most likely rate of extraction and to provide a sound explanation of how that rate was chosen.

In a similar vein, the DEIR states that "[t]he Project has been designed and the environmental impacts assessed using a worst-case fines storage requirement of 30 percent of the total excavation quantity." (DEIR, p. 1-27.) The DEIR provides no factual basis for this assumption. Moreover, the characterization of the 30 percent figure as a "worst-case" scenario is confusing. Does "worst-case" scenario mean the scenario in which on-site storage is maximized or the scenario in which on-site storage is minimized? This reference to the "worst-case" should be clarified.

2. Analysis of Impacts

The DEIR's impact analysis must be revised, as described below.

a. Water Resources

(1) Overdraft and Draw-down

The DEIR's analysis of "overdraft" and "draw-down" must be revised. The DEIR concludes that area groundwater resources are not in "overdraft." (DEIR, p. 3-43.) The DEIR's conclusion regarding overdraft is premised on an analysis of the total volume of water in the ground. (DEIR, pp. 3-42 through 3-43.) "Overdraft," however, is not defined by the amount of water in the ground. Rather, "'[o]verdraft' means the conditions of the

groundwater basin where the average annual amount of water extracted exceeds the average annual supply of water to the basin, plus any temporary surplus." (Water Code Appendix, § 128-314.) The DEIR indicates that in 1989 the amount of extraction was about equal to the amount of recharge in the area. (DEIR, p. 3-44.) Even if the groundwater basin is not presently in overdraft, therefore, TMC's planned extractions will quickly put the basin into that condition.

Similarly, the DEIR states that its analysis of water resources is premised upon an assumption of "no net drawdown of water stored in the aquifer." (DEIR, p. 3-63.) The DEIR provides no factual basis for this assumption. If extractions and recharges were at rough equilibrium in 1989, it is not safe to simply assume that the addition of TMC's project to the extraction side of the equation would preserve a condition of "no net drawdown."

DEIR also states that "[d]uring the dry season of any average rainfall year, pumping would draw down the aquifer. However, the aquifer quickly recharges with annual rainfall; thus, the amount of drawdown is temporary and therefore not significant." (DEIR, p. 3-64.) The DEIR's conclusion that this draw-down is insignificant is premised on two faulty assumptions: (1) the rate of draw-down after TMC starts pumping will be less than or equal to the rate of recharge; and (2) "significant" means "permanent." Neither assumption holds water. The DEIR does not provide any mechanism for TMC to adjust its withdrawals in sync with actual annual rainfall. The "action levels" in the habitat protection plan are not triggered by pumping rates that exceed recharge/precipitation rates. If the *volume* of extraction exceeds the *volume* of precipitation and recharge, it is irrelevant *how fast* precipitation percolates into the ground. Thus, the presumption that drawdown will necessarily be remedied by rainfall is unsound. Furthermore, the DEIR's significance criteria say nothing about otherwise significant impacts being deemed insignificant if they occur only temporarily. (DEIR, p. 3-58.)

The DEIR states that "periods of deficient rainfall and reduced runoff tend to cause only a gradual reduction in basin-wide water levels . . . ." (DEIR, p. 3-45.) Rather than *presuming* that this slow rate of draw-down is unchangeable regardless of the volume of pumping going in the area, the DEIR should instead *analyze the project's effect* on the rate of draw-down levels during dry years.

The DEIR states that "[i]t is suggested that the total extraction of water within the western portion at the current time amounts to less than 1,000 acre-feet per year." (DEIR, p. 3-45; see also DEIR, p. 3-44 [table at middle of page].) The DEIR provides no factual

basis for this assumption. The DEIR does not even state the source for this "suggestion." The DEIR should report the results of actual measurements or reliable estimates of extraction. If the DEIR simply assumes away the demand on groundwater resources, the DEIR cannot validly inform readers regarding the nature of the Project's impacts upon groundwater users. Later, the DEIR states that "No impacts were identified relative to local water users." (DEIR, p. 3-67.) The phrase "no impacts were identified" obscures the fact that no attempt was made to identify them. It appears that the DEIR's conclusion regarding local water users is founded on an incomplete evaluation.

(2) Impacts on Water Supplies

Except for the DEIR's estimation of the water demands of the Project, this section is confusing. The DEIR seems to identify three sources of water for the Project: groundwater; surface water (riparian rights); and surface water (appropriative rights). In particular, the DEIR does not articulate how the water demands for the Project will be met. Indeed, the DEIR seems internally inconsistent on this point. The DEIR first states that "[t]he Santa Clara River . . . is the only practically feasible source of water available to the Project." (DEIR, p. 3-23.) Then, however, the DEIR declares that "TMC plans to obtain its Project water by means of a series of well pumps that will pump water out of subsurface water storage . . . ." (DEIR, p. 3-62.) The first statement suggests the Project will rely on surface water obtained via riparian or appropriative rights; the second seems to allude to the use of groundwater. Which is it? Because the proposed groundwater pumping seems to affect surface flows does that mean that the water pumped is actually *surface* water? The EIR must explain what type(s) of water supply (i.e., groundwater or surface water) and amounts of water TMC intends to use for the Project. The EIR must also demonstrate that sufficient supplies exist to satisfy Project demands or explore alternatives, such as water conservation or development of additional sources.

To the extent the Project will use surface water supplies, the DEIR does not adequately discuss the availability of these supplies. Assuming TMC possesses riparian rights to Santa Clara River water, what evidence shows that sufficient flows exist in the river to supply the Project?

The fact that TMC made an application to appropriate water for the Project suggests that insufficient riparian and groundwater supplies exist (at least during certain times of the year) to meet Project demands. As the DEIR notes, appropriative rights are limited. Before granting a permit to appropriate the State Water Resources Control Board ("SWRCB") must

determine sufficient excess water exists for appropriation. (DEIR, p. 3-26.) The DEIR must discuss whether water is available in the Santa Clara River. To that end, the DEIR should consider the status of the proposed CalMat Agua Dulce Quarry, which, I understand the County of Los Angeles previously denied based on lack of water in the Santa Clara River.

Appropriative rights are also limited because they are subordinate to riparian rights and other higher-priority appropriative rights. In light of these constraints, the DEIR must explain what amount of water is reasonable to expect assuming TMC receives a permit to appropriate.

(3) Impacts of Water Shortage

The DEIR's analysis of the impacts of water shortage must be revised. The DEIR posits a significance criterion that purports to protect municipal users: "Potential water use impacts will be considered significant if [¶] use of water by the Project substantially affects water resource availability for *municipal*, agricultural, industrial, private, or recreational uses." (DEIR, p. 3-58 (emphasis added).) Earlier, the DEIR takes note of the plans of the City of Santa Clarita for use of the Santa Clara River. (DEIR, p. 2-19.) The DEIR concludes, however, that since the Project lies outside the City's jurisdiction, the City's plans are irrelevant to the DEIR's analysis. (Ibid.) The DEIR's approach is improper. First, disregarding the City of Santa Clarita is inconsistent with the DEIR's own significance criterion of protecting "municipal" uses. Second, environmental impacts do not observe jurisdictional boundaries. Impacts that occur beyond the boundaries of a lead agency's jurisdiction may nonetheless be within the scope of a required CEQA analysis. The DEIR should be revised to evaluate the impacts of the Project on current and planned uses in the City of Santa Clarita, including recreational, educational, habitat, open space, and water recharge uses. (Ibid.)

The DEIR states that "[b]ased on the historic volume of water in storage in the aquifer, it is anticipated that even with the Project there will *almost always be* some level of surface and subsurface flow in the river downstream of the constriction point at the site of the Old Lang Gaging Station." (DEIR, p. 3-62 (emphasis added).) Why does the DEIR say "[a]lmost always?" Does this mean that sometimes there will be no flow downstream of the Project? TMC apparently plans, on occasion, to pump the system dry. The DEIR states that any pumping that caused the habitat of the unarmored threespine stickleback to run dry would result in a significant adverse impact. (DEIR, p. 3-229.) The DEIR should be revised so that it states unequivocally that TMC will never pump when doing so would cause downstream

flows to dry up. In the alternative, if TMC will sometimes exhaust the stream, the DEIR should say so clearly and analyze that impact.

The DEIR states that "[w]ith regard to surface flow, the amount of water to be taken out of the aquifer by the Project, which would be considered significant, is the amount that would result in insufficient flow to maintain the downstream unarmored threespine stickleback habitat." (DEIR, p. 3-62.) While harm to the habitat of this one creature would constitute a significant impact, the DEIR did not cast its significance criteria in such narrow terms that the DEIR may limit its analysis to consideration of one species. The relevant significance criterion for the DEIR as a whole is that "[p]otential water use impacts will be considered significant if [¶] . . . use of water by the Project reduces or depletes water resources in such a manner that *sensitive ecological habitats* cannot be maintained." (DEIR, pp. 3-60 to 3-61 (emphasis added).) Thus, if any sensitive habitat could not be maintained due to pumping, the impact of pumping would have to be deemed significant. The DEIR's analysis should not be limited to the habitat needs of a single species.

(4) The Mere Appearance of Mitigation

The DEIR's mitigation measures for water resource impacts are illusory. Agencies cannot rely on mitigation measures of unknown efficacy in concluding that significant impacts will be substantially lessened or avoided. Courts have consistently invalidated EIRs for deferring the mitigation of significant impacts. (See, e.g., Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296 [248 Cal.Rptr. 352]; Oro Fino Gold Mining Corporation v. County of El Dorado (1990) 225 Cal.App.3d 872, 884-885 [274 Cal.Rptr. 720] (planning staff of lead agency improperly recommended approval of use permit for exploratory gold drilling based on proposed negative declaration with proposed mitigation measures that included the post-approval formulation of plans to reclaim disturbed land, and to control erosion, dust, and fire danger; "in the absence of overriding circumstances, the CEQA process demands that mitigation measures timely be set forth, that environmental information be complete and relevant, and that environmental decisions be made in an accountable arena").)

The DEIR lacks the commitment to meaningful mitigation for water resources impacts mandated by CEQA. The DEIR states that TMC is planning to exercise riparian rights as well as appropriative rights, if granted. (DEIR, p. 3-28.) The DEIR acknowledges that "the

riparian right to take water is unquantified . . . ." (DEIR, p. 3-25.)[1] If TMC's application to appropriate water is denied, does TMC plan to operate the mine using only riparian rights? If so, how would TMC be constrained from impacting fish and wildlife? The DEIR emphasizes that riparian rights are not subject to SWRCB restrictions for fish and wildlife preservation. (DEIR, p. 3-25.) As mitigation for cumulative water resources impacts, the DEIR relies upon a contingency plan for use during water shortages. (DEIR, p. 3-354 through 3-355.)[2] The plan calls for the reduction of water utilization in time of shortage. (DEIR, p. 3-354.) If TMC is withdrawing water pursuant to riparian rights would this contingency plan be in effect? If not, how can the DEIR assert that "state regulation of water resources *precludes* the possibility of uncontrolled water use from the Santa Clara River, and cumulative impacts will not be significant." (DEIR, p. 3-359 (emphasis added).) If the contingency plan is inapplicable, the only other mitigation left for cumulative water resources impacts is the habitat protection plan. For the reasons stated below, that too provides only illusory protections.

In discussing mitigation measure WR1, the DEIR states that "The habitat protection plan contains action levels that will trigger adjustments to mining operations to reduce Project water consumption to avoid significant degradation of the ecologically sensitive habitats attributable to the Project." (DEIR, p. 3-67.) The DEIR also states that the habitat

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[1]/ The DEIR states that riparian rights are paramount. (DEIR, p. 3-25.) The DEIR's water rights analysis ignores public trust rights, pueblo rights, prescriptive rights, rights to imported water, and rights to percolating waters that are hydrogeologically connected with surface waters. Any one of these rights can be of higher priority than a riparian right or can, at a minimum, complicate the analysis of whether riparian owners will be allowed to take water from a stream. In short, without accounting for such rights, the DEIR's water resources analysis is incomplete.

[2]/ The contingency plan is missing from my copy of the appendices to the DEIR. Also, it is not listed in my table of contents to the appendices. If it is likewise missing from all copies of the DEIR circulated to the rest of the public so far, the DEIR will need to be recirculated with that mitigation measure included. Furthermore, the DEIR states that the plan was submitted to the "California Department of Water Resources" ("DWR") (DEIR, p. 3-354), when presumably it meant to say "SWRCB." On page 3-359, the DEIR states that TMC has applied to the "California Division of Water Rights (CDWR)" for permission to appropriate. The Division of Water Rights is within the organizational structure of the SWRCB, not DWR.

protection plan contains action levels based on "habitat requirements." (DEIR, p. 3-230 [mitigation measure B6].) When one turns to the text of the action levels themselves, one sees that the emphasis is on the impacts attributable to the Project; the emphasis is not on habitat requirements. The preamble to the action levels states: "Any combination of two or more of the following levels of the average measured parameters for the monitoring reach *that do not simultaneously occur at the control site upstream of the Project area* will result in the initiation of management of the operations to reduce or cease water pumping[.]" (DEIR, appen. F, p. F6-16 (emphasis added).) The gist of the italicized language appears to be this: if the stream is in crisis already, TMC is allowed to make it worse. If the stream is in violation of all four action criteria upstream of the mine, the mitigation measure proposed in the DEIR allows TMC to keep pumping no matter how much that pumping may exacerbate the problem. Consequently, the habitat protection plan fails to mitigate for the project's incremental contribution to significant cumulative water resources impacts. Indeed, the measure seems more like an exemption from mitigation than an attempt to protect the stream.

The Action Levels in the habitat protection plan also contain another loophole. Action Level No. 3 states that pumping will be reduced or stopped if there is a "decrease of 25 percent or more of mean water depth at both the outer edge and mid-point of stream *compared with the previous measurement*[.]" (DEIR, appen. F, p. F6-16 (emphasis added); see also ibid. (action level no. 4).) Under this provision, if successive measurements each show 24% decreases in water depth, TMC takes no action. As the water depth declines, TMC can avoid reducing its pumping by instead taking a measurement every time the decrease approaches 25%. Some "action" level.

As just explained, the habitat protection plan contains action levels riddled with loopholes, and TMC's contingency plan for water shortages seems to be irrelevant to the control of TMC's riparian water usage for the sake of fish and wildlife. The DEIR, therefore, proposes no feasible mitigation for cumulative water resources impacts. In addressing this defect, the County cannot merely point to the SWRCB and say that, when the time comes, the SWRCB will impose any needed mitigation measures. The County is the lead agency for CEQA purposes. As such, the County has a duty to produce a comprehensive analysis of mitigation measures and alternatives that can be relied upon by responsible agencies including the State Water Board. (Save San Francisco Bay Assn. v. San Francisco Bay Cons. and Dev. Com. (1992) 10 Cal.App.4th 908, 921-922 [13 Cal.Rptr.2d 117]; CEQA Guidelines, § 15096, subds. (g) & (h).) A lead agency may not escape the consequences of proposing ineffective mitigation measures by arguing that a responsible agency may later

formulate measures with real teeth in them.

Accordingly, the EIR must formulate *specific* mitigation measures designed to ensure that impacts on water resources will be reduced to less-than-significant levels. If it is not possible at this juncture to develop detailed mitigation measures, Los Angeles County may "commit itself to eventually devising measures that will satisfy specific performance criteria." (Sacramento Old City Association v. City Council of Sacramento (1991) 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478].) Accordingly, if Los Angeles County can demonstrate an inability to formulate specific mitigation now, it must include in the EIR a pledge to achieve measurable reductions in impacts *before* allowing changes in the physical environment to occur. (See Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners (1993) 18 Cal.App.4th 729, 747 [22 Cal.Rptr.2d 618]; Rio Vista Farm Bureau Center v. County of Solano (1992) 5 Cal.App.4th 351, 376-377 [7 Cal.Rptr.2d 307] (approval of future site-specific project approvals contingent on achieving specific mitigation performance standards).)

In sum, the EIR must be revised to include specific mitigation measures for water resources impacts rather than foisting that responsibility off onto the SWRCB. Alternatively, if precise mitigation cannot be developed, the EIR must contain general mitigation linked to specific performance criteria that will ensure impacts are reduce to less-than-significant levels.

b. Traffic Analysis

The DEIR altogether fails to address certain traffic impacts of the Project. Consequently, the DEIR violates CEQA.

The DEIR's traffic analysis is inadequate because it ignores the significant adverse environmental effects that will occur at intersections involving four roads: (1) the Antelope Valley Freeway (Route 14); (2) Interstate 5; (3) the Simi Valley Freeway (Route 118); and (4) the San Diego Freeway (Route 405). (DEIR, appen. D, p. 1 [intersections addressed].) Most of the trucks associated with operations at this site will be going to and from the site by a route that necessarily will take them through the intersections of the above-listed roads. (See DEIR, p. 1-7 [Project vicinity map].) The most crucial intersection ignored by the DEIR is the intersection of Interstate 5 and the Antelope Valley Freeway. The DEIR should analyze the traffic impacts that the Project will impose on this intersection.

The DEIR's traffic analysis says that the Project will generate 1,284 average daily trips, including 1,164 trucks. (DEIR, appen. D, p. 9; DEIR, p. 3-292.) The DEIR also states that 95% of Project traffic would head south upon leaving the Project site. (Ibid.; DEIR, p. 3-292.) Thus, on average, 1,105 trucks per day will head south down the Antelope Valley Freeway and pass through the intersection of that road and Interstate 5. While overall traffic on the Antelope Valley Freeway at Soledad Canyon Road is approximately 76,000 average daily trips (DEIR, p. 3-123), that includes only 4,408 trucks (DEIR, p. 3-125). Adding 1,105 trucks would bring the total up to 5,513 trucks, an increase of 25%.

The DEIR emphasizes that Interstate 5 "provides an important transportation route to Los Angeles and the surrounding urban areas. The potential marketing area for TMC includes the Santa Clarita Valley and the greater Los Angeles area and thus the Project would use this freeway to some extent." (DEIR, p. 3-284.) The phrase "to some extent" is a misleading characterization in view of the 1,105 trucks per day that the Project will add to that roadway.

The DEIR says further that "The major destinations for the materials shipped from the proposed Soledad site are Santa Clarita Valley, Inglewood, Los Angeles, Hollywood, Sun Valley, and other areas nearby. Thus, most of the daily production *will be shipped southbound on the Antelope Valley Freeway toward the Los Angeles area.*" (DEIR, p. 3-292 (emphasis added).) The "Project Vicinity Map" (DEIR, p. 1-7) reveals that all of those vehicles bound for Los Angeles will have to work their way through the intersection of the Antelope Valley Freeway and Interstate 5. Then, before scattering to various destinations, all of the southbound vehicles will have to work their way past or through the intersections of Interstate 5 with the Simi Valley Freeway (Route 118) and the San Diego Freeway (Route 405). Those intersections too must be addressed in the DEIR.

The DEIR states that up to 0.5 million tons of fines will be sold or otherwise taken offsite in years 1 through 3 of the mine's operation. (DEIR, p. 1-27.) Truck trips associated with the offsite transport of fines do not appear to be represented in the DEIR's traffic analysis. (DEIR, appen. D; see also DEIR, p. 1-43.) The DEIR must be revised to include analysis of this added traffic.

The DEIR mentions the lack of compatibility between trucks and school buses. (DEIR, p. 3-302.) Caltrans commented that truck traffic should be restricted to off-peak commute hours, presumably to avoid these conflicts and other traffic problems. The DEIR does not yet address this issue and must be revised to do so. Accordingly, please include in

the EIR an analysis of truck-related traffic impacts designed to address the concern raised by Caltrans' letter. The analysis should specifically evaluate Caltrans' suggested mitigation measure of constraining truck traffic to off-peak commute times. Other attributes of the truck traffic analysis should be developed in consultation with Caltrans.

c. Noise Analysis

The DEIR's noise analysis is also defective. One of those defects relates to the DEIR's failure to consider traffic impacts extending all the way to Interstate 5, as just described. Second, the DEIR uses its significance thresholds unsystematically and selectively. Third, the DEIR omits any discussion of what the noise levels will be along Agua Dulce Road once Project-related vehicles are added to that roadway. Fourth, the DEIR takes an improper approach toward the Project's cumulative noise impacts.

(1) Offsite Truck Trips

The DEIR's noise analysis is inadequate because it fails to address significant adverse environmental impacts associated with offsite vehicle trips between the Project site and the intersection of the Antelope Valley Freeway and Interstate 5. The DEIR only considers noise impacts at or very close to the Project site, while ignoring the foreseeable noise impacts of additional offsite truck trips more distant from the site. (DEIR, pp. S-9, 3-122 through 3-124.) The DEIR does not consider whether there may be sensitive receptors along the Antelope Valley Freeway between Soledad Canyon Road and Interstate 5. (See Figure 1.2-1, DEIR, p. 1-6.) The DEIR points to a number of "related projects" for purposes of analyzing traffic impacts. (DEIR, p. 3-289.) Six of those "related projects" are single-family residential projects, amounting to more than 1,600 units. (Ibid.) Yet, there is no indication that the DEIR considered the occupants of these units to be possible sensitive receptors for noise impacts. The DEIR acknowledges that it should be considering impacts to "any dwelling, public building, school, church, or community or institutional building outside of the permit area." (DEIR, p. 3-116.) Because, as noted above, it is inevitable that a substantial number of trucks will leave the site and travel down the Antelope Valley Freeway toward Interstate 5, the DEIR must identify all sensitive receptors that might exist along that stretch of road. This obligation is particularly salient in view of the fact that Project-related trucks will be plying that roadway 24 hours per day. (DEIR, pp. 3-164 through 3-169.)

Because there is no analysis of those sensitive receptors, the DEIR's mitigation measures are insufficient. Other than possible soundwalls or berms for two mobile home

parks, there are no measures proposed to mitigate any noise impacts for any sensitive receptors due to offsite truck trips at any point between the Project site and the intersection of the Antelope Valley Freeway and Interstate 5. (DEIR, pp. 3-144 through 3-146.)

Indeed, the proposed berms and walls may be insufficient to address even the impacts that are identified in the DEIR. There is no substantial evidence that a soundwall or berm (DEIR, p. 3-146) will attenuate Project-related noise impacts to a level of insignificance. The proposed mitigation measure N3 is not cast as a performance standard. The measure merely refers vaguely to the construction of "a wall"—not a wall that would achieve any specified degree of attenuation. The measure does say that "a more thorough study" will be conducted before any wall is constructed, but there is nothing in this proposed measure that requires TMC to do more than perform a study and construct a wall that incompletely mitigates the Project's significant impacts. The DEIR cannot validly conclude that the measure mitigates Project related noise to a level of insignificance.

(2) Erratic Application of Significance Thresholds

The second defect in the DEIR's noise analysis is the DEIR's selective and unsystematic application of significance thresholds. The DEIR sets forth three "significance criteria" for "noise impacts" (DEIR, p. 3-128), but fails to apply them consistently throughout the noise analysis. In evaluating whether a given noise impact is significant, the DEIR typically picks only one criterion to look at, and a different one each time.

For example, the DEIR notes that the Project is not expected to raise the noise level along the Antelope Valley Freeway by 3 dBA, one of the three significance criteria. (DEIR, p. 3-141.) Yet, the DEIR fails to state whether, along that stretch of road, the Project will produce noise levels that exceed county or local noise ordinances, another of the significance criteria.

Similarly, in discussing wildlife, the DEIR concludes that "[t]he Project will result in *a significant increase* in noise and vehicular activity in the immediate area. This increased disturbance could disrupt diurnal wildlife activities such as foraging, predator avoidance, and courtship." (DEIR, p. 3-228 (emphasis added).) Reading just that passage, one would think that the DEIR was about to conclude that noise impacts on wildlife will be significant. After all, one significance criterion for noise is an increase of 5 dBA even if the total noise level remains under the level proscribed in applicable ordinances. (DEIR, p. 3-128.) Instead, the DEIR pretends that this criterion does not exist, an concludes instead that "[t]he impacts on

wildlife in the vicinity of the Project are considered potentially adverse but not significant because noise levels . . . will be below 65 dBA in the riparian habitat." (DEIR, p. 3-228.)

(3) Agua Dulce Road

A third defect is the DEIR's omission of any discussion of what the noise levels will be along Agua Dulce Road once the Project-related vehicles are added to that roadway. (DEIR, p. 3-141.) The DEIR merely states that "based on a total ADT of 2,250, the Project's noise contribution along this road will not present a significant impact." (DEIR, p. 3-141.) That conclusion does not even appear to be drawn from noise modeling. Instead it seems to be premised merely on a count of the cars expected to traverse that stretch of road. If just counting cars were enough, the DEIR would be compelled to conclude that noise impacts from the 1,105 trucks headed south toward Los Angeles would create significant adverse noise impacts reaching from the Project site at least to Interstate 5.

(4) Cumulative Noise Impacts

The fourth defect in the DEIR's noise analysis is an improper approach toward consideration of cumulative noise impacts. A legally adequate "cumulative impacts analysis" is an analysis of a particular project viewed over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the Project at hand. Such an analysis "assesses cumulative damage as a whole greater than the sum of its parts." (Environmental Protection Information Center v. Johnson ("EPIC") (1985) 170 Cal.App.3d 604, 625 [216 Cal.Rptr. 502].) Such an analysis is necessary because "'[t]he full environmental impact of a proposed . . . action cannot be gauged in a vacuum.'" (Whitman v. Board of Supervisors (1979) 88 Cal.App.3d 397, 408 [151 Cal.Rptr. 866], quoting Akers v. Resor (W.D. Tenn. 1978) 443 F.Supp. 1355, 1360.) "'[A]n agency may not . . . [treat] a project as an isolated 'single shot' venture in the face of persuasive evidence that it is but one of several substantially similar operations . . . . To ignore the prospective cumulative harm under such circumstances could be to risk ecological disaster.'" (Whitman, supra, 88 Cal.App.3d at p. 408, quoting Natural Resources Defense Council v. Callaway (2d Cir. 1975) 524 F.2d 79, 88.)

Courts have held that, like every aspect of CEQA, "[t]he requirement for a cumulative impact analysis must be interpreted so as to afford the fullest possible protection of the environment within the reasonable scope of the statutory and regulatory language." (Citizens to Preserve the Ojai v. County of Ventura (1985) 176 Cal.App.3d 421, 431-432 [222

Cal.Rptr. 247], citing Friends of Mammoth v. Board of Supervisors of Mono County (1972) 8 Cal.3d 247, 259 [104 Cal.Rptr. 761].)

The DEIR's analysis of cumulative noise impacts acknowledges that noise from Project-related offsite traffic is of great concern. (DEIR, p. 3-357.) Yet, the DEIR impermissibly considers cumulative impacts in a proportional rather than additive fashion. The DEIR states that "Because the Project is not anticipated to use the full complement of trucks during the first year of operation, [the year] 2000 was used to assess the worst-case impact. Subsequent years would have higher nonproject-related volumes of traffic on the road, and the Project would make a proportionately smaller contribution." (DEIR, p. 3-140.) Consideration of cumulative impacts using proportions trivializes a project's impact by focusing on individual inputs, not their collective significance. (Los Angeles Unified School Dist. v. City of Los Angeles (1997) 58 Cal.App.4th 1019, 1025 [68 Cal.Rptr.2d 367]; Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 718 [270 Cal.Rptr. 650].) The cumulative impacts analysis demands that an agency look for the sum, not the ratio, of impacts. Moreover, the year 2000 represents not the worst-case scenario for cumulative impacts analysis, but rather the best-case scenario. A project-related truck trip in the year 2000 will be adding noise to the lowest ambient baseline that will exist at any time during the Project's duration, even though that truck in the year 2000 will contribute a greater *share* of the total noise. In later years, the Project will be exacerbating a higher ambient noise level. The DEIR's cumulative noise impacts analysis must be revised to consider the sum of the Project's impacts and the impacts of other related projects.

The DEIR also fails to offer any mitigation for the Project's incremental and cumulatively considerable noise impacts. (CEQA Guidelines, § 15130.) In looking at cumulative noise impacts, the DEIR states that mitigation measures "will reduce the impacts to less-than-significant levels *for the Project*" while other nearby future projects "will also be responsible for *their fair share* of the necessary mitigation." (DEIR, p. 3-357 (emphasis added).) In other words, the DEIR only proposes mitigation for noise impacts from this Project that are significant when considered in isolation. The DEIR does not provide any measure for the Project to mitigate for its own individually insignificant but cumulatively considerable noise impacts. For example, if this Project and another project each increase noise by 2.75 dBA but do not exceed levels found in applicable ordinances, neither project on its own would run afoul of any of the DEIR's noise significance criteria. (DEIR, p. 3-128.) Together, however, they would exceed the 5 dBA criterion. This DEIR provides no analysis of and no mitigation for such a possibility. Because the DEIR's analysis of and mitigation for noise impacts is inadequate, the DEIR must be revised to propose feasible

mitigation for cumulative noise impacts. Among other things, the DEIR should consider restrictions pertaining to hours of operation.

Finally, the DEIR makes several assertions without providing any basis in facts. For example, the DEIR states that raising the noise level along the Antelope Valley Freeway 3 dBA would require a doubling of the current traffic volume. (DEIR, p. 3-141.) The DEIR also states that grade separation provides 12dBA attenuation. (DEIR, p. 3-145.) The DEIR provides no factual basis for these assumptions.

d. Historical and Archaeological Impacts

The DEIR's analysis of historical and archaeological impacts is inadequate because it is based upon provisions of law no longer in effect. The DEIR discusses historical and archaeological resources in light of former appendix K of the CEQA Guidelines. That Appendix K has been repealed. The current appendix K no longer discusses those subjects.

The DEIR also makes the claim that historical resources are not specifically addressed by guidelines under CEQA. (DEIR, p. 3-234.) That statement is incorrect. CEQA Guidelines section 15064.5 sets forth a detailed system for determining the significance of impacts to archaeological and historical resources. The DEIR does not cite or track these provisions. The DEIR analysis of such resources needs to be completely redone in order to bring it into tune with these requirements. (See also Pub. Resources Code, §§ 21083.2, 21084.1.)

e. Land Use Impacts

The DEIR does not adequately analyze land use impacts of the Project. One particularly important issue is the consistency between the Project and the proposed Bee Canyon Mobile Home Park ("Bee Canyon Project"). The DEIR identifies the Bee Canyon Project, but does not evaluate potential conflicts between that project and the proposed mining Project. (DEIR, p. 3-322.) In fact, the DEIR seems to assume that the Bee Canyon Project will not be permitted because it potentially conflicts with the state mineral resource zone (MRZ-2) that applies to the site. (Ibid.) The EIR cites no evidence for this conclusion. Indeed, the attached geological evaluation concludes that the Bee Canyon Project will not conflict with the MRZ-2 designation. (See Exhibit A.) Until Los Angeles County takes final action on the Bee Canyon Project, the EIR must assume that the Bee Canyon Project may be allowed to proceed.

Accordingly, the EIR must evaluate the potential conflicts between the Project and the Bee Canyon Project. (See CEQA Guidelines, §§ 15126.2, 15126.4.) The EIR should analyze, for example, effects of the Project on the Bee Canyon Project related to noise, air quality (especially dust), aesthetics, and traffic. The EIR must also recommend mitigation to reduce those effects where feasible. (CEQA Guidelines, § 15126.4.) The EIR seems to assume that the state MRZ-2 designation absolves the Project of any duty to mitigate the adverse effects of mining operations on adjacent properties. This interpretation of the law is not supported by the text of the EIR nor does it appear reasonable. Until the EIR demonstrates otherwise, CEQA requires that the EIR analyze the effects of the Project on the proposed Bee Canyon Project and to identify feasible mitigation measures to reduce those effects if determined significant.

3. Alternatives Analysis

The DEIR is also inadequate because it fails to consider a reasonable range of alternatives. (Pub. Resources Code, §§ 21100, subd. (b)(4), 21002; CEQA Guidelines, §§ 15002, subd. (a)(3), 15021, subd. (a)(2), 15126, subd. (f), 15126.6.)

The DEIR does not analyze a "range" of alternatives. An EIR must describe a "range" of alternatives to a project. (CEQA Guidelines, § 15126.6, subd. (a).) The DEIR purports to analyze seven alternatives. (DEIR, pp. 3-377 through 3-378.) One alternative is the required "no project" alternative. (DEIR, p. 3-379; CEQA Guidelines, § 15126.6, subd. (e).) A second alternative merely describes an alternative location for the proposed batch plant, whereas the main aspect of the Project is the mineral extraction operation. (DEIR, pp. S-17, 3-392.) Four additional alternatives are not true alternatives at all, but instead are proposals to operate the Project according to various methods. Finally, one alternative is a true alternative, consisting of a proposal to mine a lesser quantity of product from the site. (DEIR, p. 3-404.) When one looks carefully at this supposed "range" of choices, therefore, one can see that the only true alternatives to the Project's proposed mining activities are the "no project" alternative and the reduced quantity alternative. In other words, this supposed "range" of alternatives is really just a "pair."

Four supposed "alternatives" to the mining Project are really just different methods of operation. These four are denominated in the DEIR as (1) the "reduced north fines storage area alternative," (2) the "reclaimed water alternative," (3) the "product transportation alternative," and (4) the "alternative north fines storage area alternative." (DEIR, pp. S-17 through S-18, 3-382 through 3-404.) None of those four alternatives is really an "alternative"

as required by CEQA. (CEQA Guidelines, § 15126.6.) Rather, they are all various methods of operation employable in mining 56.1 million tons of product. "The methods used or rejected in carrying out the Project are not alternatives to the Project. When a [project operator] elects to use one . . . method over another to avoid an adverse impact, this is a step taken in mitigation. It is not an alternative to the proposed activity. An alternative to a proposed activity is just that—a description of *another* activity or project that responds to the major environmental issues identified during the planning process. ([Pub. Resources Code,] § 21080.5, subd. (d)(3)(i).)" (Friends of the Old Trees v. Department of Forestry & Fire Protection (1997) 52 Cal.App.4th 1383, 1405 [61 Cal.Rptr.2d 297] (timber harvester's consideration of cutting methods did not amount to consideration of alternatives).) An EIR must discuss both mitigation measures and a reasonable range of alternatives. (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 401 [253 Cal.Rptr. 426].) Consequently, these four supposed alternatives do not constitute or contribute to a "range" of true alternatives.

Apart from the mandatory "no project alternative" (CEQA Guidelines, §15126.6, subd. (e)), the DEIR analyzes in detail only one true alternative to the mining activities of the Project—the "reduced quantity mining concept alternative." (DEIR, p. 3-404.) Therefore, the DEIR fails to analyze a reasonable range of alternatives and is inadequate under CEQA. Accordingly, the DEIR must be revised to consider further alternatives that might reduce impacts while meeting Project objectives.

For example, the DEIR fails to analyze in detail the feasible alternative of mining the Transit Mixed Concrete Company's ("TMC") Moorpark site in Ventura County. (DEIR, pp. S-16, 3-364; CEQA Guidelines, § 15126.6, subd. (f)(2) (alternative locations).) The DEIR seeks to evade analyzing the Moorpark site by stating that "An excessively high production level and increased transport distance would not result in a reliable and economically viable source of gravel for the Los Angeles region." (DEIR, p. 3-364 through 3-365.) Substantial evidence exists that the Moorpark site does in fact offer a feasible alternative to the Project. First, TMC has acquired the site. If mining the site were infeasible, that fact would probably be reflected in TMC's market behavior. The CEQA Guidelines recognize the validity of inferring feasibility from ownership:

> "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should

> consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (*or the site is already owned by the proponent*). No one of these factors establishes a fixed limit on the scope of reasonable alternatives."
>
> (CEQA Guidelines, § 15126.6, subd. (f)(1) (emphasis added).)

The DEIR does not provide any evidence that the Moorpark site is unviable. At best, the DEIR provides support for the proposition that mining the Moorpark is less profitable than mining the Soledad Canyon site. "Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, *even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly*." (CEQA Guidelines, § 15126.6, subd. (b) (emphasis added).) "The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that *the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the Project*." (Citizens of Goleta Valley v. Board of Supervisors (1988) 197 Cal.App.3d 1167, 1181 [243 Cal.Rptr. 339] (emphasis added).) TMC's parent company is Southdown, Inc. (DEIR, p. 1-18.) The form 10-K that Southdown, Inc., filed with the Securities and Exchange Commission for the fiscal year ending December 31, 1998, names the Moorpark site as being among the firm's "aggregate reserves." (See Exhibit B.) If mining aggregates from the Moorpark site is so costly or unprofitable that it is "impractical to proceed" with mining there, Southdown has failed to make that material disclosure to securities regulators and the litigious investing public.

Even if the revised DEIR forgoes analyzing the Moorpark site in detail, it certainly will be able to find some alternative location for mining activities that would meet most of the Project's objectives, including the objective of providing royalties to the federal government. (DEIR, p. S-3.) The DEIR itself notes that the Los Angeles-Orange County area contains 8,865 acres of BLM split-estate acres with high potential for sand and gravel resources. (DEIR, at p. 2-15.) The Saugus-Newhall Production-Consumption Region features large areas designated as MRZ-2 (i.e., areas where adequate information indicates that significant mineral deposits are present, or there is a high likelihood for presence). (DEIR, figure 2.3-1.) The DEIR states that deposits in an MRZ-2 "can be mined and profitably marketed for use as PCC-grade aggregate." (DEIR, p. 3-8.) The DEIR states

further that "BLM public and split-estate lands within the planning area are known to contain several areas with valuable sand and gravel deposits . . . ." (DEIR, p. 2-14.) The claim that there are no feasible location alternatives to this proposed mining Project constitutes a facially implausible assertion that none of the BLM MRZ-2 split-lot acreage in the Saugus-Newhall region can or will be mined. The DEIR fails to consider whether a mining operation on such acreage would present fewer environmental impacts than the proposed Project. As a result, the DEIR frustrates informed decisionmaking and public participation.

The DEIR also fails to consider in detail any alternative location in the Palmdale-Littlerock area. (DEIR, p. 3-364 [rejecting from further consideration the Antelope Valley Site in the Palmdale-Littlerock area].) Yet, it appears from the DEIR, that this is in fact the alternative that TMC will pursue if the County does not approve the present Project proposal. According to the DEIR: "In order to continue supplying the greater Los Angeles area, TMC would have to locate an alternative supply of sand and gravel in the Palmdale-Littlerock area of northern Los Angeles County, which is approximately 25 miles northeast of the Soledad Canyon site." (DEIR, p. 1-19.) The DEIR points out that the addition of 25 miles to each one-way truck trip would result in increased costs for the product. (DEIR, p. 1-20.) In rejecting the Palmdale-Littlerock area, the DEIR assumes that "[t]he direct environmental impacts of sand and gravel mining on the physical environment are similar, regardless of a site's location." (DEIR, p. 1-20.) That assumption is belied by this DEIR's own analysis of impacts that arise or become significant only because of site-specific variables, including the occurrence of protected species, the quantity of available water resources, the character of hydrogeologic features, and the proximity of the site to sensitive receptors for noise and air impacts. Quarries more remote from markets for construction grade aggregates are likely, on average, to be more remote from concentrations of people who would be harmed by the noise and air impacts associated with mining activities. The DEIR should analyze at least one such alternative site.

In addition to the Moorpark site and a Palmdale-Littlerock site, a revised DEIR should analyze the alternative of delaying exploitation of the mineral resources at this site. Delay might enhance the economic value of those resources. If the Soledad Canyon site begins production only after the exhaustion of other mines equally close to the Los Angeles market, the Soledad Canyon site will be competing against more distant mines charging higher prices to recoup greater transportation costs. (See DEIR, pp. 1-13 through 1-20.) A later Soledad Canyon operator might thus be able to charge higher prices, resulting in greater royalties. At the same time, mitigation measures available in the future may be superior to those available today. For example, the DEIR itself notes that "water economy technology" may

improve during the life of the Project. (DEIR, p. 3-60.) The DEIR notes further that "innovations" in "reclamation and revegetation techniques" are expected over the next 20 years. (DEIR, p. 1-48.) Because delayed production might meet most of the Project's basic objectives and substantially lessen the Project's significant adverse environmental impacts, the DEIR should analyze a "postponed mining" alternative in detail.

4. Other Miscellaneous Defects

The DEIR also contains a number of other flaws, discussed in brief below:

- The DEIR notes that herbicides may be used during reclamation. (DEIR, p. 1-61.) The DEIR does not say how likely it is that these herbicides will be used. Nor does the DEIR evaluate whether the herbicides will have any environmental impacts on water quality, protected species, or nearby residents. Does TMC presently use herbicides at its other comparable operations?

- The cumulative impacts analysis looks at "future projects that are either under construction, approved, or in the design phase." (DEIR, at p. 3-350.) The set of projects considered should also include those for which an agency application has been received, unless abandoned by the applicant. (CEQA Guidelines, § 15130, subd. (b)(1)(B)2.)

- The DEIR's cumulative impacts analysis states that "Previous projects are *assumed* to be reflected in the baseline description of existing conditions in Section 3.1." (DEIR, p. 3-350 (emphasis added).) Either previous projects are reflected in that baseline, or they are not. The left hand of this DEIR should not need to assume what the right hand is doing.

- DEIR Table 3.1.8.1 assesses the potential occurrence of sensitive species in the project area. The term "No Comment" is provided in several sections of the Survey Results. Either the species occurs, or it does not. The DEIR should state one or the other.

5. Recirculation

If, subsequent to public review and interagency consultation but prior to final certification, a lead agency adds "significant new information" to an EIR, the agency must

issue new notice and must recirculate the EIR for additional commentary and consultation. (Pub. Resources Code, § 21092.1.) If, in response to public comments, the lead agency revises the draft EIR in significant ways, the revised EIR must be subjected to the same "critical evaluation that occurs in the draft stage," so that the public is not denied "an opportunity to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom." (Sutter Sensible Planning, Inc. v. Board of Supervisors (1981) 122 Cal.App.3d 813, 822 [176 Cal.Rptr. 342] ("revised final EIR" for proposed tomato processing plant should have been circulated for public review because it contained significant new information relating to traffic, groundwater availability and impacts, disposal methods for wastewater, and the quantities of pesticide residues to be expected in the wastewater).)

The California Supreme Court has adopted the following test for determining when recirculation is required:

> "[T]he addition of new information to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a *substantial* adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the Project's proponents have declined to implement. . . . [R]ecirculation is not required where the new information added to the EIR 'merely clarifies or amplifies . . . or makes insignificant modifications in . . . an adequate EIR.'"
>
> (Laurel Heights Improvement Assn. v. University of California ("Laurel Heights II") (1993) 6 Cal.4th 1112, 1129-1130 [26 Cal.Rptr.2d 231] (emphasis in original).)

The court provided several examples of how the above-stated principles should be applied in practice:

> "[R]ecirculation is required, for example, when the new information added to an EIR discloses: (1) a new substantial environmental impact resulting from the Project or from a new mitigation measure proposed to be implemented; (2) a substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance; (3) a feasible project alternative or mitigation measure that

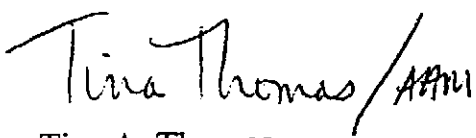
> clearly would lessen the environmental impacts of the Project, but which the Project's proponents decline to adopt; or (4) that the draft EIR was so fundamentally and basically inadequate and conclusory in nature that public comment on the draft was in effect meaningless."
>
> (Id. at p. 1130 (citations omitted).)

In light of this standard, the County must rewrite the DEIR to cure the defects identified above and recirculate that revised document.

* * *

Thank you for the opportunity to provide comments on the DEIR. Please feel free to contact me if any of the matters described above require clarification.

Very truly yours,



Tina A. Thomas

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Geologic Report
Aggregate Resource Assessment of a 28-Acre Portion of a 211-Acre Parcel and of Adjacent Land on the Northwest Side of Agua Dulce Ridge
Bee Canyon, East of Soledad Canyon Road, Los Angeles County, California

Prepared for:

County of Los Angeles Regional Planning Commission
320 West Temple Street
Los Angeles, California 90012

Technical Report Submitted in Conjunction with Environmental Review
State Clearinghouse No. 93121006

Prepared on Behalf of:

GRC Development Company, L.P.
280 South Beverly Drive, Suite 207
Beverly Hills, California 90212

January 18, 1999

Ref. No. 0776-01

APPLIED ENVIRONMENTAL TECHNOLOGIES INC.
4840 Market St., Suite B • Ventura, CA 93003 • Phone: (805) 650-1400 Fax: (805) 650-1576

EXHIBIT A

Geologic Report
Aggregate Resource Assessment of a 28-Acre Portion of a 211-Acre Parcel and of Adjacent Land on the Northwest Side of Agua Dulce Ridge
Bee Canyon, East of Soledad Canyon Road, Los Angeles County, California

Prepared by:

Applied Environmental Technologies, Inc.
4840 Market Street, Suite B
Ventura, California 93003
(805) 650-1400

Wallace A. Jensky, II, R.G., R.E.A.

REGISTERED GEOLOGIST
No. 3358
STATE OF CALIFORNIA

January 18, 1999

Ref. No. 0776-01

5.0 RESOURCE EVALUATION

The volumetric impact analysis of the GRC Project on the designated PCC-grade aggregate resources and reserves in the Saugus-Newhall P-C Region and in the remainder of Los Angeles County is based on the data presented in this report and on information developed by the CDMG in the publications referenced in this report. The resource volume estimates are for lands designated as Mineral Resource Zone -2 (MRZ-2) only. Areas of Los Angeles County with no significant identified or expected aggregate resource are designated MRZ-1. Areas with significant aggregate deposits present but with insufficient information to determine resource volumes are designated MRZ-3, and are not included in the current estimate of aggregate resources in the County.

5.1 General Resource Evaluation for Los Angeles County

As of January, 1994, the designated aggregate resource in Los Angeles County (which the CDMG has divided into five P-C Regions covering 19 Sectors) totaled 11,929-million tons. Of that total, 750-million tons of aggregate reserves are currently owned or leased by aggregate producing companies and for which permits have been granted to allow mining (CDMG, 1994). Based on historical production - consumption data and the projected demand to the year 2044, the CDMG estimated that a total of 1,105-million tons of PCC-grade aggregate will be required to meet 50-year demand (Table 8, CDMG, 1994).

Based on the projected 50-year demand of 1,105-million tons of PCC-grade aggregate, and the 750-million tons of permitted reserves, the CDMG estimates that an additional 355-million tons of PCC-grade aggregate resource will need to be permitted for production by mining companies over the 50-year period. However, when considering the 11,929-million tons of PCC-grade aggregate resource and reserve designated by the CDMG in the existing 19 Sectors, there is a potential 593-year supply of PCC-grade aggregate in Los Angeles County. Even if no additional resources are identified and even if only one-half of the resource available in the existing 19 Sectors is permitted for production (5,964-million tons), there is a 270-year supply of designated PCC-grade aggregate in the existing P-C Regions of Los Angeles County. That is four to five times longer than the estimated 50- to 75-year economic life of the GRC Project. More significant is the fact that the 50-year additional need for permitted production of 355-million tons represents only 3.2-percent of the currently identified and designated MRZ-2 aggregate non-reserve resource in Los Angeles County (Plate 7).

5.2 Impact of Recycling and Identification of New Resources

The CDMG Report (Page 17, CDMG, 1994) discusses the impact of recycled aggregate. "Recycled construction and demolition waste material has become a significant source of aggregate base material in Los Angeles County. It is estimated that as much as 25-percent of the construction aggregate (base material) sold in the greater Los Angeles area is produced from recycled material... Now that recycled material is supplying a significant amount of base material in Los Angeles County, a higher percentage of the aggregate mined from the virgin aggregate

deposits will be used for PCC aggregate. This will extend the life of the PCC-grade aggregate resources in Los Angeles County."

There are other areas of the County known to have significant aggregate deposits but with insufficient information to determine the resource volumes. These areas are zoned MRZ-3. The northern portion of the County has the largest area of undeveloped land. The Saugus-Newhall and Palmdale P-C Regions are located in the northern portion of the County. Over half of the area of the Saugus-Newhall P-C Region is unclassified and over three-quarters of the Palmdale P-C Region is classified as MRZ-3 (resources present but not evaluated). It can be assumed that a significant volume of future aggregate supply will be mined from local areas currently either unclassified or designated as MRZ-3.

In order that the volumetric analysis in the report present a conservative approach, the volume of the potential resource presently zoned MRZ-3 and the increasing impact of recycled material are not included in estimate of aggregate resource. However, both factors, if considered, would extend the life of the designated PCC-grade aggregate resources in Los Angeles County.

5.3 Volume of PCC-grade Aggregate in the Study Area and Beneath the Site

The sloping topography of the sediments of the Tick Canyon formation located within the northern boundary of the MRZ-2 form a wedge-shape with an average base elevation of approximately 1,950-feet and an average top elevation of 2,400-feet, on the north side of Agua Dulce Ridge (Plates 2 and 5). Material above the 2,400-foot elevation is proposed to be mined by TMC from the south side of the ridge. As shown on Plate 2, the average horizontal distance from the MRZ-2 boundary to the 2,400-foot elevation is approximately 1,500-feet. The height of the wedge is 450-feet. The length of the wedge in the Study Area is approximately 5,000-feet. Profiles of the wedge are presented on Plate 5. The total volume of sediment (gravel, sand, silt and clay) in the wedge within the Study Area, below the 2,400-foot elevation and within the present MRZ-2 boundary, is estimated to be approximately 31.3-million cubic yards (1,500-feet [width] times 5,000-feet [length] times 450-feet [height] divided by 2 [formula for the volume of a wedge] divided by 27-cubic feet per cubic yard). That volume is multiplied by 0.5 to account for the approximate volume of sediments eroded from the drainage valleys in the wedge. Assuming 1.5-tons per cubic yard of sediment (dry), the entire wedge, and therefore the Study Area, contain approximately 46.9-million tons of sediments (31.3-million cubic yards time 1.5-tons per cubic yard).

Approximately 80-percent of the wedge volume of sediment in the Study Area is located on land subject to BLM mineral rights and 20-percent is located on the GRC Site within the MRZ-2. Therefore, approximately 9.4-million tons of sediments (46.9-million x .2) are estimated on the GRC Site within the MRZ-2.

Based on the Sieve data from the Test Pits presented in this report and TMC's product volume calculations for Unit-2 (lower Tick Canyon formation), approximately 40-percent of the sediment in the Study Area consists of coarse aggregate (gravel) size material. Accordingly, the Tick Canyon beds below the 2,400-foot elevation in the Study Area contain an estimated 18.8-million tons of bulk, coarse-aggregate size material (46.9-million x 40-percent). The volume estimate of coarse aggregate (gravel) does not include an estimated volume of fine aggregate

(sand). However, since PCC grade sand is required in an approximate 1 to 1 ratio with PCC-grade gravel, the volume estimates based on the volume of PCC-grade coarse aggregate (gravel) are doubled to account for an equal volume of PCC-grade fine aggregate (sand) that could be sold. Based on discussions with mining company representatives, there is a sufficient volume of sand already available in Los Angeles County. Therefore any additional volume of PCC-grade sand alone, if present, likely would not be produced and is not considered further in the volumetric analysis.

Based primarily on the results of the Soundness tests, a significant portion of the coarse (gravel) and fine (sand) aggregate fails to meet the ASTM standard for PCC-grade aggregate. Using the most optimistic volume estimates, this study assume that 50-percent of the total volume of coarse aggregate (gravel) in the Study Area and the Site may be potentially suited for PCC aggregate after processing.

If approximately 40-percent of sediments in the Study Area are coarse aggregate, half of which may be potential coarse PCC-grade aggregate, then 20-percent of the total sediment volume in the Study Area may be PCC-grade coarse aggregate. Therefore, approximately 9.38-million tons of potential PCC-grade coarse aggregate may underlie the Study Area (46.9-million tons times 0.2 [percent PCC-grade coarse aggregate]). Adding an equal volume of PCC-grade fine aggregate (sand) results in an estimated 18.8-million tons of potential PCC-grade coarse and fine aggregate that may underlie the Study Area.

Approximately 1.9-million tons of potential PPC-grade coarse aggregate may underlie the 28-acre Site (46.9-million times 0.2 [percent of Study Area] times 0.2 [percent PCC-grade coarse aggregate]). Adding an equal volume of fine aggregate (sand) results in an estimated 3.8-million tons of potential PCC-grade coarse and fine aggregate beneath the Site.

The TMC Mining Plan states that the resource to be mined on the south side of Agua Dulce Ridge (Vasquez formation) has an approximate product yield of 70-percent. The Tick Canyon beds in the Study Area are not included as part of the area to be mined and appear to generally conform to Unit-3 (Upper Unit) described in the TMC Mining Plan. Based on the results of this assessment, the material located below the 2,400-foot elevation on the north side of Agua Dulce Ridge beneath the Study Area and the Site (Tick Canyon formation) may have a potential PCC-grade coarse aggregate yield of less than 20-percent. TMC proposes to deposit 8-million tons of waste fines on top of these Unit-3 sediments on the north side of Agua Dulce Ridge (North Fines Storage Area). TMC's plan to layer, compact and revegetate the waste fines in a portion of the Study Area validates the conclusion of this assessment that the aggregate in the Study Area is not of sufficient quantity and quality to be economically viable. Otherwise TMC's proposed fines disposal plan would be a contradiction.

5.4 Volumetric Impact of the Loss of PCC-grade Aggregate in Sector B-2 on the Saugus-Newhall P-C Region and the Remainder of the San Fernando Valley and Los Angeles County

The estimated PCC-grade aggregate resources in the Saugus-Newhall P-C Region of Los Angeles County is 7,597-million tons or 63.7-percent of the total estimated resource in Los Angeles County (CDMG, 1994). The aggregate resource estimated in Sector B-2 of the Saugus-

Newhall P-C Region (Plate 6) is 451-million tons or 5.9-percent of the Region and 3.8-percent of the total estimated resource in Los Angeles County (CDMG, personal communication, 1998). According to the CDMG, "based on the projected population figures and using an average annual consumption rate of 10-tons per capita for the Saugus-Newhall P-C Region, approximately 27-million tons of PCC-grade aggregate will be required to satisfy the local demand, not including the current level of 30-percent exports. Current reserves are adequate to fulfill local 50-year requirements by more than seven fold..." (page 39, CDMG, 1987). Even if the 30-percent exports are added to the consumption, the current Saugus-Newhall P-C Region reserves would still fulfill the 50-year requirements of that P-C region by more than five fold.

In addition to the 7,597-million tons of PCC-grade aggregate in the Saugus-Newhall P-C Region, the PCC-grade aggregate resources designated in the other P-C Regions of Los Angeles County are estimated to be 4,332-million tons (CDMG, 1994). The permitted reserves for individual mines are generally confidential and are not available to the public, however according to CDMG published estimates, approximately 592-million tons are permitted in the other P-C Regions of Los Angeles County. If the remaining available resources in these other Regions were permitted, the production from those new reserves would satisfy the demand in these other Regions for a number of centuries. In addition to their own production, the San Fernando Valley and other Regions in Los Angeles County do import a portion of their PCC-grade aggregate from Ventura County, the Saugus-Newhall P-C Region and the Palmdale P-C Region and other areas.

The CDMG estimates that Sector B-2 of the Saugus-Newhall P-C Region has 451-million tons of aggregate resource or 5.9-percent of the Saugus-Newhall P-C Region total and 3.8-percent of the total estimated PCC-grade aggregate resource in Los Angeles County. It appears that none of the Sector B-2 aggregate resources are currently included in the 750-million tons of existing reserves which are located elsewhere in the Saugus-Newhall P-C Region and in the remainder of Los Angeles County.

5.5 Volumetric Impact of the Loss of PCC-grade Aggregate in the Study Area on the Saugus-Newhall P-C Region and the remainder of the San Fernando Valley and Los Angeles County

Even without considering whether the volume of aggregate is economically and technologically feasible to produce, which it likely is not, the estimated volume of potential coarse and fine PCC-grade aggregate beneath the Study Area is approximately 18.8-million tons. Therefore, the Study Area represents approximately one-quarter of one-percent (0.0025) of the 7,597-million tons of PCC-grade aggregate resource in the Saugus Newhall P-C Region, and approximately one-seventh of one percent (0.0016) of the 11,929-million tons of PCC-grade aggregate resource in all the P-C Regions comprising Los Angeles County.

5.6 Volumetric Impact of the Loss of PCC-grade Aggregate beneath the Site on the Saugus-Newhall P-C Region and the remainder of the San Fernando Valley and Los Angeles County

Even without considering whether the volume of aggregate is economically and technologically feasible to produce, which it likely is not, the estimated volume of potential coarse and fine PCC-grade aggregate beneath the Site (28-acres) is approximately 3.8-million tons

of the 18.8-million tons in the Study Area. Therefore, the Site represents 0.05-percent (0.0005) and 0.03-percent (0.0003) of the PCC-grade aggregate resource in the Saugus Newhall P-C Region and in all the P-C Regions of Los Angeles County, respectively.

A summary of the resource, reserve and projected 50-year consumption data for Los Angeles County, the Saugus-Newhall P-C Region, Sector B-2 of the Saugus-Newhall P-C Region, the Study Area and the Site are presented on Table 7 and on Plate 7.

TABLE 7
Summary of PCC-Grade Aggregate Resources, Reserves and Demand
(In Millions of Tons) [1]

Area Description	Resource and Reserve [2]	Reserves [3]	50-year Demand
Saugus-Newhall P-C Region	7,597	158	
San Fernando Valley P-C Region [4]	301	confidential [4]	
Other P-C Regions in the County	4,031	541	
Total for Los Angeles County	11,929	750 [4]	1,105 *
Sector B-2, Saugus-Newhall P-C Region [5]	451		
as a Percent of the County	3.8% or (0.038)		
as a Percent of the Saugus-Newhall P-C Region	5.9% or (0.059)		
Study Area [6]	19		
as a Percent of the County	0.16% or (0.0016)		
as a Percent of the Saugus-Newhall P-C Region	0.25% or (0.0025)		
28-Acre Site [7]	2		
as a Percent of the County	0.03% or (0.0003)		
as a Percent of the Saugus-Newhall P-C Region	0.05% or (0.0005)		

* The shortfall in reserves to meet the 50-year demand of 355-million tons (1,105 minus 750) can be met by permitting only 3.2-percent of the presently identified and designated MRZ-2 resources in the County.

[1] State Division of Mines and Geology Open File Report 94-14, Part II, Los Angeles County, Table 4, by Russell V. Miller, 1994.

[2] Resource volume includes unpermitted PCC-grade aggregate resources and permitted reserves identified as being technologically and economically available. Excludes resources in urbanized areas or identified as otherwise unavailable. A standard set back of 100-feet from utilities, railroads and urban developments is used by the State Geologist.

[3] Reserves include PCC-grade aggregate within properties owned or leased by aggregate producing companies and for which permits have been granted for mining and processing.

[4] Reserves for the San Fernando Valley P-C Region are not stated by the CDMG to protect confidential information and the total reserve volume is rounded to the nearest 50-million tons to protect confidential data.

[5] The estimated resource assumes that the aggregate in Sector B-2 is within ASTM Specification for PCC-grade aggregate and is otherwise technologically and economically available (the data presented in this report suggest that the Study Area, located in the northwest portion of Sector B-2, likely is not).

[6] The estimated resource assumes that the aggregate in the Study Area is within ASTM Specification for PCC-grade aggregate and is otherwise technologically and economically available (the data in this report suggest that a significant portion of the in-place aggregate is not). Most of the material would be covered by the waste fines disposal proposed by TMC. The volume includes the volume beneath the Site.

[7] The estimated resource assumes that the aggregate beneath the Site is within ASTM Specification for PCC-grade aggregate and is otherwise technologically and economically available (the data presented in this report suggest that it likely is not).

6.0 CONCLUSIONS

According to the California Division of Mines and Geology (CDMG), as of January, 1994, the estimated PCC-grade aggregate resource, economically and technologically available, within the five P-C Regions comprising 19 Sectors of Los Angeles County was approximately 11,929-million tons. Of that total, 750-million tons of PCC-grade aggregate are identified as reserves (currently owned or leased by aggregate producing companies and fully permitted to allow mining). The estimated PCC-grade aggregate resources in the Saugus-Newhall P-C Region of Los Angeles County is 7,597-million tons or 63.7-percent of the total estimated resource in Los Angeles County (CDMG, 1994).

Based on historical production-consumption data and a projected population growth, approximately 1,105-million tons of PCC-grade aggregate are estimated to be needed to meet the 50-year demand for Los Angeles County (to the year 2044). Given a projected 50-year demand of 1,105-million tons of PCC-grade aggregate and the 750-million tons of permitted reserves, the CDMG estimates that an additional 355-million tons of PCC-grade aggregate resource, representing only 3.2-percent of the non-reserve resource in Los Angeles County, will need to be permitted for production by mining companies over the 50-year period (Plate 7). However, when considering the 11,929-million tons of PCC-grade aggregate resource currently identified and designated by the CDMG in the existing 19 Sectors, there is a potential 593-year supply of PCC-grade aggregate in Los Angeles County. Even if no additional resources, such as those currently zoned MRZ-3, are identified, and even if only one-half of the current resources are permitted for production, there is a 270-year supply of currently identified and designated PCC-grade aggregate in existing P-C Regions of Los Angeles County. This time period is four to five times longer than the estimated 50- to 75-year economic life of the GRC Project. Even more significant is the fact that the need for this additional 355-million tons represents only 3.2-percent of the currently identified and designated PCC-grade aggregate in Los Angeles County.

The PCC-grade aggregate resource estimated in Sector B-2 of the Saugus-Newhall P-C Region, which includes the Study Area, is estimated to be 451-million tons or 5.9-percent and 3.8-percent of the estimated PCC-grade aggregate resource in the Saugus-Newhall P-C Region and in Los Angeles County, respectively. The volume of potential coarse and fine aggregate beneath the Study Area (including the 28-acre Site) is estimated to be 18.8-million tons without considering whether this aggregate is economically and technologically available to produce, which it likely is not. Therefore, the Study Area represents approximately 4-percent of the estimated PCC-grade aggregate resource in Sector B-2, and less than 0.25-percent (0.0025) and 0.16-percent (0.0016) of the PCC-grade aggregate resource in the Saugus Newhall P-C Region and in the five P-C Regions that comprise Los Angeles County, respectively. Given the minuscule or de-minimus volume of potential PCC-grade aggregate in the Study Area, there are no geological reasons that the GRC Project would preclude from production the remaining quantity of PCC-grade aggregate located in Sector B-2 located on the south side of Agua Dulce ridge, primarily in the Vasquez formation.

The estimated volume of potential coarse and fine aggregate beneath the Site (28-acres) is approximately 3.8-million tons without considering whether the volume of aggregate is economically and technologically available to produce, which it likely is not. Therefore, the Site represents less than 1-percent (<0.01) of the estimated PCC-grade aggregate resource in Sector

B-2, and less than 0.05-percent and 0.03-percent (0.0005 and 0.0003) of the PCC-grade aggregate resource in the Saugus Newhall P-C Region and in the five P-C Regions that comprise Los Angeles County, respectively.

AET concludes that, based on the geological and laboratory results that document the low quantity and poor quality of the bulk-material within the Study Area and especially beneath the Site, the potential PCC-grade aggregate in the Study Area is not present in quantities that are economically and technologically available to produce. As further evidence of this, the TMC Mining Plan proposes to deposit 8-million tons of waste fines on top of the Unit 3 sediments (Tick Canyon formation) in the Study Area on the north side of Agua Dulce Ridge (Plate 2A). TMC further proposes to layer and compact the waste fines (silt, clay and rock-flower) and then revegetate the area. To do this in an area considered viable for mining would be a contradiction.

In summary, using only geological factors to ascertain the volumetric significance of the PCC-grade aggregate within the Study Area, the potential volumetric impact of the GRC Project is so small, particularly when considering the statistical variables and the magnitude of the Saugus-Newhall P-C Region and the County-wide resource calculations, as to be nonexistent. Furthermore, there are no geological reasons that the GRC Project would either threaten the extraction of the economically and technologically available PCC-grade aggregate in the area, or impact the PCC-grade aggregate resources in Sector B-2, in the Saugus-Newhall P-C Region and in the remainder of Los Angeles County.

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CENTRAL INDEX KEY: 0000313058
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IRS NUMBER: 720296500
STATE OF INCORPORATION: LA
FISCAL YEAR END: 1231

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STATE: TX
ZIP: 77002
BUSINESS PHONE: 7136506200

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SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 10-K

[X] ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 [FEE REQUIRED]

FOR THE FISCAL YEAR ENDED DECEMBER 31, 1998

OR

[ ] TRANSITION REPORT PURSUANT TO SECTION 13 OR 15 (D) OF THE SECURITIES EXCHANGE ACT OF 1934 [NO FEE REQUIRED]

FOR THE TRANSITION PERIOD FROM ---------- TO ----------

COMMISSION FILE NUMBER 1-6117

SOUTHDOWN, INC.
(EXACT NAME OF REGISTRANT AS SPECIFIED IN ITS CHARTER)

<TABLE>
<S> <C>
LOUISIANA 72-0296500
(STATE OR OTHER JURISDICTION OF INCORPORATION OR ORGANIZATION) (I.R.S. EMPLOYER IDENTIFICATION NO.)
1200 SMITH STREET
SUITE 2400
HOUSTON, TEXAS 77002-4486

(ADDRESS OF PRINCIPAL EXECUTIVE OFFICES) (ZIP CODE)
</TABLE>

REGISTRANT'S TELEPHONE NUMBER, INCLUDING AREA CODE: (713) 650-6200

SECURITIES REGISTERED PURSUANT TO SECTION 12(B) OF THE ACT:

<TABLE>
<CAPTION>

TITLE OF EACH CLASS	NAME OF EACH EXCHANGE ON WHICH REGISTERED
<S>	<C>
Common Stock, par value $1.25 per share	New York Stock Exchange, Inc.
Preferred Stock Purchase Rights	New York Stock Exchange, Inc.

</TABLE>

SECURITIES REGISTERED PURSUANT TO SECTION 12(G) OF THE ACT:

None

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of Registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. [ ]

Indicate by check mark whether the Registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the Registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes [X] No. ----

As of February 28, 1999, the number of shares of common stock outstanding was 38.7 million. As of such date, the aggregate market value of voting stock held by nonaffiliates, based upon the closing price of these shares on the New York Stock Exchange, Inc. was approximately $1.8 billion.

DOCUMENTS INCORPORATED BY REFERENCE

Portions of the Registrant's Annual Report to Shareholders for the fiscal year ended December 31, 1998 are incorporated by reference into Part II of this report. Portions of the Registrant's definitive proxy statement for its 1999 Annual Meeting of Shareholders to be held on May 20, 1999, which will be filed within 120 days of the Registrant's fiscal year ended December 31, 1998, are

estimated that imports represented approximately 22% of cement used in the U.S. during 1998 as compared with approximately 18% in 1997 and 16% in 1996. Unlike the imports during the 1980's, however, most of the recent imports have provided an additional source of supply rather than disrupting the market with unfair prices. During most of the recent period of strong demand, the prices of cement imports rose. The increase was attributable, at least in part, to the influence of the outstanding antidumping orders and suspension agreements. While the average cost of imported cement rose during 1998, the cost of cement imports from some countries, particularly those from Southeast Asia, have declined. Moreover, independently owned cement operators could undertake to construct new import facilities and begin to purchase large quantities of low-priced cement from countries not yet subject to antidumping orders, such as those in Asia, which could compete with domestic producers. The introduction of low-priced imported cement from such sources could have a negative impact on the Company's results of operations.

In addition to receiving imported cement into its river based terminal network, the Company owns or leases a total of four deepwater cement terminals in locations capable of receiving imported cement directly. To supplement its production capacity, the Company sought to meet excess demand with limited purchases of imported cement beginning in 1994 and has increased purchases of imported cement in each of the subsequent years, pending the Company's ongoing investments to modernize and expand production capacity. The resumption of dumping of low-priced imports on a large scale could have an adverse impact on such pending investments.

AGGREGATES SEGMENT

The Aggregates segment includes mining, processing, packaging and selling construction and specialty aggregates and also fabricating and installing highway safety systems. Numerous aggregates acquisitions by Medusa in 1997 and early 1998 and the merger of Medusa and Southdown in mid 1998 greatly expanded the Company's market presence in this business.

Construction Aggregates -- These operations mine, crush, screen, wash and sell various sizes of aggregates to the construction industry, primarily for use in the manufacture of asphalt and concrete, as well as in such construction applications as road base, drainage blankets, erosion control and other applications. The Company estimates its annual capacity at about 11 million tons. Construction aggregates are marketed as commodities and as such pricing is the principal method of competition. Most aggregates are sold within a

35 mile radius of the plant and are shipped to the customer by truck. The Company's construction aggregates business has approximately 3,000 customers. The Company believes that it is among the low-cost producers in its primary markets. The Company maintains its low-cost position through continuous plant and quarry efficiency improvement programs.

Specialty aggregates -- Specialty aggregates operations include two types of minerals products: (a) industrial limestone products and (b) lawn and garden products. For industrial limestone products, white, high calcium limestone is sold for use in the manufacture of white cement, as a calcium supplement for livestock and poultry feeds, to treat acidic water conditions, to neutralize acidic soil for more efficient crop yields, and to scrub sulfur emissions in coal burning generating plants. The white limestone is also pulverized to a fine powder and used to produce joint and caulking compounds, carpet backing, vinyl floor tile, paints, plastics, and PVC pipe. Buff colored limestone is pulverized and marketed for use in the production of asphalt shingles and other roofing products.

Commercial markets such as golf courses, lawn care, grounds maintenance, water conditioning, and agriculture are served with over 200 specialty mineral products. Lawn and garden operations mine, process, package and distribute to both consumer and commercial markets throughout the eastern half of the U.S. Over 150 products for lawn care, gardening, landscaping and do-it-yourself construction are shipped directly to over 3,500 retail garden centers and home improvement outlets. Lawn and garden products are marketed under both the Southdown(R) and Yardright(R) brand names. Limestone is applied to lawns and agricultural fields to correct soil acidity, primarily in states east of the Mississippi River, where high soil acidity is a problem. The Company believes it has approximately a 35-40% share of the pelletized limestone market it serves. The Company estimates that its three pelletizing operations have combined annual capacity of over 200,000 tons. In addition to pelleted limestone and other related liming products, other core products include pelleted gypsum, white marble chips, natural colored landscaping stone, play sands, packaged concrete and hydrated lime.

Aggregates Reserves -- Plant by plant, and at current construction aggregates production levels, 95% of the Company's various aggregates reserves will last from at least 10 years to over 50 years. At current production levels, almost 100% of the Company's various mineral reserves will last from 30 years to over 100 years. The following table indicates the location of the Company's construction and specialty aggregates operations:

<TABLE>
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LOCATION	LOCATION

<S>	<C>
COARSE AND FINE CONSTRUCTION AGGREGATES	SPECIALTY AGGREGATES (MINERALS)
Azusa, California	Lee, Massachusetts
Moorpark, California	Sparta, New Jersey
Bardstown, Kentucky	Thomasville, Pennsylvania
Bowling Green, Kentucky	Paradise, Pennsylvania
Butler, Kentucky	Castlewood, Virginia
Hartford, Kentucky	
Columbia, Missouri	
Sparta, New Jersey	
Lenoir, North Carolina*	
West Pittsburg, Pennsylvania	
Castlewood, Virginia	

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* Sold in January 1999.

Competition in the Aggregates segment includes numerous small and several large aggregate quarry operators. Competition for sales volume is strong and is based primarily on price with consistency of quality and service to customers being of importance, but somewhat lesser significance. The Company's major competitors are Global Stone, Georgia Marble, J.M. Huber and English China Clay in specialty aggregates, and Hanson Boone Quarries, Vulcan Materials Company, Martin Marietta Materials, Inc., Sterling Ventures, and East Fairfield Coal in the construction aggregates market.

Highway Safety Construction -- Through the James H. Drew Corporation, a wholly-owned subsidiary of the Company based in Indianapolis, Indiana, the Aggregates segment also operates generally in the mid-western states installing highway safety systems such as guardrails, traffic signals, signs, and highway lighting. Although Drew functions primarily as a subcontractor to paving and bridge contractors, approximately 30% of its work is bid directly to state highway departments and municipalities.

CONCRETE PRODUCTS SEGMENT

Ready-mixed concrete is a versatile, low-cost building material used in almost all construction applications. Concrete is produced in batch plants by

September 13, 1999

Department of Regional Planning
320 West Temple Street Room 1383
Los Angeles, CA 90012-3225

Ref: **#91-165-5 Transit Mixed Concrete Corp.**

Honorable Commissioners:

The Organization Safe Action For the Environment, Inc. is asking for a Continuance of the Hearing of this Proposed Surface Mining Project. The Hearing, before Los Angeles County Regional Planning Commissioners, is scheduled for September 22,1999.

The DEIR (Draft Environmental Impact Report, State Clearinghouse No. 91111066) was instituted, along with most of the commentary and research, over ten years ago. We note that BLM's DEIS was promulgated along the lines of the DEIR.

With the advent of major growth in the area in the last ten years, we find the commentary to be inadequate. Areas, such as Air Quality, noise pollution, incompatibility of surrounding land use, and environmental issues (i.e.: proposed project is right next to, and upstream of, one of the largest habitats of the endangered Unarmored Three Spine Stickleback) are not factual, are stale, and outdated.

New Studies must be commissioned to satisfy these concerns. The Public, County of Los Angeles, and other Agencies will need an extension of time so that a full evaluation can be made.

Sincerely,

Tana Lampton, Director Safe Action For the Environment, Inc.

Tana Lampton

cc: Honorable H. "Buck" McKeon, U.S. Representative
Supervisor, 5th District L.A.Co., Mike Antonovich
James Kenna, BLM
fax today's deadline; hard copy following

Safe Action For the Environment, Inc. - P.O.Box 6009, Agua Dulce, CA 91350

C-16

Jeb Stuart
Air Quality Consultant

August 24, 1999

The Honorable Howard P. "Buck" McKeon
U.S. House of Representatives
Santa Clarita Valley District Office
23929 W. Valencia Boulevard #410
Santa Clarita, CA 91355

Dear Congressman McKeon:

Southdown Inc./TMC asked me to comment on the potential air quality impacts of the proposed Soledad Canyon aggregate mining project. These comments were presented to you in summary form at your August 20 community meeting on this subject at the Sulfur Springs School.

I have spent ten years as the Executive Officer of the South Coast Air Quality Management District and 14 years as a consultant to local government agencies and businesses. My resume is enclosed.

The principal air quality concern raised in the public debate on the Soledad Canyon project is the potential for a violation of the air quality standard for PM10 (particulate smaller than ten microns) caused by fugitive dust generated by that project. The most stringent PM10 standard is the State 24-hour standard of 50 micrograms per cubic meter. At the time it was adopted by the California Air Resources Board, this health standard was exceeded in 53 out of 55 counties in California. It is three times more stringent than the comparable federal standard, which was endorsed by EPA's Clean Air Scientific Advisory Committee as fully protective of public health with an adequate margin of safety.

The federal PM10 standard has not been exceeded at the Santa Clarita monitoring station since a monitor was installed in 1992. The State standard was exceeded on 13 days in 1995, five days in 1996, five days in 1997 and three days in 1998, clearly a downward trend.

The South Coast Air Quality Management District, which is responsible for air quality in the Santa Clarita Valley, is the largest, most resourceful air regulatory agency of its type in the nation. Its rules are the most stringent and aggressively enforced.

17 Cherbourg • Newport, Beach, CA 92660 • (714) 640-7760 • FAX (714) 640-7725

The SCAQMD is currently reviewing the draft California Environmental Impact Report and Federal Environmental Impact Statement for the Soledad Canyon project for accuracy, completeness, adequacy of proposed mitigation measures and compliance with its rules and regulations and the Air Quality Management Plan. Given the environmental bent of the staff, it will be a comprehensive, totally objective evaluation.

If the project is approved, District engineers will evaluate permit applications for the facility to ensure that Best Available Control Technology is applied throughout. During the construction and operation phase, District compliance staff will regularly inspect the facility for compliance with applicable rules and resolve complaints about dust, odors or smoke. Violations of District rules or permit conditions can result in fines up to $50,000 for each day in violation and possible criminal prosecution.

In 1993, as a representative of the construction industry, I worked closely with the SCAQMD staff in developing Rule 403. This rule establishes the best available control measures that must be taken to abate fugitive dust emissions from any activity capable of generating dust. These measures include such things as frequency of watering, application of chemical dust inhibitors, entry road sweeping and maintaining minimum soil moisture content. Rule 403 is widely recognized as the most stringent regulation of its type in the nation. Since its adoption, the number of nuisance complaints registered and violation notices issued to grading projects, aggregate processing facilities and landfills has dropped dramatically.

If the Soledad mining and aggregate processing operation complies with the approved Rule 403 plan and the mitigation measures in the EIS/EIR are fully implemented, it should not cause a measurable increase in PM 10 concentrations at any of the nearby schools or other sensitive receptors in the Santa Clarita area.

The local air quality concerns over the Soledad Canyon project are reminiscent of the City of Long Beach's resistance to a Sohio proposal in 1982 to construct a pipeline to transport Alaskan North Slope crude from that city to Midland, TX. The alternative was to take it through the Panama Canal and the Gulf of Mexico to Galveston and by pipeline to Midland. The California Air Resources Board killed the project primarily because of the perceived air quality impact of associated tanker emissions within a 100 mile radius of the harbor.

As it turned out, the tankers had to refuel twice at Long Beach for each delivery, once enroute to the Panama Canal and again on the return leg to Alaska. Consequently, it ended up generating twice the emissions that would have been generated had the pipeline project been approved.

Disapproval of the Soledad Canyon project could have a similar result. The aggregate required to meet regional demand would have to be extracted in the Palmdale-Little Rock area and transported on Highway 14 and Interstate 5 to Santa Clarita and other consumption areas in the Los Angeles basin. This would double the truck miles, emissions and congestion that would be generated with an approved Soledad Canyon project.

In summary, unless government can restrict population growth and the related demand for aggregate, disapproval of this project will in the long run result in an increase in emissions and thereby seriously hamper the ongoing and so far successful effort to attain air quality standards in the Santa Clarita Valley.

Clearly, air quality concerns are not a legitimate basis for disapproving this important project.

Respectfully,

Jeb Stuart

Jeb Stuart

1 enclosure

Jeb Stuart
17 Cherbourg
Newport Beach, CA 92660
Telephone: (949) 640-7760
Fax: (949) 640-7725
E-Mail: stuartaq@aol.com

June, 1986- to present: Currently VP for Technical Matters of the Construction Industry Air Quality Coalition and air quality advisor to the Small Business Council for the past nine years; member of the FACA Subcommittee for Ozone, Particulate Matter and Regional Haze Implementation, the South Coast Air Quality Management District PM 10 Task Force and the Orange County AQMP Advisory Task Force; formerly Executive Director of the Southern California Air Quality Alliance of the California Manufacturers Association for seven years and Administrator of the California Aerospace Environmental Association for five years; provided air quality consulting services to 12 government agencies and over 100 medium to small businesses; government agencies included the counties of Riverside, San Bernardino and Santa Barbara, the cities of Riverside, Glendale, Burbank, Pasadena, San Bernardino and South Gate and the Los Angeles County Sanitation Districts; medium to small businesses included furniture manufacturers, printing establishments, plastic manufacturers, dry cleaners, asphalt producers, waste to energy producers and service stations.

1977- 1986: Executive Officer of the South Coast Air Quality Management District from its inception; Vice Chairman and Chairman elect of the National Association of Local Air Pollution Control Officers (ALAPCO) and Chairman of the California Air Pollution Control Officers' Association (CAPCOA).

1975-1977: Chief Air Pollution Control Officer of the Southern California Air Pollution Control District.

1972-1975: Riverside County Air Pollution Control Officer.

1943-1972: U.S. Air Force officer, command pilot, wing commander, major air command and NATO planning director.

1939-1943: U.S. Military Academy; graduated with a degree in engineering science.

LETTER C-17 HAS BEEN MOVED TO L-33

Natural History Club *of Acton/Agua Dulce*

"Protectors of Natural, Ecological & Cultural Resources"

September 13, 1999

Department of Regional Planning
320 West Temple Street Room 1383
Los Angeles, CA 90012-3225

Ref. # **91-165-5 Transit Mixed Concrete Corp.**

Honorable Commissioners:

The Natural History Club of Acton/Agua Dulce is formally asking for a CONTINUANCE of the Hearing of this Proposed Surface Mining Project.

The DEIR (Draft Environmental Impact Report State Clearinghouse No. 91111066), and, subsequently, the DEIS (Draft Environmental Impact Statement, B.L.M.), started to be written ten years ago. We find the commentary to be inadequate. It is erroneous and outdated (i.e.: the AIR Quality issue, and the tenuous condition of the Unarmored Three Spine Stickle

back fish).

New Studies MUST be commissioned to satisfy these and, possibly other issues. Because of this we feel an extension is needed for much needed further investigation.

Sincerely,

Stacey Nickels, President NHC, A/AD

Fax today; hard copy to follow immediately

cc: Honorable Howard McKeon
Senator Pete Knight
Assemblyman George Runner
Honorable Mike Antonovich

NHCA . P.O. Box 965 - Acton, CA 93510 . (661) 268-1136; FX (661) 268-8864

SCOPE

Santa Clarita Organization for Planning the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, CANYON COUNTRY, CA 91386

C-19

Copy
Please enter into the administrative record

7-23-99

Chambers Group, Inc.
17671 Cowan Ave Suite 100
Irvine, Ca. 92614

Re: Transit Mix Concrete - Soledad Canyon Sand and Gravel Mining Project EIR (SCH#91111066) and EIS (OEPC#DES99-13)

Dear Sirs:

The above two documents cite as background references reports which we have not seen and to which we have no access. We therefore respectfully request that you provide us with copies of these reports or inform us as to how we might obtain them.

The documents we are especially interested in are:

1. ***Evaluation of Water Resources In the Vicinity of the Transit Mixed Concrete, Inc. - C.A. Rasmussen Company Properties in the Soledad Canyon, Los Angeles County, Ca.*** Ground Water Systems, (GWSI), 1993
2. ***Santa Clara River Underflow 1991 Annual Report, Transit Mixed Concrete Company's Proposed Soledad Canyon Mining Operation, LA County, Ca.***, July 30, 1992, Law/Crandall, Inc.
3. ***Ground Water and Surface Water Monitoring, Proposed Soledad Mining Operation, Santa Clarita, Ca.*** Prepared for Transit Mixed Concrete Co., March 25, 1996, Law/Crandall, Inc.
4. ***Hydrological Assessment Report, Soledad Canyon, Los Angeles County, Ca.***, Sept. 12, 1989, Western Technologies, Inc.

Thank-you for your time and prompt attention to our request.

Sincerely,

Lynne A. Plambeck
1st Vice President

cc: Planning Depts:
City of Santa Clarita
County of Los Angeles
Bureau of Land Management

C-20

P. O. Box 802481
Santa Clarita, Ca. 91380
27 July, 1999

RE: Soledad Canyon Sand & Gravel Mining Project

L. A. County Board of Supervisors
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors;

We, the Democratic Alliance for Action believe that the quality of life and environmental hazards will prevail in the Santa Clarita –Aqua Dulce areas if surface mining of aggregate is allow to take place. The topography of Santa Clarita area is such that the poor air quality generated by the mining would not escape the valley, but would remain to create serious respiration problems for both adults and children.

We need the support of the Board of Supervisors and urge you to join us in opposition to the above named project. Thanking you in advance,

Sincerely Yours,

Sylvia Stokes for

Diane Trautman, President
Democratic Alliance for Action (DAA)

Enclosure

dt/ ss

RESOLUTION

Unanimously Adopted by the Democratic Alliance for Action
in Santa Clarita, California
July 18, 1999

Whereas the Soledad Canyon Sand & Gravel Mining Project (SCSGMP) proposed by Transit Mixed Concrete Company (TMCC) involves the surface mining of 83 million tons of aggregate (sand and gravel) over a 20 year period on a 460 acre site just outside the eastern boundary of the City of Santa Clarita,

Whereas this site poses a threat to the safety of nearby neighborhoods, including schools and residential areas,

Whereas there is scientific evidence suggesting a danger to the environment, air & water quality, public health, and general quality of life,

Be it resolved that the Democratic Alliance for Action (DAA) opposes any development or approval of SCSGMP,

Further be it resolved that the DAA's opposition be delivered to the appropriate interested parties, including, but not limited to: The Bureau of Land Management,

The Los Angeles Country Regional Planning Commission, the City of Santa Clarita Planning Division and the Los Angeles County Board of Supervisors.

Further be it resolved, that the DAA's opposition be delivered to the Los Angeles County Democratic Central Committee with a recommendation for their adoption.

Respectfully submitted,

Sydell Stokes

Sydell Stokes

Secretary

C-21

ACTON TOWN COUNCIL

P.O. BOX 810 ACTON, CALIFORNIA 93510

President
L. Monét Pierce
269-5904

Vice President
Dick Morris
947-9725

Secretary
David Weary
269-5502

Treasurer
Leona Sexton
269-4226

Doug Barnett
269-1825

Ray Billet
947-2796

Bill Daniels
269-1331

Chrys Hamper
269-4267

Calvin Oglesby
269-5854

08/18/99

County of Los Angeles
Department of Regional Planning
320 W. Temple Street
Los Angeles, Ca 90012

Atten: Julie Moore

Subject: TMC Sand and Gravel Mining Project, Soledad Canyon

Dear Ms. Moore,

The Acton Town Council was formed ten years ago to represent the views of our Community to Los Angeles County. Acton was not included in the notification process. It is apparent that the Developer felt that we would not be impacted. This is far from the truth. Although the community of Acton is located some distance from the TMC project, nevertheless, we have concerns regarding the effects of such a project on our community.

The light breezes that travel through Santa Clarita are compressed down as they funnel through the Soledad Canyon, as these breezes become compressed they accelerated becoming a rocket engine, carrying with it anything that is in the way. **DUST, SMOG, ETC.** When the winter Santa Ana winds blow, they come from the east. They again will pickup the previously deposited particles and send them back down the Soledad Canyon, mixing with newly disturbed airborne particles. This time however, these particles will land on the Santa Clarita Valley and beyond.

Our community along with others will be infected with mold spores, valley fever, PM-10 particulates, and other airborne respiratory infections. The nearest air quality monitoring station is located to the west of the mining project and is 17 miles away, **DOWN WIND.** Acton and Agua Dulce and any **SURVIVING** residents of the Soledad Canyon will remain **UN-MONITORED.**

TMC's own draft EIR section 3, page 153, acknowledges this area exceeds the California and Federal levels of O_3 as recorded at the same down wind Santa Clarita Monitoring site. A problem that TMC will contribute to.

In addition to the overwhelming air pollution created by this destruction of our country environment we feel that the issue of truck traffic has been overlooked with regard to our community. Our concerns deal with the increased truck traffic, safety, and the associated maintenance problems along Soledad Canyon Road and our other local roads. Soledad Canyon Road, a two-lane roadway winds past a number of campgrounds, a wild animal preserve, an elementary school, and directly through a portion of Acton. Within close proximity of the mining site, traffic safety, a narrow tunnel, and road maintenance are a major concern to our local commuters. Visual inspection of the roadway reveals numerous tire patches and potholes. Last year an eighteen wheeler overturned on one of the curves of Soledad Canyon Road, went through the guardrail and landed in River's End Campground. We are also concerned that owners of older, lower horsepower trucks and those trying to avoid the steep grades and congestion of the 14 freeway will use Soledad Canyon Road. Considering the traffic that already uses our local roads plus school busses picking up and dropping off school children, we predict that a major accident with tragic and deadly results will occur.

Finally, the water needed for this project would be a drain on the entire Santa Clara River Drainage. TMC's projected use in Phase one is 492-acre feet or 160,342,800 gallons per year and phase two at 746-acre feet or 243,121,400 gallons per year. In 1993 a report of Regional Ground Water Assessment and Well Data Survey was prepared for the California Regional Water Quality Control Board by California State University, Fullerton, Department of Geological Sciences. This report stated, "That portion of the Santa Clara River above Bouquet Canyon Creek (between Bouquet Canyon and Acton) is of generally poor quality water with high boron and sulfate in a significant number of the wells. Moreover, previous reportings did not indicate any high levels of these elements (RWQCB, 1975). Lower quality runoff high in leached evaporite minerals from new mining operations in Soledad Canyon above Lang may be the reason." Should we expect the cities and counties downstream, which depend on the use of this water to bear the additional cost to re-purifying the water?

This is the beginning of the **END.** As this is just the beginning of the mining, there are at least two other projects standing in line to **RAPE** and **PILLAGE** the land. We are looking at, at least a century, think about that, **ONE HUNDRED YEARS OF CONTAMINATED AIR!** This will continue until the next millennium.

Please say **"NO". "NO PROJECT".**

Thank you,

David P. Weaty, for
Monet Pierce, President,
Acton Town Council

Cc: Michael Antonovich
Howard P. "Buck" Mckeon
William J. "Pete" Knight
George Runner
Acton/Aqua Dulce News
Country Journal

San Marino Environmental Associates

By facsimile, Original by U.S. Mail

September 10, 1999

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

Re: February 1999 Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project (State Clearinghouse No. 91111066; County Project No. 91165).

Dear Dr. Koutnik:

We are submitting these comments on behalf of the International Union of Operating Engineers, Local 12. The February 1999 Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project ("DEIR") fails to comply with the California Environmental Quality Act (Pub. Resources Code, div. 13, § 21000-21177 ("CEQA")) and the State CEQA Guidelines (Cal. Code Regs. tit. 14, div. 6, ch. 3, §§ 15000 et seq. ("CEQA Guidelines")). The DEIR should be revised and recirculated.

Our concerns expressed here mainly regard threats posed by the referenced project to the Biota of the Santa Clara River, particularly the unarmored threespine stickleback (UTS), a listed Endangered Species under both the federal and state Endangered Species Acts. We have reviewed the document and appendices, and find the major problem to be the impacts to the quantity and quality of the water in the stream. The DEIR is written in such a way as to show obvious bias in favor of the project, giving minimal value to the habitat, ignoring very real and serious potential impacts and relying on vague, flawed monitoring procedures as mitigation. The DEIR omits important information, misstates important facts and, where it does give accurate statements, often draws flawed conclusions from these statements. It should be noted especially that monitoring is not mitigation. Mitigation is action. The Biological Opinion mandates the action to stop pumping under specific circumstances. In the DEIR cessation of pumping is only given as an option, not a commitment.

Jonathan Baskin has been observing the UTS in its habitat in Soledad Canyon since 1972, and Thomas Haglund since 1974, during which period we have walked the entire stream and surveyed the fishes there on many occasions, especially in the areas of River's End Park, the Forest Service land (Soledad Campground) and Thousand Trails. Baskin has been a member of the UTS Recovery Team and Haglund an

560 South Greenwood Avenue San Marino, California 91108-1270 (626) 792-2382 Fax (626) 792-8233

advisor for more than 20 years. We have together and independently for many years done research and published on the UTS, the Santa Ana sucker and on issues relating to Southern California streams. Baskin has been on the faculty of Cal Poly Pomona since 1971 and Haglund has been on the Research Faculty of UCLA.

The DEIR correctly points out that the entire stream from the project site downstream to below River's End Park is part of the Essential Habitat of the UTS. It is stated that this is only 23 acres of riparian habitat. It is not clear how this was calculated. If only the area of surface water is counted the number is heavily biased to minimize the area of impact. It must be considered that the riparian habitat includes the streamside vegetation dependant upon the aquatic habitat and area wetted by high water flows. The DEIR must also consider the stream as it extends down below River's End Park as Essential Habitat as stated in the Recovery Plan, which in some years can extend several hundred meters or more, even in the dry season. The UTS occupy and breed in this downstream area. Any reduction of flow will reduce the extent of this area, and thus reduce the numbers of UTS.

Similarly, the entire area between River's End Park and the project site can support UTS along its entire length during at least part of the year in most years. Wherever surface water is present for sufficient periods for appropriate aquatic vegetation to develop UTS can breed and develop. The DEIR correctly points out that parts of this area are dry some years, and parts of most years, and that the stream habitat in Soledad Canyon is extremely variable. (The term "normal" as applied to the habitat or stream flow here is almost meaningless.) What this means is that these areas are just on the edge of being unable to support UTS except during flooding, and any reduction of surface water will make parts of this section unable to support breeding or even to become completely dry. No mitigation is proposed in the DEIR for this impact.

These shallow relatively slow flowing stream stretches in the project area also provide a corridor for upstream and downstream movement of sticklebacks. Although downstream movement may occur under high flow conditions, upstream movement is minimal and it is likely that virtually all-upstream movement occurs during these relatively stable low flow conditions. Pumping will thus reduce or eliminate this area of the river as a corridor, isolating populations and increasing the chance of local extinction. No mitigation is proposed in the DEIR for this impact.

If the stream is lowered during the period when sticklebacks are nesting it will cause nest abandonment and loss of reproduction. Furthermore, the DEIR states that "Sticklebacks can reproduce rapidly year round." This is an inaccurate and misleading statement. Under low flow, warm winter conditions a low level of reproduction may occur year round. But most reproduction takes place in the spring and summer - which is why the partially ephemeral stream reaches are essential to successful recruitment. Even under "optimal" conditions little reproduction takes place in the

winter and such reproduction would be by largely senescent individuals because most individuals are annual and must be exposed to short days and colder water before they can come into reproductive condition. Thus it is clear that the proposed project will exacerbate the problems of this already fragile ecosystem, a fact which the DEIR ignores.

The DEIR also correctly states that the UTS is "hardy" and adapted for a variable environment. This means that much of the habitat that is considered in the DEIR as poor and of little or no value is actually used by the UTS, even for breeding, and as a corridor, in spite of its being dry much of the year. Impacts to this habitat must be considered in the DEIR but are not.

The DEIR describes the habitat at River's End Park as only "moderately good". This also leads us to the conclusion that the DEIR is biased in favor of the project, as we have surveyed this area on several occasions over a period of years and always found UTS in good numbers, with more than one size class (indicating a breeding population) and in excellent habitat.

The DEIR also does not consider that pumping of subsurface water in Area B, the upstream end of the impact area, can reduce surface flows upstream (cone of depression) from the pumping site and project. This is a hydrologic question that must be considered. No consideration for this area is given in the DEIR, and in my experience in this area there is usually a small but persistent year-round flow of surface water present with good aquatic vegetation.

Another, more meaningful way to consider the amount of habitat potentially impacted is to consider the length of stream habitat, rather than the acres as is done in the DEIR. When looked at in this respect the extent of potential impact to the stream designated in the Recovery Plan as Essential Habitat in Soledad Canyon is about 2 miles, out of a total of 9.3 miles of Essential Habitat here. This is 21% of the Essential Habitat in Soledad Canyon.

The DEIR also points out correctly that the UTS needs shallow, clear water for breeding, with aquatic vegetation. What this means for most of the area impacted by the pumping is that only a small reduction in flow can reduce the amount of habitat to zero. The Monitoring Plan calls for monthly monitoring. During July, August, and September the rate at which changes take place in that canyon would not be adequately monitored even in the absence of pumping. Conditions could easily be above the action levels on 1 July and the stream would be dry on 1 August, particularly with the removal of an additional 65 acre-feet of water. We have worked on the upper Santa Clara River since 1972 and know that an apparently flourishing habitat can be dry within a month without the added stress of additional water extraction. So the monitoring program is totally inadequate to protect the stream during low flow conditions. As it only takes a few minutes for fishes to die out of

water, the project will certainly cause the death of some UTS. This should be considered a "take" under the Endangered Species Act.

A further problem with the Monitoring Plan is that there is only one upstream reference site with an unspecified location, and action called for only when there is a 25% reduction at the project site, at the .05 significance level. This is a crucial issue, and it is not at all clear how this action level will be determined. It is not clear what statistical test will be used. It will be very difficult to achieve a .05 significance level with an N (sample size) of only 1 for the control (reference site).

The reference site must be chosen carefully because there is so much wildcat pumping, stream diversion and other activities in the Soledad Canyon area that invalid or misleading data at the reference site is likely. We suggest at least two sites on Forest Service land (Soledad Campground) upstream and perhaps an additional site in another reliable place. The exact monitoring procedures for collecting and analyzing data that could trigger action need to be clearly spelled out, as the entire project operation could hang on the outcome. Also, for the monitoring data to have any validity, data is needed for a period of years at all sites before any project impacts, including pumping, begin. This is necessary to determine if the control sites are acting independently or in parallel with the project sites. These are hydrologic issues not considered in the DEIR that should be reviewed by appropriate experts.

The DEIR states that the extraction will result in only a 9% (Phase 1) and 16% (Phase 2) reduction in surface flow. This is misleading, for while it may be true that the extraction will result in a 16% reduction in the annual surface water budget - this is irrelevant information. What is critical is to recognize that the average measured flow in August was 74 acre-feet and in September was 66 acre-feet, thus an extraction of 65 acre-feet of water represents an 88% and a 98% reduction in average surface flow. And these are average flows which, depending on the distribution of the data, means that the extraction will exceed the surface flow up to 50% or more of the time. These figures and their significance to potential impacts are ignored in the DEIR.

The drawdown of water will accelerate drying and flow reduction during the fishes' reproductive and rearing season (summer) every year, with more pumping occurring when the least water is available. Therefore the proposed extractions will have a significant and unavoidable effect on the surface flow and consequently the organisms that depend upon the water.

An additional water issue is the fate of the water being used on the site, containing the flocculent and other pollutants. Will this be put back into the stream or into the ground water, and if so how will the flocculent and other pollutants be removed? It is stated that the flocculent is "safe" but no citation or evidence is given that it is not harmful to fishes or other organisms that the fishes depend upon.

In a discussion of alternatives it is mentioned that extensive use of Agua Dulce Canyon Road was considered for truck transport, but rejected. It appears from the DEIR that there are no project impacts in Agua Dulce Creek, however it should be noted that there is an important population of UTS in about a half-mile section of Aqua Dulce Creek immediately adjacent to the road just south of the 14 Freeway. This is a fragile population because the numbers are low and the water flow is minimal. It is also a particularly important population because it is out of the main stream of the Santa Clara River and thus is not subject to the same possible catastrophic impacts, such as toxic spills, that could eliminate large numbers of UTS in one incident.

Such possible spills occurring in the Santa Clara River in Soledad Canyon are a major concern relating to the project, especially because portions of the project area (Area B) actually occupy the river bottom and cross the river. The DEIR is not clear about exactly what project activities will be occurring in this area. A clear commitment should be made as to what specific steps will be taken to avoid spills and other impacts to the stream, even if it is dry much of the time.

Although not relating to the stickleback - threats to the Santa Ana sucker are also not addressed here. Santa Ana suckers are presumably about to be listed as threatened by the USFWS, so they should be addressed here. Santa Ana suckers occur upstream in Soledad Canyon and they occur in the River's End Park stream section. So again movement corridors are an issue and maybe even more so for the sucker. There is very little if any reproductive habitat for the Santa Ana sucker downstream of the project area and we have never seen evidence of reproduction in the River's End Park stream section. Consequently suckers must move upstream through the project area to reach reproductive sites, and any loss of connectivity will affect upstream migration and subsequent downstream movement of juveniles. (River's End Park does have rearing habitat and adult habitat.) Pumping of the Santa Clara River underflow will have a potentially significant impact on the Santa Ana sucker. This was not recognized in the DEIR and no mitigation has been proposed for these impacts.

Another organism dependent upon the aquatic habitat here is the southwestern pond turtle. A report in the DEIR appendix states that none were found, but I have been told by a reliable biologist, Mr. Frank Hovore, that he saw specimens in the vicinity of this site this year. I understand that he has submitted a letter giving the details. It should be noted that this is a species of concern and was proposed for federal listing. The assertion in the DEIR Appendix that the habitat needs of the pond turtle will be protected if those of the UTS are protected may not be valid, as the turtle needs deeper water with more pond-like conditions. Also the mitigation suggested there that trapping can eradicate the African clawed frog is not appropriate, as it is well known that trapping can only reduce frog numbers temporarily at best, not eradicate them.

Despite the Stormwater/Pollution Prevention Plans, we are not convinced that the large volume of fines that will be generated by this project can be retained totally on site without increasing the runoff of fines to the Santa Clara River. If there is an increase in the amount of fine sediment that enters the river it could prove to be disastrous, especially for the suckers. Any increase in fines will be accompanied by a concomitant decrease in the coarse sediments that enter the stream. The sucker feeds on epilithic diatoms and reproduces in gravels, as documented by Greenfield et al 1970 (Some aspects of the life history of the Santa Ana sucker, *Catostomus (Pantosteus) santaanae* (Snyder), California Department of Fish and Game 56:166-179). (This study was not considered in the DEIR.) A reduction in coarse sediment and an increase in fines would thus cause adverse alterations in the stream environment for sucker feeding and reproduction. It should be noted that the area of the stream close to the project was the site of the Greenfield et al's comprehensive study on the Santa Ana sucker.

An increase in fines will also adversely effect the UTS by increasing deposits of sediment on nests and eggs, and decreasing the water clarity. UTS need clear water, as acknowledged in the DEIR. This is because excess sediments deposited on eggs and nests kill the developing embryos. Also, the UTS is a visual feeder and relies on visual cues in reproductive behavior. Anything that reduces water clarity will have an adverse effect on this aspect of UTS life history as well. These impacts are more impacts on the sucker and UTS not considered in the DEIR.

It is noted in the DEIR that there will be a significant amount of blasting at the project site. It also appears that this may occur as close to the stream as the northwest corner of Area B (Fig. 1.2-2 shows mining included here). No mention is made of any possible impact of blasting on riparian biota, so the DEIR has failed to consider a potential significant adverse impact of the project.

One final comment of a more general nature is that this project is designed to remove materials from the hills adjacent to the Santa Clara River. Therefore this project will affect the amount of material moving into the stream. This project and other mining activities along the river in Soledad Canyon reduce the downstream movement of sediments, which is a natural and important stream function. One potential result of this lack of source sediments has been the significant downcutting seen lower on the stream near Interstate Highway 5 where anecdotal observations suggest about a 20 foot loss in streambed elevation. One adverse impact of this downcutting is to weaken the footings of bridges, such as the I-5 Bridge, causing conditions dangerous to the public and requiring extensive repairs in 1997 and 1998. This impact has not been evaluated in the DEIR.

In view of the deficiencies noted above, the DEIR is inadequate and should be substantially revised and recirculated.

Thank you for considering these comments.

Very truly yours,

Jonathan N. Baskin, Ph.D.
Thomas R. Haglund, Ph.D.
Principal Senior Scientists

C-23

LAW OFFICES
CHRISTENSEN, MILLER, FINK, JACOBS, GLASER, WEIL & SHAPIRO, LLP
2121 AVENUE OF THE STARS
EIGHTEENTH FLOOR
LOS ANGELES, CALIFORNIA 90067-5010
(310) 553-3000
FAX (310) 556-2920

DIRECT DIAL NUMBER
310-556-7802
EMAIL: RCOMER@CHRISMILL.COM

September 10, 1999

VIA FACSIMILE AND MESSENGER

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

Re: Draft Environmental Impact Report Soledad Canyon Sand and Gravel Mining Project, Project No. 91165 – State Clearinghouse No. 91111066

Dear Dr. Koutnik:

Thank you for providing us the opportunity to review and comment on the Draft Environmental Impact Report (the "DEIR") for the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mix Concrete Company (the "TMC Project"). This firm represents GRC Development, the developer of the Bee Canyon Mobile Home and Manufactured Housing Project (the "Bee Canyon Project") which is currently pending approval before the Regional Planning Commission.

GRC does not oppose the TMC Project. Our position continues to be that the projects are compatible, and that any potential incompatibilities between the two projects can be reduced to less than significant levels with the inclusion of reasonable conditions and mitigation measures in both projects. The purpose of this letter is to raise questions regarding certain aspects of the DEIR that require clarification. In addition, we urge the Regional Planning Commission (the "Commission") to approve a combination of the Reduced North Fines Storage Alternative with a portion of the Alternative North Fines Storage Area because this represents a feasible, environmentally superior alternative that meets or improves upon all the TMC Project objectives.

1. **Project Description.**

1.1 Need for Aggregate Reserves.

Section 1.3.2 indicates that existing aggregate reserves for Los Angeles County will be depleted over the next several years. The DEIR's treatment of aggregate reserves as approaching depletion fails to consider the significant amount of aggregate resources. The DEIR should address the volume of aggregate resources in Los Angeles County more specifically in evaluating the need for aggregate reserves.

As of January 1994, the estimated PCC-grade aggregate resource in Los Angeles County areas designated as MRZ-2, where PCC-grade aggregate is technically and economically available, totaled 11,929 million tons, including 750 million tons of aggregate reserves (CDMG 1994). Based on historical production and consumption data and the projected 50-year demand, the California Department of Mines & Geology ("CDMG") estimated that a total of 1,105 million tons of PCC-grade aggregate will be required to meet the 50-year demand (CDMG 1994). To meet the 50–year demand, the CDMG estimated that an additional 355 million tons of PCC-grade aggregate resource will need to be converted to reserves over the 50-year period. When considering the existence of 11,929 million tons of total PCC-grade aggregate resource and reserve in Los Angeles County, there exists a 593-year supply of PCC-grade aggregate. Even if no additional resources are identified and even if only one half of existing resources are converted to reserves (5,964 million tons) there is a 270-year supply. More significant is the fact that the 50-year additional need for 355 million tons of aggregate reserves represents only 3.2 percent of the current identified and designated MRZ-2 aggregate resource in Los Angeles County.

In addition, the CDMG estimated that as much as 25 percent of the construction aggregate (base material) sold in the greater Los Angeles area is produced from recycled material. Base material does not require PCC-grade aggregate; however, due to the abundance and very low value of PCC-grade aggregate, significant quantities of PCC-grade aggregate are unnecessarily being diverted for use as base material. Although the DEIR indicates that recycled aggregate is not worth considering because CalTrans does not approve of its use, the DEIR does not address the impact of recycled base material on the availability of PCC-grade aggregate. With recycled material supplying a significant amount of base material in Los Angeles County, a higher percentage of the aggregate from the PCC-grade aggregate deposits will be used for PCC-grade aggregate, thereby preserving more PCC-grade aggregate for uses where PCC-aggregate is required. Further, there are other areas of the County known to have significant aggregate deposits but with insufficient information to determine resource volumes (zoned MRZ-3). In

order that the volumetric analysis in TMC's report present an accurate estimate, the volume of potential resource presently zoned MRZ-3 should be included in the estimate of aggregate resources. This factor, if considered, would also extend the life of the PCC-grade aggregate resource in the County considerably.

1.2 SMGB Land Use Categories.

The State Mining and Geology Board ("SMGB") land use categories recited in Section 1.3.2 are incorrect. The DEIR repeats land use categories of "Incompatible" and "Compatible" land uses reported in a 1987 Geology Board Designation Report for the Saugus-Newhall and Palmdale Production Consumption Regions. However, these definitions have been superseded by the Mineral Resource Management regulations implementing SMARA. These regulations are found at 14 Cal. Code of Regs. § 3675, and read as follows:

> "**Compatible Land Use.** Land uses inherently compatible with mining and/or that require a minimum public or private investment in structures, land improvements, and which may allow mining because of the relative economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, very low density residential, geographically extensive, but low impact industrial, recreational, agricultural, silvicultural, grazing, and open space.
>
> **Incompatible Land Use.** Land uses inherently incompatible with mining and/or that require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, high density residential, low density residential with high unit value, public facilities, geographically limited but impact intensive industrial, and commercial."

The land use categories identified in the 1987 Geology Board Report for MRZ-2 or adjacent lands and recited in the DEIR predate the codification of land use categories in the SMARA regulations. Consequently, land use categories in the 1987 Geology Board Report and recited in the DEIR are superseded by the SMARA regulations. The DEIR's use of the 1987 Geology Board Report's land use categories is misplaced and misleading. The regulations implementing SMARA define compatible uses more broadly than the 1987 Geology Board Report. 14 CCR § 3675. The Mineral Resource Management regulation's definition of "compatible land use" is not identical to the definition found in the 1987 Geology Board Report and broadens the examples. Among other differences, the Mineral Resource Management regulation definition states that "examples of such uses may include, but shall not be limited to,

very low density residential" and eliminates the 1 unit per ten acres example referenced in the 1987 Geology Board Report.

The codified regulation implementing SMARA supersedes the 1987 Geology Board Report because it is a statutorily authorized regulation rather than merely a report of the Board. The statute, SMARA, states that the adopted regulations "establish state policy." Public Resources Code § 2755. In addition, the regulation was issued one year later than the 1987 Geology Board Report. The State had the option to use the prior language and chose not to. Thus, the recitation of the definitions in the DEIR should be deleted and replaced with definitions provided above.

2. **Biota – Slender-Horned Spineflower.**

Section 3.8.3 of the DEIR and Appendix F4 of the technical appendices acknowledge the presence of a population (1,000+ individuals) of endangered slender-horned spineflower in the alluvial wash within Bee Canyon, but fail to assess the impact of the TMC Project on this spineflower population. Although the DEIR and the technical appendices indicate that the spineflower population is "well outside the Project boundary," the TMC Project may present a significant off-site impact on the spineflower population in Bee Canyon.

As proposed, the TMC Project will significantly alter the topography of Agua Dulce Ridge, resulting in potential impacts to the spineflower population in Bee Canyon. By reducing the surface area of the north side of the ridge, the TMC Project will alter the surface area of the watershed from Agua Dulce Ridge to the spineflower population below. The DEIR should assess the potential impacts of this topographical change on the spineflower population in Bee Canyon. In addition, creating the North Fines Storage Area will change the character of the siltation and sediments in run-off from Agua Dulce Ridge to the spineflower population below. The potential impacts on the spineflower population resulting from this change in the siltation and sediments in run-off from the North Fines Storage Area should be assessed.

The Bee Canyon Project has established a habitat reserve for the spineflower population in Bee Canyon, and has incorporated several other design features and mitigation measures. The potentially significant impacts of the TMC Project on the habitat preserve established for the protection of the spineflower population in Bee Canyon must be addressed in the DEIR.

3. **Land Use.**

3.1 Correct Description of the Bee Canyon Project.

Section 3.1.12.1 incorrectly describes the Bee Canyon Project as a 211-acre, 650-unit project involving some cut slope grading within the boundary of the TMC Federal Contracts area. The most recent previous proposal had eliminated all such cut slope grading. Further, the current proposal for the Bee Canyon Project goes even further and eliminates the units from the 28-acre portion of the Bee Canyon site that lies outside the TMC Federal Contracts area but within the MRZ-2 zone. The current proposal eliminates approximately 100 units closest to the proposed TMC Project, reducing the total to 550 units. This current Bee Canyon Project reduces the amount of manufactured homes to no more than 25 percent, and eliminates all units from the southern Hillside Management area. The mistaken description of the Bee Canyon Project in the DEIR should be corrected and all conclusions regarding the Bee Canyon Project should be reconsidered and revised accordingly.

3.2 Surrounding Land Uses.

Section 3.1.12.1 states on page 3-319 that the "predominant land uses on-site and in the Project vicinity include industrial uses and other mining sand and gravel operations." Yet on page 3-317, the DEIR states that "the unincorporated areas surrounding the Project site are mostly undeveloped." The contradiction of these two statements should be resolved. Are not the surrounding land use designations on the Land Use element of the General Plan primarily R-Non-Urban, not industrial? The existing zoning in the area of the TMC Project is split between A (Agricultural) to the northwest and some areas to the southeast and M (Manufacturing) to the southeast. In addition to the Bee Canyon Project, a significant amount of existing and proposed land uses are residential. An existing 634-unit residential community is 1.5 miles from the TMC Project (Tract no. 36943) and a 500-unit residential project is proposed directly north of the TMC Project (Tentative Tract no. 48086). An existing 36-unit trailer community is within one quarter mile of the TMC Project's proposed mineral extraction activity.

3.3 Consistency with the Santa Clarita Valley Area Plan and General Plan.

Section 2.3.2 describes "apparent inconsistencies" in the Santa Clarita Valley Area Plan (the "Area Plan") in a section purporting to discuss consistency with local and regional planning. The section also fails to discuss the Los Angeles County General Plan (the "General Plan"). Although Section 3.1.12.2 refers the reader to Section 2.3.2 for a discussion of consistency with local planning, Section 2.3.2 never concludes whether the TMC Project is or is not consistent

with the Area Plan or the General Plan. Yet, the DEIR concludes that the TMC Project has no significant adverse land use impacts and requires no mitigation measures, except review and approval of the Reclamation Plan. That the DEIR concludes the TMC Project is consistent with the Area Plan and the General Plan must, therefore, be inferred. Nevertheless, the DEIR should provide a more thorough and detailed analysis of consistency with all applicable goals and policies of both the Area Plan and the General Plan. This analysis should include, but not be limited to, the following: Area Plan Community Design Element Policy 1.1, Area Plan Scenic Highway Policy 4.1, Area Plan Natural Resources Policy 1.8, and Area Plan Land Use Compatibility Policy 6.1.

For example, Area Plan Land Use Compatibility Policy 6.1 states:

> "Encourage the appropriate mix of land use types to prevent disharmony and degradation, Residential, commercial, employment, recreational, and cultural uses should be integrated using appropriate buffering techniques to create a cohesive community."

The DEIR should address how the TMC Project is consistent with this policy when the River End Trailer Park is located within one quarter mile of the TMC Project.

In addition, the DEIR indicates development of the Bee Canyon Project may be incompatible with the TMC Project, but avoids any discussion of the TMC Project's inconsistency with the Area Plan which designates Bee Canyon as the site of a mobile home park. The Area Plan clearly provided for a mobile home park as the primary land use for Bee Canyon prior to TMC's application for a surface mining permit on the adjacent land. Although any potential incompatibilities between the two projects can be mitigated, the potential incompatibility should not be attributed exclusively to the Bee Canyon Project. Just as the TMC Project is consistent with the zoning and land use designations on its project site, so too is the Bee Canyon Project consistent with the zoning and land use designations on its project site.

One of the most important changes reflected in the Area Plan is the upward revision of population, employment and housing projections, which guide land use allocation. During the years 1989 - 2010, the population is expected to increase 78%, housing needs are expected to increase 93%, and employment is expected to jump nearly 250%. The Area Plan responds to these changes by identifying a need to "promote and support efforts by public and private agencies and citizen groups to provide sufficient housing in <u>all price ranges to enable</u> persons employed in a community to obtain housing in that community." Area Plan § V, Housing Element, Policy 2.1, p. 18 (emphasis added). One of the means of achieving the goals of the

Area Plan is encouraging the development of manufactured housing and mobile home units. Area Plan § V, Housing Element, Policies 3.1 - 3.6, p. 19 (emphasis added).

To that end, the Area Plan articulates the following specific "Plan Policy" relating to Bee Canyon:

> **"Bee Canyon**
>
> To the southwest of Agua Dulce and east of Sand Canyon, adjacent to the Antelope Valley Freeway lies Bee Canyon. This large, relatively flat area is in close proximity to urban development to the west. The urban designation on the Land Use Policy Map is intended for development of a mobile home park through the use of a Specific Plan containing the following provisions:
>
> - 30% of the total spaces shall be permanently reserved for relocated units.
> - Long term leases shall be provided which conform to County Policy.
>
> If such a specific plan is not approved, the underlying designation shall be Hillside Management."

Area Plan § IV, p. 9.

The Area Plan expressly intended and permits development of a mobile home park on the Bee Canyon site under an urban land use designation so long as a Specific Plan addressing the relocation and lease issues in the Area Plan is prepared and adopted. The Bee Canyon Project's Specific Plan fully conforms to the express intent of the Area Plan that a mobile home park be developed in Bee Canyon. The Project will permanently reserve 30% of the spaces for relocated mobile home units. The Project will also provide for minimum one year leases in conformance with County Policy.

Rather than creating the illusion of incompatibility, the Land Use analysis of the TMC Project DEIR should focus on the mitigation measures, buffers, and alternatives available to reduce the impacts of any potential incompatibility to less than significant levels. For example, Section 3.1.5.3 of the DEIR proposes mitigation measure N2, which requires the construction of berms and cut slopes to shield the Bee Canyon Project from noise associated with the TMC Project. A similar mitigation measure is included in the Bee Canyon Project DEIR. The combination of these measures and others will ensure the compatibility of the two land uses. In

addition, the environmentally superior Reduced North Fines Storage Area Alternative identified in the DEIR would also reduce potential incompatibilities between the TMC Project and the Bee Canyon Project to insignificant levels. Combining the Reduced North Fines Storage Area Alternative with Areas D and C of the Alternative North Fines Storage Area would provide an even more superior result than the Reduced NFSA.

3.4 Discussion of the Surface Mining and Reclamation Act.

The DEIR's discussion of the Surface Mining and Reclamation Act ("SMARA") in Sections 1.3.2, 2.3.1, and 3.1.12 should be expanded. In its current form, the DEIR implies that SMARA is a law requiring that proposed mining applications be approved over incompatible uses and that the policies of SMARA are more important than other competing land use policies.

Although SMARA mandates the adoption of certain policy elements in planning documents, SMARA does not control local government land use determinations. Rather, SMARA explicitly grants local governments unlimited control over land use determinations. SMARA extends no special protection to the proposals of mining companies and does not limit the power of the a lead agency to adopt policies, standards, or regulations imposing additional requirements on any mining operation. Even if the Bee Canyon Project and the TMC Project are determined to be potentially incompatible with each other, SMARA regulations grant explicit authority for local governments to approve an incompatible use by weighing the merits of competing uses, or if the effects of incompatibility can be mitigated.

The DEIR discusses the criteria of compatible and incompatible land uses identified in the regulations implementing SMARA, but does not adequately evaluate the Bee Canyon Project with respect to these criteria. SMARA regulations identify very low density residential uses as compatible with mineral resource policies. The Bee Canyon Project is within the lowest residential density designation found in the County General Plan. The lowest residential density contemplated in the General Plan is "Low Density Residential" which "typically range from one to six units per acre." The Bee Canyon Project density is 2.6 units per acre, clearly within the lower half of the lowest residential density range contemplated in the General Plan. Consequently, the Bee Canyon Project is a low density residential project. Further, the Bee Canyon Project is comprised predominantly of mobile homes and relocated mobile homes which do not have high unit values and are, by definition, able to relocate. The DEIR should provide a more detailed analysis of the incompatible elements, if any, within both the TMC Project and the Bee Canyon Project to guide the imposition of reasonable mitigation measures on both projects.

4. Alternatives

4.1 Reduced North Fines Storage Area ("NFSA") Alternative.

Section 3.5.11 identifies the Reduced NFSA Alternative as the environmentally superior alternative because the Reduced NFSA Alternative will have less environmental impacts, meet the TMC Project objectives, and remain economically feasible. Section 3.5.5.5 indicates that this alternative would have less noise and vibration impacts on potential sensitive receptors in the Bee Canyon Project. In addition to reduced noise impacts, it is also true that the Reduced NFSA Alternative would have less impacts on the Bee Canyon Project and the entire community with regard to air quality, visual qualities, and land use. Although Section 3.5.5.12 indicates the land use impacts of the Reduced NFSA Alternative would be the same as the Concept Plan, the alternative would appear to ensure greater functional land use compatibility between the Mining Project and its neighbor, the Bee Canyon Project.

Public Resources Code Section 21002 states:

> "[I]t is the policy of the state that agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures that would substantially lessen the significant environmental effects of such projects. . . ."

Because the Reduced NFSA Alternative would substantially lessen the significant environmental effects of the Concept Plan and is a feasible, environmentally superior alternative, the County would be without evidence to support a finding rejecting the Reduced NFSA Alternative as infeasible. Therefore, at a minimum, the Reduced NFSA Alternative should be approved and the Concept Plan rejected.

4.2 Combine Reduced NFSA with Alternative NFSA Analysis.

Section 3.5.9 of the DEIR presents the Alternative NFSA analysis, in which the storage of fines is relocated further north of the TMC Project site. Figure 3.5-15 shows four sections of fines storage: A, B, C, and D. The DEIR indicates that this alternative may be infeasible in part because Areas and B are located outside the TMC contract area and Area C is only partially within the TMC contract area. In addition, the DEIR indicates that several environmental impacts would be greater than the proposed TMC Project because the impacts would be spread across a larger area. This analysis of the Alternative NFSA may be correct, but the

environmental concerns of the Alternative NFSA may be eliminated by combining the Reduced NFSA with a less expansive version of the Alternative NFSA.

The combination of these two alternatives would involve using the reduced volume of fines stored under the Reduced NFSA and the inclusion of Area D and the portion of Area C that is within the TMC contract area from the Alternative NFSA. Such an alternative would maintain the storage of fines within the TMC contract area and limit the storage of fines to Area D, the TMC contract area portion of Area C, and a very small portion of the Reduced NFSA. This combined alternative would also result in similar reductions in environmental effects identified for the Reduced NFSA alternative, but ensure maximum functional land use compatibility among the TMC Project, the Bee Canyon Project, and other residential uses. Finally, the combined alternative may eliminate potentially significant impacts on the spineflower habitat in Bee Canyon by reducing and relocating the storage of fines to areas that will not effect the siltation and sedimentation of run-off from Agua Dulce Ridge to the spineflower habitat below.

If the combined alternative would substantially lessen the significant environmental effects of the Concept Plan and is a feasible, environmentally superior alternative, the County would be without evidence to support a finding rejecting the combined alternative as infeasible. Therefore, We strongly suggest that the combination of the Reduced NFSA alternative and the Alternative NFSA analysis be considered as a feasible and perhaps environmentally superior alternative to the Concept Plan and any of the alternatives presented in the DEIR.

4.3 Product Transportation Alternative – Use of Rail.

Section 3.5.8. of the DEIR purports to analyze the use of rail as an alternative to trucking as the primary means of transporting product from the TMC Project. However, the use of rail is determined to be infeasible because rail would essentially relocate significant air quality, traffic and noise impacts from the TMC Project site to the Los Angeles distribution terminal. This analysis is, at best, incomplete. The use of rail is primarily intended to reduce the 40 mile round trip to the San Fernando Valley, not the local travel once the aggregate gets there. Further, the conclusion is based upon an assumption of shifting most if not all of the transportation of product from trucking to rail. This analysis of rail fails to evaluate the option of splitting the transportation of product more evenly between rail and trucking. Such an approach may significantly reduce air quality, traffic, and noise impacts at both the TMC Project site and the Los Angeles distribution terminal.

In addition, the DEIR does not address the economic impacts of either rail or combining rail with trucking. Throughout the DEIR, economic feasibility and economic goals are cited as

primary concerns. If the use of rail could reduce the cost of transporting product, the reliance on economic feasibility conclusions would seem to require an analysis of the economic benefits of rail.

Finally, the use of rail relates to the feasibility of the Antelope Valley alternative site referenced in Section 3.5.2.1 of the DEIR Further analysis of this site was determined to be infeasible because of the distance between the site and TMC's primary market, resulting in additional costs as well as increased air quality impacts. This determination was premature and without substantiation. However, these concerns assume the use of trucks as the primary transportation method of product from the Antelope Valley site. Before full analysis of the Antelope Valley site is rejected as infeasible, the site's feasibility should be studied with reference to the availability and benefits of using rail to transport all or a portion of the product.

4.4 Economic Feasibility.

Section 3.5.11 indicates that the Reduced Mining Concept Alternative would not be economically feasible. Economic feasibility for purposes of the DEIR analysis of alternatives was apparently based upon feasibility evaluations prepared by the applicant which showed that at least 56.1 million tons of PCC grade aggregate must be produced to guarantee $28 million in royalties to the Federal Government and provide the applicant a reasonable economic return. Thus, these economic evaluations not only form the basis of determining the economic feasibility of alternatives, they also form the basis of a key TMC Project objective. Yet the economic evaluations are not included in the technical appendices of the DEIR.

Why have the economic evaluations not been provided so that the public may determine whether the objective is reasonable and whether the conclusions regarding economic feasibility are supported? How can the County support any findings on this issue without evidence of economic feasibility available in the administrative record?

5. **Conclusion.**

Thank you again for the opportunity to provide comments on the TMC Project DEIR. We reiterate that we do not oppose the TMC Project and encourage the Commission to approve the environmentally superior combination of the Reduced NFSA Alternative with a portion of the Alternative NFSA.

Very truly yours,

R.J. Comer
for CHRISTENSEN, MILLER, FINK, JACOBS
GLASER, WEIL & SHAPIRO, LLP

RJC:rc

cc: Supervisor Mike Antonovich

C-24

Friends of the Santa Clara River
660 Randy Drive Newbury Park, CA 91320
805-498-4323

September 13, 1999

Mr. Daryl Koutnik
L. A. County Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Soledad Canyon Sand and Gravel Mining Project #91165, SCH #91111066

Dear Sirs,

Friends of the Santa Clara River offers the following comments on the subject project.

We are very concerned about overpumping of the alluvial aquifer. The safe yield of the Santa Clara River eastern basin was calculated by Richard Slade in 1986 as approximately 32,000AF per year, and is the generally accepted value. *This level is already being exceeded by municipal and other entities (ref: Santa Clarita Valley Water Report, 1998, Table III-7).* The proposed project would add to the current overdraft condition.

Secondly, water use for the project could well diminish surface flows in the Santa Clara River, since surface and subsurface flows are interconnected (Ref: Ground Water Systems report, April 1993, Chapter 11). The Draft EIR did not disclose this potentially very harmful impact to aquatic species, in particular the unarmored threespine stickleback, a federally endangered fish. *This deficiency in the EIR must be corrected.*

Thank you for your consideration of these issues.

Sincerely,

Ron Bottorff, Chair
Friends of the Santa Clara River

SCOPE

Santa Clarita Organization for Planning the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, CANYON COUNTRY, CA 91386

9-9-99

Mr. Daryl Koutnik
LA County Regional Planning Dept.
320 W. Temple St.
Los Angeles, Ca. 90012

Re: Soledad Canyon Sand and Gravel Mining Project #91165, SCH #91111066

Dear Sirs:

SCOPE will focus its comments on a review on the Water Resources Section of this DEIR. However, we wish to incorporate by reference the objections of all other agencies and organizations such as the City of Santa Clarita and S.A.F.E. particularly pertaining to the sections regarding traffic analysis, air quality and alternative analysis.

Water Resources

Riparian Rights

Transit Mix has no claim to riparian water rights for this project. The existing wells that it proposes to use are located on property owned by CA Rasmussen, not by Transit Mix. Review of background reports included as references to the DEIR (Evaluation of Water Systems in the Vicinity of the Transit Mixed Concrete Co. - Rasmussen Co..., April,1993, Ground Water Systems, Inc.) indicates that geological formations beneath the actual project site are most probably bedrock and non-water bearing. Riparian rights involve the diversion of surface flows or flow from an underground stream having defined bed and banks. The above referenced report indicates there are not sufficient surface flows to allow diversion without impacting public trust rights, and that water geological formation will preclude water producing wells on site. Due to the presence of a listed endangered specie, the Unarmored Three-Spined Stickleback, water rights under public trust law will be asserted with all due diligence by many organizations if attempts to divert surface flows will result in elimination of habitat

Riparian rights exercised from an underground stream require that the underground flow have defined bed and banks. The geological data in the above referenced report does not indicate the presence of defined bed and banks in this area of the Santa Clara River. (See especially Appendix F correspondence from California Geophysical Group, Inc. where data sheets attached indicates extensive sand formations rather than granite bedrock).

Appropriative Rights

It is unlikely that Transit Mix will be awarded appropriative water rights for this project for the reasons outlined in the above paragraph. Transit Mix and others have had applications before the SWRCB for appropriative rights on the Santa Clara River for many years. Protests to these applications have been filed by all municipal water companies in the area, by several private parties and by our organization. It is our understanding that these applications have been combined and will not be heard until June of next year. Due to the doubtful outcome of Transit Mixed Concrete's Application, it would be prudent for the County to delay approval of this project until this water source issue is resolved.

Public Trust Rights Violated

The sustainable yield for this project is calculated to not produce drawndowns greater than 40% (See report by Western Technologies, 1989, introduction). Surface and subsurface flows in the area have been found to be inter-connected (see report by Ground Water Systems, April 1993 Chapter 11.2 Section B). A 40% draw-down will therefore affect surface flows. The extent of this affect and its potential to impact, indeed, ***eliminate***, the unarmored three-spined stickleback, was not investigated by any of the water resource reports or the DEIR. ***Failure to disclose this impact is an EIR deficiency and must be address.*** Such impacts would constitute a violation of Public Trust Law and a violation of the Endangered Species Act.

Rights to Percolating Ground Water

If the water source at the Rasmussen property is found to be percolating ground water (it is our belief, based on existing geological and hydrological reports, that this is the case), than use of water will be subject to the availability of that resource in relation to its use by others on the River and subject to Public Trust rights. Therefore, the DEIR must specifically examine the water flowing into the area to address whether there is an excess of this resource available. This question was specifically avoided by Transit Mixed Concrete Co. (See Appendix A Scope of Work, Ground Water Systems Report April 1993). Rather, only the water resource as it ***leaves*** the property was identified for study (see page 4 and page A-1). Further, no data was even obtained for inflow estimates. ("As Can be noted data from Cross Sections AG-AG, BG-BG, FG-FG, HG-HG, and IG-IG through OG-OG have been excluded from Table 5-2. This exclusion was done because data from such cross sections is either absent or inconsistent for August 1989", pg. 36 and " Subsurface flows through cross sections AG-AG and BG-BG have not been calculated", pg. 43). However, the charts on page 3-44 of the DEIR from a hydrological study conducted by Richard Slade in 1990 indicate the available water in the immediate upstream Acton basin (2339 AF) is fully utilized by existing purveyors and private users (2540 AF). That means there ARE NO EXCESS FLOWS INTO THE TMC AREA. Therefore, the only excess flows that may be available are those emanating from the Bear Canyon Watershed. The DEIR should evaluate the water available from this watershed only. Our preliminary review of the background reports indicates that water available from this source falls far short of the 784 acre feet required annually to support this project. Without an adequate water resource this project must be denied.

Data Not Current

Further, all water resources studies are based on information compiled and analyzed between 1989 and 1991. This makes all data a minimum of eight years old. Considerable building has occurred both upstream and downstream from this site. Updated water usage data must be supplied prior to final consideration of this project to ensure that existing users will not be impacted.

Yield Not Sustainable

Total water usage for this project is estimated to be 442 AF for phase I and 746 AF after phase II is implemented (p.3-60). These figures are arrived at only after a 35% reduction for the use of clarifiers. ***Therefore, clarifiers must be made a project condition if even the water usage levels sited in the DEIR are to be achieved.***

This water usage will over-draft the existing water resources of the Santa Clara River. As indicated in the section labeled "Storage Capacity of the Alluvial Aquifer" (Introduction, no page numbers

indicated), by Western Technologies, Inc., 1989 , the sustainable yield in this area is 283 AF in a dry year to 419 AF in a wet yea ***based on 80% of water return from the project to the River***. However, the DEIR states on page 3-60 "No waste or return to the River of water is planned". Further, for the purposes of this report sustainable yield is defined as "the maximum amount of water that can be withdrawn from the alluvial aquifer in the study area without creating average drawdowns greater than 40 percent of the original saturated thickness." This is an unusual definition of sustainable yield. Sustainable yield is commonly accepted to indicate water usage that will not degrade water quality or desiccate wetlands, yet the study definition would do both (a 40% draw down would affect surface flows since the are inter-related, see referenced report by Geo Water Systems, Chapter 11-2 B. "Surface Water Flows in the Santa Clara River Valley" and the Law/Crandell, 1991 Water Quality Analysis "pg. 8 "There may be a slight increase in total desolved solids content"..) We therefore object to this definition sustainable yield as being an oxymoron and self-contradictory. It despises that fact that real and substantial over-draft problems will occur if this project is approved.

Other Errors in the DEIR

In a table on pg. 3-66, the DEIR mistakenly cites an annual safe yield from the Saugus Aquifer as being 22,000 acre feet. In fact, this is a wet year estimate that ***has never and may never been achieved from the Saugus Aquifer***. In his "Hydrological Study of the Saugus Aquifer, 1988, Richard Slade found the Saugus aquifer yield to be from 11,000AF to 22,000. The Castaic Lake Water Agency Water Transfer FEIR uses the 11,000AF figure for all water calculation (See Table 2-1, pg.2-10) and highest water usage of the Saugus occurred in 1991 when 14,900 AF were pumped according to Table III-7 in the Upper Santa Clara Water Supply Report.) Usage of the Saugus aquifer is usually substantially less (around 5000AF) due to hardness of water and other water quality problems from this source. This figure should therefore be corrected to indicate the dry-wet range or to use the figure accepted by Castaic Lake Water Agency.

The Santa Clara River is Already in Over-draft

The safe yield of the Santa Clara River eastern basin was calculated to be 25,000AF by the USGS in 1972 and 31,600-32,500AF by Richard Slade in 1986. Both these two figures have been exceeded by municipal and private pumping for the last 5 years as indicated in Table III-7 of the Santa Clarita Valley Water Report, 1998). Since the proposed project will exceed available water resources on site, it will add to over-draft of the alluvial aquifer. ***Such over-draft is consistent with the water resources section of the Santa Clarita Area Plan.***

Conclusion

Since there are no other water sources than the Santa Clara River identified for this project, approval under the present circumstances would constitute a violation of public trust law and a violation of the Endangered Species Act. Therefore, this project may not be approved as proposed.

Thank-you for your consideration of these issues.

Sincerely,

Lynne A. Plambeck
1st Vice President
Faxed 9-13-99 to comply with comment period deadline. Hard copy to follow via regular mail.

Response to Draft EIR
for the
Soledad Canyon Sand and Gravel Mining Project
State Clearinghouse No. 91111066
Surface Mining Permit #91-165-(5)

Submitted by

The Agua Dulce Town Council
And
The Agua Dulce Civic Association

33201 Agua Dulce Canyon Road
Box 8
Agua Dulce, CA 91350
(661) 268-1295 / (661) 268-8701
EMAIL: jduzick@earthlink.net
Tgtmkt1@aol.com

AGUA DULCE TOWN COUNCIL

Jim Duzick, President
(805) 268-1295
FAX: (805) 268-8345

COUNCIL MEMBERS

Diane Terito, Secretary
(805) 268-8701
FAX: (805) 268-7325
Email: tgtmkt1@aol.com

Mike Terito, Treasurer
(805) 268-8701
FAX: (805) 268-7325

George Dyer
(805) 268-1258
FAX: (805) 268-1103

Doc Ellis
(805) 268-1313

Dave McCord
(805) 268-0134
FAX: (805) 268-0728

Darrell Readmond
(805) 268-1087
FAX: (805) 268-1087

September 6,1999

Julie Moore, Project Planner
Department of Regional Planning
County Of Los Angeles
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California
90012

Re: **Response to Draft EIR for the Soledad Canyon Sand and Gravel Mining Project Number 91165-(5)**

Dear Ms. Moore:

Thank you for the opportunity to respond to the Draft Environmental Impact Report (DEIR) prepared for the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete Company.

As described in the DEIR/DEIS the proposed project involves surface mining of 83 million tons of sand and gravel, to produce 56.1 million tons of aggregate product on a 460 acre site just inside the area of influence of Agua Dulce. This project is two miles from the easterly boundary of the City of Santa Clarita. Zoning for the project site is designated M-2 by L.A. County and Santa Clarita's General Plan in County Code. In addition to mining, a concrete batch plant is proposed on a 40 acre area of the site. Surface mining operation and the operation of the concrete batch plant are currently forecast to continue over 20 years, or until the production of 56.1 million tons is completed in order to fulfill Federal Contracts CA20139 (to mine 14 million tons in the first 10 years) and CA 22901 (to mine 42 million tons of material in the second 10 year period.) These Federal Contracts exist between Transit Mixed Concrete Company and the U.S. Department of the Interior, Bureau of Land Management (BLM).

Mining of sand and gravel is regulated by federal, state and local laws, which establish functional jurisdictions which also regulate mining. These laws are:

- (California) Surface Mining and Reclamation Act of 1975 (SMARA), as amended in conformance and compliance with other local and federal laws.
- Surface Mining Control and Reclamation Act of 1977 (SMCRA - Federal)
- California Environmental Quality Act (CEQA);
- National Environmental Policy Act of 1969 (NEPA);
- Code of Federal Regulations-Title 43 (revised as of October 1, 1998); and
- United States Code Title 30 - Mineral lands and Mining.

The Agua Dulce Town Council's and Agua Dulce Civic Association's understanding is that, if local regulation by Los Angeles County conflicts with California State law, or if State law conflicts with Federal law, then Federal law takes precedence over State law, which then takes precedence over County regulation. The need to be aware of multiple jurisdictions over various issues is apparent, given the variety of agencies involved. Whatever jurisdiction becomes the functional jurisdiction highlights the need to be cognizant of all law and all agencies having the right to review and exercise jurisdiction in this case.

SMARA establishes the initial regulation of mining of sand and gravel in this case. The project site is located within an area officially designated by the California State Mining and Geology Board (SMGB) as a "Regionally Significant Construction Aggregate Resource Area." (See **Map enclosed, Appendix 8**) A 45 acre portion of this site was previously mined by prior sand and gravel operators, pursuant to a conditional use permit issued by Los Angeles County Regional Planning Commission, which expired in 1992. The project is located within Soledad Canyon and consists of two irregular shaped, contiguous parcels with a total area of 500 acres, located at 12101 Soledad Canyon Road.

The TMC project is adjacent to another surface mining project which has been proposed by CalMat. The BLM owns the mineral rights for both projects on the basis of Split Estate. The surface rights to TMC's project site are owned by Canyon Country Enterprises (dba, Curtis Sand & Gravel), while CalMat owns the surface rights for their proposed project site. The CalMat project is currently undergoing environmental review (County Project No. 91-307). This project is also part of the "Regionally Significant Construction Aggregate Resource Area" and proposes to mine 240 million tons of sand and gravel over 30 years.

Ownership in both these projects is held under the "Split Estate" concept. Landholder owns surface rights and mineral ownership is held by the United States of America and managed by the BLM. Recent litigation has established conclusively what the rights of each party are in a split estate transaction. The concept of split estate ownership was established under the Federal Stock-Raising Homestead Act.

Multiple jurisdictions (Los Angeles County, State of California, and Federal jurisdictions) create the need for the EIR and EIS. The drafts of these documents are currently being reviewed for this mining project and are subject to public hearings.

The Agua Dulce Town Council and the Agua Dulce Civic Association received the DEIR for the Soledad Canyon Sand and Gravel Mining project in February of 1999 and the DEIS in May of 1999. Both documents are currently being circulated for public review and comment, as required by law. State environmental law, through CEQA, and Federal law, through NEPA, require an environmental impact statement that evaluates a full range of environmental factors that could be impacted over the projected lifespan of the project. Prior to these documents being circulated, knowledge of the TMC project and the idea that portions of Agua Dulce had been designated as "Regional Significant Construction Aggregate Resource Area" was extremely limited.

A presentation by West Coast Environmental to an earlier Agua Dulce Town Council seated three years ago outlined in isolation only this project's conceptions. The project as described then by West Coast Environmental was in conflict with a proposed residential development forecast for Bee Canyon. BLM said then that the Bee Canyon Development could not be developed because BLM's jurisdiction to control the use of the land superseded that of L.A. County Regional Planning (**See Letter from Burke, Williams & Sorenson, RE: CEQA/NEPA Review of the Soledad Canyon Sand and Gravel Mining Project, dated July 7, 1999, Appendix 10**). The Town Council suggested to the principals involved then that West Coast Environmental come back with another presentation when they worked out the jurisdictional dispute. West Coast came back with another presentation when the DEIR/DEIS was released but the jurisdictional dispute clearly was not resolved.

In accordance with the provisions of CEQA, NEPA, Title 30 and Title 43 (**See Code of Federal Regulations, Title 43, Appendix 11**), the Agua Dulce Town Council and the Agua Dulce Civic Association have prepared a joint response to the DEIR/DEIS which identifies environmental issues and land use issues which are of concern to our residents and are related to the project's long term impacts on our community.

The Town Council's and the Civic's approach to identifying environmental issues that would affect the community was first to recognize SMARA and understand the intent of SMARA as stated in Section 2712. The intent of SMARA was to "create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that:

- Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a useable condition which is readily adaptable for alternative land uses.

- The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage and aesthetic enjoyment.

- Residual hazards to the public health and safety are eliminated.

The Council also recognizes that the intent was *not* to take private property for public use without payment of just compensation in violation of the California and U.S. Constitutions or to place any limitation on any of the following:

- On the police power of any city or county or on the power of any city or county to declare, prohibit or abate nuisances;

- On the power of any city or county to regulate the use of buildings, structures and land as between industry, business, residents, open space (including agriculture, recreation and enjoyment of scenic beauty and the use of natural resources) and other purposes."

(**See Sections 2713 and 2715 of SMARA, Appendix 5**)

Recognizing the intent of SMARA requires that one also recognize the existence and intent and ramifications of the State's efforts to designate Regionally Significant Construction Aggregate Resources areas. The creation of Production-Consumption Regions, to include the Saugus-Newhall PC Region, also created state-wide impacts on land use and investment decisions. Land use issues, as they impact general plans and compel local agencies to change age-old land use designations to accommodate mining, are significant. There has been a shift away from local control of land use decisions, when a (newly enhanced) definition of federally controlled mineral resources comes into play.

CEQA dictates how local governments exercise local control by acting as a watchdog on environmental issues through granting permits and CUP's after taking input from local residents. The California State Legislature (**See Public Resource Code Section 21000-21177, Appendix 6**) created CEQA laws to:

- "Develop and maintain a high quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state."
- "Take all action necessary to provide people of the State with clean air and water, enjoyment of aesthetic, natural, scenic, and historical environmental qualities, and freedom from excessive noise."
- "Prevent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for the future generations representations of all plant and animal communities and examples of plant and animal communities and examples of major periods in California history."
- "Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions."
- "Create and maintain conditions under which man and nature can exist in productive harmony to fulfill social and economic requirements for present and future generations."
- "Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality."
- "Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long term benefits and costs, in addition to short term benefits and costs and to consider alternatives to proposed actions affecting the environment."

The Town Council/Civic Association also recognize that the creation of the law known as NEPA was also a controlling factor in environmentally planning and permitting this project. Our Joint Task Force learned that NEPA requires "the Federal Government to use all practicable means and measures to protect environmental values." Section 101 (b) of the Act states, "it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy to avoid environmental degradation, preserve historic, cultural and natural resources and promote the widest range of beneficial uses of the environment without undesirable and unintentional consequences". Therefore, "NEPA makes environmental protection a part of every mandate of every Federal agency and department.

NEPA requires analysis and a detailed statement of the environmental impact of any proposed Federal action which significantly affects the quality of the human environment". "Each agency must designate a responsible official who must ensure that NEPA issues are addressed as part of the agency's actions. All agencies must use a systematic interdisciplinary approach to environmental planning and evaluation of projects which may have an affect on the environment. This includes projects that are funded by the Federal Government."

The Joint Town Council/Civic Task Force also learned that Title 43 and Title 30 of Federal Regulation and United States Code determine how federal law dictates how Mining Contracts are written and must be administered. This Federal Code also determines how mines and reclamation projects operate. The issues outlined in Title 30 and Title 43 protect the rights of the United States of America in disposition of publicly held federal assets. These laws also protect the public by defining how the US government or its representatives conduct business – when and where they mine.

Against this backdrop of a safety net of laws (CEQA, NEPA, SMARA, and Title 43 and Title 30), mining on a large scale has been introduced into Agua Dulce and Santa Clarita as an accomplished fact. The steps along the way can be outlined as follows:

- 1985 – DEIR published by the California State Mining and Geology Board (SMGB). Public hearings were held in Palm Desert, Santa Rosa and Claremont;
- 1987 - Designation of Regionally Significant Construction Resources in the Saugus -Newhall and Palmdale Production-Consumption Regions;
- 1994 - Integrated into a proposed South Coast Resource Management Plan published to the public in November of 1982 and finalized in a June 1994 South Coast Resource Management Plan and Record of Decision.

With these steps, areawide, large scale mining can become part of the Agua Dulce/Santa Clarita landscape. The Transit Mixed Concrete Project (Contract #91165) is the first of what will be 50 to 100 years of projects which will establish this designated area and change the character and livability of the region irrevocably. There is little doubt that the CalMat Project (Regional Planning No.91-307-(5)) will soon follow this TMC Project (**See CalMat Company, "Surface Mining and Reclamation Plan", September 1991, Appendix 9**)

The Transit Mix 20 year project is initially proposed to mine 83 million tons producing 56.1 million tons of marketable material. Mining will generate 26.6 million tons of fines using a minimum of 594 acre feet per year of water (20 year average). Operations are scheduled for 24 hours a day, 7 days per week if the permit to mine is approved.

CalMat's 30 year project is immediately adjacent to the Transit Mix project and occupies initially 580 of an 1183 acre site. This project plans to mine, at least in the beginning, 184 million tons producing 110.5 million tons of product and 73.5 million tons of fines. CalMat projects that it will use 1354 acre-feet of water per year.

The Transit Mix Project as described in the DEIR/DEIS cannot be entirely mitigated as SMARA, NEPA, CEQA and Title 43 and 30 require. This is evidenced by the request that a

FINDING OF OVERRIDING SOCIAL AND/OR ECONOMIC CONSIDERATIONS must be made if this project is to be approved.

State law (through CEQA) and Federal Law (through NEPA) requires that Environmental Impact Reports and Environmental Impact Statements be issued that evaluate the full range of environmental factors that could (or will) be affected by this 20 year mining proposal.
As part of the public comment period, persons with concerns related to the environmental consequences may submit written comments or deliver oral comments during the public hearing(s). The public comment process is designed to provide all affected parties an opportunity to identify potential adverse impacts not considered in the DEIR/DEIS or to express concern over specific issues.

Given the backdrop listed here of the various laws governing or influencing the development of this project, the Agua Dulce Town Council's and the Agua Dulce Civic Associations' comments which follow are intended to itemize and explain the community's concerns.

Issues in general are: (Please see individual Sections for specific issues. Sections are provided with quantitative backup included in the Appendices Section of this Report)

1. **Project Description**
2. **Land Use Issues - Compatibility and Land Use Conflicts**
3. **Air Quality**
4. **Water Issues**
5. **Traffic/Circulation**
6. **Noise and Vibration**
7. **Biological Resources**
8. **Aesthetics/Visual Resources**
9. **Cultural Resources**
10. **Geology**
11. **Recreation and Trails**
12. **Letters From Community Members**

The February 1999 Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project ("DEIR") fails to comply with the California Environmental Quality Act and the State guidelines . The DEIR must be revised and recirculated.

Project Description

The DEIR/DEIS project description is inadequate because it fails to evaluate the full range of environmental factors that could be affected over the 20 years or proposed life of the project.

The BLM originally published a Notice of Sale, dated September 15, 1989, offering 100 million tons of sand and gravel for sale **(See BLM Notice of Sale, Appendix 1)** TMC, in public information brochures circulated as early as 1994, describes initial contracts to mine

56.1 million tons. The brochure states that, "at the end of TMC's contracts with the federal government, it is anticipated that BLM will put the remaining identified 43.9 tons of sand and gravel reserves up for bid again." "Mining is expected to continue", *THE BROCURE SAYS.* (**See TMC's Soledad Canyon Sand and Gravel Brochure, 1994, in Appendix 12**) The scope of this project, in contrast to the analysis done by the DEIR/DEIS, appears to be a minimum 100 million tons, not 56.1 million tons ON THIS SITE. In actuality, ***the maximum amount of material which might be mined from this site may be far greater than 100 million tons.***

The Department of Conservation, State Mining and Geology Board (SMGB) in Sacramento, refers to data from an "Aggregate Resources Report for Los Angeles and Ventura Counties" in a letter to Paul McCarthy of the L.A. County Department of Regional Planning. The report referenced describes ***1.5 billion tons*** of aggregate that are available in Sector B-2 (Soledad Canyon), which includes only the Transit Mix project area (500 acres) and the CalMat proposed project area (1,183 acres) (**See "Aggregate Resources Report" in Appendix 13 and See Department of Mining and Geology Board letter to Paul McCarthy in Appendix 14 - Page 4**). The report states that the Saugus-Newhall PC Region "has more opportunities for a large expansion of permitted aggregate lands than the adjacent regions" (San Fernando, Simi Valley, and San Gabriel Valley P-C Regions.) Sector B-2's 1.5 billion identified material is more available and exportable than the 747 million tons of material in Sector A and 5.2 billion tons in Sector C of the region, according to SMGB. This is not accurately described in the DEIR/DEIS, which is the first of many DEIR/DEIS for projects in this PC Region.

The DEIR/DEIS explains that "[t]he original mining concept analyzed mining of 170 million tons of production on the TMC proposed project site. In the Notice of Sand and Gravel Sales, the BLM put up to 100 million tons of sand and gravel from the subject lands for public competitive bid. (DEIR – Pg. 3-405, DEIS – Pg. 3-410) With a far greater quantity of aggregate identified than actually awarded in the bid to TMC, one can see that the BLM clearly plans to eventually mine 100 million tons on this site, with a high probability of increasing that yield to 170 million tons once the precedent of large scale mining is established and environmental factors are already impacted. This scope of mining is not described accurately in the DEIR/DEIS.

Not described accurately, either, is a realistic reclamation plan. With the likelihood of an extension of TMC's mining contract allowing them to mine additional product from the site, reclamation of the site will not occur as described until *all* potential material to be removed is mined. *How long* from now that might be and what circumstance that might create for the commuting public and adjacent land owners and their heirs during the proposed 20 years and beyond, one can only guess. As was evident in the last 11 years, one can see that market demand will determine whether mining of sand and gravel is economically viable, and even what quantity is viable to mine in any given year. The economic pressure to mine, which will influence the willingness to permit mining, will impact environmental conditions. Those changes are not adequately addressed in this DEIR/DEIS.

The scope of the annual volume of material to be mined by the TMC project is somewhat vague, and perhaps purposefully so. It is not accurately described in the DEIR/DEIS. The

contracts signed between the BLM and TMC may not be binding under Title 30 and Title 43. A review by the U.S. Government Accounting Office (GAO), or interpretation by a court of law may be required **(See Memorandum of Understanding, Notice of Sale, Contract CA-20139 and CA22901, Appendix 4)**. It is difficult to definitively determine what date the TMC contracts start, assuming there are binding contracts. It is also difficult to determine what the annual yield might be, if one tries to interpret the contract language of CA20139, and how Title 43 might impact both contracts.

Both BLM and TMC would like to believe that they have binding contracts whose start date begins the day "*after*" CEQA and NEPA requirements are met. Title 43, 3610.3-5, section (b), states that "within 30 days after receipt of the contract" the successful bidder shall sign and return the contract. (The BLM Contract was signed by TMC on March 9, 1990.) "Any required performance bond, and a mining and reclamation plan, when applicable, must accompany the signed contract. The authorized officer may extend this period for an additional 30 days upon written request of the applicant if requested to do so within the first 30 day period. If the person making the bid fails to comply within the first 30 days, or during an approved 30 day extension, the successful bidder shall forfeit the bid deposit as liquidated damages. The authorized officer may offer and award the contract to the person making the next highest bid who is qualified and willing to accept the contract upon redeposit of the amount required under Title 43, 3610.3-4. The authorized offer may include in the contracts such additional provisions as are deemed necessary to protect other resource values or prevent unnecessary and undue degradation of the public lands." The language of the TMC Mining and Reclamation Plan appears to indicate that such a plan was required by the contracting officer, and was submitted to the L.A. County Department of Public Works, and the California Department of Conservation, Division of Mines and Geology, and to the Bureau of Land Management, Palm Springs, South Coast Resource area, in June 1997 **(See TMC Mining and Reclamation Plan, Appendix 15)**.

Due diligence, default or renegotiation of these contracts are the only operative modes described in the Notice of Sale, the written and signed contracts, and Federal law. Contract 20139 also suggests that no carryover from the 14 million ton contract to Contract 22901 for 42.16 million tons is allowed as the contract is written. The period of performance is 10 years plus one year extension for each contract, all contingent on the fact that royalties to the Federal government are paid annually whether the material is mined or not **(See Title 43, Appendix 11 and Contracts CA 20139 and CA22901, Appendix 2)**. The existence of a performing contract may not be taken for granted. Lack of due diligence in processing permits, and delinquent royalty payments could affect the legal status of these contracts. Should the start dates *not be* the date CEQA and NEPA permits are granted but the date contracts are signed, the annual production schedule and yield, and therefore the impact on environmental issues, may be different than described. The possibility that this might be the case means that this DEIR and the DEIS may be fatally flawed.

If the DEIR/DEIS is flawed, it certainly doesn't meet the criteria established with the writing of CEQA and NEPA and does not protect the public.

A last issue begs *the question of intent by TMC* to create a complying CEQA and NEPA binding document and, therefore, creates the need for the Agua Dulce Joint Task Force to challenge the existing DEIR/DEIS.

Public record, in the form of a letter to Julie Moore, Impact Analysis Section of the L.A. County Department of Regional Planning, suggests that council for TMC may have asserted that "County lacks the authority to mitigate a project within its jurisdiction pursuant to CEQA." (**See Burke, Williams and Sorenson, LLP, letter to Julie Moore dated July 7, 1999, Appendix 10**).

Other assertions, documented in the Chambers Group Memo to Ron Lacayo of Los Angeles County Department of Public Works, challenge the County's right to rule or record a decision on CEQA matters and are in the public record. (**See Chambers Group letter to Ron Lacayo, Appendix 16**). These communications, coupled with the elapse of a 9 year time frame since the contracts were issued by BLM, signed and returned by TMC, with a 7 year period between the first DEIR and the current one under review, suggest that there has not been a sense of urgency to perform on these mining contracts.

These issues suggest that environmental issues have aged in 9 years. Data may be obsolete and some laws for which data was researched for the DEIR/DEIS may have changed.

The DEIR/DEIS does not describe either the stated scope of the TMC project, nor its intended but unstated scope. Is it possible that, in order to bring large scale mining to an already developing and urbanizing area, the deception could have been intentional?

Land Use Issues - Land Use Conflicts

The Land Use Section of the DEIR concludes that no land use impacts would result from implementation of the Transit Mix Project and that the site is appropriately zoned for mining activity and would be located adjacent to an existing mining facility. The Joint Task Force of The Agua Dulce Town Council and Agua Dulce Civic Association believes that this description falls short in acknowledging the current implementation of the Los Angeles County General Plan as evidenced in the Santa Clarita General Plan. The following issues should be reviewed and considered in preparation of a Final EIR/EIS for this project.

Two miles from the Proposed mining site lies the city of Santa Clarita which is a city now made up of 143,836 people. Various annexations have been proposed by the City of Santa Clarita in proximity to the proposed project site.

The mining site is proximate to:

- Santa Clarita – The Communities of Pinetree, American Beauty Homes, Timberlane, Stonecrest and Shadow Pines;
- Agua Dulce – 3 miles to the northwest;
- River's End – A mobilehome park less than 1/4 mile southwest of the project;
- Tract Map No 87459 (637 units) to the northwest;
- Proposed Bee Canyon Mobile Home Park (650 units) adjacent to the project site;

- Rio Dulce development – 622 lots on the Designated land and adjacent to the CalMat proposed mining site and to the northeast of the TMC site;
- Angeles National Forest to the South; and
- Santa Clara River (SEA number 23) which extends through the site and in the Designated Area which extends throughout Santa Clarita all the way to Santa Clarita's westerly boundary and on to the Ventura County Line.

Although mining has existed in the Soledad Canyon area for more than the last 30 years, *mining on the scale* initiated by the Designation of Regionally Significant Construction Aggregate Resources in the Saugus - Newhall Production-Consumption Region *has never existed here before.*

BLM has identified 1.5 *Billion* tons of aggregate that it intends to mine over the next 50 years in sector B-2 of the Saugus-Newhall Production-Consumption Region alone. All of this billion and 1/2 tons of aggregate product will come out of the CalMat and TMC proposed project areas. An additional 30% will be fines (mining debris). When the projects are completed, the mountain areas will have been taken down to road level. Final use of the land will revert to high density urban development for the CalMat land mass and industrial/commercial zoning for the TMC area.

In addition to the departure from current zoning as described in the Santa Clarita General Plan, there will be a definite impact on the viewshed. When driving along the Antelope Valley Freeway (14) today, there are mountains which block a driver's view of the Santa Clara River. When the maximum quantity of sand and gravel is mined from this area (Sector B2), the mountains will have been taken down to the level of Soledad Canyon Road. The Santa Clara River will be clearly visible from the Antelope Valley Freeway. **(See the Santa Clarita General Plan, Appendix 17, and TMC's Sand and Gravel Brochure, 1984, Appendix 12)**

Few, if any, people living in the region imagined or planned for this kind of mining and land mass change to come to Agua Dulce or Santa Clarita. Under SMARA, the L.A. County General Plan, and the Santa Clarita General Plan were required to be updated, showing specific geographic locations designated for mining – which was not done. Areawide Zoning Maps did not, and do not, indicate for the prudent investor where such mining will occur, as required by SMARA. Santa Clarita, as evidence in multiple tract maps developed before, during, and after the designation process, did not amend their plan to preclude land use conflicts such as Bee Canyon from occurring. **(See the Bee Canyon Draft EIR and Revised Draft EIR, Appendix 18 & 19)** Clearly, knowledge of the land use designation was not widely circulated, managed by the State Mining and Geology Board or BLM, and was not disseminated to the public as required by SMARA. To the east of the TMC project, and on land that is part of the Significant Aggregate Resource Designated Area, is the Community Facilities District 6 (CFD6) managed by Los Angeles County. CFD6 includes the Rio Dulce Development (622 single family homes). The CFD was created by the L.A. County Board of Supervisors in 1991 and 1992.

The economic legality and viability of this CFD was reviewed by every variation of land use and financial expert available. An increase in zoning density was granted in exchange for the donation of a school site by the CFD to accommodate the projected increase in enrollment in the

School District. The $1.9 million cost of the land for this school was paid for out of the CFD bond funds. **(Please review the CFD document excerpts included in Appendix 27)**

Apparently the BLM did not inform the County that the CFD6 was on land designated as part of Sector B in the Significant Aggregate Resource area and neither did all the experts who were paid to review the CFD formation documents. The L.A. County Treasurer and a major land developer were not aware of the state Designated Mining Area, so they could not advise the L.A. County Supervisors and the County to oppose, rather than approve, this CFD

If these conflicts could be created because Experts were not informed of the massive mining plans for the Soledad Canyon area, how could any reasonable person expect that the general public would be informed as required by the Bee Canyon, TMC and CFD public hearing processes.

Certainly the TMC DEIR/DEIS should acknowledge the individual impact and cumulative impact of conflicts created by large scale mining being proximate neighbors to residential development. Implementation of the TMC mining project proximate to large scale development will create traffic, health, viewshed and other problems which cannot be reconciled and are not addressed in this DEIR/DEIS.

Implementation of the TMC Project would also begin the process of implementing mining throughout the Designated Area. With the CalMat project adjacent and straddling Agua Dulce Canyon Road, any thought that low density-high unit value developments could prosper or continue to be developed throughout Agua Dulce is problematic.

Any idea that Highway 14 and Soledad Canyon Road could be designated and developed as scenic highways, as described in Santa Clarita's General plan, is also problematic.

The DEIR/DEIS does not address the following very important issues:

- The cumulative effect of large scale mining (1.5 billion tons of material over a 50 to 100 year period) serving a broad geographic area (Greater L.A. Basin, San Fernando Valley, Simi Valley, Ventura County) is not described anywhere in the TMC DEIR/DEIS.

- The economic impact of this massive change in land use planning (essentially moving the Irwindale/Azusa mining complex to the Soledad Canyon area) is not described in the TMC DEIR/DEIS, either. In fact, the impact struck the Agua Dulce Joint Task Force as incomprehensible.

Absence of information in the DEIR/DEIS that addresses these issues means that the DEIR/DEIS is fatally flawed. We recommend that the document be revised and recirculated.

Air Quality:

GENERAL:

On May 17, 1999, a day of calm winds and fair skies, the Los Angeles County Fire Department staged a controlled burn at the junction of the Interstate 5 and Highway 14 freeways in the Newhall Pass. The blaze got away from the fire fighters and burned for an extended period of time. The smoke from the blaze was carried throughout the Santa Clarita Valley and out to the Antelope Valley. People in the entire area, to include the proposed project site and the community of Agua Dulce, suffered from watery eyes, difficulty breathing and other symptoms of physical discomfort.

The Santa Clarita Valley, to include the proposed project site, receives air pollutants from the San Fernando Valley to the southwest and the Ventura/Santa Barbara area to the west. During Santa Ana Wind conditions, this area also receives wind-carried air contaminants from the Antelope Valley to the northeast. Pollutants are then trapped by the surrounding mountains, particularly during Thermal Inversions. Because of these geographically defined climactic conditions, incidents like the one on May 17th show the wide dispersement of airborne pollutants throughout eastern Santa Clarita and communities in the unincorporated area of northeastern Los Angeles County.

TMC acknowledges that, "Daily regional airflow brings polluted air from the heavily developed portions of the Los Angeles Basin into the Project area late in the afternoon from late spring to early fall. This condition creates unhealthful air quality..." (DEIR Pg. S-10; DEIS Pg. S-9) They also acknowledge that, "Although the proposed mitigation measures will reduce both exhaust and dust emissions to the maximum extent feasible, when summed for the overall Project, the residual impact is expected to remain significant for NOx, ROG, and PM-10 emissions for Phase 1 and CO, NOx, ROG and PM-10 emissions for Phase 2. (DEIR – Pg. 3-183; DEIS – Pg. 3-188)

The "Baseline Air Quality" used in the TMC DEIR (pg. 3-153) and the DEIS (pg. 3-157) reflects studies done by the SCAQMD at its Santa Clarita air monitoring station, located 11 miles southwest of the proposed mining project. Although there was, at one time, an air monitoring station in or near the Soledad Canyon/Agua Dulce area, there is no historical data available from this site. There is a significant difference in elevation and, therefore, wind patterns, between the project site and the monitoring station used to assess a baseline for the purposes of this report. This fact, alone, makes the data included in the DEIR/DEIS faulty.

Emission standards for mobile sources (cars, trucks, etc.) are established by state or federal agencies, such as the California Air Resources Board (CARB) and the U.S. Environmental Protection Agency (USEPA), rather than local agencies such as the South Coast Air Quality Management District (SCAQMD). The SCAQMD is, however, responsible for controlling emissions from stationary sources of air pollution, such as businesses and residences. About 40% of the SCAQMD's air pollution comes from stationary sources. When studying the issue of air pollution, it is necessary to consult all of the various organizations, and their documents.

The 1990 Federal Clean Air Act requires all federal or federally funded projects conform to the AQMD State Implementation Plan (1994 CA-SIP or a revised 1997 CA-SIP), and must not be a cause of impeding progress toward attainment of the federal air quality standards. **(Final 1997 Air Quality Management Plan, Pg. ES-8, Appendix 21-B)**

OZONE:

According to Barry R. Wallerstein, Executive Officer of the Air Quality Management District (AQMD), "State and Federal law require this area *(SCAQMD)* to meet clean air standards by the year 2010...we still have to reduce some types of pollution by more than 80%. ...our air still violates the health standard for ozone on about 120 days of the year (based on 1993 data)." **(Introducing AQMD, Barry R. Wallerstein, D. Env., Executive Officer, http://www.aqmd.gov/aqmd/intraqmd.html, Appendix 21-A)**

According to the Final 1997 Air Quality Management Plan (Final 1997 AQMP), "Concentrations of primary pollutants (those emitted directly into the air) are typically highest close to the sources which emit them. However, secondary pollutants (those formed in the air by chemical reaction of precursors) reach maximum concentrations some distance downwind of the sources that emit the precursors, due to the fact that the polluted air mass is moved inland many miles by the prevailing winds before maximum concentrations are reached." **(Final 1997 AQMP, Chapter 2: Current Air Quality, Pg. II-2-1, Appendix 21-C)**

Ozone, referenced in Mr. Wallerstein's quote, is a secondary pollutant, formed in the atmosphere by chemical reaction of ROG (reactive organic compounds), NOx (nitrogen oxides), and oxygen (O2). TMC, as quoted above, acknowledges that their project will produce sufficient ROG and NOx to have a significant impact on air quality. As a secondary pollutant, the ozone created by the proposed project will impact a far wider area than the immediate mining site and will increase air pollution in the entire area. A focus on air quality solely on the project site and sensitive receptors within ½ mile is insufficient.

SUSPENDED PARTICULATE MATTER:

Current state and federal air quality standards measure PM-10 (particulate matter with diameter less than about 10 micrometers) as an air pollutant. TMC acknowledges that, "PM-10 dust emissions are also anticipated to create a significant impact for both Phases 1 and 2." (DEIR – Pg. 3-183; DEIS – Pg. 3-176) Compared to the SCAQMD Threshold Level for PM-10, the estimated production of PM-10 for the proposed project makes "significant" seem to be a very weak description:

	No Blasting (lbs per day)	**With Blasting (lbs per day)**	**SCAQMD Threshold (lbs per day)**
Phase 1	**1,273.2**	**1,335.2**	**150**
Phase 2	**2,168.2**	**3,230.2**	**150**

TMC's calculations do not include PM-10 generated by Offsite Truck Movement. If these figures were included, it would increase the quantities quoted above from material dropped from haul trucks, blown off by wind erosion during transport, and from turbulance generated by

large haul trucks moving at a high rate of speed on winding roads such as Soledad Canyon Road. (DEIR – Pg. 3-168 & 172; DEIS – Pg. 173 & 177)

The AQMD identifies deposit of materials on public roadways to be a major source of airborne PM-10. Sources for deposition of material onto paved roadways include vehicle-related deposition, mud and dirt carryout, and spills. **(See Final 1997 AQMD Plan, Final Appendix IV-A, "Stationary and Mobile Source Control Measures", Pg. IV-1-161, Appendix 21-E).** The 1997 AQMP proposes three "preventive" and one "mitigative" control option(s) which are not addressed in the DEIR/DEIS (DEIR – Pg. 3-182; DEIS – Pg. 3-186-187):

a.) Paving the last 100 feet from an unpaved roadway connection with a paved road;
b.) Chemical stabilization of the last 100 feet from an unpaved roadway connection with a paved road at sufficient frequency and concentration to maintain a stabilized surface at all times;
c.) Installation of dirt removal devices (e.g., tire cleaning device, grizzlies, etc.);
d.) Cleaning of public paved road surface at any time visible track-out occurs.

(Final 1997 AQMP, Final Appendix IV-A, "Stationary and Mobile Source Control Measures", Pg. IV-1-162, Appendix 21-E)

In addition to track-out of particulate matter onto Soledad Canyon Road, there is a concern for the mining debris which will adhere to trucks and then be deposited on the Antelope Valley Freeway (Highway 14). Approximately 76,000 vehicles currently use this freeway on a daily basis (Caltrans 1996). 24-hour per day truck traffic will cause increased diesel emissions, and increased dust emission, as well as many broken/chipped windshields, paint jobs and other damage caused by flying debris.

AQMD Rule 403 requires that, "Any person in the South Coast Air Basin shall: (A) prevent or remove within one hour the track-out of bulk material onto public paved roadways as a result of their operations; or (B) take at least one of the actions listed in Table 3 (see enclosure) and: (I) prevent the track-out of bulk materials … and (ii) remove all visible roadway dust tracked-out upon public paved roadways as a result of active operations at the conclusion of each work day when active operations cease." **(AQMD, Rule 403, (d), (5), Appendix 21-G)** Effective mitigation measures for track-out of mining debris onto both Soledad Canyon Road and the Antelope Valley Freeway are not provided in the DEIR/DEIS.

TOXIC AIR CONTAMINANTS:

On August 27, 1998, the California Air Resources Board (CARB), which is the state agency responsible for protecting the public's health from exposure to toxic air contaminants, approved a staff proposal to list particulate emissions from diesel-fueled engines as a Toxic Air Contaminant (TAC). In addition, Proposition 65, a 1990 California state initiative, identified crystalline silica as a TAC. SCAQMD Rule 1401, although it does not apply to quarries and processing plants, does however identify asbestos and crustal metals such as copper, nickel and mercury as TACs. All of these contaminants may be found in the mining process as outlined by TMC.

The following information is quoted from the California Environmental Protection Agency, Air Resources Board, "Fact Sheet: The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines" and dated October 1998:

- Emissions from diesel-fueled engines are mainly composed of particulate matter and gases, which contain potential cancer-causing substances such as arsenic, benzene, formaldehyde, nickel and polycyclic aromatic hydrocarbons.
- Particulate matter (PM) from diesel-fueled engine emissions is small enough to be inhaled deep into the lungs.
- In 1990, the State of California, under Proposition 65, identified diesel exhaust as a chemical known to cause cancer.
- The U.S. EPA has proposed classifying diesel exhaust as a probable human carcinogen.
- There is also a link between emissions from diesel-fueled engines and non-cancer damage to the lung.

"On-road mobile sources (heavy-duty trucks, buses, light-duty cars and trucks) contribute the majority of total diesel exhaust PM-10 emissions in California." **("Findings of the Scientific Review Panel on THE REPORT ON DIESEL EXHAUST as adopted at the Panel's April 22, 1998, Meeting", submitted to the California Air Resources Board and the Office of Environmental Health Hazard Assessment (OEHHA), Appendix 22)**

TMC does acknowledge PM emissions from heavy equipment, haul trucks, and other sources, but does not separate out the PM contributed by diesel-fueled engines from the PM airborne contaminants which are generated by earth disturbance.

Because their particular operation is not subject to a specific rule, or their DEIR/DEIS was written years prior to a rule's enactment, TMC is not exempt from revising their analysis to address the use, presence, or production of toxic chemicals. Their revised DEIR was published and distributed in February 1999, and the DEIS after that date. Certainly, TMC had sufficient time to include revisions on this most important topic in their latest versions. This exclusion of an air toxics impact assessment is a fatal flaw in the air quality impact analysis.

PUBLIC HEALTH:

"The U.S. EPA recently completed a review of the scientific and technical information on the known and potential adverse health effects of ozone and PM-10 because results from recent studies have suggested that ***attainment of the existing National Ambient Air Quality Standards (NAAQS) for these pollutants may not provide adequate public health protection."*** (emphasis added) **(Final 1997 AQMP, Chapter 10, Pg. 10-5, Appendix D) (See Appendix I "Health Effects" from Final 1997 AQMP, Appendix 21-H)**

"In light of new epidemiological and other health data, the U.S. EPA is currently reevaluating the federal standards for particulate matter and ozone. For ozone, it is likely that the current 1-hour standard will be replaced by an 8-hour standard. For particulate matter, it is likely that a new fine particulate standard (PM-2.5) will be established for both a short-term (24-hour) and long-term (annual) averaging period. It is also probable that a form of the current PM-10 standards will be retained." **(Final 1997 AQMP, Pg. ES-8, Appendix 21-B)**

TMC's air quality evaluation should adhere to new AQMD standards, and any approved project should be required to revise their practices as new rules and standards are adopted during the lifetime operation of the project..

OZONE:

"Identified in human and/or animal studies with varying exposure duration, the adverse health effects which are either induced by ozone or associated with ambient ozone exposures include: breathing pattern changes; reduction in breathing capacity and exercise performance; increase in airway resistance; susceptibility to infections; excess hospital admissions and emergency room visits; and acute inflammation of the respiratory tract including some cellular changes." **(Final 1997 AQMP, Chapter 10, Pg. 10-5 – Appendix 21-D)**

"The major subgroups of population considered to be at increased risk from ozone exposure are outdoor exercising individuals including children and people with preexisting respiratory disease(s) such as asthma." **(Final 1997 AQMP, Final Appendix I, Health Effects, Pg. I-2, November 1996, Appendix 21-H)**

PARTICULATE MATTER (PM):

"The major categories of adverse health effects associated with PM-10 include: increase in mortality associated with acute and chronic exposures; exacerbation of preexisting respiratory and cardiovascular disease leading to an increase in hospital admissions and emergency room visits; school absences; work loss days and restricted activity days; changes in lung function and structure; and altered lung defense mechanisms." **(Final 1997 AQMP, Chapter 10, Pg. 10-6, Appendix 21-D)**

"...long-term effects studies have reported an increased risk of mortality from lung cancer associated with PM exposures." **(Final 1997 AQMP, Final Appendix I, Health Effects, Pg. I-7, November 1996, Appendix 21-H)**

"A review and statistical analysis of recent population studies published on acute adverse effects of PM-10 indicates that an incremental increase of PM-10 by 10 ug/m3 can lead to a significant increase in both mortality and morbidity risks. The elderly, people with preexisting respiratory and/or cardiovascular disease(s) and children appear to be most susceptible to the effects of PM-10. ***These findings suggest that even when an area meets the existing NAAQS (National Ambient Air Quality Standards) for PM-10 the community is likely to continue to have the adverse impact from ambient PM-10 exposures."*** (emphasis added) **(Final 1997 AQMP, Pg. 10-6, Appendix 21-D)**

DIESEL EXHAUST:

"Diesel exhaust is a complex mixture of gases and fine particles emitted by a diesel-fueled internal combustion engine. The gaseous fraction is composed of typical combustion gases such as nitrogen, oxygen, carbon dioxide, and water vapor. However, as a result of incomplete combustion, the gaseous fraction also contains air pollutants such as carbon monoxide, sulfur oxides, nitrogen oxides, volatile organics, alkenes, aromatic hydrocarbons, and aldehydes, such as formaldehyde and 1.3-butadiene and low-molecular weight polycyclic aromatic hydrocarbons (PAH) and PAH-derivatives." **("Findings of the Scientific Review**

Panel on THE REPORT ON DIESEL EXHAUST as adopted at the Panel's April 22, 1998, Meeting", submitted to the California Air Resources Board and the Office of Environmental Health Hazard Assessment (OEHHA), Appendix 22)

"Many of these PAHs and PAH-derivatives, especially nitro-PAHs, have been found to be potent mutagens and carcinogens. ...Nitro-PAH compounds can also be formed during transport through the atmosphere.." (IBID)

"Diesel exhaust includes over 40 substances that are listed by the U.S. EPA as hazardous air pollutants and by the CARB as toxic air contaminants. Fifteen of these substances are listed by the International Agency for Research on Cancer (IARC) as carcinogenic to humans, or as probable or possible human carcinogens." (IBID)

"Almost all of the diesel particle mass is in the fine particle range of 10 microns or less in diameter (PM-10). Approximately 94% of the mass of these particles can be inhaled and a portion will eventually become trapped within the small airways and alveolar regions of the lung." (IBID)

"Other routes of exposure to diesel exhaust are ingestion and dermal absorption." (IBID)

"A number of adverse long-term noncancer effects have been associated with exposure to diesel exhaust: cough; phlegm; chronic bronchitis; reduction in pulmonary function; histopathological changes in the lung; inflammation of the lung tissue; immunological reactions; intranasal challenge; increased nasal IgE antibody production; and a significant increase in mRNA for pro-inflammatory cytokines." (IBID)

"Diesel exhaust contains genotoxic compounds in both the vapor phase and the particle phase. Diesel exhaust particles or extracts of diesel exhaust particles are mutagenic in bacteria and in mammalian cell systems, and can induce chromosomal aberrations." (IBID)

"...long-term occupational exposures to diesel exhaust were associated with a 40% increase in the relative risk of lung cancer. The lung cancer findings are consistent and the associations is unlikely to be due to chance. These epidemiological studies strongly suggest a causal relationship between occupational diesel exhaust exposure and lung cancer." (IBID)

"Based on available scientific information, a level of diesel exhaust exposure below which no carcinogenic effects are anticipated has not been identified." (emphasis added) (IBID)

SAN JOAQUIN VALLEY FEVER (Coccidioidomycosis):

"...Coccidioides immitis, a dimorphic fungus that grows in the topsoil layers in limited semiarid areas of the Western Hemisphere...Infection is caused by inhalation of airborne arthrospores that have been dislodged from the soil. While dust storms, archaeological excavations, and specific climatic conditions (e.g., severe drought followed by heavy rains) have been implicated in coccidioidomycosis outbreaks, earthquakes have not." "Primary prevention strategies (e.g., dust-control measures) for cocidioidomycosis in endemic areas have limited

effectiveness. However, during brief and transient dust-generating events (e.g., an earthquake or dust storm in an endemic area), avoidance of dust clouds or areas of heavy dust may be beneficial." **(Journal of the American Medical Association (JAMA), "A Coccidioidomycosis Outbreak Following the Northridge, Calif, Earthquake", March 19, 1997 – Vol 277, No. 11, Appendix 23)**

"The Acute Communicable Disease Control Unit of the L.A. County Department of Health Services reported that 9 of 28 new cases (*of Coccidioidomycosis*) in 1998 in L.A. County were in the San Fernando and Antelope Valley Health Districts, following a year in which 13 out of 40 were from that area (*32% in each year*). The city of Santa Clarita lies in both districts. Dr. Gary Ordog, a toxicologist at Henry Mayo Newhall Memorial Hospital, said many people have the disease and do not even know it. Ordog said he has probably diagnosed 30 cases over the last 5 years, a number he believes is low in relation to the number in the Santa Clarita Valley." **(The Signal, "Exposing Valley Fever, Anonymous Illness", February 18, 1999, Appendix 24)**

"The lung infection is difficult to treat, and can spread to the bones, joints, and brain (meningitis). Death can occur despite treatment with antifungals." (Harrison's Principles of Internal Medicine, 14th ed., McGraw-Hill, 1998, Pg. 1151)

TMC has shown complete disregard for health impacts created by airborne pollutants and diseases which may be caused by their mining project. The DEIR/DEIS underestimates the quantity and the breadth of distribution, as well as the impact of the air pollution they will add to the atmosphere in the Santa Clarita Valley. Mitigations proposed in the DEIR/DEIS in regard to air quality are restricted to onsite air impacts, and do not address ozone, particulate matter, or toxic air contaminant pollution which will impact workers, residents and visitors in the region. Paragraph (x) and paragraph (v) of Appendix G (Significant Effects) of the California Environmental Quality Act (CEQA), apply.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.5 billion tons of sand & gravel resources. **(California State Mining and Geology Board, "Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, Pg. 10. Appendix 8)**

CalMat Company prepared a Surface Mining and Reclamation Plan, dated September 1991, which is identified as County Project No. 91-307, and proposes to mine 240 million tons of sand and gravel over 30 years on a site adjacent to TMC. According to the L.A County Department of Regional Planning, Staff Report of April 21, 1999 (Project No. 91-165), (page 3 of 18), this CalMat project is "undergoing environmental review." CalMat has purchased land on either side of Agua Dulce Canyon Road, south of the Antelope Valley Freeway (Highway 14) as part of their proposed mining site.

There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the air quality impacts on the region.

ALTERNATIVES:

Rail transportation of both product and fines might reduce the impacts of this project on the air quality in the region. This transportation alternative may prove alternate sites as viable for aggregate production. Neither the rail or alternate site alternatives were adequately addressed in the DEIR/DEIS. TMC should be requested to do a thorough analysis of these alternatives, presenting facts regarding the pros and cons.

CONCLUSION:

Due to errors and omissions in this area of the DEIR/DEIS, the Air Quality section is fatally flawed.

Water Issues – Impacts on Water Supplies

Without a predictable and adequate supply of water available to the TMC project, mitigation measures referenced in the DEIR/DEIS are not feasible.

Water usage of 594 acre feet (20 Year Average) is projected. Water needed for this project is projected to come from a variety of sources: groundwater; surface water (riparian rights); surface water (appropriative rights) and recycling of water.

Emphasis on recycling water is problematic as desilting basins mentioned in the DEIR/DEIS are not adequately described to delineate whether they are large enough to be capable of recycling water on a timely basis. This is important in order to insure that TMC does not require more appropriated water than is stated in the DEIR/DEIS. An adequate maintenance plan, to insure that the desilting basins would maintain functional capacity, is not shown in the DEIR/DEIS.

Water availability is and will be severely challenged. Protests from public agencies and private individuals based on impact on habitat and water allocation have been filed with the State Water Resources Board **(See Water – TMC Application to the State Water Resources Board, and protests, Appendix 26)**

Much of the challenge and ambiguity of water availability, particularly during drought, is developed thoroughly in a letter from Remy, Thomas and Moose, LLP, to Dr. Daryl Koutnik dated July 14th. The water issue substance of this letter is included here, as it clearly lays out the applicable information. There is no point in the Joint Task Force "reinventing the wheel".

The DEIR/DEIS also does not address the issue of discharge of water into the Santa Clara River. Operation of a concrete batch plant on site implies evidence of toxic material on the mining site. Hydraulics, lubricants, concrete, and fuel used and stored on site can pollute the

river, which is downhill from the mining site. It is not clear from the DEIR/DEIS how toxins, including herbicides used on site, will be prevented from ending up in the river, particularly during rainy seasons, thereby contaminating nearby water supplies and impacting river habitat.

The DEIR/DEIS does not adequately address how the project will conform to requirements published in the State Mining and Geology Board's Special Report no.163, "Surface and Groundwater Management in Surface Mined-Land Reclamation", published in 1989. (**See Special Report #163, Appendix 25**)

Protocol suggests that perhaps the DEIR/DEIS should be updated to include data from a hearing to be held by the State Water Resources Board, scheduled in late September which will rule on TMC's Appropriation Permit. In addition, the State Water Resources Board may require conditions on any discharge permit for the project. The results of this hearing should be included in the DEIR/DEIS prior to the close of public comment.

Hearings are also scheduled which will determine what the jurisdiction of the State Water Quality Board is and how that might affect or regulate TMC's requests for water allocation permits. This information should also be included in the DEIR/DEIS and be open to public knowledge and comment..

Again the DEIR/DEIS should be rewritten to clearly address the above issues and should be recirculated.

estimates only and could change on an annual basis because of market conditions or other factors." (DEIR, p. 1-37.) However, the DEIR does say how these estimates were formulated.

The DEIR's faulty assumption of the most a leisurely rate of extraction allowable under the federal contracts infects all aspects of the DEIR, especially those describing impacts attributable to ongoing operations. For example, higher production rates will entail more truck trips each year on area roads. In order to validly evaluate the environmental impacts of TMC fulfilling its federal contracts, the DEIR must not take the liberty of presuming which of the two permissible modes of contract performance—product weight or years of operation—TMC will choose. If the DEIR must make some assumption, the DEIR should not assume that TMC will choose what appears to be the more environmentally benign alternative of spreading mining over 20 years. The DEIR must be revised to assume the most likely rate of extraction and to provide a sound explanation of how that rate was chosen.

In a similar vein, the DEIR states that "[t]he Project has been designed and the environmental impacts assessed using a worst-case fines storage requirement of 30 percent of the total excavation quantity." (DEIR, p. 1-27.) The DEIR provides no factual basis for this assumption. Moreover, the characterization of the 30 percent figure as a "worst-case" scenario is confusing. Does "worst-case" scenario mean the scenario in which on-site storage is maximized or the scenario in which on-site storage is minimized? This reference to the "worst-case" should be clarified.

2. Analysis of Impacts

The DEIR's impact analysis must be revised, as described below.

a. Water Resources

(1) Overdraft and Draw-down

The DEIR's analysis of "overdraft" and "draw-down" must be revised. The DEIR concludes that area groundwater resources are not in "overdraft." (DEIR, p. 3-43.) The DEIR's conclusion regarding overdraft is premised on an analysis of the total volume of water in the ground. (DEIR, pp. 3-42 through 3-43.) "Overdraft," however, is not defined by the amount of water in the ground. Rather, "'[o]verdraft' means the conditions of the

groundwater basin where the average annual amount of water extracted exceeds the average annual supply of water to the basin, plus any temporary surplus." (Water Code Appendix, § 128-314.) The DEIR indicates that in 1989 the amount of extraction was about equal to the amount of recharge in the area. (DEIR, p. 3-44.) Even if the groundwater basin is not presently in overdraft, therefore, TMC's planned extractions will quickly put the basin into that condition.

Similarly, the DEIR states that its analysis of water resources is premised upon an assumption of "no net drawdown of water stored in the aquifer." (DEIR, p. 3-63.) The DEIR provides no factual basis for this assumption. If extractions and recharges were at rough equilibrium in 1989, it is not safe to simply assume that the addition of TMC's project to the extraction side of the equation would preserve a condition of "no net drawdown."

DEIR also states that "[d]uring the dry season of any average rainfall year, pumping would draw down the aquifer. However, the aquifer quickly recharges with annual rainfall; thus, the amount of drawdown is temporary and therefore not significant." (DEIR. p. 3-64.) The DEIR's conclusion that this draw-down is insignificant is premised on two faulty assumptions: (1) the rate of draw-down after TMC starts pumping will be less than or equal to the rate of recharge; and (2) "significant" means "permanent." Neither assumption holds water. The DEIR does not provide any mechanism for TMC to adjust its withdrawals in sync with actual annual rainfall. The "action levels" in the habitat protection plan are not triggered by pumping rates that exceed recharge/precipitation rates. If the *volume* of extraction exceeds the *volume* of precipitation and recharge, it is irrelevant *how fast* precipitation percolates into the ground. Thus, the presumption that drawdown will necessarily be remedied by rainfall is unsound. Furthermore, the DEIR's significance criteria say nothing about otherwise significant impacts being deemed insignificant if they occur only temporarily. (DEIR, p. 3-58.)

The DEIR states that "periods of deficient rainfall and reduced runoff tend to cause only a gradual reduction in basin-wide water levels . . . ." (DEIR, p. 3-45.) Rather than *presuming* that this slow rate of draw-down is unchangeable regardless of the volume of pumping going in the area, the DEIR should instead *analyze the project's effect* on the rate of draw-down levels during dry years.

The DEIR states that "[i]t is suggested that the total extraction of water within the western portion at the current time amounts to less than 1,000 acre-feet per year." (DEIR, p. 3-45; see also DEIR, p. 3-44 [table at middle of page].) The DEIR provides no factual

basis for this assumption. The DEIR does not even state the source for this "suggestion." The DEIR should report the results of actual measurements or reliable estimates of extraction. If the DEIR simply assumes away the demand on groundwater resources, the DEIR cannot validly inform readers regarding the nature of the Project's impacts upon groundwater users. Later, the DEIR states that "No impacts were identified relative to local water users." (DEIR, p. 3-67.) The phrase "no impacts were identified" obscures the fact that no attempt was made to identify them. It appears that the DEIR's conclusion regarding local water users is founded on an incomplete evaluation.

(2) Impacts on Water Supplies

Except for the DEIR's estimation of the water demands of the Project, this section is confusing. The DEIR seems to identify three sources of water for the Project: groundwater; surface water (riparian rights); and surface water (appropriative rights). In particular, the DEIR does not articulate how the water demands for the Project will be met. Indeed, the DEIR seems internally inconsistent on this point. The DEIR first states that "[t]he Santa Clara River . . . is the only practically feasible source of water available to the Project." (DEIR, p. 3-23.) Then, however, the DEIR declares that "TMC plans to obtain its Project water by means of a series of well pumps that will pump water out of subsurface water storage . . . ." (DEIR, p. 3-62.) The first statement suggests the Project will rely on surface water obtained via riparian or appropriative rights: the second seems to allude to the use of groundwater. Which is it? Because the proposed groundwater pumping seems to affect surface flows does that mean that the water pumped is actually *surface* water? The EIR must explain what type(s) of water supply (i.e., groundwater or surface water) and amounts of water TMC intends to use for the Project. The EIR must also demonstrate that sufficient supplies exist to satisfy Project demands or explore alternatives, such as water conservation or development of additional sources.

To the extent the Project will use surface water supplies, the DEIR does not adequately discuss the availability of these supplies. Assuming TMC possesses riparian rights to Santa Clara River water, what evidence shows that sufficient flows exist in the river to supply the Project?

The fact that TMC made an application to appropriate water for the Project suggests that insufficient riparian and groundwater supplies exist (at least during certain times of the year) to meet Project demands. As the DEIR notes, appropriative rights are limited. Before granting a permit to appropriate the State Water Resources Control Board ("SWRCB") must

basis for this assumption. The DEIR does not even state the source for this "suggestion." The DEIR should report the results of actual measurements or reliable estimates of extraction. If the DEIR simply assumes away the demand on groundwater resources, the DEIR cannot validly inform readers regarding the nature of the Project's impacts upon groundwater users. Later, the DEIR states that "No impacts were identified relative to local water users." (DEIR, p. 3-67.) The phrase "no impacts were identified" obscures the fact that no attempt was made to identify them. It appears that the DEIR's conclusion regarding local water users is founded on an incomplete evaluation.

(2) Impacts on Water Supplies

Except for the DEIR's estimation of the water demands of the Project, this section is confusing. The DEIR seems to identify three sources of water for the Project: groundwater; surface water (riparian rights); and surface water (appropriative rights). In particular, the DEIR does not articulate how the water demands for the Project will be met. Indeed, the DEIR seems internally inconsistent on this point. The DEIR first states that "[t]he Santa Clara River . . . is the only practically feasible source of water available to the Project." (DEIR, p. 3-23.) Then, however, the DEIR declares that "TMC plans to obtain its Project water by means of a series of well pumps that will pump water out of subsurface water storage . . . ." (DEIR, p. 3-62.) The first statement suggests the Project will rely on surface water obtained via riparian or appropriative rights; the second seems to allude to the use of groundwater. Which is it? Because the proposed groundwater pumping seems to affect surface flows does that mean that the water pumped is actually *surface* water? The EIR must explain what type(s) of water supply (i.e., groundwater or surface water) and amounts of water TMC intends to use for the Project. The EIR must also demonstrate that sufficient supplies exist to satisfy Project demands or explore alternatives, such as water conservation or development of additional sources.

To the extent the Project will use surface water supplies, the DEIR does not adequately discuss the availability of these supplies. Assuming TMC possesses riparian rights to Santa Clara River water, what evidence shows that sufficient flows exist in the river to supply the Project?

The fact that TMC made an application to appropriate water for the Project suggests that insufficient riparian and groundwater supplies exist (at least during certain times of the year) to meet Project demands. As the DEIR notes, appropriative rights are limited. Before granting a permit to appropriate the State Water Resources Control Board ("SWRCB") must

determine sufficient excess water exists for appropriation. (DEIR, p. 3-26.) The DEIR must discuss whether water is available in the Santa Clara River. To that end, the DEIR should consider the status of the proposed CalMat Agua Dulce Quarry, which, I understand the County of Los Angeles previously denied based on lack of water in the Santa Clara River.

Appropriative rights are also limited because they are subordinate to riparian rights and other higher-priority appropriative rights. In light of these constraints, the DEIR must explain what amount of water is reasonable to expect assuming TMC receives a permit to appropriate.

(3) Impacts of Water Shortage

The DEIR's analysis of the impacts of water shortage must be revised. The DEIR posits a significance criterion that purports to protect municipal users: "Potential water use impacts will be considered significant if [¶] use of water by the Project substantially affects water resource availability for *municipal*, agricultural, industrial, private, or recreational uses." (DEIR, p. 3-58 (emphasis added).) Earlier, the DEIR takes note of the plans of the City of Santa Clarita for use of the Santa Clara River. (DEIR, p. 2-19.) The DEIR concludes, however, that since the Project lies outside the City's jurisdiction, the City's plans are irrelevant to the DEIR's analysis. (Ibid.) The DEIR's approach is improper. First, disregarding the City of Santa Clarita is inconsistent with the DEIR's own significance criterion of protecting "municipal" uses. Second, environmental impacts do not observe jurisdictional boundaries. Impacts that occur beyond the boundaries of a lead agency's jurisdiction may nonetheless be within the scope of a required CEQA analysis. The DEIR should be revised to evaluate the impacts of the Project on current and planned uses in the City of Santa Clarita, including recreational, educational, habitat, open space, and water recharge uses. (Ibid.)

The DEIR states that "[b]ased on the historic volume of water in storage in the aquifer, it is anticipated that even with the Project there will *almost always be* some level of surface and subsurface flow in the river downstream of the constriction point at the site of the Old Lang Gaging Station." (DEIR, p. 3-62 (emphasis added).) Why does the DEIR say "[a]lmost always?" Does this mean that sometimes there will be no flow downstream of the Project? TMC apparently plans, on occasion, to pump the system dry. The DEIR states that any pumping that caused the habitat of the unarmored threespine stickleback to run dry would result in a significant adverse impact. (DEIR, p. 3-229.) The DEIR should be revised so that it states unequivocally that TMC will never pump when doing so would cause downstream

flows to dry up. In the alternative, if TMC will sometimes exhaust the stream, the DEIR should say so clearly and analyze that impact.

The DEIR states that "[w]ith regard to surface flow, the amount of water to be taken out of the aquifer by the Project, which would be considered significant, is the amount that would result in insufficient flow to maintain the downstream unarmored threespine stickleback habitat." (DEIR, p. 3-62.) While harm to the habitat of this one creature would constitute a significant impact, the DEIR did not cast its significance criteria in such narrow terms that the DEIR may limit its analysis to consideration of one species. The relevant significance criterion for the DEIR as a whole is that "[p]otential water use impacts will be considered significant if [¶] . . . use of water by the Project reduces or depletes water resources in such a manner that *sensitive ecological habitats* cannot be maintained." (DEIR, pp. 3-60 to 3-61 (emphasis added).) Thus, if any sensitive habitat could not be maintained due to pumping, the impact of pumping would have to be deemed significant. The DEIR's analysis should not be limited to the habitat needs of a single species.

(4) The Mere Appearance of Mitigation

The DEIR's mitigation measures for water resource impacts are illusory. Agencies cannot rely on mitigation measures of unknown efficacy in concluding that significant impacts will be substantially lessened or avoided. Courts have consistently invalidated EIRs for deferring the mitigation of significant impacts. (See, e.g., Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296 [248 Cal.Rptr. 352]; Oro Fino Gold Mining Corporation v. County of El Dorado (1990) 225 Cal.App.3d 872, 884-885 [274 Cal.Rptr. 720] (planning staff of lead agency improperly recommended approval of use permit for exploratory gold drilling based on proposed negative declaration with proposed mitigation measures that included the post-approval formulation of plans to reclaim disturbed land, and to control erosion, dust, and fire danger; "in the absence of overriding circumstances, the CEQA process demands that mitigation measures timely be set forth, that environmental information be complete and relevant, and that environmental decisions be made in an accountable arena").)

The DEIR lacks the commitment to meaningful mitigation for water resources impacts mandated by CEQA. The DEIR states that TMC is planning to exercise riparian rights as well as appropriative rights, if granted. (DEIR, p. 3-28.) The DEIR acknowledges that "the

riparian right to take water is unquantified . . . ." (DEIR, p. 3-25.)[1] If TMC's application to appropriate water is denied, does TMC plan to operate the mine using only riparian rights? If so, how would TMC be constrained from impacting fish and wildlife? The DEIR emphasizes that riparian rights are not subject to SWRCB restrictions for fish and wildlife preservation. (DEIR, p. 3-25.) As mitigation for cumulative water resources impacts, the DEIR relies upon a contingency plan for use during water shortages. (DEIR, p. 3-354 through 3-355.)[2] The plan calls for the reduction of water utilization in time of shortage. (DEIR, p. 3-354.) If TMC is withdrawing water pursuant to riparian rights would this contingency plan be in effect? If not, how can the DEIR assert that "state regulation of water resources *precludes* the possibility of uncontrolled water use from the Santa Clara River, and cumulative impacts will not be significant." (DEIR, p. 3-359 (emphasis added).) If the contingency plan is inapplicable, the only other mitigation left for cumulative water resources impacts is the habitat protection plan. For the reasons stated below, that too provides only illusory protections.

In discussing mitigation measure WR1, the DEIR states that "The habitat protection plan contains action levels that will trigger adjustments to mining operations to reduce Project water consumption to avoid significant degradation of the ecologically sensitive habitats attributable to the Project." (DEIR, p. 3-67.) The DEIR also states that the habitat

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[1]/ The DEIR states that riparian rights are paramount. (DEIR, p. 3-25.) The DEIR's water rights analysis ignores public trust rights, pueblo rights, prescriptive rights, rights to imported water, and rights to percolating waters that are hydrogeologically connected with surface waters. Any one of these rights can be of higher priority than a riparian right or can, at a minimum, complicate the analysis of whether riparian owners will be allowed to take water from a stream. In short, without accounting for such rights, the DEIR's water resources analysis is incomplete.

[2]/ The contingency plan is missing from my copy of the appendices to the DEIR. Also, it is not listed in my table of contents to the appendices. If it is likewise missing from all copies of the DEIR circulated to the rest of the public so far, the DEIR will need to be recirculated with that mitigation measure included. Furthermore, the DEIR states that the plan was submitted to the "California Department of Water Resources" ("DWR") (DEIR, p. 3-354), when presumably it meant to say "SWRCB." On page 3-359, the DEIR states that TMC has applied to the "California Division of Water Rights (CDWR)" for permission to appropriate. The Division of Water Rights is within the organizational structure of the SWRCB, not DWR.

protection plan contains action levels based on "habitat requirements." (DEIR, p. 3-230 [mitigation measure B6].) When one turns to the text of the action levels themselves, one sees that the emphasis is on the impacts attributable to the Project; the emphasis is not on habitat requirements. The preamble to the action levels states: "Any combination of two or more of the following levels of the average measured parameters for the monitoring reach *that do not simultaneously occur at the control site upstream of the Project area* will result in the initiation of management of the operations to reduce or cease water pumping[.]" (DEIR, appen. F, p. F6-16 (emphasis added).) The gist of the italicized language appears to be this: if the stream is in crisis already, TMC is allowed to make it worse. If the stream is in violation of all four action criteria upstream of the mine, the mitigation measure proposed in the DEIR allows TMC to keep pumping no matter how much that pumping may exacerbate the problem. Consequently, the habitat protection plan fails to mitigate for the project's incremental contribution to significant cumulative water resources impacts. Indeed, the measure seems more like an exemption from mitigation than an attempt to protect the stream.

The Action Levels in the habitat protection plan also contain another loophole. Action Level No. 3 states that pumping will be reduced or stopped if there is a "decrease of 25 percent or more of mean water depth at both the outer edge and mid-point of stream *compared with the previous measurement*[.]" (DEIR, appen. F, p. F6-16 (emphasis added); see also ibid. (action level no. 4).) Under this provision, if successive measurements each show 24% decreases in water depth, TMC takes no action. As the water depth declines, TMC can avoid reducing its pumping by instead taking a measurement every time the decrease approaches 25%. Some "action" level.

As just explained, the habitat protection plan contains action levels riddled with loopholes, and TMC's contingency plan for water shortages seems to be irrelevant to the control of TMC's riparian water usage for the sake of fish and wildlife. The DEIR, therefore, proposes no feasible mitigation for cumulative water resources impacts. In addressing this defect, the County cannot merely point to the SWRCB and say that, when the time comes, the SWRCB will impose any needed mitigation measures. The County is the lead agency for CEQA purposes. As such, the County has a duty to produce a comprehensive analysis of mitigation measures and alternatives that can be relied upon by responsible agencies including the State Water Board. (Save San Francisco Bay Assn. v. San Francisco Bay Cons. and Dev. Com. (1992) 10 Cal.App.4th 908, 921-922 [13 Cal.Rptr.2d 117]; CEQA Guidelines, § 15096, subds. (g) & (h).) A lead agency may not escape the consequences of proposing ineffective mitigation measures by arguing that a responsible agency may later

formulate measures with real teeth in them.

Accordingly, the EIR must formulate *specific* mitigation measures designed to ensure that impacts on water resources will be reduced to less-than-significant levels. If it is not possible at this juncture to develop detailed mitigation measures, Los Angeles County may "commit itself to eventually devising measures that will satisfy specific performance criteria." (Sacramento Old City Association v. City Council of Sacramento (1991) 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478].) Accordingly, if Los Angeles County can demonstrate an inability to formulate specific mitigation now, it must include in the EIR a pledge to achieve measurable reductions in impacts *before* allowing changes in the physical environment to occur. (See Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners (1993) 18 Cal.App.4th 729, 747 [22 Cal.Rptr.2d 618]; Rio Vista Farm Bureau Center v. County of Solano (1992) 5 Cal.App.4th 351, 376-377 [7 Cal.Rptr.2d 307] (approval of future site-specific project approvals contingent on achieving specific mitigation performance standards).)

In sum, the EIR must be revised to include specific mitigation measures for water resources impacts rather than foisting that responsibility off onto the SWRCB. Alternatively, if precise mitigation cannot be developed, the EIR must contain general mitigation linked to specific performance criteria that will ensure impacts are reduce to less-than-significant levels.

b. Traffic Analysis

The DEIR altogether fails to address certain traffic impacts of the Project. Consequently, the DEIR violates CEQA.

The DEIR's traffic analysis is inadequate because it ignores the significant adverse environmental effects that will occur at intersections involving four roads: (1) the Antelope Valley Freeway (Route 14); (2) Interstate 5; (3) the Simi Valley Freeway (Route 118); and (4) the San Diego Freeway (Route 405). (DEIR, appen. D, p. 1 [intersections addressed].) Most of the trucks associated with operations at this site will be going to and from the site by a route that necessarily will take them through the intersections of the above-listed roads. (See DEIR, p. 1-7 [Project vicinity map].) The most crucial intersection ignored by the DEIR is the intersection of Interstate 5 and the Antelope Valley Freeway. The DEIR should analyze the traffic impacts that the Project will impose on this intersection.

Traffic:

GENERAL:

AVAILABLE ROADWAYS:

There are 3 access roads connecting the Santa Clarita Valley to the Antelope Valley in the northeast:

- Soledad Canyon Road, which runs along the southern border of the project site (2,600 ADT in the vicinity of the project site, according to TMC – DEIR Pg. 3-283);
- Antelope Valley Freeway (Highway 14), which runs in a northeasterly direction along the northern border of the project site (76,000 ADT, according to Caltrans, 1996); and
- Sierra Highway, approximately 5 miles north of the project site.

These three roadways carry all of the traffic between the Antelope Valley and the Santa Clarita Valley, with the majority traveling on the Antelope Valley Freeway (Highway 14)

Although the Antelope Valley Freeway has recently been expanded, much of it remains two-lane in each direction between Palmdale and the Sand Canyon exit in Canyon Country. Caltrans added a carpool lane, which is of limited value to the majority of commuters. According to California motor vehicle laws, heavy trucks are allowed to use the two right lanes of any freeway. In the case of the Antelope Valley Freeway, this law allows trucks to mingle freely with the majority of passenger cars in the two lanes available. Since a sound wall has been built on the east side of the freeway between Shadow Pines Boulevard and Sand Canyon, it is obvious that Caltrans plans no further expansion of this section of the freeway.

ROADWAY AND TRAFFIC IMPACTS:

Soledad Canyon Road, the intersection with the Antelope Valley Freeway and the redesign of the proposed project site entrance were addressed in the DEIR/DEIS. There are several points, however, where the conclusions are suspect:

- It is assumed in the DEIR/DEIS that TMC will execute the project over a period of 20 years, rather than maximizing production in order to produce the 57.1 million tons of product in a shorter time frame. Road and traffic impacts should be calculated on a worst case scenario (maximum production in the shortest time frame possible). (DEIR Technical Appendices – Pg. D-1; DEIS – Technical Appendices – Pg. D-1)
- One haul truck, weighing approximately 80,000 pounds, is equated to 2.0 passenger cars (PCEs). Although this appears to be a Los Angeles County guideline, common sense would indicate that the ratio should be 4.0 passenger cars to one haul truck for the purposes of roadway impacts. (DEIR Technical Appendices – Pg. D-4; DEIS Technical Appendices – Pg. D-4)
- Population growth, and projected traffic growth of 1.5% each year over the next 20 years is addressed separately below. (DEIR Technical Appendices – Pg. D-12; DEIS Technical Appendices – Pg. D-12)
- TMC has included Mitigations regarding roadway surface on Soledad Canyon Road and traffic signals at the intersection of Soledad Canyon Road and the Antelope Valley Freeway with a reactive, rather than a proactive approach. How severe must the problems be before the mitigation will take place? (DEIR Technical Appendices – Pg. D-19; DEIS Technical Appendices – Pg. D-19)

- The access road to the proposed project site is proposed to be relocated. From the diagram provided, it appears that this new access road will be on a fairly steep grade. Does this grade present a danger both to trucks entering and exiting the site, and to passenger cars traveling along Soledad Canyon Road? (DEIR Technical Appendices – Pg. D-24; DEIS Technical Appendices – Pg. D-24)

During rush hours, or when a traffic accident severely curtails speeds on the Antelope Valley Freeway (Highway 14), drivers divert to the only other roads available – Soledad Canyon Road and Sierra Highway. Both are one lane in each direction. Sierra Highway goes through relatively more populated areas, to include the communities of Acton, Agua Dulce, and Canyon Country. Impatient with the delays they have experienced, drivers frequently travel these secondary roads at excessive speeds, endangering residents, or slower moving vehicles. The DEIR/DEIS do not address this impact of the TMC project, and the cumulative increase in traffic on secondary roads from subsequent projects.

Approximately 5% of the project traffic is proposed to travel along Agua Dulce Canyon Road (DEIR – Pg. 292; DEIS – Pg. 3-298). The amount of truck traffic on this road would then be approximately 17.5 ADT during Phase 1, and 58.2 ADT in Phase 2 (or a total of 276,305 ADT during the course of the 20 year project.)

1. The DEIR/DEIS does not identify the destination of trucks taking this route, other than Acton.
   A. Will this route be used exclusively to join the Antelope Valley Freeway northbound, enroute to Acton? If so, the DEIR/DEIS grossly overestimates the quantity of aggregate required in that small town.
   B. Will this route be used to join the Antelope Valley Freeway northbound, enroute to the Antelope Valley area (where they are already mining aggregate)?
   C. Will this route be used to transit through the community of Agua Dulce enroute to Sierra Highway during periods of heavy congestion or traffic accidents on the Antelope Valley Freeway (Highway 14), or to access areas of the Santa Clarita Valley via surface streets? Unlike Soledad Canyon Road east of the Antelope Valley Freeway (Highway 14), heavy trucks are allowed on Sierra Highway. If the latter is the intended use, the community of Agua Dulce strenuously protests against this use. In addition to being a narrow, winding canyon road, Agua Dulce Canyon Road goes through the heart of our residential and commercial areas, and passes beside our elementary school.

2. The DEIR (Pg. 3-142) and DEIS (Pg. 3-146) state that the anticipated volume of truck traffic on Agua Dulce Canyon Road "will not present a significant impact." The community does not consider over a quarter of a million truck trips on this road to be insignificant, in either traffic or roadway degradation. Agua Dulce Canyon Road was not built to sustain heavy truck traffic. Mitigation measures to insure maintenance and repair of Agua Dulce Canyon Road should be included in the DEIR/DEIS.

3. Any use of Agua Dulce Canyon Road should be fully detailed in the DEIR/DEIS, and heavily restricted in writing in any permit issued.

Several other freeways will also experience additional heavy truck traffic from the TMC project, which will increase congestion on already over burdened infrastructure. Since "95% of the project traffic would travel to the Antelope Valley Freeway via Soledad Canyon Road", and, "The major destinations for the materials shipped from the proposed Soledad site are Santa Clarita Valley, Inglewood, Los Angeles, Hollywood, Sun Valley and other areas nearby", it is assumed that there would be impacts on the 5, 405, 118, and 210 freeways. (DEIR – Pg. 292; DEIS – Pg. 3-298) These project impacts are not addressed in the DEIR/DEIS.

POPULATION:

TMC's conclusions in the Traffic Section of the DEIR/DEIS are based on data partially developed by using the Department of Transportation ambient traffic growth factor of 1.5% annually to account for development located outside of the project study area (DEIR – Pg. 3-286; DEIS – Pg. 3-292).

There has been, and will be substantial population growth in the region in which the TMC project would be located:

1. Agua Dulce's population has grown by an annual average of approximately 12% since 1984.
2. In addition, new developments have been built containing 1,600 units, and additional developments containing 924 units are in the planning process in the Canyon Country area.
3. Kaufman & Broad have recently announced a new, planned community called City Ranch, which will contain 4,200 single family homes and 300 apartment units in the west Palmdale area. These homes will be sold between the year 2000 and 2008.
4. In addition, the cities of Palmdale and Lancaster each have approximately 50,000 acres of land zoned for housing development.
5. The City of Santa Clarita and Newhall Land & Farming have approximately 14,000 acres of land zoned for housing development.

All of these new housing developments will result in increasing the population and, therefore the growth in traffic from these areas by more than the 1.5% annual traffic growth rate predicted in TMC's data. All of the residents in these areas are or will be dependent on the roadways which will be used by the TMC project, therefore, it can be anticipated that the traffic in the region will grow by more than the 1.5% factor.

Los Angeles has announced that it will have a housing shortfall of approximately 10% between 1999 and 2020. Since the northeast corner of the county is one of the last areas with land available for development within a reasonable commute time to the Greater L.A. Basin, it can be assumed that the Santa Clarita Valley and Antelope Valley areas will see a much higher population growth and, therefore, a greater traffic growth than the 1.5% on which TMC's analysis is based.

TMC did not address the cumulative effect of increased density on area roadways beyond the immediate radius of its project, and ignored the major housing developments which can be reasonably assumed to be built during the life of the project in the Antelope and Santa Clarita Valleys, whose residents will be using the same roadways. The DEIR/DEIS should be rewritten, taking residential expansion in the region into consideration, which will impact the volume of traffic and, thereby, the impact on the roadways proposed to be used by the TMC project.

PUBLIC HEALTH AND SAFETY:

The TMC project will add approximately 659 dual haul trucks daily to Soledad Canyon Road, the Antelope Valley Freeway, and other roadways to the southwest of the project site in Phase 1 and 1,105 heavy, dual haul trucks daily to these same roadways in Phase 2) (DEIR – Pg. 3-292; DEIS – Pg. 3-298). According to Caltrans (1996) the total ADT on the Antelope Valley Freeway is 76,000 vehicles, of which 4,408 are trucks (Caltrans 1996) (DEIR – Pg. 3-125; DEIS – Pg. 3-129). Therefore, TMC will increase truck traffic on the Antelope Valley Freeway (Highway 14) by 15% in Phase 1 and 25% in Phase 2.

The increase of 15% to 25% in truck traffic along the Antelope Valley Freeway (Highway 14) will create public health and safety problems to include:

- Additional traffic accidents, caused by the merging of slow moving trucks onto the freeway at the juncture with Shadow Pines Boulevard;
- Increased roadway traffic, motivating more drivers to take the two alternate, secondary roads (Soledad Canyon Road and Sierra Highway), creating additional traffic through the communities of Acton, Agua Dulce and Canyon Country. This will result in increased traffic, accidents and roadway degradation on these secondary roads, which is a direct impact of the project but is not addressed in the DEIR/DEIS;
- Additional air pollutants, to include 25% more diesel fuel particulates which have been identified as carcinogenic, as well as fugitive dust from uncovered trucks.;
- Additional roadway debris from truck trackout, with the potential to cause an impaired visual environment for motorists when the particulate matter dries and then is recirculated by the winds;
- Damage from flying debris off the mining trucks, which may cause broken windshields, paint damage, and may startle a driver sufficiently to cause an accident.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Significant Resource Designation Process to have 1.5 billion tons of sand & gravel resources. **(See "Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 8)**

CalMat Company prepared a Surface Mining and Reclamation Plan, dated September 1991, which is identified as County Project No. 91-307, and proposes to mine 240 million tons of sand and gravel over 30 years on a site adjacent to TMC. According to the L.A County Department of Regional Planning, Staff Report of April 21, 1999 (Project No. 91-165), (page 3 of 18), this CalMat project is "undergoing environmental review." CalMat has purchased land

on either side of Agua Dulce Canyon Road, south of the Antelope Valley Freeway (Highway 14) as part of their proposed mining site.

There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the traffic impacts on the region.

Noise and Vibration

GENERAL:

The project will result in increased noise levels throughout the area from an increase in industrial activities, to include blasting, operation of haul trucks, on-site extraction and processing equipment, and a concrete batch plant. However, there is insufficient, relevant data provided in the DEIR/DEIS, both in quantity and quality, for proper analysis.

AZUSA MEASUREMENTS:

"In order to assess the noise produced by the proposed plant operations, noise level measurements were obtained on September 16, 1992, at the TMC Azusa aggregate processing facility. Four measurements were made around the plant at a distance of 100 feet." (DEIR – Pg. 3-138; DEIS – Pg. 3-142)

Azusa is located in an alluvial plain, devoid of canyons that might channel noise. The TMC Azusa operation is open pit mining, with many of the noise generating activities taking place within a mining pit which is approximately 200' deep.

In April 1999, representatives of the Agua Dulce Town Council and the Agua Dulce Civic Association visited the Azusa TMC plant. Our representatives were issued earplugs for use while on the project site. Digging, blasting, and rock crushing take place on various levels within the open pit, surrounded by high, earthen walls which aid in deadening the sound. Therefore, noise impacts on surrounding sensitive receptors in the Azusa area are buffered.

Comparison of noise levels which may be anticipated from the Soledad Canyon proposed project to the Azusa TMC plant are meaningless.

SOLEDAD CANYON / AGUA DULCE:

The Soledad Canyon site is elevated, with none of the production activities scheduled to be below ground level at any time during the 20 year life cycle. Unlike the Azusa operation, there will be no high walls to capture the sound. Sound travels based on wind patterns, and moisture in the air. In fact, since the site is elevated above an area of many canyons, the sound generated by the Soledad Canyon proposed site will actually serve to distribute the sound to a

wider area. There are a number of areas within Agua Dulce with direct line of sight to the TMC project area. The comments shown regarding attenuation of noise due to the intervening ridge and undulating topography over the distance to Agua Dulce are not correct (DEIR – Pg. 3-138; DEIS – Pg. 3-142)

OFFSITE TRAFFIC:

There are a number of sensitive receptors on or in the vicinity of Agua Dulce Canyon Road, as well as along Soledad Canyon Road on both sides of the Antelope Valley Freeway. Noise generated by heavy haul trucks will be significant, particularly since it will begin as early as 5:00 a.m. and operate 7-days per week.

Additional noise and vibration impacts will be felt by the community of Agua Dulce, due to the diversion of additional vehicles onto secondary roads (Sierra Highway, Soledad Canyon Road, Escondido Road, and Davenport) to avoid increased congestion on the Antelope Valley Freeway. This issue is not addressed in the DEIR/DEIS.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.5 billion tons of sand & gravel resources. **(See "Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10, Appendix 8)**

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There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the noise and vibration impacts on the region.

BIOTA

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita, their experts, and other organizations and individuals in the responses which may have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.5 billion tons of sand & gravel resources. (See **"Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10, Appendix 8)**

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Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the impacts on the biological resources in this region.

Aesthetics / Visual Qualities

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

The community is, however, very concerned about the plan first expressed publicly in the 1994 TMC Sand and Gravel Brochure, showing that the mountain they propose to mine will be taken down to a level even with Soledad Canyon Road. **(See TMC's Soledad Canyon Sand**

and Gravel Brochure – 1994, Appendix 12) This will negatively impact the viewshed along the Antelope Valley Freeway (Highway 14).

CUMULATIVE IMPACTS:
The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.5 billion tons of sand & gravel resources. **(See "Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 8)**

CalMat Company prepared a Surface Mining and Reclamation Plan, dated September 1991, which is identified as County Project No. 91-307, and proposes to mine 240 million tons of sand and gravel over 30 years on a site adjacent to TMC. According to the L.A County Department of Regional Planning, Staff Report of April 21, 1999 (Project No. 91-165), (page 3 of 18), this CalMat project is "undergoing environmental review." CalMat has purchased land on either side of Agua Dulce Canyon Road, south of the Antelope Valley Freeway (Highway 14) as part of their proposed mining site.

There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the impacts on the aesthetic and visual resources in this region.

Cultural Resources

GENERAL:
The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

The heritage of the Native American Indians who once lived in this region, known as the Tatavium or the Aliklik, have left many treasures in our area. There are caves, burial grounds, and other archeological treasures which dot the landscape. The grave of the first Catholic Padre to contact the local Native Americans is located in close proximity to the TMC project site. Arrowheads, cooking pots and other museum quality artifacts have been discovered over decades as new home sites were graded in this region. There are rock art drawings tucked away in an area of the Vasquez Rocks Natural Area. The County of Los Angeles, Department of Parks and Recreation, is currently developing plans to build an Interpretative Center in Vasquez Rocks

Natural Area in order to display and protect many of these treasures, using $1.2 million in Proposition "A" funds approved by the voters of Los Angeles County.

Great care must be taken when disturbing the land, in order to prevent the loss of important traces of these ancestral protectors of the earth. It is incumbent upon TMC to pay to have a comprehensive archeological study conducted on the entire project site. The TMC DEIR/DEIS should provide a comprehensive plan, detailing how the top layers of earth will be removed to insure that Native American artifacts, which may lie below the surface, will be identified and protected. It is also highly recommended that TMC meet with tribal elders in the area to increase their sensitivity to the concerns of Native Americans living here today.

The TMC project will be in close proximity to, but not touch, the borders of Vasquez Rocks Natural Area. However, sensitive geological structures, flora and fauna, and habitats might be damaged by air pollution, noise and vibrations, or other impacts from the proposed project. A professional analysis of the potential damage which may be done to this County owned park should be undertaken by TMC, with the results and recommendations from professionals included in the DEIR/DEIS.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.5 billion tons of sand & gravel resources. **(See "Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 8)**

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There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the impacts on the cultural resources in this region.

Geology

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which may have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.5 billion tons of sand & gravel resources. (See **"Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 8)**

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There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the project impacts which may be created in this region.

Recreation (Trails)

GENERAL:

"The City of Santa Clarita has identified the Santa Clara River in its proposed River Plan, which includes recreational amenities and a multi-use river trail." (City of Santa Clarita Letter to Julie Moore, Project Planner, Department of Regional Planning, dated April 14, 1999, RE: Response to Draft EIR for the Soledad Canyon Sand and Gravel Mining Project – Pg. 14 & 15)

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which may have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management. We are

concerned, however, about the Pacific Crest Trail and the Vasquez Rocks Natural Area, both of which are used extensively by residents and visitors to our area.

PACIFIC CREST TRAIL:

The Pacific Crest Trail (PCT) crosses Soledad Canyon Road approximately 4 miles east of the TMC project site. Enroute from the Mexican border to the Canadian border, hikers continue northerly through Robins Nest, Vasquez Rocks Natural Area, and the community of Agua Dulce.

In the event of a major traffic tie up on the north bound Antelope Valley Freeway, haul trucks may decide to use Soledad Canyon Road northbound as an alternative. This presents a potentially dangerous situation for recreationists along the Santa Clara River north of the project site, as well as hikers on the PCT.

The PCT passes along Agua Dulce Canyon Road, through the heart of Agua Dulce. If TMC is planning on using this road to connect with Sierra Highway, this will pose a threat to the PCT hikers.

VASQUEZ ROCKS NATURAL AREA:

The community of Agua Dulce is very concerned about the proximity of major mining operations to the delicate and treasured County owned natural area. The DEIR/DEIS does not analyze potential impacts from increased air pollution on priceless rock art contained within the Natural Area. They also do not address the impacts on recreational users (hikers, horseback riders), educational users (school children), and commercial users (movie production companies) of the park. Additional comments may be found under the "Cultural Resources" section of this response.

Flooding

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which may have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.5 billion tons of sand & gravel resources. (See **"Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 8)**

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Department of Regional Planning, Staff Report of April 21, 1999 (Project No. 91-165), (page 3 of 18), this CalMat project is "undergoing environmental review." CalMat has purchased land on either side of Agua Dulce Canyon Road, south of the Antelope Valley Freeway (Highway 14) as part of their proposed mining site.

There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the project impacts which may create flooding in this region.

Alternative Analysis

The DEIR/DEIS is also inadequate because it does not offer a range of alternatives. Other than the "No Project" alternative, only one alternative offers communities an alternative of reduced mining. Other alternatives simply change the way the mine operates, which does not lessen the impact on environmental factors. These four alternatives are:

1. The reduced fines storage alternative;
2. The reclaimed water alternative;
3. The product transportation alternative and
4. The alternative north fines storage alternative.

None of these alternatives are truly alternatives as defined by CEQA. The concern is that the scale of mining can only get larger once established. The community's concern is also that establishing this mine will validate the existence of large scale mining in the Designated Resource Area. Other methods of mining in other locations or on different scales of production are not referenced in the DEIR/DEIS.

Conclusion

Over the past years, major environmentally invasive companies have moved out of the Santa Clarita Valley region as non-polluting businesses and new homeowners have moved in. We must question why TMC, CalMat and the BLM are just now trying to implement a master plan originally conceived in the mid-1980s to mine the Soledad Canyon area. The volume of identified sand and gravel resources in the identified area (1.5 billion tons) alerts the residents of this area that it would be naïve to believe that TMC is the only project planned. It would also be naïve to believe the BLM representative who claimed that the BLM has no intention of soliciting bids for further mining in the area.

Large scale mining and the propensity for it to expand to the limit described by the Designation of Regionally Significant Construction Aggregate Resources in the Saugus-Newhall Production-Consumption Region disturbs and alarms the members of our community. The

cumulative impacts of mining, whether they are generated by this TMC project, or an expanded project on this site, or anywhere in the area is problematic.

The existing Los Angeles County General Plan and the Santa Clarita General Plan and, subsequently, the communities involved in those plans, can and will be overwhelmed by large scale mining operating in this area.

Clearly the requirements of SMARA, CEQA, NEPA, Title 43 and Title 30 have not been integrated into these plans. The DEIR/DEIS only deals with the effects of a relatively small TMC project, in isolation, and does not address cumulative impacts.

We suggest that the DEIR and DEIS be revised and recirculated, taking into account the massive injustice that would be inflicted on the people of Santa Clarita, and particularly Agua Dulce, if environmental issues are not addressed honestly and on a cumulative level.

If those involved in the issue of mining in Soledad Canyon truly understand the scope intended, and the tremendous changes it will bring to this urbanizing area, then we believe that all parties involved will come to the agreement that the TMC Soledad Canyon Sand and Gravel Project, as well as all other new mining projects, should be stopped. Please assist us in accomplishing the following:

- Do not approve the TMC Soledad Canyon project, and do not recommend that the Board of Supervisors issue a Finding of Overriding Social and/or Economic Considerations under CEQA for this project;

- Do not approve subsequent large mining projects proposed for the Soledad Canyon area;

- Assist us by working with both the State of California and the Bureau of Land Management to remove the Soledad Canyon area and the entire length of the Santa Clara River from the Significant Resource Designation list.

Sincerely,

JAMES F. DUZICK, President
Agua Dulce Town Council

DIANE TERITO, Land Use Chair
Agua Dulce Civic Association

OPPOSITION LETTERS

SMP CASE NO. 91-165-(5)

FROM : GE PHONE NO. : 714 535 8649

C-27

Post-it® Fax Note 7671	9-13-99 pages 6
To Ms JULIE MOORE	From GEO LEIGHTON
Co./Dept. REGIONAL PLANN.	Co.
Phone #	Phone # 714-535-8648
Fax 213-626-0434	Fax # -8649

SEP-12-1999 09:47 PM

Safe Action For the Environment, Inc.

Office of the President

September 12, 1999

Ms. Julie Moore
Project Planner
County of Los Angeles
Regional Planning
Impact Analysis Section
320 West Temple Street, Room 1348
Los Angeles, CA 90012

Dear Ms. Moore:

Enclosed items include noise analysis of Soledad Canyon Sand and Gravel Mining Project - CP #91-165-(5) performed by George Leighton, acoustical consultant and engineer, and submitted by Safe Action For the Environment, Inc. This analysis is being submitted on or before September 13, 1999, as Environmental Impact Report and Environmental Impact Study testimony.

Sincerely,

Andrew G. Fried
President

P. O. BOX 6009 AGUA DULCE, CALIFORNIA 91350 (661) 268-1519

GEORGE E. LEIGHTON

CONSULTANT, NOISE CONTROL

September 13, 1999

To: Safe Action for the Environment
From: George E. Leighton
Subject: Soledad Canyon Sand & Gravel Mining Project CP-165-(5), Critique of Draft Environmental Impact Statement - Noise & Vibration Section

A review of the subject Environmental Impact Statement revealed basic flaws which distorts the true noise impact upon the affected residents:

1. Use of CNEL

CNEL is a 24 hr average noise descriptor. It is for land use planning only. It is typically never used as a noise ordinance limit, as stated in the report. In a hush-quiet pastoral environment with typical readings of 35 dBA, 65 dBA (cited in the report as acceptable) is 1,000 times the acoustic energy that sounds 8 times as loud as the ambient noise - a shattering intrusion.

2. Intermittent Noise

This is the most intrusive type of noise. Average noise levels cannot assess the true impact of intermittent noise.

The example I like to use is someone shooting off a cannon under your bedroom window every hour on the hour throughout the night. In response to your reaction that this noise is intolerable, the cannoneer would reply that "the average noise level is acceptable. Averaging a few milliseconds of loud noise with the remaining hour of hush-quiet produces an average noise level (Leq or CNEL) which meets code and is acceptable". Of course, the absurdity of this reasoning is obvious.... not to the cannoneer, but certainly to the victim of his noise.

This analogy is appropriate to heavy trucks fully loaded at maximum power passing the residences along Soledad Canyon Road at night or in the wee hours of the morning. If we assume an 80 dBA truck passby noise at the nearest receptor with a 30 dBA lower ambient level, this is an abrupt 50 dBA noise increase. Since every 10 dBA increase represents 10 times the acoustic energy that sounds twice as loud. A 50 dBA increase represents 100,000 times the acoustic energy that sounds 32 times as loud... a shattering intrusion into the hush-quiet environment.

1307-A SOUTH EUCLID STREET · ANAHEIM, CA 92802 · (714) 535-8648 FAX (714) 535-8649 (800) 570-3666

Mobile Home Parks

Mobile homes are designed with light-weight construction for over-the-road portability. Walls are typically light-weight metal outer skin, a 1"- 2" Styrofoam core, and a thin plywood veneer interior. This is a thin, light-weight wall that is a poor noise barrier, incapable of blocking truck passby noise from invading the mobile home interior.

Thus, land use standards applicable to conventional homes are totally inappropriate for mobile home parks.

Summary

The noise section of the Environmental Impact Statement is seriously flawed. Although it is impressive in its sheer size and data presentation it obscures the actual impact on the residents and the environment. It proposes to justify invading a hush-quiet, pastoral wilderness area with a round-the-clock industrial mining operation with accompanying noise and air pollution that will destroy the peaceful serenity of people's lives and lifestyle.

Recommendations

If this project is to be seriously considered, the noise impact report should be rewritten to present the true impact of the project on the affected residents. It should not be obscured by inappropriate use of noise descriptors.

George E. Leighton

George E. Leighton
Certified Acoustical Consultant

Attached: Appendix

APPENDIX

1. George E. Leighton, Consulting Services

GEORGE E. LEIGHTON

CONSULTANT, NOISE CONTROL

CONSULTING SERVICES

Mr. Leighton is an acoustical consultant with an impressive list of clients. Some of the more well known are listed below:

Chevron	Texas Instruments
Digital Equipment	Textron
General Electric	3M
Gulf Oil	U.S. Navy
International Harvester	United Technologies

He has over 35 years of professional engineering experience with over 25 years exclusively in the field of industrial, commercial, and residential noise control:

INDUSTRIAL

His industrial experience covers the entire range of noise abatement. He has worked with OEM's (Original Equipment Manufacturers) to design quiet equipment and provide field retrofit kits. He has designed, built and installed noise-control systems involving single items of equipment through entire plants for the metalworking, automotive, construction, printing, chemical and petrochemical industries. Techniques ranged from initial noise surveys through computer prediction and computer modeling to insure compliance with in-plant and community noise standards . . . OSHA compliance experience ranges from noise surveys, corrective action to meet OSHA standards, consulting with clients and attorneys under OSHA citations, and negotiating with OSHA to develop abatement plants for cited clients.

COMMERCIAL

His commercial experience covers new construction and corrective action for churches, recreation halls, existing schools, restaurants, factory and office buildings, hospitals, hotels and motels. Code-compliance reports prepared for interior and exterior (community) noise requirements. Mechanical systems analysis provided for new construction and corrective action for existing systems.

RESIDENTIAL

His residential experience covers new and existing apartments, condominiums, and private homes. Acoustical Analysis Reports prepared for Title 24, building and grading permits. He specializes in analysis and correction of problems in existing buildings. Expert-witness testimony provided in court actions.

Typical clients are industrial firms, architects, developers, contractors, homeowners, attorneys, consulting engineers, schools, city and national governments.

1307-A SOUTH EUCLID STREET • ANAHEIM, CA 92802 • (714) 535-8648 FAX (714) 535-8649 (800) 570-3666

GEORGE E. LEIGHTON
PROFESSIONAL QUALIFICATIONS

- BOARD-CERTIFIED ACOUSTICAL CONSULTANT
- REGISTERED PROFESSIONAL ENGINEER (MA)
- GRADUATE ENGINEER, MASTER'S DEGREE
- 35 YEARS PROFESSIONAL ENGINEERING EXPERIENCE
- 25 YEARS EXCLUSIVELY IN NOISE CONTROL
- MEMBER:

  Acoustical Society of America

  Institute of Noise Control Engineers

  National Council of Acoustical Consultants

  National Society of Professional Engineers

  Society of Testifying Experts

C-28

Natural History Club of Acton/Agua Dulce

"Protectors of Natural, Ecological & Cultural Resources"

COPIES: EACH COMMISSIONER
STAFF
J. Moore
J. Gutierrez
D. Anderson

September 13, 1999

Department of Regional Planning
320 West Temple Street Room 1383
Los Angeles, CA 90012-3225

Ref. # 91-165-5 **Transit Mixed Concrete Corp.**

Honorable Commissioners:

The Natural History Club of Acton/Agua Dulce is formally asking for a CONTINUANCE of the Hearing of this Proposed Surface Mining Project.

The DEIR (Draft Environmental Impact Report State Clearinghouse No. 91111066), and, subsequently, the DEIS (Draft Environmental Impact Statement, B.L.M.), started to be written ten years ago. We find the commentary to be inadequate. It is erroneous and outdated (i.e.: the AIR Quality issue, and the tenuous condition of the Unarmored Three Spine Stickle

back fish).

New Studies MUST be commissioned to satisfy these and, possibly other issues. Because of this we feel an extension is needed for much needed further investigation.

Sincerely,

Stacey Nickels, President NHC, A/AD

Fax today; hard copy to follow immediately

cc: Honorable Howard McKeon
Senator Pete Knight
Assemblyman George Runner
Honorable Mike Antonovich

NHCA . P.O. Box 965 - Acton, CA 93510 . (661) 268-1136; FX (661) 268-8864

C-29

Natural History Club of Acton/Agua Dulce

"Protectors of All Natural, Historical, Ecological & Cultural Resources"

September 13, 1999

Mary Mention, Chief Clerk
(213) 626-0434 FAX 2 PAGES

Dear Ms. Mention,

To follow is our comments on the DEIR for case # 91-165-5 Transit Mixed Concrete.

Please copy and distribute to all Commissioners today.

Hard copy to follow.

Thank you.

Sincerely,

Stacey Nickels

NHC A/ADP.O. Box 965 Acton, CA. 91350 ● (661) 268-1136 ● FAX (661) 268-8864

C-30

ANGELES CHAPTER • SIERRA CLUB
3435 WILSHIRE BOULEVARD • SUITE 320 • LOS ANGELES • CALIFORNIA 90010-1904 • (213) 387-4287 • FAX (213) 387-5383

9-13-99

Mr. Daryl Koutnik
Los Angeles County Regional Planning Commission
320 W. Temple St.
Los Angeles, Ca. 90012

Re: Soledad Canyon Sand and Gravel Mining Project DEIR SCH#9111066

Dear Mr. Koutnik

Thank-you for giving us the opportunity to comment on this project. The Sierra Club wishes to incorporate by reference the objections of all other agencies and organizations such as the City of Santa Clarita, SCOPE and S.A.F.E. particularly pertaining to the sections regarding traffic analysis, air quality, water resources and alternative analysis.

Alternative Analysis

The DEIR fails to discuss a reasonable range of alternatives in accordance with Pub.Res.Code 21100, subd.(b)(4),, 21002; CEQA Guidelines, 15002, subd. (a)(3), 15021, subd.(a)(2). 15126, subd. (f),15126. Several proposed "alternatives" are in reality, not alternatives at all, but rather a method of mitigating the storage of fines, the movement of materials or the location of the batch plant. No discussion of alternate sites is included, although such sites exist. Also, no discussion of the potential for aggregate production from recycled materials such as glass or crushed demolition materials was included. Such sources were exploited after the 1994 earthquake and continue as a source of raw materials and a re-use of the waste stream.

Air Quality

The Santa Clarita Valley is already in a non-attainment zone for both ozone and PM10 pollution. The proposed project will add substantially to both these conditions and therefore may not correlate with the State Implementation Plan as required by the Clean Air Act. Air pollution modeling, particularly for PM10s was not done sufficiently to assess pollution movement during wind conditions. Such modeling must be done to accurately asses impacts to nearby residents and particularly to sensitive receptors such as schools. This project may not be allowed under the Clean Air Act if it worsens air quality for a sensitive receptor. It is our understanding that when proper modeling is conducted, the effect on local nearby schools will preclude the approval of the project.

Valley Fever is a fungus found in soil and carried into the air by grading activities. It is difficult to cure and may be fatal. Incidents of Valley Fever infection have already occurred in the Santa Clarita Valley. The DEIRdid not disclose the health risks of this disease to nearby residents. Fugitive dust (PM10) is also a known contributor to respiratory disease, particularly in children. The DEIR also did not disclose the health risks associated with the increase in PM10 pollution from this project to local neighborhoods and particularly to schools.

Traffic Analysis

The DEIR's traffic analysis is inadequate because it ignores the significant adverse environmental effects that will occur at intersections involving four roads: 1) the Hwy 14, the Antelope Valley Freeway, 2) Interstate 5; 3, the 118 Simi Valley Freeway; and 405, San Diego Freeway. Failure to traffic impacts through the constriction of the Newhall Pass are particularly glaring. Further, the increased noise levels from these trucks on local neighborhoods as they access and exit the freeway was not discussed.

Water Resources

Public Trust Rights Violated

The sustainable yield for this project is calculated to not produce drawndowns greater than 40% (See supporting report by Western Technologies, 1989, introduction). Surface and subsurface flows in the area have been found to be inter-connected (see supporting report by Ground Water Systems, April 1993 Chapter 11.2 Section B). A 40% draw-down will therefore affect surface flows. The extent of this affect and its potential to impact, indeed, ***eliminate,*** the unarmored three-spined stickleback, was not investigated by any of the water resource reports or the DEIR. ***Failure to disclose this impact is an EIR deficiency and must be addressed.*** Such impacts would constitute a violation of Public Trust Law and a violation of the Endangered Species Act.

Data Not Current

Further, all water resources studies are based on information compiled and analyzed between 1989 and 1991. This makes all data a minimum of eight years old. Considerable building has occurred both upstream and downstream from this site. Updated water usage data must be supplied prior to final consideration of this project to ensure that existing users will not be impacted.

Yield Not Sustainable

Total water usage for this project is estimated to be 442 AF for phase I and 746 AF after phase II is implemented (p.3-60). These figures are arrived at only after a 35% reduction for the use of clarifiers. ***Therefore, clarifiers must be made a project condition if even the water usage levels sited in the DEIR are to be achieved.*** .

This water usage will over-draft the existing water resources of the Santa Clara River. As indicated in the section labeled "Storage Capacity of the Alluvial Aquifer" (Introduction, no page numbers indicated), by Western Technologies, Inc., 1989 , the sustainable yield in this area is 283 AF in a dry year to 419 AF in a wet yea ***based on 80% of water return from the project to the River.*** However, the DEIR states on page 3-60 "No waste or return to the River of water is planned". Further, for the purposes of this report sustainable yield is defined as "the maximum amount of water that can be withdrawn from the alluvial aquifer in the study area without creating average drawdowns greater than 40 percent of the original saturated thickness." This is an unusual definition of sustainable yield. Sustainable yield is commonly accepted to indicate water usage that will not degrade water quality or desiccate wetlands, yet the study definition would do both (a 40% draw down would affect surface flows since the are inter-related, see referenced report by Geo Water Systems, Chapter 11-2 B. "Surface Water Flows in the Santa Clara River Valley" and the Law/Crandell, 1991 Water Quality

Analysis "pg. 8 "There may be a slight increase in total desolved solids content"..) We therefore object to this definition sustainable yield as being an oxymoron and self-contradictory. It disguises that fact that real and substantial over-draft problems will occur if this project is approved.

The Santa Clara River is Already in Over-draft

The safe yield of the Santa Clara River eastern basin was calculated to be 25,000AF by the USGS in 1972 and 31,600-32,500AF by Richard Slade in 1986. Both these two figures have been exceeded by municipal and private pumping for the last 5 years as indicated in Table III-7 of the Santa Clarita Valley Water Report, 1998. Since the proposed project will exceed available water resources on site, it will add to over-draft of the alluvial aquifer. ***Such over-draft is inconsistent with the water resources section of the Santa Clarita Area Plan.***

Conclusion

Since there are no other water sources than the Santa Clara River identified for this project, approval under the present circumstances would constitute a violation of public trust law and a violation of the Endangered Species Act. Therefore, this project may not be approved as proposed.

Thank-you for your consideration of these issues.

Sincerely,

Henry Schultz

Henry Schultz
Chair, Santa Clarita Group
Faxed 9-13-99 to comply with comment period deadline. Hard copy to follow via regular mail.

C-31

ACTON Civic Association

AN ORGANIZATION DEDICATED TO A COUNTRY LIFESTYLE

P.O. BOX 550 ACTON, CA 93510 FAX (805) 269-2505

September 13, 1999

Los Angeles County Department of Regional Planning
320 Temple Street
Los Angeles, CA 90012
R.E. TMC Mining Application - SM 91165

Dear Commissioners:

The Acton Civic Association is in full support of other petitions to deny this project due to the extensive environmental damage to persons and property. The issues of dust, depletion of ground water, destruction of the viewscape, and other health and environmental issues have been thoroughly covered in other documents. We will avoid being repetitious about the details.

There are several additional comments our organization would like to add. One is the attempt on the part of the applicant to imply a significant savings to the public if this project were allowed at this location due to a shorter travel distance. It has been our observation that public projects are paid at least at normal market rates, and in addition, labor is paid at higher than market values through the policy of "prevailing wage." The savings in travel costs more likely would accrue to the applicant in the form of additional profit, and the public would still pay the going market rates. This is not a compelling reason to create the significant havoc in our community of having this intensive mining operation next door.

Another alarming issue that has come out in the documents is the manner in which the BLM gained jurisdiction over the aggregate. It is our understanding that this property was being mined for aggregate, in a very limited degree, by the owner of the surface rights. The issue of mineral rights did not apply until the BLM changed the definition of "minerals." This gave the BLM the rights to take private property, since the aggregate rights previously belonged to the surface owner. It amounts to what we see as a dangerous precedent which appears to us to violate important constitutionally established rights to property. To have private assets taken over by a governmental body merely by changing a definition is an adminstrative act that is improper and sets all private assets at some risk. If an agency can change the meaning of a law such that they confiscate property previously belonging to someone else, we are all at risk in the future.

Please give every consideration to the large number of people whose lives will be negatively affected if this size of a mining operation is allowed. The need is open to argument. The damaging effects are not.

Sincerely,

Kent M. Madsen, Acting President

Kent Madsen
Acting President
(805) 269-0097
Kathleen Howald
Vice President
(805) 269-0133
Kent Madsen
Secretary
(805) 269-0097
Ed Wiseman
Treasurer
(805) 269-0190
Bill Daniels
(805) 269-1331
Judi Daniels
(805) 269-1331
Fred Fate
(805) 269-2496
Peggy Fate
(805) 269-2496
Chrys Hamper
(805) 269-4267
Edie Jeske
(805) 269-0660
Richard Morris
(805)947-9725
Bruce Pierce
(805) 269-5904
John Spence
(805) 269-1436
Lynne Sickler
(805) 269-0055
+
Associate Members

C-32

Safe Action For the Environment, Inc.

Office of the President

September 12, 1999

Ms. Julie Moore
Project Planner
County of Los Angeles
Regional Planning
Impact Analysis Section
320 West Temple Street, Room 1348
Los Angeles, CA 90012

Dear Ms. Moore:

Enclosed items include air quality analysis of Soledad Canyon Sand and Gravel Mining Project - CP #91-165-(5) performed by Air Quality Dynamics, and submitted by Safe Action For the Environment, Inc. This analysis is being submitted on or before September 13, 1999, as Environmental Impact Report and Environmental Impact Study testimony.

Sincerely,

Andrew G. Fried
President

P. O. BOX 6009 AGUA DULCE, CALIFORNIA 91350 (661) 268-1519

AIR QUALITY DYNAMICS

SPECIALIZING IN AIR QUALITY ANALYSIS

September 10, 1999

Safe Action for the Environment
33333 Pewter Road
Agua Dulce, California 91350
Attn: Michael Karbacher

Re: Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project: Assessment of Air Quality Impacts

Dear Michael:

In response to your request to assess the adequacy of the air quality element for the above referenced project, the following is provided.

Upon review of the project's technical documentation, numerous deficiencies were noted in the approach and assessment methodology utilized by the applicant. Of relevance is the applicant's underestimation of ambient particulate (PM_{10}) concentrations, their claim that PM_{10} concentrations will not adversely affect local receptors and air toxic emissions are not associated with project operations. These assertions are incorrect and have no merit.

The following is a rebuttal to the applicant's assessment and discussion of the environmental documents technical inadequacy.

USE OF INAPPROPRIATE DISPERSION MODEL PARAMETER

The DEIR documents that operational impacts associated with particulate exposures "cannot be mitigated to a level that is less than significant." As a result, the applicant performed air dispersion modeling "to determine the potential for significant impacts on residential projects" and "on existing proximate receptors (i.e., the dwelling located across Soledad Canyon Road to the south of the site and that the River's End Trailer Park located west of the southwest corner of the site)." Although Air Quality Dynamics agrees with the use of air dispersion models to assess the downwind extent of contaminant emissions and predict relevant airborne concentrations, the applicant invoked the use of the dispersion model's calms processing option. This option is not approved by the South Coast Air Quality Management District (SCAQMD) when utilizing their preprocessed meteorological data.

The U.S. Environmental Protection Agency recommends ignoring the meteorological hours when wind speeds are less than 1 meter per second (m/sec). When applied, however, the

highest potential downwind concentrations are ignored. This guidance is significant within the South Coast Air Basin where the average hourly wind speed is less than 1 m/sec for a significant fraction of the year. To account for this condition, SCAQMD applies the actual wind direction during the hour when the wind speed is less than 1 m/sec, then assumes a 1 m/sec value. This is done without regard to whether the wind speed instrument is recording wind speeds below the instrument's threshold for accuracy. As such, the calms processing routine must be turned off when utilizing SCAQMD's preprocessed meteorological data.

Use of the SCAQMD data while invoking the clams processing routine, as was done by the applicant, underestimated residential PM_{10} exposures by a much as 16.8 and 16.3 percent for operational phases 1 and 2, respectively. Revised dispersion output files reflecting the applicant's original model design and corrected calms processing option are presented in Attachment C.

INACCURATE ASSESSMENT OF AIR QUALITY MANAGEMENT PLAN CONSISTENCY

In the applicant's consistency determination, two indicators are outlined. Of relevance is the determination of significance that the project "will not result in an increase in the frequency or severity of existing air quality violation or delay timely attainment of air quality violations or the interim emissions reductions specified in the AQMP."

The DEIR correctly notes that "a significant impact is associated with a project if the project causes a significant change in the offsite ambient air concentration." The level of significant change for PM_{10} particulates for a 24-hour average is 2.5 micrograms per cubic meter ($\mu g/m^3$). The DEIR also notes that ambient air quality in the project vicinity is in exceedance of the California Ambient Air Quality Standard (CAAQS) for PM_{10}. As a result, an incremental increase of 2.5 $\mu g/m^3$ over background levels will add to the continued degradation of local air quality and increase the frequency and severity of an existing or projected air quality violation.

The DEIR appropriately documents that the project will "add to an existing (air quality) violation" for all phases of the project, yet, minimizes this determination by asserting that the project is consistent with the local Air Quality Management Plan (AQMP) "as the standards will not be violated at proximate receptor locations." Air Quality Dynamics is unclear as to the applicant's meaning of "standards." The applicant's dispersion analysis readily indicates that 24-hour concentrations at two residential receptor locations will exceed the 2.5 $\mu g/m^3$

significance threshold. For Phase 1 and Phase 2 operations, the maximum downwind concentrations at the maximum exposed residential receptor were predicted to be 13.44 $\mu g/m^3$ and 20.63 $\mu g/m^3$, respectively. As can be seen, the applicant's "first indicator of consistency" is incorrect as PM_{10} concentrations clearly violate SCAQMD's 24-hour threshold concentration of 2.5 $\mu g/m^3$. Project related emissions are, therefore, predicted to degrade local air quality and increase the frequency and severity of an existing air quality violation.

Attachment A provides a graphical representation of the facility and associated downwind extent of PM_{10} concentrations which meet or exceed the SCAQMD's 24-hour threshold concentration. As noted in the contour diagrams, threshold concentrations are anticipated to extend a maximum of 4947 meters (3.1 miles) during phase 1 and 7421 meters (4.6 miles) for phase 2 operations northwest of the facility fenceline.

POTENTIAL HEALTH RISKS ASSOCIATED WITH PARTICULATE (PM10) EXPOSURE NOT DISCLOSED

Although the DEIR addresses significance and various "standards" by which to evaluate the proposed project, limited information is presented to identify the potential effects of PM_{10} emissions on an exposed population. In correspondence from Michael P. Kenny, Executive Officer, California Air Resources Board to Mary Nichols, U.S. Environmental Protection Agency, it is reported that:

> There is new information on respirable particulate matter from health and ambient monitoring studies. Important studies have been performed since the current federal PM_{10} standards were last established in 1987. These studies consistently find that exposures to ambient levels of PM_{10}, which includes $PM_{2.5}$, adversely impact health. These adverse effects include increased respiratory illness, hospitalizations, and mortality rates.
>
> The health effects data do not point to a clear, no-effects or threshold level for PM (either 2.5 or 10) for these effects. Traditionally and under the federal Clean Air Act, such a no-effects level provides the basis to begin air standards considerations. Once a no-effects or safe level is identified, a margin of safety is added to assure adequate health protection that accounts for uncertainty. The absence of a no-effects level may be because no safe level exists (i.e., there is no threshold below which no effects occur), because methods to develop a safe, no-effects threshold are lacking, or because the studies have not been done that could identify a "safe" level.

The California Air Resources Board (ARB) additionally reports that PM_{10} is "known to be linked with airway conditions, such as asthma and bronchitis" and contends that the PM_{10} "24-hour standard is the most important (standard) in addressing acute health effects." The ARB continues by stating that:

> When the California Air Resources Board established its PM_{10} standard, it found 50 $\mu g/m^3$ to be a health-protective value. A review of recent findings strongly supports the merit of this determination, but suggests that a 50 $\mu g/m^3$ level provides little, if any, margin of safety.

As noted above, based on concerns raised by the ARB that there are no established safe levels of exposure and little margin of safety in our current 24-hour standard, the incremental emissions associated with the proposed project clearly present a potential to impact the health of individuals who reside within the local community.

AIR TOXIC IMPACTS WERE INAPPROPRIATELY ASSUMED TO BE INSIGNIFICANT

The DEIR reports that "no toxic air contaminants are associated with the Project", as such, "toxic air emissions will not be addressed." This approach clearly fails to recognize that the ARB has identified particulate emissions from diesel-fired engines as a toxic air contaminant (TAC). The ARB listed diesel particulate as a TAC on August 27, 1998. The ARB's decision to list the contaminant as a TAC followed an exhaustive scientific investigation by ARB staff, the Office of Environmental Health Hazard Assessment and an independent Scientific Review Panel.

In the absence of the applicant's assessment of diesel particulate exposures associated with the facility's operational emissions, Air Quality Dynamics considered it prudent to perform the appropriate health risk assessment.

To ensure the assessment accurately quantified carcinogenic risk, the analysis utilized all relevant and appropriate procedures presented by the U.S. Environmental Protection Agency and California Environmental Protection Agency. As such, the risk assessment methodologies and related technical approach utilized to quantify the dispersion and downwind extent of diesel particulate emissions is presented in the following discussion.

The analytical methodologies considered in the analysis were designed to determine the likelihood of an adverse health consequence arising from exposure to on-site diesel particulate emissions through the inhalation pathway. As such, the assessment considered all related

aspects of the federal and state risk assessment process. The unique aspects of the assessment process are hazard identification; dose-response assessment; exposure assessment; and risk characterization.

Hazard identification involves a determination of the specific health effects associated with exposure to a chemical compound. The dose-response assessment is designed to characterize the relationship between the amount or dose of a chemical agent and its toxicological effect on the human body. Exposure assessment involves the estimation of a chemical's concentration and the duration of exposure over a given period of time. Risk characterization is the integration and concluding step in the assessment process where information relative to a chemical's toxicity, concentration and length of exposure are combined to provide a quantitative probability of adverse health effects.

Although the process of hazard identification and the dose-response assessment are not explicitly addressed, the determination of a compound's toxicity and the dose required to elicit an adverse health effect are based on human health effects data developed by the Office of Environmental Health Hazard Assessment. As such, the latter steps of the assessment process will be addressed to determine the concentration and duration of the facility's emissions and integrate the resulting values with published toxicity data to produce a numerical estimate of risk.

Exposure Assessment

Knowledge of the chemical's airborne concentration is integral to the characterization of risk and an essential part of the assessment process. To obtain these values, Air Quality Dynamics applied the applicant's assessment methodology used to quantify chronic exposures to nitrogen dioxide (NO_2) from heavy equipment operations. As such, both phase 1 and 2 "residual" particulate emission values (i.e., 18.4 and 35.0 pounds per day) were utilized. The emission rates were then equally divided among four discrete source configurations. This was done to replicate the applicant's assessment protocol presented in the DEIR.

Once the emission rates were identified, predictive modeling or a mathematical simulation to calculate the dispersion of diesel particulates was prepared. Air dispersion modeling is typically used to quantify the downwind extent of both criteria and toxic pollutants generated from an emitting source. To exemplify the viability of this predictive approach, the United States Environmental Protection Agency, Office of Air Quality Planning and Standards (OAQPS) reports that *"modeling is the preferred method"* and *"primary analytical tool"* for assessing emissions generated from new and existing sources.

To assess the impact of these emissions, the Industrial Source Complex Short-Term (ISCST3) model was employed. ISCST3 is an OAQPS preferred model for assessing pollutant concentrations from a wide variety of emission sources (i.e., point, area and line). This model was also utilized by the applicant to assess both mobile and fugitive emissions generated from the project's on-site operations.

Please note that with the exception of an emission rate adjustment from NO_2 to exhaust particulates and modification of the calms processing option to comply with SCAQMD guidance, the exposure assessment was prepared in a manner consistent with the approach utilized by the applicant to assess emissions generated from its on-site heavy equipment operations (i.e., release height, initial sigma values and source coordinates).

Risk Characterization

Carcinogenic compounds are not considered to have threshold levels (i.e., dose levels below which there are no risks). Any exposure, therefore, will have some associated risk. As a result, the State of California has established a threshold of one in one hundred thousand (i.e., 1.0E-5) as a level posing no significant risk for exposures to carcinogens regulated under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65).

Traditionally, health risks associated with exposure to carcinogenic compounds can be defined in terms of the probability of developing cancer as a result of exposure to a chemical at a given concentration. The cancer risk probability is determined by multiplying the pollutant's concentration by its unit risk factor (URF). The URF is a measure of the carcinogenic potential of a chemical when a dose is received through the inhalation pathway. It represents an upper-bound estimate of the probability of contracting cancer as a result of continuous exposure to an ambient concentration of one microgram per cubic meter (μg/m3) over a 70 year lifetime.

22 CCR 12721(c) provides for the risk determination to be based on the assumption of a defined rate of exposure over a 70 year lifetime. This is accomplished by multiplying the level in question by the estimated exposure rate. To assess exposure, the compound's URF must first be converted to an appropriate inhalation cancer potency factor expressed in mg/kg-day. The conversion is derived by the following:

$$\chi \text{ mg/kg-day} \times (1/70) \times (20\ m^3) \times (1.0 \text{ mg} / 1000\ \mu g) = 3.0E\text{-}04$$
$$\chi = 1.05 \text{ mg/kg-day}$$

The cancer potency factor is then multiplied by the contaminant intake (i.e., inhalation dose) expressed in mg/kg-day. To convert airborne concentration estimates to the appropriate inhalation dose value, the following formula was utilized.

$$I = (C \times CR \times EF \times ED) / (BW \times AT)$$

Where:

I	=	intake of chemical via exposure route (mg/kg-day)
C	=	exposure point concentration (mg/m^3)
CR	=	contact rate (m^3/day)
EF	=	exposure frequency (days/year)
ED	=	exposure duration (years)
BW	=	average body weight over the exposure period (kg)
AT	=	averaging time over which exposure is averaged (days)

For the general population (i.e., residential receptor), an exposure duration of 365 days per year for 70 years, average human body weight of 70 kilograms and nominal breathing rate of 20 cubic meters per day was assumed.

Results of the analysis reveal lifetime cancer risks to be 3.0E-05 (i.e., 3.0 in one hundred thousand and 5.7E-05 (i.e., 5.7 in one hundred thousand) for the maximum exposed residential receptor (MEI). Carcinogenic risks which meet or exceed the one in one hundred thousand value were also predicted to extend beyond the facility fenceline by more than 5138 meters (3.2 miles) during phase 1 and 9500 meters (5.9 miles) for phase 2 operations.

Therefore, in consideration of the levels predicted in the assessment and carcinogenic potential associated with diesel particulate exposures, operational emissions from the facility are predicted to subject individuals to levels in exceedance of the no significant risk level of one in one hundred thousand established under Proposition 65.

Attachment B presents the risk calculation worksheet associated with the above referenced MEI receptor for both project phases. Attachment A provides a graphical representation of the facility and associated downwind extent of carcinogenic risks predicted in the model exercise. Attachment C presents the ISCST3 dispersion model output files.

I trust the preceding discussion and analysis exemplifies the applicant's limited assessment of the project's potential to impact local air quality. Simply, the analysis is deficient and inaccurate in that it fails to identify the project's operational impacts as well as address the generation of toxic compounds associated on-site mobile source activity.

Be advised it was not the intent of Air Quality Dynamics to produce a worst-case assessment, but rather, to examine project impacts based upon the operational characteristics presented by the applicant.

However, there is one consideration not addressed by Air Quality Dynamics relating to the project's surrounding land use designations. The U.S. Environmental Protection Agency and ARB recommend that different dispersion coefficients be used when performing a dispersion analysis for urban and rural land use classifications. A review of DEIR documentation and available zoning records identify land use in the project vicinity as "rural residential" where low to medium density single family dwellings predominate (i.e., 0.5 to 3.3 dwelling units per acre). Under existing regulatory guidance, a dispersion analysis would appropriately incorporate rural dispersion coefficients. This is most relevant as assessments conducted with rural coefficients consistently predict higher ground level concentrations than those which assume an urban design.

Notwithstanding, Air Quality Dynamics consulted with Mr. Tom Chico of the SCAQMD to validate the use of the rural land use classification. Mr. Chico reported that although the land use may be classified as rural, the SCAQMD currently recognizes use of the urban dispersion coefficients for projects located within the South Coast Air Basin. This "default" approach is designed to minimize the agency's regulatory/consultative review of local projects. Although Air Quality Dynamics recognizes SCAQMD's current methodology, it respectively disagrees with limiting a dispersion analysis for the sake of brevity. Air Quality Dynamics will continue to consult with members of the SCAQMD to validate the adequacy of their current protocol and/or revise their approach to compliment existing regulatory guidance.

Please advise as to the disposition of this memorandum and subsequent response by the applicant. I can be reached at (310) 576-5837 should you have any questions or need additional information.

Sincerely,

Bill Piazza

:bp

Attachment A: Graphical Representations / Contaminant Dispersion
Attachment B: Diesel Particulate Exposure / Risk Calculation Worksheet
Attachment C: ISCST3 Dispersion Model Output Files
Attachment D: List of References

ATTACHMENT A

(Graphical Representations / Contaminant Dispersion)

Figure 1

Downwind Extent of PM_{10} 24-Hour Threshold Concentration

(Phase 1)

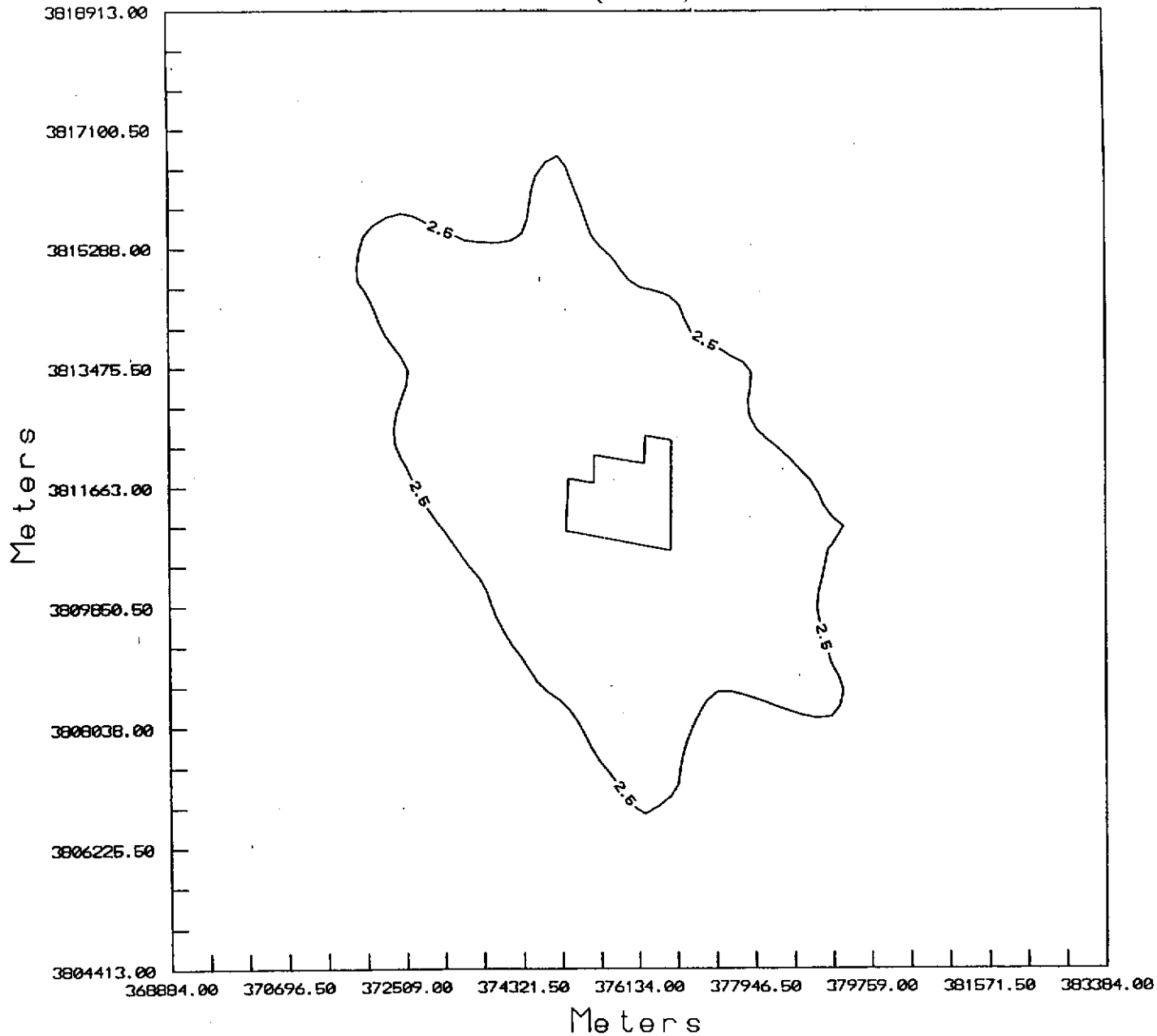


Figure 2

Downwind Extent of PM_{10} 24-Hour Threshold Concentration
(Phase 2)

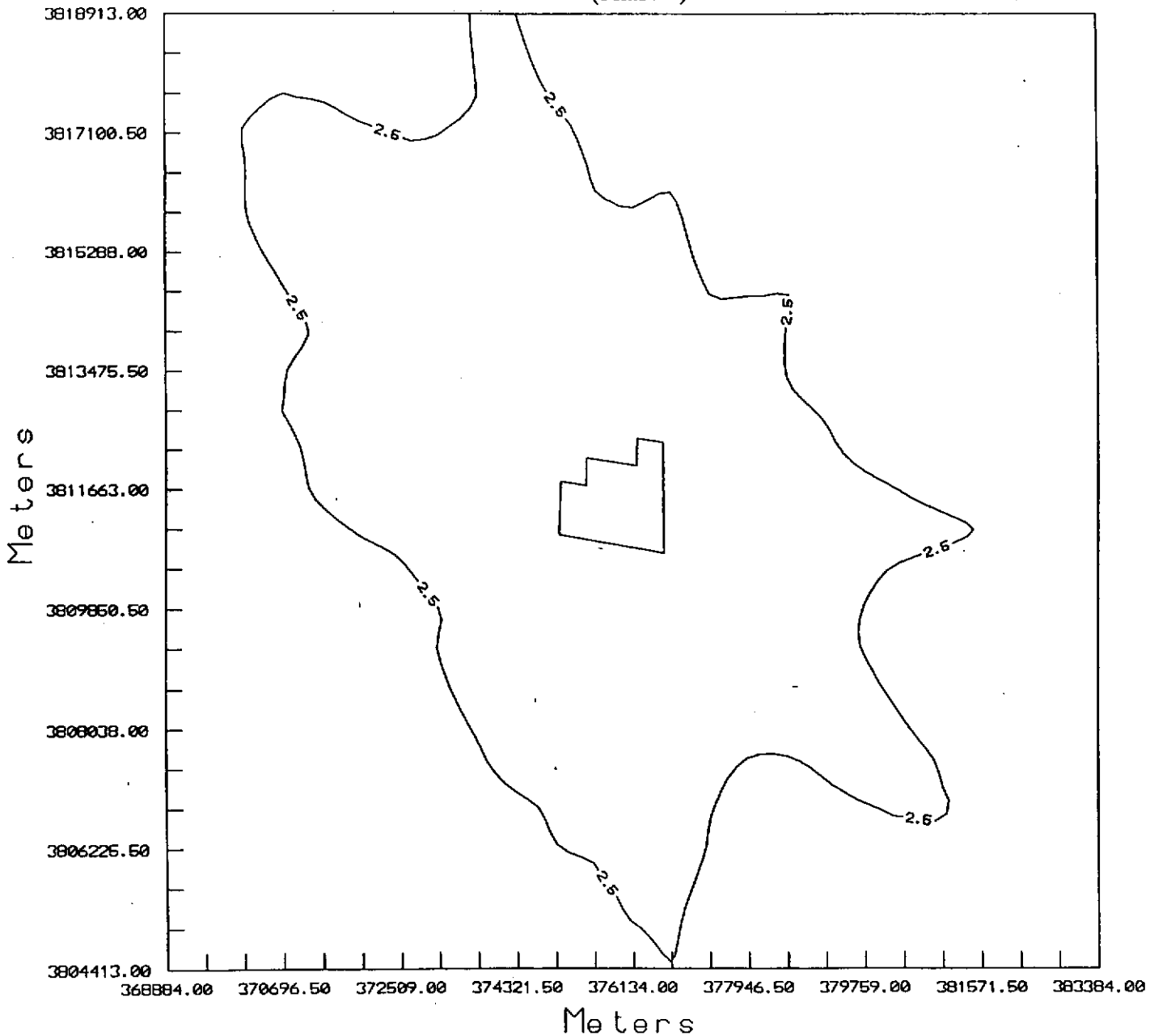


Figure 3

Downwind Extent of One in One Hundred Thousand (1.0E-05) Risk Isopleth
(Phase 1)

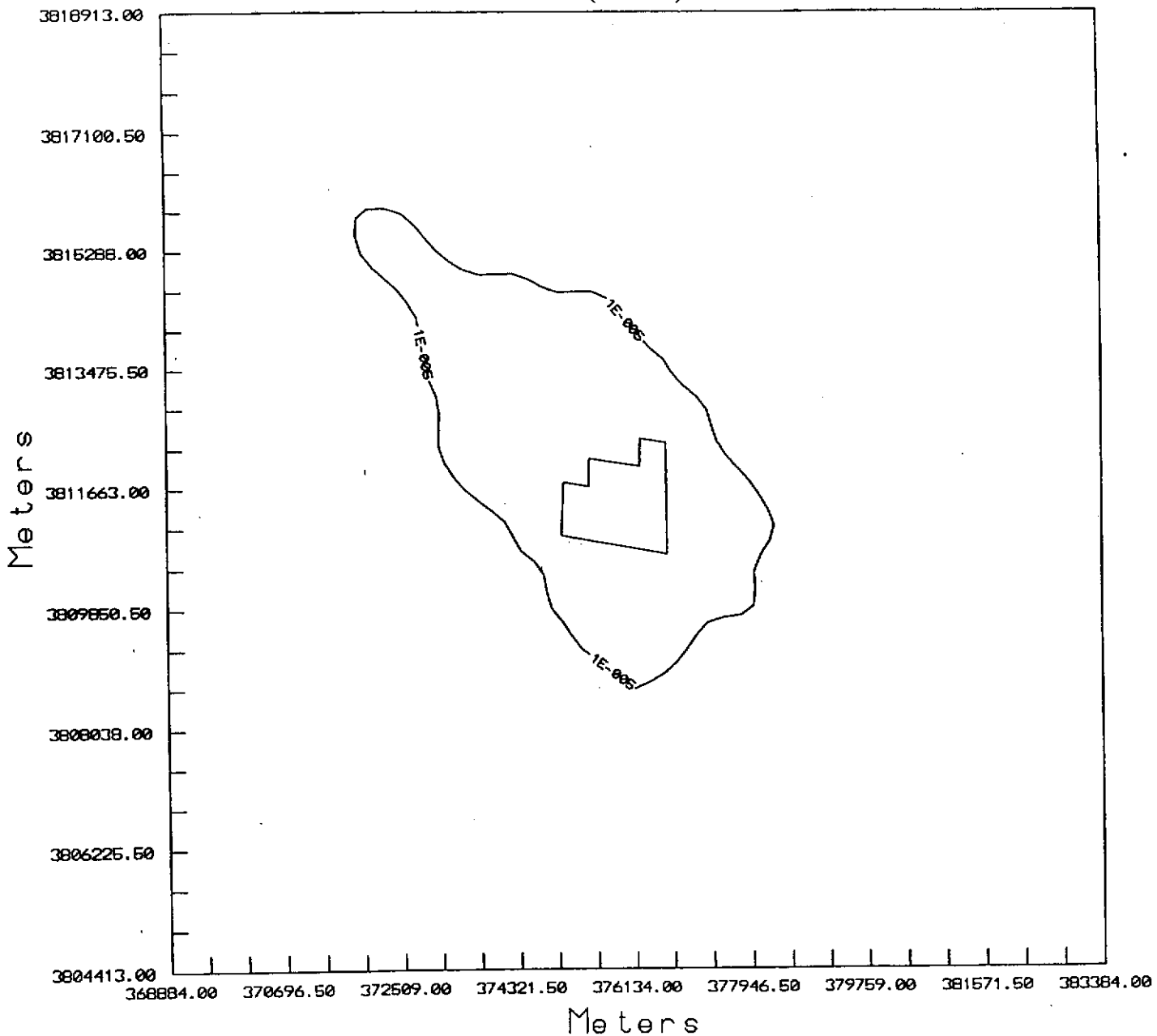
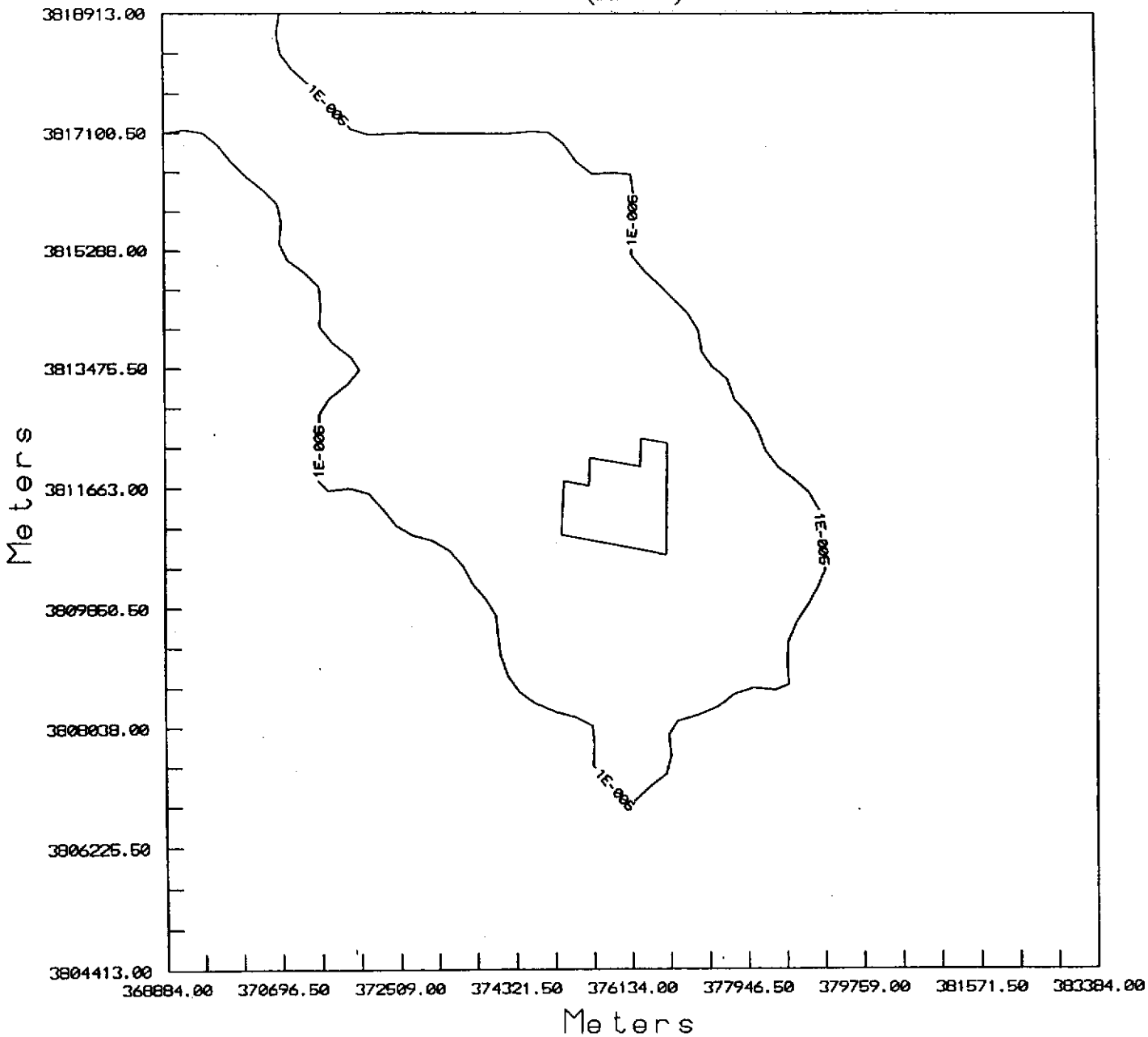


Figure 4

Downwind Extent of One in One Hundred Thousand (1.0E-05) Risk Isopleth
(Phase 2)



ATTACHMENT B

(Diesel Particulate Exposure / Risk Calculation Worksheet)

Risk Calculation Worksheet
Maximum Exposed Residential Receptor
(Diesel Particulate Emissions)

A. Contaminant Intake

$I = (C \times CR \times EF \times ED)/(BW \times AT)$

Where:

I =	intake of chemical via exposure route (mg/kg/day)
C =	exposure point concentration (mg/m3)
CR =	contact rate (m3/day)
EF =	exposure frequency (days/year)
ED =	exposure duration (years)
BW =	average body weight over the exposure period (kg)
AT =	averaging time period over which exposure is averaged (days)

B. Risk Quantification

$Risk = (I \times CPF)$

Where:

I =	intake of chemical via exposure route (mg/kg/day)
CPF =	inhalation cancer potency factor (mg/kg/day)-1

C. Calculated Values for the General Population (Phase 1)

C =	9.94E-05
CR =	20
EF =	365
ED =	70
BW =	70
AT =	25550
CPF =	1.05E+00
I =	2.8E-05
Risk =	3.0E-05

D. Calculated Values for the General Population (Phase 2)

C =	1.89E-04
CR =	20
EF =	365
ED =	70
BW =	70
AT =	25550
CPF =	1.05E+00
I =	5.4E-05
Risk =	5.7E-05

ATTACHMENT C

(ISCST3 Dispersion Model Output Files)

PM_{10} Emissions / No Calms Processing

(Phase 1)

```
**MODELOPTs:
CONC                    URBAN  FLAT                                      NOCALM

                         ***     MODEL SETUP OPTIONS SUMMARY      ***
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

  --  SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION.  DDPLETE =  F
**Model Uses NO WET DEPLETION.  WDPLETE =  F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
          1. Final Plume Rise.
          2. Stack-tip Downwash.
          3. Buoyancy-induced Dispersion.
          4. Not Use Calms Processing Routine.
          5. Not Use Missing Data Processing Routine.
          6. Default Wind Profile Exponents.
          7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates  1 Short Term Average(s) of:  24-HR
    and Calculates PERIOD Averages

**This Run Includes:    17 Source(s);      1 Source Group(s); and     402 Receptor(s)

**The Model Assumes A Pollutant Type of:  OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
        Model Outputs Tables of PERIOD Averages by Receptor
        Model Outputs Tables of Highest Short Term Values by Receptor (RECTABLE Keyword)
        Model Outputs Tables of Overall Maximum Short Term Values (MAXTABLE Keyword)
        Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs:  Anem. Hgt. (m) =     10.00 ;    Decay Coef. =    0.000     ;    Rot. Angle =      0.0
                 Emission Units = GRAMS/SEC                                  ;  Emission Rate Unit Factor =   0.10000E+07
                 Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =     1.2 MB of RAM.

**Input Runstream File:          D:\soledad1.DTA
**Output Print File:             D:\soledad1.LST
```

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
R3	0	0.25600E-01	375641.0	3811744.0	0.0	3.50	100.00	7.00	
R5	0	0.25600E-01	375841.0	3811744.0	0.0	3.50	100.00	7.00	
R7	0	0.25600E-01	375641.0	3811544.0	0.0	3.50	100.00	7.00	
R10	0	0.25600E-01	375541.0	3811344.0	0.0	3.50	100.00	7.00	
R14	0	0.25600E-01	375741.0	3811144.0	0.0	3.50	100.00	7.00	
R17	0	0.25600E-01	375841.0	3810944.0	0.0	3.50	100.00	7.00	
R20	0	0.25600E-01	376041.0	3810944.0	0.0	3.50	100.00	7.00	
R25	0	0.25600E-01	376241.0	3811144.0	0.0	3.50	100.00	7.00	
RCKPLNT	0	0.34000E+00	376366.0	3811119.0	0.0	3.50	50.00	7.00	
BTCHPLNT	0	0.30000E-01	376316.0	3811119.0	0.0	3.50	50.00	7.00	
R1	0	0.25600E-01	375441.0	3811644.0	0.0	3.50	100.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** AREA SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC /METER**2)	COORD (SW CORNER) X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	X-DIM OF AREA (METERS)	Y-DIM OF AREA (METERS)	ORIENT. OF AREA (DEG.)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
FINES1	0	0.27500E-05	375691.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES2	0	0.27500E-05	375791.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES3	0	0.27500E-05	375691.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES4	0	0.27500E-05	375791.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
STCKPILE	0	0.20000E-05	376491.0	3811194.0	0.0	0.00	100.00	100.00	0.00	0.00	
PITOPS	0	0.13000E-03	376041.0	3811244.0	0.0	0.00	100.00	100.00	0.00	0.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 , R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0,	3810561.0,	0.0,	0.0);	(374756.0,	3810927.0,	0.0,	0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

* SOURCE-RECEPTOR COMBINATIONS FOR WHICH CALCULATIONS MAY NOT BE PERFORMED *
LESS THAN 1.0 METER OR 3*ZLB IN DISTANCE, OR WITHIN OPEN PIT SOURCE

SOURCE ID	- - RECEPTOR LOCATION - - XR (METERS)	YR (METERS)	DISTANCE (METERS)
R3	375634.0	3811663.0	-133.70
R3	375634.0	3811913.0	-45.86
R5	375884.0	3811663.0	-123.29
R5	375884.0	3811913.0	-40.62
R7	375634.0	3811413.0	-83.81
R7	375634.0	3811663.0	-95.79
R10	375634.0	3811163.0	-11.51
R10	375384.0	3811413.0	-43.51
R10	375634.0	3811413.0	-99.20
R14	375634.0	3811163.0	-106.33
R14	375884.0	3811163.0	-70.74
R17	375634.0	3810913.0	-5.69
R17	375884.0	3810913.0	-161.99
R20	375884.0	3810913.0	-54.97
R20	376134.0	3810913.0	-116.97
R25	376134.0	3811163.0	-106.33
R25	376384.0	3811163.0	-70.74
RCKPLNT	376384.0	3811163.0	-59.96
BTCHPLNT	376384.0	3811163.0	-26.51
R1	375384.0	3811663.0	-154.92
R1	375634.0	3811663.0	-21.07

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-0 (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634.00
3813913.00	1.16539	1.20710	1.17331	1.03366	0.86660	0.78622	0.78651	0.79681	0.7375
3813663.00	1.25612	1.36557	1.41104	1.34009	1.13883	0.96570	0.92167	0.93949	0.8862
3813413.00	1.28882	1.48528	1.63139	1.67759	1.54111	1.26987	1.12211	1.12458	1.0865
3813163.00	1.21791	1.51593	1.79425	1.99794	2.03617	1.78629	1.46017	1.38322	1.3639
3812913.00	1.02045	1.38894	1.81405	2.22792	2.52931	2.53575	2.10016	1.79296	1.7648
3812663.00	0.80787	1.11395	1.59358	2.21667	2.86970	3.35613	3.26224	2.57808	2.3910
3812413.00	0.71435	0.89959	1.23492	1.84505	2.78349	3.89227	4.78644	4.39504	3.5420
3812163.00	0.71402	0.84974	1.05885	1.42977	2.18468	3.64288	5.73132	7.76117	6.6599
3811913.00	0.74787	0.88074	1.06249	1.33417	1.79578	2.75320	5.14948	9.97766	18.3569
3811663.00	0.74678	0.89281	1.09035	1.36956	1.79158	2.50425	3.96524	6.89984	17.6185
3811413.00	0.69451	0.82500	1.00200	1.25371	1.63693	2.28601	3.60778	6.03439	11.6654
3811163.00	0.64843	0.76363	0.91831	1.13363	1.45135	1.95923	2.83731	4.45751	6.7882
3810913.00	0.55229	0.62230	0.70656	0.81465	0.96529	1.19732	1.60245	2.42595	4.4769
3810663.00	0.38656	0.42508	0.48358	0.57051	0.69176	0.87561	1.26102	2.02851	3.2880
3810413.00	0.29973	0.34314	0.39666	0.46927	0.60021	0.83800	1.17098	1.67981	2.1840
3810163.00	0.26423	0.30090	0.35983	0.46331	0.61363	0.79250	1.03981	1.33502	1.5710
3809913.00	0.24453	0.29655	0.37572	0.47473	0.58485	0.72268	0.89744	1.01981	1.2359
3809663.00	0.25373	0.31342	0.38159	0.45489	0.54091	0.64773	0.74054	0.81246	1.0126
3809413.00	0.26681	0.31538	0.36661	0.42492	0.49463	0.56491	0.60481	0.68105	0.8539
3809163.00	0.26620	0.30331	0.34519	0.39393	0.44600	0.48106	0.50671	0.58955	0.7368

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	377884.00
3813913.00	0.68410	0.67272	0.60413	0.45153	0.30365	0.23138	0.20288	0.18507	0.17206
3813663.00	0.80919	0.78440	0.68652	0.48767	0.32550	0.25763	0.22643	0.20684	0.19122
3813413.00	0.97782	0.93122	0.78882	0.52850	0.35817	0.29086	0.25598	0.23364	0.21223
3813163.00	1.21426	1.13123	0.91733	0.57884	0.40646	0.33273	0.29449	0.26389	0.23624
3812913.00	1.56357	1.41732	1.07945	0.65100	0.47370	0.38921	0.34043	0.29807	0.26658
3812663.00	2.11804	1.85508	1.28502	0.76890	0.56478	0.46247	0.39298	0.34401	0.30434
3812413.00	3.09503	2.58694	1.55664	0.96200	0.68844	0.55386	0.47082	0.40266	0.33568
3812163.00	5.14521	3.95808	1.97414	1.25172	0.87752	0.70696	0.56675	0.44240	0.35194
3811913.00	13.82189	6.99441	2.93611	1.77980	1.20834	0.85344	0.61812	0.48065	0.39770
3811663.00	27.06284	15.26079	5.31852	2.63687	1.47831	1.03465	0.79900	0.64942	0.54335
3811413.00	52.47410	76.18093	12.50331	4.48583	2.40192	1.53029	1.08916	0.82706	0.65498
3811163.00	16.97383	82.89198	10.46660	7.92072	3.31936	1.97121	1.33047	0.97173	0.74934
3810913.00	7.90545	15.07625	13.34683	5.55501	2.62793	1.64570	1.19308	0.92850	0.74856
3810663.00	4.74481	6.99517	5.18596	3.56108	2.27917	1.41426	0.98162	0.75053	0.61142
3810413.00	3.11693	3.97062	3.10071	2.22823	1.77531	1.32347	0.94041	0.69116	0.54584
3810163.00	2.21102	2.63280	2.16567	1.55038	1.30796	1.11024	0.89008	0.68929	0.53081
3809913.00	1.66696	1.90986	1.63126	1.20090	0.97450	0.89493	0.77778	0.65191	0.53466
3809663.00	1.31769	1.46646	1.28860	0.98136	0.77352	0.70707	0.66242	0.58425	0.50480
3809413.00	1.07671	1.17142	1.05204	0.82589	0.65178	0.57089	0.54931	0.51561	0.46019
3809163.00	0.90099	0.96351	0.88007	0.71036	0.56793	0.48116	0.45493	0.44378	0.41601

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.16028	0.14830
3813663.00	0.17550	0.16176
3813413.00	0.19319	0.17806
3813163.00	0.21483	0.19712
3812913.00	0.24093	0.21637
3812663.00	0.26519	0.22639
3812413.00	0.27688	0.23171
3812163.00	0.29021	0.24856
3811913.00	0.34651	0.31159
3811663.00	0.46228	0.39808
3811413.00	0.53470	0.44687
3811163.00	0.60103	0.49644
3810913.00	0.61697	0.51751
3810663.00	0.52045	0.45501
3810413.00	0.45209	0.38704
3810163.00	0.42780	0.36080
3809913.00	0.42952	0.35153
3809663.00	0.43079	0.35899
3809413.00	0.40650	0.35690
3809163.00	0.37509	0.33696

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	2.98055	374756.00	3810927.00	1.09266

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00
3813913.0	5.00786 (81010924)	5.44419 (81120624)	5.11645 (81120624)	4.10991 (81050924)	4.69599 (81110824
3813663.0	5.37258 (81112024)	5.79929 (81121824)	6.33087 (81120624)	5.54780 (81050924)	4.69626 (81110824
3813413.0	5.61121 (81112224)	6.26328 (81112224)	6.83006 (81121824)	7.43499 (81120624)	6.23412 (81050924
3813163.0	5.34775 (81011824)	6.55799 (81112224)	7.50735 (81112224)	8.21173 (81121824)	8.80842 (81120624
3812913.0	4.62371 (81011824)	6.20541 (81011824)	7.77183 (81112224)	9.23965 (81112224)	10.14514 (81121824
3812663.0	3.88455 (81120324)	4.70442 (81011824)	7.12175 (81011824)	9.34214 (81112224)	11.76870 (81112224
3812413.0	4.42211 (81122624)	4.83029 (81120324)	5.36895 (81120324)	8.01709 (81011824)	11.37152 (81112224
3812163.0	4.50567 (81120324)	5.08320 (81122624)	6.20580 (81122624)	7.14717 (81120324)	8.57407 (81011824
3811913.0	4.17130 (81120324)	5.24972 (81120324)	6.40323 (81120324)	7.58926 (81120324)	9.60000 (81122624
3811663.0	3.95125 (81030324)	4.48548 (81030324)	5.03471 (81030324)	6.41957 (81122424)	8.94755 (81120324
3811413.0	3.54802 (81080424)	3.94799 (81080424)	4.56616 (81030324)	5.72363 (81030324)	7.41680 (81030324
3811163.0	4.12706 (81080424)	4.64423 (81080424)	5.28959 (81080424)	6.12641 (81080424)	7.29425 (81080424
3810913.0	3.14473 (81081524)	3.61229 (81081524)	4.06938 (81081524)	4.39624 (81081524)	5.09245 (81041624
3810663.0	2.37685 (81091724)	2.93294 (81041624)	3.63173 (81041624)	4.24696 (81041624)	4.48219 (81041624
3810413.0	2.56893 (81041624)	2.76341 (81041624)	2.76843 (81041624)	3.13858 (81091724)	3.73086 (81091724
3810163.0	1.88149 (81041624)	2.09932 (81091724)	2.50623 (81091724)	3.27508 (81082424)	4.65785 (81082424
3809913.0	1.82958 (81091724)	2.04713 (81111224)	3.07492 (81082424)	3.70974 (81082424)	3.66558 (81073124
3809663.0	2.02550 (81082424)	2.76478 (81082424)	3.00157 (81082424)	2.99394 (81043024)	3.04187 (81043024
3809413.0	2.43919 (81082424)	2.46417 (81082424)	2.52601 (81043024)	2.58529 (81043024)	2.93804 (81062324
3809163.0	2.04799 (81082424)	2.17839 (81043024)	2.23418 (81043024)	2.37826 (81062324)	2.77160 (81062324

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 374884.00	375134.00	375384.00	375634.00	375884.00
3813913.0	4.59805 (81022324)	4.74900 (81102324)	7.19016 (81102324)	5.21880 (81102324)	3.21180 (81111124
3813663.0	5.20728 (81110824)	5.29286 (81022324)	7.81087 (81102324)	6.74770 (81102324)	3.68247 (81111124
3813413.0	6.18422 (81110824)	6.24495 (81022324)	7.93669 (81102324)	8.69874 (81102324)	4.26928 (81111124
3813163.0	6.81460 (81050924)	7.30968 (81110824)	7.41009 (81102324)	11.04211 (81102324)	5.67593 (81102324
3812913.0	10.49062 (81120624)	8.73744 (81110824)	9.22967 (81022324)	13.43446 (81102324)	8.07297 (81102324
3812663.0	13.33351 (81120624)	12.51611 (81120624)	11.64975 (81110824)	14.98833 (81102324)	12.04114 (81102324
3812413.0	15.69932 (81112224)	18.70841 (81120624)	15.34984 (81050924)	15.82409 (81022324)	19.08511 (81102324
3812163.0	15.04545 (81011824)	22.34861 (81112224)	28.92091 (81120624)	24.73779 (81110824)	31.67616 (81102324
3811913.0	11.81242 (81120324)	19.14653 (81011824)	36.01482 (81112224)	58.46364 (81120624)	54.35512 (81102324
3811663.0	13.00791 (81120324)	18.48618 (81120324)	25.60174 (81120324)	61.59015 (81112224)	78.26754 (81051724
3811413.0	10.06538 (81030324)	14.52986 (81030324)	21.51092 (81030324)	50.40422 (81120324)	197.32307 (81011824
3811163.0	8.86611 (81080424)	11.33074 (81040124)	17.48674 (81081524)	30.49023 (81041624)	75.94486 (81082424
3810913.0	7.29886 (81041624)	9.30892 (81041624)	12.05761 (81091724)	22.95483 (81082424)	34.64356 (81111524
3810663.0	5.41212 (81091724)	7.15454 (81082424)	10.91760 (81073124)	15.98999 (81062324)	20.24674 (81072524
3810413.0	5.90054 (81082424)	6.78557 (81073124)	8.48015 (81062324)	10.00921 (81080324)	17.22667 (81072524
3810163.0	4.82667 (81073124)	5.27835 (81062324)	7.26421 (81081724)	8.57113 (81080324)	12.03106 (81072524
3809913.0	3.87321 (81073124)	5.14262 (81062324)	5.43585 (81080324)	5.65024 (81072524)	8.55875 (81072524
3809663.0	3.79535 (81062324)	4.45812 (81081724)	5.35394 (81080324)	6.08062 (81072524)	6.89650 (81070624
3809413.0	3.68216 (81081724)	3.64727 (81080324)	4.16386 (81080324)	5.76179 (81072524)	5.84319 (81042424
3809163.0	3.08740 (81081724)	3.79910 (81080324)	3.12868 (81080324)	5.16192 (81072524)	5.24410 (81042424

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 376134.00	376384.00	376634.00	376884.00	377134.00
3813913.0	3.84771 (81110324)	3.88602 (81110324)	3.78622 (81110324)	2.49173 (81110324)	1.74006 (81102424)
3813663.0	4.43711 (81110324)	4.50304 (81110324)	4.12124 (81110324)	2.31958 (81110324)	2.15504 (81100824)
3813413.0	5.18586 (81110324)	5.29045 (81110324)	4.38776 (81110324)	2.48870 (81102424)	2.55647 (81100824)
3813163.0	6.15718 (81110324)	6.32612 (81110324)	4.48449 (81110324)	2.84459 (81100824)	3.12226 (81052024)
3812913.0	7.46165 (81110324)	7.70389 (81110324)	4.29180 (81110324)	3.65079 (81100824)	4.69483 (81052024)
3812663.0	9.32500 (81110324)	9.44185 (81110324)	4.18841 (81102424)	5.16684 (81052024)	5.72418 (81052024)
3812413.0	12.47498 (81110324)	11.28914 (81110324)	6.34849 (81100824)	8.04500 (81052024)	4.20606 (81052024)
3812163.0	19.31844 (81110324)	11.36418 (81110324)	11.69809 (81052024)	6.42245 (81052024)	4.25604 (81052124)
3811913.0	33.59523 (81110324)	16.25564 (81100824)	12.29849 (81052024)	7.32348 (81121524)	6.15956 (81102024)
3811663.0	79.20303 (81110324)	39.87610 (81052024)	15.23612 (81102024)	9.69924 (81102024)	7.51437 (81081624)
3811413.0	335.78836 (81110324)	51.18493 (81102024)	20.24468 (81032024)	12.66594 (81102424)	9.51355 (81111924)
3811163.0	389.51578 (81100924)	62.77267 (81111924)	45.30207 (81111924)	22.37537 (81111924)	14.10878 (81111924)
3810913.0	96.90778 (81100924)	70.59188 (81010524)	39.67885 (81022224)	17.08211 (81111924)	12.91534 (81111924)
3810663.0	45.23789 (81100924)	23.42405 (81080724)	32.04036 (81010524)	22.86520 (81022224)	9.33572 (81022024)
3810413.0	26.90839 (81100924)	15.23942 (81072824)	13.41503 (81010524)	18.77263 (81010524)	15.07093 (81022224)
3810163.0	18.52584 (81100924)	12.09539 (81100924)	8.66786 (81080724)	10.02470 (81010524)	12.74395 (81010524)
3809913.0	13.87961 (81100924)	10.86573 (81100924)	6.49590 (81103024)	5.89130 (81010524)	7.91646 (81010524)
3809663.0	10.96268 (81100924)	9.77206 (81100924)	5.90446 (81072824)	4.97395 (81080724)	4.93197 (81010524)
3809413.0	8.97804 (81100924)	8.68339 (81100924)	5.29787 (81072824)	4.03313 (81080724)	3.39864 (81080724)
3809163.0	7.54399 (81100924)	7.66495 (81100924)	4.57265 (81072824)	3.53355 (81052624)	3.39081 (81080724)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 377384.00	377634.00	377884.00	378134.00	378384.00
3813913.0	1.96701 (81100824)	2.25114 (81052024)	2.62659 (81052024)	2.37346 (81052024)	1.56796 (81052024)
3813663.0	2.22383 (81052024)	2.89062 (81052024)	2.84597 (81052024)	1.95813 (81052024)	1.59909 (81091124)
3813413.0	3.08752 (81052024)	3.40585 (81052024)	2.48224 (81052024)	1.83920 (81091124)	1.55895 (81040824)
3813163.0	4.03999 (81052024)	3.20414 (81052024)	2.15203 (81091124)	1.80603 (81040824)	1.47795 (81040824)
3812913.0	4.22489 (81052024)	2.57719 (81091124)	2.13588 (81040824)	1.62289 (81040824)	1.77644 (81022424)
3812663.0	3.18954 (81091124)	2.58984 (81052124)	2.01014 (81121524)	2.12186 (81022424)	2.07695 (81102024)
3812413.0	3.27338 (81052124)	2.78675 (81022424)	2.68714 (81102024)	2.64279 (81102024)	2.33909 (81102024)
3812163.0	3.63677 (81102024)	3.76947 (81102024)	3.29859 (81102024)	2.52059 (81102024)	2.56222 (81081624)
3811913.0	5.12259 (81102024)	4.02500 (81081624)	3.57585 (81081624)	2.76813 (81081624)	2.33198 (81032024)
3811663.0	5.41591 (81032024)	4.28061 (81032024)	3.50576 (81101924)	3.28268 (81121724)	2.96246 (81121724)
3811413.0	7.36374 (81111924)	5.94000 (81111924)	4.95219 (81111924)	4.22135 (81111924)	3.65765 (81111924)
3811163.0	10.92731 (81122524)	8.89495 (81122524)	7.39502 (81122524)	6.26420 (81122524)	5.39517 (81122524)
3810913.0	9.24128 (81111924)	7.00889 (81111924)	5.49958 (81111924)	4.40701 (81111924)	3.61323 (81111924)
3810663.0	6.91680 (81111924)	6.29951 (81111924)	5.09731 (81111924)	4.18781 (81111924)	3.55851 (81111924)
3810413.0	8.19583 (81022224)	4.95412 (81022024)	4.02046 (81111924)	3.92736 (81111924)	3.39111 (81111924)
3810163.0	10.83401 (81022224)	7.16889 (81022224)	4.15976 (81022024)	3.13003 (81022024)	2.74462 (81111924)
3809913.0	9.40813 (81010524)	8.25946 (81022224)	6.20415 (81022224)	3.66282 (81022224)	2.95592 (81022024)
3809663.0	6.44765 (81010524)	7.32908 (81010524)	6.56761 (81022224)	5.36886 (81022224)	3.49730 (81022224)
3809413.0	4.28042 (81010524)	5.37639 (81010524)	5.92877 (81010524)	5.39020 (81022224)	4.67216 (81022224)
3809163.0	2.95632 (81072624)	3.75517 (81010524)	4.56933 (81010524)	4.93284 (81010524)	4.53122 (81022224)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
375707.00	3810561.00	13.43843	(81111524)	374756.00	3810927.00	6.01615	(81041624)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE MAXIMUM 50 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

** CONC OF OTHER IN MICROGRAMS/M**3 **

RANK	CONC	(YYMMDDHH)	AT	RECEPTOR (XR,YR)	OF TYPE	RANK	CONC	(YYMMDDHH)	AT	RECEPTOR (XR,YR)	OF TYPE
1.	389.51578	(81100924)	AT	(376134.00, 3811163.00)	GC	26.	207.37408	(81010124)	AT	(376134.00, 3811413.00)	GC
2.	335.78836	(81110324)	AT	(376134.00, 3811413.00)	GC	27.	206.95972	(81021624)	AT	(376134.00, 3811163.00)	GC
3.	309.82693	(81070924)	AT	(376134.00, 3811163.00)	GC	28.	205.20454	(81100324)	AT	(376134.00, 3811413.00)	GC
4.	294.23172	(81010524)	AT	(376134.00, 3811163.00)	GC	29.	204.43829	(81123124)	AT	(376134.00, 3811413.00)	GC
5.	285.76138	(81052024)	AT	(376134.00, 3811413.00)	GC	30.	200.41481	(81042424)	AT	(376134.00, 3811163.00)	GC
6.	282.86804	(81080624)	AT	(376134.00, 3811163.00)	GC	31.	199.64001	(81040824)	AT	(376134.00, 3811413.00)	GC
7.	280.42172	(81101124)	AT	(376134.00, 3811413.00)	GC	32.	197.32307	(81011824)	AT	(375884.00, 3811413.00)	GC
8.	265.31821	(81122124)	AT	(376134.00, 3811163.00)	GC	33.	196.90172	(81111124)	AT	(376134.00, 3811413.00)	GC
9.	264.79089	(81052624)	AT	(376134.00, 3811163.00)	GC	34.	196.19264	(81112524)	AT	(376134.00, 3811163.00)	GC
10.	263.94522	(81040124)	AT	(376134.00, 3811413.00)	GC	35.	195.12355	(81021524)	AT	(376134.00, 3811413.00)	GC
11.	258.70496	(81072824)	AT	(376134.00, 3811163.00)	GC	36.	194.62779	(81082224)	AT	(376134.00, 3811163.00)	GC
12.	256.85416	(81040724)	AT	(376134.00, 3811413.00)	GC	37.	193.00169	(81070424)	AT	(376134.00, 3811413.00)	GC
13.	254.16272	(81080724)	AT	(376134.00, 3811163.00)	GC	38.	191.97337	(81072724)	AT	(376134.00, 3811163.00)	GC
14.	252.77667	(81051924)	AT	(376134.00, 3811413.00)	GC	39.	187.54120	(81102024)	AT	(376134.00, 3811413.00)	GC
15.	249.77751	(81083024)	AT	(376134.00, 3811413.00)	GC	40.	186.92583	(81020924)	AT	(376134.00, 3811163.00)	GC
16.	249.28996	(81011224)	AT	(376134.00, 3811163.00)	GC	41.	186.92186	(81110924)	AT	(376134.00, 3811413.00)	GC
17.	233.72878	(81122224)	AT	(376134.00, 3811163.00)	GC	42.	186.18028	(81013024)	AT	(376134.00, 3811163.00)	GC
18.	233.51508	(81103024)	AT	(376134.00, 3811163.00)	GC	43.	185.02327	(81120724)	AT	(376134.00, 3811413.00)	GC
19.	227.21935	(81110124)	AT	(376134.00, 3811163.00)	GC	44.	182.84338	(81111724)	AT	(376134.00, 3811163.00)	GC
20.	220.23694	(81100824)	AT	(376134.00, 3811413.00)	GC	45.	181.72801	(81070124)	AT	(376134.00, 3811163.00)	GC
21.	220.17143	(81032624)	AT	(376134.00, 3811163.00)	GC	46.	180.86407	(81063024)	AT	(376134.00, 3811163.00)	GC
22.	215.40546	(81042024)	AT	(376134.00, 3811163.00)	GC	47.	180.58498	(81120124)	AT	(376134.00, 3811163.00)	GC
23.	210.93445	(81100124)	AT	(376134.00, 3811163.00)	GC	48.	180.56795	(81032724)	AT	(376134.00, 3811163.00)	GC
24.	208.31380	(81052724)	AT	(376134.00, 3811163.00)	GC	49.	180.50000	(81033124)	AT	(376134.00, 3811413.00)	GC
25.	208.17558	(81092924)	AT	(376134.00, 3811413.00)	GC	50.	180.35506	(81072424)	AT	(376134.00, 3811163.00)	GC

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF MAXIMUM PERIOD (8760 HRS) RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	82.89198 AT	(376134.00, 3811163.00, 0.00, 0.00)	GC	CART1
	2ND HIGHEST VALUE IS	76.18093 AT	(376134.00, 3811413.00, 0.00, 0.00)	GC	CART1
	3RD HIGHEST VALUE IS	52.47410 AT	(375884.00, 3811413.00, 0.00, 0.00)	GC	CART1
	4TH HIGHEST VALUE IS	27.06284 AT	(375884.00, 3811663.00, 0.00, 0.00)	GC	CART1
	5TH HIGHEST VALUE IS	18.35695 AT	(375634.00, 3811913.00, 0.00, 0.00)	GC	CART1
	6TH HIGHEST VALUE IS	17.61858 AT	(375634.00, 3811663.00, 0.00, 0.00)	GC	CART1
	7TH HIGHEST VALUE IS	16.97383 AT	(375884.00, 3811163.00, 0.00, 0.00)	GC	CART1
	8TH HIGHEST VALUE IS	15.26079 AT	(376134.00, 3811663.00, 0.00, 0.00)	GC	CART1
	9TH HIGHEST VALUE IS	15.07625 AT	(376134.00, 3810913.00, 0.00, 0.00)	GC	CART1
	10TH HIGHEST VALUE IS	13.82189 AT	(375884.00, 3811913.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES:
GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF HIGHEST 24-HR RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	DATE (YYMMDDHH)	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	HIGH 1ST HIGH VALUE IS	389.51578	ON 81100924:	AT (376134.00, 3811163.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES:
GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** Message Summary : ISCST3 Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 0 Warning Message(s)
A Total of 1085 Informational Message(s)

A Total of 1085 Calm Hours Identified

******** FATAL ERROR MESSAGES ********
*** NONE ***

******** WARNING MESSAGES ********
*** NONE ***

****
*** ISCST3 Finishes Successfully ***
****

PM_{10} Emissions / No Calms Processing

(Phase 2)

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**MODELOPTs:
CONC                     URBAN  FLAT                                    NOCALM

                              ***     MODEL SETUP OPTIONS SUMMARY      ***
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

  -- SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION.  DDPLETE =  F
**Model Uses NO WET DEPLETION.  WDPLETE =  F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
          1. Final Plume Rise.
          2. Stack-tip Downwash.
          3. Buoyancy-induced Dispersion.
          4. Not Use Calms Processing Routine.
          5. Not Use Missing Data Processing Routine.
          6. Default Wind Profile Exponents.
          7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates  1 Short Term Average(s) of:  24-HR
    and Calculates PERIOD Averages

**This Run Includes:     17 Source(s);      1 Source Group(s); and     402 Receptor(s)

**The Model Assumes A Pollutant Type of:  OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
         Model Outputs Tables of PERIOD Averages by Receptor
         Model Outputs Tables of Highest Short Term Values by Receptor (RECTABLE Keyword)
         Model Outputs Tables of Overall Maximum Short Term Values (MAXTABLE Keyword)
         Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs:  Anem. Hgt. (m) =    10.00 ;   Decay Coef. =    0.000     ;   Rot. Angle =     0.0
                 Emission Units = GRAMS/SEC                               ;  Emission Rate Unit Factor =   0.10000E+07
                 Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =     1.2 MB of RAM.

**Input Runstream File:          D:\soledad2.DTA
**Output Print File:             D:\soledad2.LST
```

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
R3	0	0.44000E-01	375641.0	3811744.0	0.0	3.50	100.00	7.00	
R5	0	0.44000E-01	375841.0	3811744.0	0.0	3.50	100.00	7.00	
R7	0	0.44000E-01	375641.0	3811544.0	0.0	3.50	100.00	7.00	
R10	0	0.44000E-01	375541.0	3811344.0	0.0	3.50	100.00	7.00	
R14	0	0.44000E-01	375741.0	3811144.0	0.0	3.50	100.00	7.00	
R17	0	0.44000E-01	375841.0	3810944.0	0.0	3.50	100.00	7.00	
R20	0	0.44000E-01	376041.0	3810944.0	0.0	3.50	100.00	7.00	
R25	0	0.44000E-01	376241.0	3811144.0	0.0	3.50	100.00	7.00	
RCKPLNT	0	0.61000E+00	376366.0	3811119.0	0.0	3.50	50.00	7.00	
BTCHPLNT	0	0.30000E-01	376316.0	3811119.0	0.0	3.50	50.00	7.00	
R1	0	0.44000E-01	375441.0	3811644.0	0.0	3.50	100.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** AREA SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC /METER**2)	COORD (SW CORNER) X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	X-DIM OF AREA (METERS)	Y-DIM OF AREA (METERS)	ORIENT. OF AREA (DEG.)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
FINES1	0	0.45000E-05	375691.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES2	0	0.45000E-05	375791.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES3	0	0.45000E-05	375691.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES4	0	0.45000E-05	375791.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
STCKPILE	0	0.20000E-05	376491.0	3811194.0	0.0	0.00	100.00	100.00	0.00	0.00	
PITOPS	0	0.19700E-03	376041.0	3811244.0	0.0	0.00	100.00	100.00	0.00	0.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 , R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0,	3810561.0,	0.0,	0.0);	(374756.0,	3810927.0,	0.0,	0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

* SOURCE-RECEPTOR COMBINATIONS FOR WHICH CALCULATIONS MAY NOT BE PERFORMED *
LESS THAN 1.0 METER OR 3*ZLB IN DISTANCE, OR WITHIN OPEN PIT SOURCE

SOURCE ID	- - RECEPTOR LOCATION - - XR (METERS)	YR (METERS)	DISTANCE (METERS)
R3	375634.0	3811663.0	-133.70
R3	375634.0	3811913.0	-45.86
R5	375884.0	3811663.0	-123.29
R5	375884.0	3811913.0	-40.62
R7	375634.0	3811413.0	-83.81
R7	375634.0	3811663.0	-95.79
R10	375634.0	3811163.0	-11.51
R10	375384.0	3811413.0	-43.51
R10	375634.0	3811413.0	-99.20
R14	375634.0	3811163.0	-106.33
R14	375884.0	3811163.0	-70.74
R17	375634.0	3810913.0	-5.69
R17	375884.0	3810913.0	-161.99
R20	375884.0	3810913.0	-54.97
R20	376134.0	3810913.0	-116.97
R25	376134.0	3811163.0	-106.33
R25	376384.0	3811163.0	-70.74
RCKPLNT	376384.0	3811163.0	-59.96
BTCHPLNT	376384.0	3811163.0	-26.51
R1	375384.0	3811663.0	-154.92
R1	375634.0	3811663.0	-21.07

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-O (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634.00
3813913.00	1.83848	1.90327	1.84959	1.63094	1.36893	1.24173	1.24067	1.25559	1.16455
3813663.00	1.98217	2.15395	2.22440	2.11283	1.79805	1.52584	1.45473	1.48049	1.39847
3813413.00	2.03415	2.34351	2.57273	2.64425	2.43083	2.00648	1.77242	1.77288	1.71331
3813163.00	1.92291	2.39248	2.83065	3.15014	3.20957	2.82006	2.30825	2.18251	2.14942
3812913.00	1.61386	2.19365	2.86283	3.51425	3.98733	3.99887	3.31986	2.83314	2.78031
3812663.00	1.28068	1.76403	2.51872	3.49842	4.52565	5.29100	5.15087	4.08044	3.77000
3812413.00	1.13205	1.42735	1.95919	2.92083	4.39481	6.13711	7.55100	6.95785	5.60253
3812163.00	1.12929	1.34594	1.68054	2.27289	3.46920	5.76144	9.03913	12.27555	10.59178
3811913.00	1.18065	1.39139	1.68086	2.11578	2.85772	4.39258	8.19195	15.78261	29.25806
3811663.00	1.17918	1.40962	1.72162	2.16364	2.83515	3.97882	6.34653	10.97433	27.39867
3811413.00	1.09640	1.30206	1.58091	1.97740	2.58159	3.60847	5.71847	9.54135	18.26353
3811163.00	1.02096	1.20207	1.44534	1.78437	2.28578	3.09090	4.49241	7.09861	10.76071
3810913.00	0.87105	0.98256	1.11761	1.29216	1.53686	1.91354	2.56800	3.89074	7.07069
3810663.00	0.61390	0.67606	0.76998	0.90892	1.10242	1.39476	1.99901	3.20030	5.18522
3810413.00	0.47568	0.54454	0.62980	0.74541	0.95152	1.32231	1.84334	2.64664	3.45852
3810163.00	0.41876	0.47736	0.57047	0.73230	0.96695	1.24767	1.63789	2.10867	2.49299
3809913.00	0.38766	0.46914	0.59273	0.74792	0.92148	1.13863	1.41514	1.61635	1.95809
3809663.00	0.40064	0.49400	0.60134	0.71727	0.85272	1.02073	1.17029	1.28971	1.60060
3809413.00	0.42042	0.49721	0.57843	0.67025	0.77950	0.89107	0.95829	1.08014	1.34762
3809163.00	0.41985	0.47876	0.54476	0.62102	0.70295	0.76033	0.80384	0.93342	1.16197

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	377884.00
3813913.00	1.07987	1.05697	0.94858	0.71278	0.48201	0.36628	0.32009	0.29196	0.27140
3813663.00	1.27731	1.23162	1.07784	0.77111	0.51689	0.40723	0.35717	0.32627	0.30161
3813413.00	1.54334	1.46100	1.23865	0.83739	0.56841	0.45917	0.40376	0.36849	0.33481
3813163.00	1.91600	1.77329	1.44134	0.91911	0.64395	0.52490	0.46441	0.41619	0.37260
3812913.00	2.46576	2.21973	1.69817	1.03529	0.74889	0.61376	0.53669	0.46987	0.41989
3812663.00	3.33671	2.90293	2.02595	1.22258	0.89125	0.72873	0.61906	0.54150	0.47886
3812413.00	4.86862	4.04566	2.46243	1.52579	1.08423	0.87181	0.74073	0.63368	0.52941
3812163.00	8.09234	6.18578	3.13406	1.97629	1.38062	1.11216	0.89285	0.69920	0.55754
3811913.00	21.98789	10.91023	4.66541	2.79753	1.90029	1.34638	0.97858	0.76133	0.62879
3811663.00	42.40079	23.68537	8.40761	4.12213	2.33293	1.63412	1.25898	1.02087	0.85339
3811413.00	80.42810	116.99585	19.42049	6.93841	3.75582	2.39644	1.70885	1.30028	1.03134
3811163.00	26.40178	127.08154	15.73797	12.07294	5.21225	3.09922	2.09301	1.52937	1.17984
3810913.00	12.28960	23.44605	21.85797	8.92019	4.18119	2.61514	1.89183	1.46881	1.18209
3810663.00	7.49433	10.98008	8.36528	5.66460	3.62401	2.24206	1.55507	1.18920	0.96868
3810413.00	4.91265	6.23420	4.96122	3.54064	2.81415	2.09631	1.48805	1.09327	0.86337
3810163.00	3.47725	4.13776	3.44713	2.46692	2.06936	1.75740	1.40762	1.08950	0.83898
3809913.00	2.61954	3.00441	2.58812	1.90939	1.54332	1.41481	1.23007	1.03023	0.84459
3809663.00	2.07115	2.30858	2.04036	1.55812	1.22620	1.11776	1.04694	0.92354	0.79747
3809413.00	1.69332	1.84514	1.66377	1.30966	1.03306	0.90326	0.86790	0.81475	0.72720
3809163.00	1.41781	1.51828	1.39073	1.12531	0.89961	0.76174	0.71900	0.70104	0.65727

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.25284	0.23406
3813663.00	0.27694	0.25530
3813413.00	0.30482	0.28075
3813163.00	0.33858	0.31040
3812913.00	0.37922	0.34064
3812663.00	0.41768	0.35731
3812413.00	0.43783	0.36699
3812163.00	0.45991	0.39351
3811913.00	0.54655	0.49056
3811663.00	0.72628	0.62594
3811413.00	0.84280	0.70480
3811163.00	0.94668	0.78220
3810913.00	0.97327	0.81592
3810663.00	0.82411	0.71985
3810413.00	0.71516	0.61240
3810163.00	0.67618	0.57024
3809913.00	0.67855	0.55542
3809663.00	0.68030	0.56694
3809413.00	0.64206	0.56351
3809163.00	0.59263	0.53219

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	4.71595	374756.00	3810927.00	1.74200

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00
3813913.0	7.87771 (81121824)	8.56617 (81120624)	8.06096 (81120624)	6.47212 (81050924)	7.36954 (81110824)
3813663.0	8.44996 (81112024)	9.12463 (81121824)	9.95890 (81120624)	8.73222 (81120624)	7.37280 (81110824)
3813413.0	8.84410 (81112224)	9.85800 (81112224)	10.74115 (81121824)	11.69606 (81120624)	9.80529 (81050924)
3813163.0	8.41391 (81011824)	10.33301 (81112224)	11.81082 (81112224)	12.90718 (81121824)	13.86315 (81120624)
3812913.0	7.29147 (81011824)	9.75891 (81011824)	12.24032 (81112224)	14.52789 (81112224)	15.93841 (81121824)
3812663.0	6.11975 (81120324)	7.44510 (81011824)	11.20466 (81011824)	14.70500 (81112224)	18.49071 (81112224)
3812413.0	6.93494 (81122624)	7.62054 (81120324)	8.46014 (81120324)	12.64450 (81011824)	17.88687 (81112224)
3812163.0	7.08431 (81120324)	8.00282 (81122624)	9.73297 (81122624)	11.26650 (81120324)	13.58255 (81011824)
3811913.0	6.55394 (81120324)	8.23369 (81120324)	10.03631 (81120324)	11.90544 (81120324)	15.05890 (81122624)
3811663.0	6.19018 (81030324)	7.01971 (81030324)	7.87600 (81030324)	10.04285 (81122424)	14.02784 (81120324)
3811413.0	5.51307 (81080424)	6.12474 (81080424)	7.19153 (81030324)	8.98875 (81030324)	11.60603 (81030324)
3811163.0	6.44634 (81080424)	7.25257 (81080424)	8.26072 (81080424)	9.57509 (81080424)	11.42721 (81080424)
3810913.0	4.88015 (81081524)	5.60643 (81081524)	6.32326 (81081524)	6.85178 (81081524)	7.91752 (81041624)
3810663.0	3.71216 (81091724)	4.55726 (81041624)	5.64915 (81041624)	6.62736 (81041624)	7.03746 (81041624)
3810413.0	4.01920 (81041624)	4.34265 (81041624)	4.37733 (81041624)	4.90930 (81091724)	5.82651 (81091724)
3810163.0	2.98409 (81041624)	3.28255 (81091724)	3.90642 (81091724)	5.06182 (81082424)	7.19681 (81082424)
3809913.0	2.85069 (81091724)	3.17735 (81111224)	4.76349 (81082424)	5.76569 (81082424)	5.74925 (81073124)
3809663.0	3.14879 (81082424)	4.29637 (81082424)	4.68889 (81082424)	4.62542 (81043024)	4.78874 (81073124)
3809413.0	3.80233 (81082424)	3.86539 (81082424)	3.91269 (81043024)	4.03709 (81043024)	4.58750 (81062324)
3809163.0	3.22320 (81082424)	3.38172 (81043024)	3.49065 (81043024)	3.72263 (81062324)	4.33420 (81062324)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 374884.00	375134.00	375384.00	375634.00	375884.00
3813913.0	7.21586 (81022324)	7.47510 (81102324)	11.22611 (81102324)	8.22960 (81102324)	5.01241 (81111124)
3813663.0	8.17860 (81110824)	8.30710 (81022324)	12.19118 (81102324)	10.59905 (81102324)	5.74155 (81111124)
3813413.0	9.69443 (81110824)	9.78580 (81022324)	12.41165 (81102324)	13.60389 (81102324)	6.65121 (81111124)
3813163.0	10.72990 (81050924)	11.46650 (81110824)	11.64727 (81102324)	17.19937 (81102324)	9.07377 (81102324)
3812913.0	16.53007 (81120624)	13.68039 (81110824)	14.43172 (81022324)	20.88180 (81102324)	12.82988 (81102324)
3812663.0	20.94980 (81120624)	19.76595 (81120624)	18.24598 (81110824)	23.34676 (81102324)	18.96211 (81102324)
3812413.0	24.64056 (81112224)	29.38760 (81120624)	24.19949 (81050924)	24.67944 (81022324)	29.72384 (81102324)
3812163.0	23.64407 (81011824)	35.02246 (81112224)	45.47322 (81120624)	38.73616 (81110824)	48.87473 (81102324)
3811913.0	18.57655 (81120324)	30.14197 (81011824)	56.35306 (81112224)	92.49650 (81120624)	84.27616 (81102324)
3811663.0	20.33741 (81120324)	28.93777 (81120324)	39.94141 (81120324)	94.72974 (81112224)	120.58459 (81051724)
3811413.0	15.68454 (81030324)	22.54489 (81030324)	33.10703 (81030324)	77.79183 (81120324)	301.30527 (81011824)
3811163.0	13.94457 (81080424)	17.62501 (81040124)	27.25864 (81011624)	46.93754 (81041624)	115.42780 (81082424)
3810913.0	11.32218 (81041624)	14.48273 (81041624)	18.73378 (81091724)	34.93195 (81082424)	52.72888 (81111524)
3810663.0	8.45870 (81091724)	10.94481 (81082424)	16.84142 (81073124)	24.65479 (81062324)	31.00391 (81072524)
3810413.0	9.06357 (81082424)	10.52964 (81073124)	13.09094 (81062324)	15.32156 (81111524)	26.31636 (81072524)
3810163.0	7.53502 (81073124)	8.18404 (81073124)	11.10138 (81081724)	13.13660 (81080324)	18.45317 (81072524)
3809913.0	6.10252 (81073124)	8.01092 (81062324)	8.34619 (81080324)	8.70891 (81072524)	13.24077 (81072524)
3809663.0	5.91476 (81062324)	6.86934 (81081724)	8.24707 (81080324)	9.35670 (81072524)	10.68123 (81070624)
3809413.0	5.66117 (81081724)	5.62367 (81080324)	6.48493 (81080324)	8.88624 (81072524)	9.03955 (81042424)
3809163.0	4.79833 (81081724)	5.87436 (81080324)	4.93490 (81080324)	7.99367 (81072524)	8.12511 (81042424)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 376134.00	376384.00	376634.00	376884.00	377134.00
3813913.0	6.04664 (81110324)	6.10469 (81110324)	5.90899 (81110324)	3.93099 (81110324)	2.72412 (81102424)
3813663.0	6.96374 (81110324)	7.05622 (81110324)	6.43332 (81110324)	3.68221 (81110324)	3.34605 (81100824)
3813413.0	8.12394 (81110324)	8.26736 (81110324)	6.86119 (81110324)	3.86896 (81102424)	3.96642 (81100824)
3813163.0	9.62061 (81110324)	9.86005 (81110324)	7.04254 (81110324)	4.40176 (81100824)	4.82918 (81052024)
3812913.0	11.61665 (81110324)	11.98585 (81110324)	6.80115 (81110324)	5.63218 (81100824)	7.23165 (81052024)
3812663.0	14.45191 (81110324)	14.68932 (81110324)	6.53370 (81040124)	7.93274 (81052024)	8.86046 (81052024)
3812413.0	19.25739 (81110324)	17.63008 (81110324)	9.76277 (81100824)	12.35389 (81052024)	6.67135 (81052024)
3812163.0	29.81595 (81110324)	17.92484 (81110324)	17.88644 (81052024)	10.07004 (81052024)	6.65659 (81052124)
3811913.0	51.68618 (81110324)	24.99068 (81100824)	18.93843 (81052024)	11.33776 (81121524)	9.45400 (81102024)
3811663.0	121.30550 (81110324)	61.44548 (81052024)	23.33880 (81121524)	14.91126 (81102024)	11.54160 (81081624)
3811413.0	511.01346 (81110324)	79.15137 (81102024)	31.09064 (81032024)	19.40412 (81102424)	14.81868 (81111924
3811163.0	591.26532 (81100924)	95.38416 (81111924)	70.90588 (81111924)	35.03222 (81111924)	22.18689 (81111924
3810913.0	148.03902 (81100924)	111.11041 (81010524)	63.57901 (81022224)	27.32421 (81111924)	20.47961 (81111924
3810663.0	69.16410 (81100924)	36.88763 (81080724)	50.41256 (81010524)	36.21704 (81022224)	14.68905 (81022024
3810413.0	41.24858 (81100924)	24.07417 (81100924)	21.24133 (81010524)	29.54014 (81010524)	23.78033 (81022224
3810163.0	28.52154 (81100924)	19.45615 (81100924)	13.53091 (81080724)	15.81739 (81010524)	20.07168 (81010524
3809913.0	21.45878 (81100924)	17.28629 (81100924)	10.22531 (81103024)	9.36085 (81010524)	12.48138 (81010524
3809663.0	17.01153 (81100924)	15.44595 (81100924)	9.29202 (81072824)	7.79950 (81080724)	7.80753 (81010524
3809413.0	13.97460 (81100924)	13.67747 (81100924)	8.30735 (81072824)	6.29718 (81080724)	5.37737 (81080724
3809163.0	11.77239 (81100924)	12.05152 (81100924)	7.16206 (81072824)	5.57561 (81052624)	5.33125 (81080724

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 377384.00	377634.00	377884.00	378134.00	378384.00
3813913.0	3.06617 (81100824)	3.50584 (81052024)	4.08688 (81052024)	3.71277 (81052024)	2.48415 (81052024)
3813663.0	3.46537 (81052024)	4.48691 (81052024)	4.43867 (81052024)	3.09368 (81052024)	2.49002 (81091124)
3813413.0	4.78084 (81052024)	5.29310 (81052024)	3.90833 (81052024)	2.85919 (81091124)	2.42034 (81091124)
3813163.0	6.25209 (81052024)	5.02310 (81052024)	3.33861 (81091124)	2.79693 (81040824)	2.31655 (81040824)
3812913.0	6.58642 (81052024)	3.98772 (81091124)	3.30298 (81040824)	2.54837 (81040824)	2.75229 (81022424)
3812663.0	4.91909 (81091124)	4.04753 (81052124)	3.11331 (81121524)	3.29635 (81022424)	3.23544 (81102024)
3812413.0	5.11767 (81052124)	4.29352 (81022424)	4.16172 (81102024)	4.11481 (81102024)	3.66070 (81102024)
3812163.0	5.59381 (81102024)	5.83423 (81102024)	5.14851 (81102024)	3.96822 (81102024)	3.96039 (81081624)
3811913.0	7.95400 (81102024)	6.18017 (81081624)	5.53047 (81081624)	4.32890 (81081624)	3.65013 (81032024)
3811663.0	8.42674 (81032024)	6.68049 (81032024)	5.42254 (81122224)	5.06968 (81121724)	4.59305 (81121724)
3811413.0	11.46763 (81111924)	9.25449 (81111924)	7.72442 (81111924)	6.59203 (81111924)	5.71689 (81111924)
3811163.0	17.08878 (81122524)	13.89059 (81122524)	11.54226 (81122524)	9.77650 (81122524)	8.42141 (81122524)
3810913.0	14.61014 (81111924)	11.08222 (81111924)	8.70018 (81111924)	6.97754 (81111924)	5.72652 (81111924)
3810663.0	10.97269 (81111924)	9.95121 (81111924)	8.04861 (81111924)	6.61597 (81111924)	5.62019 (81111924)
3810413.0	12.94310 (81022224)	7.79361 (81022024)	6.36004 (81111924)	6.19491 (81111924)	5.34945 (81111924)
3810163.0	17.07199 (81022224)	11.31196 (81022224)	6.54538 (81022024)	4.92381 (81022024)	4.33669 (81111924)
3809913.0	14.82322 (81010524)	13.00958 (81022224)	9.78328 (81022224)	5.77550 (81022224)	4.64985 (81022024)
3809663.0	10.17050 (81010524)	11.54951 (81010524)	10.34427 (81022224)	8.46297 (81022224)	5.51413 (81022224)
3809413.0	6.76545 (81010524)	8.48280 (81010524)	9.34423 (81010524)	8.49074 (81022224)	7.36343 (81022224)
3809163.0	4.67105 (81010524)	5.93512 (81010524)	7.20956 (81010524)	7.77563 (81010524)	7.13895 (81022224)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
375707.00	3810561.00	20.63024	(81111524)	374756.00	3810927.00	9.34538	(81041624)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE MAXIMUM 50 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

** CONC OF OTHER IN MICROGRAMS/M**3 **

RANK	CONC	(YYMMDDHH)	AT	RECEPTOR (XR,YR)	OF TYPE	RANK	CONC	(YYMMDDHH)	AT	RECEPTOR (XR,YR)	OF TYPE
1.	591.26532	(81100924)	AT	(376134.00, 3811163.00)	GC	26.	316.67523	(81010124)	AT	(376134.00, 3811413.00)	GC
2.	511.01346	(81110324)	AT	(376134.00, 3811413.00)	GC	27.	314.43082	(81021624)	AT	(376134.00, 3811163.00)	GC
3.	470.39505	(81070924)	AT	(376134.00, 3811163.00)	GC	28.	311.52194	(81100324)	AT	(376134.00, 3811413.00)	GC
4.	446.32419	(81010524)	AT	(376134.00, 3811163.00)	GC	29.	310.67551	(81123124)	AT	(376134.00, 3811413.00)	GC
5.	433.67871	(81052024)	AT	(376134.00, 3811413.00)	GC	30.	304.05621	(81042424)	AT	(376134.00, 3811163.00)	GC
6.	429.83151	(81080624)	AT	(376134.00, 3811163.00)	GC	31.	303.38712	(81040824)	AT	(376134.00, 3811413.00)	GC
7.	426.69714	(81101124)	AT	(376134.00, 3811413.00)	GC	32.	301.86746	(81111124)	AT	(376134.00, 3811413.00)	GC
8.	402.74771	(81122124)	AT	(376134.00, 3811163.00)	GC	33.	301.30527	(81011824)	AT	(375884.00, 3811413.00)	GC
9.	401.48926	(81052624)	AT	(376134.00, 3811163.00)	GC	34.	299.55365	(81112524)	AT	(376134.00, 3811163.00)	GC
10.	400.30936	(81040124)	AT	(376134.00, 3811413.00)	GC	35.	297.42249	(81021524)	AT	(376134.00, 3811413.00)	GC
11.	393.58472	(81072824)	AT	(376134.00, 3811163.00)	GC	36.	295.72614	(81082224)	AT	(376134.00, 3811163.00)	GC
12.	389.65787	(81040724)	AT	(376134.00, 3811413.00)	GC	37.	293.77969	(81070424)	AT	(376134.00, 3811413.00)	GC
13.	387.41721	(81080724)	AT	(376134.00, 3811163.00)	GC	38.	292.22607	(81072724)	AT	(376134.00, 3811163.00)	GC
14.	384.59427	(81051924)	AT	(376134.00, 3811413.00)	GC	39.	286.27390	(81102024)	AT	(376134.00, 3811413.00)	GC
15.	379.39279	(81083024)	AT	(376134.00, 3811413.00)	GC	40.	286.03101	(81110924)	AT	(376134.00, 3811413.00)	GC
16.	378.03015	(81011224)	AT	(376134.00, 3811163.00)	GC	41.	285.10516	(81020924)	AT	(376134.00, 3811163.00)	GC
17.	354.82394	(81122224)	AT	(376134.00, 3811163.00)	GC	42.	282.49954	(81120724)	AT	(376134.00, 3811413.00)	GC
18.	354.13333	(81103024)	AT	(376134.00, 3811163.00)	GC	43.	282.49356	(81013024)	AT	(376134.00, 3811163.00)	GC
19.	344.64389	(81110124)	AT	(376134.00, 3811163.00)	GC	44.	278.03818	(81111724)	AT	(376134.00, 3811163.00)	GC
20.	334.88461	(81100824)	AT	(376134.00, 3811413.00)	GC	45.	275.97217	(81063024)	AT	(376134.00, 3811163.00)	GC
21.	333.92944	(81032624)	AT	(376134.00, 3811163.00)	GC	46.	275.69571	(81070124)	AT	(376134.00, 3811163.00)	GC
22.	328.29855	(81042024)	AT	(376134.00, 3811163.00)	GC	47.	275.08038	(81033124)	AT	(376134.00, 3811413.00)	GC
23.	320.52148	(81100124)	AT	(376134.00, 3811163.00)	GC	48.	274.47812	(81120124)	AT	(376134.00, 3811163.00)	GC
24.	317.53928	(81052724)	AT	(376134.00, 3811163.00)	GC	49.	274.12711	(81081024)	AT	(376134.00, 3811163.00)	GC
25.	317.52011	(81092924)	AT	(376134.00, 3811413.00)	GC	50.	274.04514	(81032724)	AT	(376134.00, 3811163.00)	GC

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF MAXIMUM PERIOD (8760 HRS) RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	127.08154 AT	(376134.00, 3811163.00, 0.00, 0.00)	GC	CART1
	2ND HIGHEST VALUE IS	116.99585 AT	(376134.00, 3811413.00, 0.00, 0.00)	GC	CART1
	3RD HIGHEST VALUE IS	80.42810 AT	(375884.00, 3811413.00, 0.00, 0.00)	GC	CART1
	4TH HIGHEST VALUE IS	42.40079 AT	(375884.00, 3811663.00, 0.00, 0.00)	GC	CART1
	5TH HIGHEST VALUE IS	29.25806 AT	(375634.00, 3811913.00, 0.00, 0.00)	GC	CART1
	6TH HIGHEST VALUE IS	27.39867 AT	(375634.00, 3811663.00, 0.00, 0.00)	GC	CART1
	7TH HIGHEST VALUE IS	26.40178 AT	(375884.00, 3811163.00, 0.00, 0.00)	GC	CART1
	8TH HIGHEST VALUE IS	23.68537 AT	(376134.00, 3811663.00, 0.00, 0.00)	GC	CART1
	9TH HIGHEST VALUE IS	23.44605 AT	(376134.00, 3810913.00, 0.00, 0.00)	GC	CART1
	10TH HIGHEST VALUE IS	21.98789 AT	(375884.00, 3811913.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF HIGHEST 24-HR RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	DATE (YYMMDDHH)	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	HIGH 1ST HIGH VALUE IS	591.26532	ON 81100924:	AT (376134.00, 3811163.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES:
GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** Message Summary : ISCST3 Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 0 Warning Message(s)
A Total of 1085 Informational Message(s)

A Total of 1085 Calm Hours Identified

******** FATAL ERROR MESSAGES ********
*** NONE ***

******** WARNING MESSAGES ********
*** NONE ***

****
*** ISCST3 Finishes Successfully ***
****

Diesel Particulate Emissions

(Phase 1)

**MODELOPTs:
CONC   URBAN FLAT   NOCALM

*** MODEL SETUP OPTIONS SUMMARY ***

- -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

-- SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION. DDPLETE = F
**Model Uses NO WET DEPLETION. WDPLETE = F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
1. Final Plume Rise.
2. Stack-tip Downwash.
3. Buoyancy-induced Dispersion.
4. Not Use Calms Processing Routine.
5. Not Use Missing Data Processing Routine.
6. Default Wind Profile Exponents.
7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates PERIOD Averages Only

**This Run Includes: 4 Source(s); 1 Source Group(s); and 402 Receptor(s)

**The Model Assumes A Pollutant Type of: OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
Model Outputs Tables of PERIOD Averages by Receptor
Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs: Anem. Hgt. (m) = 10.00 ; Decay Coef. = 0.000 ; Rot. Angle = 0.0
Emission Units = GRAMS/SEC ; Emission Rate Unit Factor = 0.10000E+07
Output Units = MICROGRAMS/M**3

**Approximate Storage Requirements of Model = 1.2 MB of RAM.

**Input Runstream File: D:\diesel1.DTA
**Output Print File: D:\diesel1.LST

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
PITOPS	0	0.24150E-01	376103.0	3811332.0	0.0	3.50	25.00	7.00	
LOADER1	0	0.24150E-01	376403.0	3811232.0	0.0	3.50	25.00	7.00	
LOADER2	0	0.24150E-01	376503.0	3811332.0	0.0	3.50	25.00	7.00	
FINES	0	0.24150E-01	375803.0	3811807.0	0.0	3.50	25.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	PITOPS , LOADER1 , LOADER2 , FINES ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0,	3810561.0,	0.0,	0.0);	(374756.0,	3810927.0,	0.0,	0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-O (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634.00
3813913.00	0.05585	0.06032	0.06177	0.05796	0.05004	0.04349	0.04105	0.04007	0.03872
3813663.00	0.05763	0.06567	0.07148	0.07241	0.06575	0.05595	0.05024	0.04816	0.04619
3813413.00	0.05513	0.06757	0.07885	0.08660	0.08610	0.07531	0.06472	0.05998	0.05650
3813163.00	0.04701	0.06282	0.08062	0.09729	0.10797	0.10407	0.08840	0.07870	0.07188
3812913.00	0.03731	0.05125	0.07195	0.09824	0.12459	0.13993	0.12850	0.11000	0.09755
3812663.00	0.03187	0.04077	0.05641	0.08289	0.12275	0.16844	0.19157	0.16611	0.14568
3812413.00	0.03125	0.03714	0.04666	0.06404	0.09703	0.15810	0.24871	0.28529	0.24301
3812163.00	0.03234	0.03785	0.04546	0.05712	0.07798	0.12033	0.21324	0.43621	0.50536
3811913.00	0.03293	0.03872	0.04639	0.05709	0.07340	0.10257	0.16855	0.34370	1.28106
3811663.00	0.03199	0.03784	0.04560	0.05616	0.07108	0.09318	0.12900	0.20484	0.56157
3811413.00	0.02854	0.03301	0.03880	0.04667	0.05812	0.07620	0.10960	0.18403	0.34012
3811163.00	0.02522	0.02909	0.03417	0.04101	0.05091	0.06703	0.09257	0.13001	0.19559
3810913.00	0.02144	0.02390	0.02694	0.03127	0.03758	0.04606	0.05810	0.07500	0.12357
3810663.00	0.01559	0.01722	0.01979	0.02341	0.02813	0.03513	0.04536	0.06301	0.09969
3810413.00	0.01261	0.01468	0.01722	0.02038	0.02507	0.03202	0.04127	0.05756	0.07831
3810163.00	0.01187	0.01361	0.01586	0.01932	0.02439	0.03047	0.03823	0.04914	0.06190
3809913.00	0.01114	0.01296	0.01571	0.01950	0.02376	0.02808	0.03390	0.04117	0.04936
3809663.00	0.01101	0.01325	0.01607	0.01911	0.02195	0.02524	0.02966	0.03460	0.03989
3809413.00	0.01143	0.01354	0.01573	0.01781	0.01990	0.02267	0.02579	0.02912	0.03337
3809163.00	0.01159	0.01321	0.01479	0.01632	0.01812	0.02025	0.02234	0.02482	0.02888

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	377884.00
3813913.00	0.03749	0.03358	0.02909	0.02504	0.01930	0.01361	0.01062	0.00952	0.00880
3813663.00	0.04497	0.03932	0.03327	0.02843	0.02118	0.01471	0.01181	0.01071	0.00983
3813413.00	0.05502	0.04681	0.03886	0.03276	0.02344	0.01613	0.01344	0.01218	0.01106
3813163.00	0.06904	0.05692	0.04666	0.03840	0.02619	0.01816	0.01562	0.01390	0.01234
3812913.00	0.08986	0.07128	0.05788	0.04611	0.02963	0.02126	0.01820	0.01569	0.01361
3812663.00	0.12428	0.09358	0.07467	0.05715	0.03430	0.02525	0.02091	0.01776	0.01544
3812413.00	0.19146	0.13256	0.10174	0.07337	0.04005	0.03021	0.02502	0.02124	0.01823
3812163.00	0.34578	0.21165	0.14899	0.09558	0.05148	0.04013	0.03216	0.02590	0.02051
3811913.00	0.82968	0.41443	0.26011	0.14011	0.07509	0.05322	0.03868	0.02842	0.02240
3811663.00	1.20031	0.86995	0.58540	0.21450	0.10976	0.06717	0.04669	0.03661	0.03014
3811413.00	0.87120	2.10308	2.59780	0.53463	0.17818	0.10017	0.06647	0.04809	0.03681
3811163.00	0.37219	0.94287	2.46397	0.68492	0.22256	0.11742	0.07528	0.05324	0.04019
3810913.00	0.20066	0.35159	0.47142	0.30386	0.16256	0.09153	0.06049	0.04541	0.03629
3810663.00	0.14261	0.18778	0.22221	0.16868	0.11491	0.08089	0.05439	0.03874	0.03005
3810413.00	0.10290	0.12083	0.13753	0.11019	0.07967	0.06547	0.05072	0.03775	0.02853
3810163.00	0.07502	0.08852	0.09657	0.07929	0.05898	0.05027	0.04360	0.03571	0.02840
3809913.00	0.05799	0.06900	0.07285	0.06122	0.04634	0.03920	0.03587	0.03171	0.02696
3809663.00	0.04741	0.05578	0.05758	0.04944	0.03820	0.03173	0.02923	0.02731	0.02442
3809413.00	0.04008	0.04627	0.04706	0.04114	0.03261	0.02670	0.02414	0.02313	0.02169
3809163.00	0.03456	0.03915	0.03944	0.03499	0.02847	0.02319	0.02049	0.01953	0.01896

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.00817	0.00762
3813663.00	0.00907	0.00834
3813413.00	0.01002	0.00903
3813163.00	0.01092	0.00980
3812913.00	0.01204	0.01081
3812663.00	0.01362	0.01192
3812413.00	0.01541	0.01289
3812163.00	0.01646	0.01377
3811913.00	0.01893	0.01669
3811663.00	0.02531	0.02152
3811413.00	0.02933	0.02407
3811163.00	0.03178	0.02600
3810913.00	0.02998	0.02529
3810663.00	0.02481	0.02131
3810413.00	0.02268	0.01893
3810163.00	0.02247	0.01826
3809913.00	0.02247	0.01844
3809663.00	0.02133	0.01839
3809413.00	0.01959	0.01745
3809163.00	0.01777	0.01618

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	0.09940	374756.00	3810927.00	0.04233

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF MAXIMUM PERIOD (8760 HRS) RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	2.59780 AT (	376384.00, 3811413.00, 0.00, 0.00)	GC	CART1
	2ND HIGHEST VALUE IS	2.46397 AT (	376384.00, 3811163.00, 0.00, 0.00)	GC	CART1
	3RD HIGHEST VALUE IS	2.10308 AT (	376134.00, 3811413.00, 0.00, 0.00)	GC	CART1
	4TH HIGHEST VALUE IS	1.28106 AT (	375634.00, 3811913.00, 0.00, 0.00)	GC	CART1
	5TH HIGHEST VALUE IS	1.20031 AT (	375884.00, 3811663.00, 0.00, 0.00)	GC	CART1
	6TH HIGHEST VALUE IS	0.94287 AT (	376134.00, 3811163.00, 0.00, 0.00)	GC	CART1
	7TH HIGHEST VALUE IS	0.87120 AT (	375884.00, 3811413.00, 0.00, 0.00)	GC	CART1
	8TH HIGHEST VALUE IS	0.86995 AT (	376134.00, 3811663.00, 0.00, 0.00)	GC	CART1
	9TH HIGHEST VALUE IS	0.82968 AT (	375884.00, 3811913.00, 0.00, 0.00)	GC	CART1
	10TH HIGHEST VALUE IS	0.68492 AT (	376634.00, 3811163.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** Message Summary : ISCST3 Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 0 Warning Message(s)
A Total of 1085 Informational Message(s)

A Total of 1085 Calm Hours Identified

******** FATAL ERROR MESSAGES ********
*** NONE ***

******** WARNING MESSAGES ********
*** NONE ***

****
*** ISCST3 Finishes Successfully ***
****

Diesel Particulate Emissions

(Phase 2)

**MODELOPTs:
CONC   URBAN FLAT   NOCALM

*** MODEL SETUP OPTIONS SUMMARY ***

- -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

-- SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION. DDPLETE = F
**Model Uses NO WET DEPLETION. WDPLETE = F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
1. Final Plume Rise.
2. Stack-tip Downwash.
3. Buoyancy-induced Dispersion.
4. Not Use Calms Processing Routine.
5. Not Use Missing Data Processing Routine.
6. Default Wind Profile Exponents.
7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates PERIOD Averages Only

**This Run Includes: 4 Source(s);   1 Source Group(s); and   402 Receptor(s)

**The Model Assumes A Pollutant Type of: OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
Model Outputs Tables of PERIOD Averages by Receptor
Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs: Anem. Hgt. (m) =   10.00 ;   Decay Coef. =   0.000   ;   Rot. Angle =   0.0
Emission Units = GRAMS/SEC   ; Emission Rate Unit Factor =   0.10000E+07
Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =   1.2 MB of RAM.

**Input Runstream File: D:\diesel2.DTA
**Output Print File: D:\diesel2.LST

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
PITOPS	0	0.45937E-01	376103.0	3811332.0	0.0	3.50	25.00	7.00	
LOADER1	0	0.45937E-01	376403.0	3811232.0	0.0	3.50	25.00	7.00	
LOADER2	0	0.45937E-01	376503.0	3811332.0	0.0	3.50	25.00	7.00	
FINES	0	0.45937E-01	375803.0	3811807.0	0.0	3.50	25.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	PITOPS , LOADER1 , LOADER2 , FINES ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0,	3810561.0,	0.0,	0.0);	(374756.0,	3810927.0,	0.0,	0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-O (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634.00
3813913.00	0.10623	0.11474	0.11749	0.11025	0.09518	0.08272	0.07809	0.07622	0.07364
3813663.00	0.10962	0.12492	0.13596	0.13773	0.12506	0.10643	0.09556	0.09160	0.08786
3813413.00	0.10486	0.12852	0.14999	0.16472	0.16378	0.14325	0.12310	0.11409	0.10747
3813163.00	0.08942	0.11949	0.15335	0.18506	0.20538	0.19795	0.16816	0.14970	0.13672
3812913.00	0.07097	0.09749	0.13686	0.18686	0.23698	0.26617	0.24443	0.20924	0.18556
3812663.00	0.06062	0.07755	0.10729	0.15768	0.23350	0.32040	0.36439	0.31596	0.27710
3812413.00	0.05945	0.07064	0.08876	0.12182	0.18456	0.30073	0.47308	0.54267	0.46225
3812163.00	0.06151	0.07199	0.08648	0.10865	0.14832	0.22888	0.40561	0.82974	0.96128
3811913.00	0.06263	0.07365	0.08823	0.10859	0.13962	0.19510	0.32060	0.65377	2.43677
3811663.00	0.06084	0.07198	0.08674	0.10683	0.13520	0.17725	0.24538	0.38963	1.06819
3811413.00	0.05430	0.06279	0.07380	0.08878	0.11055	0.14495	0.20848	0.35005	0.64697
3811163.00	0.04798	0.05532	0.06500	0.07801	0.09684	0.12749	0.17607	0.24730	0.37204
3810913.00	0.04078	0.04546	0.05125	0.05947	0.07148	0.08761	0.11052	0.14267	0.23506
3810663.00	0.02966	0.03276	0.03764	0.04452	0.05351	0.06683	0.08629	0.11986	0.18963
3810413.00	0.02398	0.02793	0.03276	0.03876	0.04769	0.06091	0.07850	0.10948	0.14895
3810163.00	0.02258	0.02590	0.03018	0.03675	0.04640	0.05796	0.07271	0.09347	0.11774
3809913.00	0.02119	0.02465	0.02988	0.03709	0.04519	0.05342	0.06448	0.07832	0.09389
3809663.00	0.02094	0.02520	0.03058	0.03635	0.04176	0.04801	0.05641	0.06581	0.07588
3809413.00	0.02174	0.02575	0.02993	0.03387	0.03786	0.04311	0.04906	0.05539	0.06347
3809163.00	0.02204	0.02513	0.02814	0.03105	0.03446	0.03852	0.04250	0.04721	0.05494

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	377884.00
3813913.00	0.07131	0.06387	0.05533	0.04762	0.03671	0.02589	0.02020	0.01812	0.01674
3813663.00	0.08554	0.07478	0.06329	0.05409	0.04029	0.02797	0.02247	0.02037	0.01870
3813413.00	0.10465	0.08904	0.07392	0.06231	0.04459	0.03068	0.02556	0.02316	0.02104
3813163.00	0.13132	0.10826	0.08875	0.07305	0.04982	0.03454	0.02972	0.02644	0.02347
3812913.00	0.17093	0.13559	0.11010	0.08771	0.05635	0.04044	0.03462	0.02984	0.02590
3812663.00	0.23640	0.17799	0.14203	0.10871	0.06524	0.04803	0.03978	0.03379	0.02937
3812413.00	0.36418	0.25216	0.19352	0.13957	0.07617	0.05746	0.04758	0.04040	0.03468
3812163.00	0.65773	0.40258	0.28340	0.18181	0.09792	0.07634	0.06116	0.04927	0.03902
3811913.00	1.57818	0.78831	0.49477	0.26652	0.14284	0.10124	0.07357	0.05406	0.04261
3811663.00	2.28318	1.65477	1.11352	0.40800	0.20878	0.12776	0.08882	0.06964	0.05733
3811413.00	1.65715	4.00038	4.94141	1.01695	0.33893	0.19054	0.12643	0.09148	0.07002
3811163.00	0.70797	1.79349	4.68683	1.30283	0.42334	0.22336	0.14320	0.10128	0.07644
3810913.00	0.38169	0.66878	0.89672	0.57798	0.30920	0.17410	0.11506	0.08637	0.06904
3810663.00	0.27127	0.35718	0.42268	0.32085	0.21858	0.15386	0.10346	0.07369	0.05716
3810413.00	0.19573	0.22984	0.26160	0.20960	0.15154	0.12454	0.09648	0.07181	0.05427
3810163.00	0.14269	0.16838	0.18370	0.15083	0.11220	0.09563	0.08294	0.06793	0.05402
3809913.00	0.11031	0.13125	0.13856	0.11645	0.08815	0.07457	0.06822	0.06032	0.05129
3809663.00	0.09018	0.10609	0.10953	0.09405	0.07266	0.06035	0.05560	0.05194	0.04646
3809413.00	0.07624	0.08800	0.08952	0.07826	0.06203	0.05078	0.04592	0.04400	0.04126
3809163.00	0.06574	0.07447	0.07502	0.06656	0.05416	0.04412	0.03898	0.03715	0.03606

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.01553	0.01448
3813663.00	0.01725	0.01586
3813413.00	0.01906	0.01718
3813163.00	0.02078	0.01864
3812913.00	0.02290	0.02056
3812663.00	0.02591	0.02267
3812413.00	0.02931	0.02452
3812163.00	0.03130	0.02619
3811913.00	0.03602	0.03174
3811663.00	0.04815	0.04093
3811413.00	0.05578	0.04579
3811163.00	0.06045	0.04947
3810913.00	0.05703	0.04810
3810663.00	0.04719	0.04054
3810413.00	0.04315	0.03601
3810163.00	0.04274	0.03474
3809913.00	0.04273	0.03508
3809663.00	0.04058	0.03498
3809413.00	0.03726	0.03320
3809163.00	0.03381	0.03078

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	0.18907	374756.00	3810927.00	0.08051

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF MAXIMUM PERIOD (8760 HRS) RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	4.94141 AT	(376384.00, 3811413.00, 0.00, 0.00)	GC	CART1
	2ND HIGHEST VALUE IS	4.68683 AT	(376384.00, 3811163.00, 0.00, 0.00)	GC	CART1
	3RD HIGHEST VALUE IS	4.00038 AT	(376134.00, 3811413.00, 0.00, 0.00)	GC	CART1
	4TH HIGHEST VALUE IS	2.43677 AT	(375634.00, 3811913.00, 0.00, 0.00)	GC	CART1
	5TH HIGHEST VALUE IS	2.28318 AT	(375884.00, 3811663.00, 0.00, 0.00)	GC	CART1
	6TH HIGHEST VALUE IS	1.79349 AT	(376134.00, 3811163.00, 0.00, 0.00)	GC	CART1
	7TH HIGHEST VALUE IS	1.65715 AT	(375884.00, 3811413.00, 0.00, 0.00)	GC	CART1
	8TH HIGHEST VALUE IS	1.65477 AT	(376134.00, 3811663.00, 0.00, 0.00)	GC	CART1
	9TH HIGHEST VALUE IS	1.57818 AT	(375884.00, 3811913.00, 0.00, 0.00)	GC	CART1
	10TH HIGHEST VALUE IS	1.30283 AT	(376634.00, 3811163.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES:
GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** Message Summary : ISCST3 Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 0 Warning Message(s)
A Total of 1085 Informational Message(s)

A Total of 1085 Calm Hours Identified

******** FATAL ERROR MESSAGES ********
*** NONE ***

******** WARNING MESSAGES ********
*** NONE ***

****
*** ISCST3 Finishes Successfully ***
****

ATTACHMENT D

(List of References)

List of References

1. California Air Pollution Control Officers Association (CAPCOA), 1987. Toxic Air Pollutant Source Assessment Manual for California Air Pollution Control Districts and Applicants for Air Pollution Control District Permits, prepared by Interagency Workshop Group, (Revised) December 1989.

2. California Air Pollution Control Officers Association (CAPCOA), 1993. Air Toxics "Hot Spots" Program Risk Assessment Guidelines.

3. California Air Pollution Control Officers Association (CAPCOA), 1997. Air Toxics "Hot Spots" Program Gasoline Service Station Industrywide Risk Assessment Guidelines.

4. California Environmental Protection Agency, 1996. Report of the Risk Assessment Advisory Committee: A Review of the California Environmental Protection Agency's Risk Assessment Practices, Policies and Guidelines.

5. California Environmental Protection Agency, 1997. Memorandum from Michael P. Kenny, California Air Resources Board to Mary Nichols, U.S. Environmental Protection Agency. Appendix A: Comments on the U.S. Environmental Protection Agency's Proposed National Ambient Air Quality Standards for Particulate Matter.

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AGUA DULCE TOWN COUNCIL

Jim Duzick, President
(661) 268-1295
FAX: (661) 268-8345

COUNCIL MEMBERS

Diane Terito, Secretary
(661) 268-8701
FAX: (661) 268-7325
Email: tgtmkt1@aol.com

Mike Terito, Treasurer
(661) 268-8701
FAX: (661) 268-7325

George Dyer
(661) 268-1258
FAX: (661) 268-1103

Doc Ellis
(661) 268-1313
FAX: (661) 268-1313

Dave McCord
(661) 268-0134
FAX: (661) 268-0728

Darrell Readmond
(661) 268-1087
FAX: (661) 268-1087

November 14, 1999

Julie Moore, Project Planner
Department of Regional Planning
County of Los Angeles
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, California 90012

RE: Response to Draft EIR for the Soledad Canyon Sand and Gravel Mining Project – SMP# 91-165-(5)

Dear Ms. Moore:

Last September, the Joint Task Force of the Agua Dulce Town Council and the Agua Dulce Civic Association told the Planning Commission that research had indicated that the Water appropriation and discharge issues would be addressed for the Transit Mixed Concrete (TMC) project, and the future CalMat project, in late September 1999. Since the Planning Commission's public hearings in September, the California State Water Resources Board (CSWRB) has held a hearing and decided that Applications 29898, 29967, and 30498, filed by the Santa Clarita Water Company, Transit Mixed Concrete Company and CalMat Company respectively, are within the jurisdiction of the CSWRCB. Now that the jurisdictional issue is settled and permitting authority has been determined to belong with the CSWRCB, hearings on these permits have been scheduled for the first quarter of next year (CSWRCB letter of October 7, 1999, enclosed).

In addition to the October 7th CSWRCB letter describing scheduling of these water allocation hearings, the Joint Task Force has also received a Discharge Permit response to Valencia Company, which was issued by the California Regional Water Quality Control Board (CRWQCB) on November 3, 1999. This response describes a Natural River Management Plan for the Santa Clara River and its tributaries. This Management Plan edicts a "Monitoring and Reporting Program" which Valencia Company must implement, effective immediately (November 3, 1999).

It is assumed that the terms and conditions which apply to Valencia Company would naturally apply to TMC, CalMat, and the Bureau of Land Management (BLM), as mining *any or all* of the Scarce Resource Designated Area affects the Santa Clara River and its tributaries. It is assumed that the Natural River Management Plan applies to all proposed mining projects, and must be considered and implemented. It would seem, after reviewing these documents (which we are enclosing for your convenience) that water appropriation issues as described in the TMC DEIR have not yet been decided by the appropriate authorities, as evidenced in the October 7th letter from the CSWRCB. Discharge issues are not addressed in the TMC DEIR to anywhere near the

requirements described in the Natural River Management Plan as described in the September 30th and November 3rd letters from the CRWQCB to Valencia Company. There is no reason to expect that TMC will not be subject to the same discharge requirements applied to Valencia Company.

From the point of view of protocol, why would a rebuttal hearing for the applicant be scheduled for early December 1999, when TMC's water appropriation hearing will not be held by the CSWRCB until Spring of 2000?

If water is not available for feasible mitigation, even as described in the TMC DEIR, how can factual rebuttal occur?

If discharge requirements have not been delineated by the CRWQCB to TMC, how can rebuttal be analyzed by the Planning Commission and others to determine what and how much mitigation is appropriate and necessary?

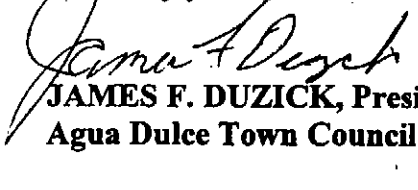
For the Planning Commission's convenience, we are including a newspaper clipping (Los Angeles Times, November 14, 1999, "Residents Blame Mine for Emptying Idyllic Community") describing what happens to a community when mitigation or enforcement falls short of serving the best interests of the general public. Lockwood Valley, deep in the Los Padres National Forest in Ventura County, is fighting for its survival amid the effects of strip mining on 400 acres. This mining is orchestrated by Glendale-based Pacific Custom Materials, Inc., which is now a subsidiary of Dallas-based Texas Industries. We would appreciate your reading the article.

Agua Dulce does not intend to become another Lockwood Valley. We have no anticipation that the County Planning Commission, or our Board of Supervisors, could or would allow absentee landowners to create a situation similar to Lockwood Valley in Agua Dulce which would destroy our community, or any other adjacent community. The fact that it is happening to Lockwood Valley, however, causes one to pause, focus and examine the enforcement agencies' activities, looking for appropriate, timely, and effective governmental response. Lockwood is not very far from Agua Dulce, and the mining is not that different from what is and will be proposed in our community. The concerns expressed by Lockwood residents echo those already expressed to the Planning Commission by residents in the area surrounding Soledad Canyon.

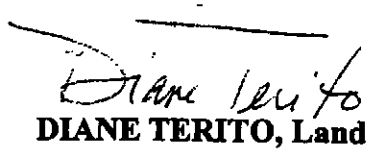
Please review the data we have submitted to you. Ask yourselves if the relevant issues presented to you throughout the public process, and the water issues we are asking you to review and consider now, are being addressed accurately and completely by the TMC DEIR.

Clearly, meticulous observation of CEQUA laws should be paramount in order to prevent a Lockwood Valley from occurring here.

Sincerely yours,



JAMES F. DUZICK, President
Agua Dulce Town Council



DIANE TERITO, Land Use Chair
Agua Dulce Civic Association

ENCL:

1. State Water Resources Control Board, letter of October 7, 1999, "Applications 29898, 29967 and 30498. To Appropriate Water From the Santa Clara River in Los Angeles County: Classification of Water Sought to be Appropriated"
2. California Regional Water Quality Control Board, Los Angeles Region, letter of November 3, 1999 – "Waste Discharge Requirements – Natural River Management Plan for Santa Clara River and its Tributaries in City of Santa Clarita, Los Angeles County (File No. 99-009) (CI 8099)
3. California Regional Water Quality Control Board, Los Angeles Region, letter of September 30, 1999 – "Tentative Waste Discharge Requirements – Natural River Management Plan for Santa Clara River and its Tributaries in City of Santa Clarita, Los Angeles County (File No. 99-009)"
4. Los Angeles Times, November 14, 1999, "Residents Blame Mine for Emptying Idyllic Community", Valley Section, page B6

CC (with enclosures):

U.S. Senator Barbara Boxer
U.S. Senator Diane Feinstein
U.S. Representative Howard "Buck" McKeon
State Assemblyman George Runner
State Senator Pete Knight
Supervisor Michael Antonovich
Mayor Jo Anne Darcy, City of Santa Clarita
Lillian Smith, The Country Journal
The Daily News
The Valley Press
The Los Angeles Times

Endosure

Winston H. Hickox
Secretary for Environmental Protection

State Water Resources Control Board

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

Gray Davis
Governor

OCTOBER 07 1999

TO ENCLOSED MAILING LIST

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

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

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

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

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

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

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

Sincerely,

Harry M. Schueller, Chief
Division of Water Rights

Enclosure

FOR APPLICATIONS 30498, 29967, & 29898

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

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

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

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

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

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

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

A30498
Mike Sherwood, Esquire
Sierra Club Legal Defense Fund
180 Montgomery Street, Suite 1400
San Francisco, CA 94104

James Lecky, Chief
Protected Species Management Division
U.S. National Marine Fisheries Services
501 W. Ocean Blvd., Suite 4200
Long Beach, CA 90802-4213

A30498
Ray Ally, Associate Fishery Biologist
Department of Fish & Game
Region 5
330 Golden Shore, Suite 50
Long Beach, CA 90802

A30498
Howard Carlip
33622 Meonder Road
Agua Dulce, CA 91350

A30498
Wendy Phillips
101 Center Plaza Five
Monterey Park, CA 91754

A30498
Frank Collins
P.O. Box 220790
Newhall, CA 91321

A29967 & A29398
Attorneys for Santa Clarita Water Company
Stephanie Osler Hastings
Hatch and Parent Law Firm
21 East Carrillo Street
Santa Barbara, CA 93101-2782

CALMAT Company
c/o Robert H. Born
Consulting Engineer
15 Anacapri
Laguna Niguel, CA 92677

A29967
A29898
Robert H. Dahl
Wadsworth, Fraser & Dahl
3580 Wilshire Blvd, Suite 1620
Los Angeles, CA 90010-2517

A29967
A29898
Attorneys for Valencia Water Company
Anne Thomas, Esq.
Best, Best & Krieger
P.O. Box 1028
Riverside, CA 92502-1028

A29967
Jean Demyen
3375 Country Way
P.O. Box 513
Acton, CA 93510

A29967
Susan Tarr
10060 Lagos Road
Agua Dulce, CA 91350

A29898
A29967
Newhall County Water District
c/o James E. Jinks
P.O. Box 220970
Santa Clarita, CA 91322-0970

A29898 & A30498
Attorneys for Tansit Mix Concrete Company
Baker & McKenzie
c/o Kerry Shapiro
2 Embarcadero Center
24th Floor
San Francisco, CA 94111

FOR APPLICATIONS 30498, 29967, & 29898

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

A30498
Mike Sherwood, Esquire
Sierra Club Legal Defense Fund
180 Montgomery Street, Suite 1400
San Francisco, CA 94104

CALMAT Company
c/o Robert H. Born
Consulting Engineer
15 Anacapri
Laguna Niguel, CA 92677

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

James Lecky, Chief
Protected Species Management Division
U.S. National Marine Fisheries Services
501 W. Ocean Blvd., Suite 4200
Long Beach, CA 90802-4213

A29967
A29898
Robert H. Dahl
Wadsworth, Fraser & Dahl
3580 Wilshire Blvd, Suite 1620
Los Angeles, CA 90010-2517

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

A30498
Ray Ally, Associate Fishery Biologist
Department of Fish & Game
Region 5
330 Golden Shore, Suite 50
Long Beach, CA 90802

A29967
A29898
Attorneys for Valencia Water Company
Anne Thomas, Esq.
Best, Best & Krieger
P.O. Box 1028
Riverside, CA 92502-1028

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

A30498
Howard Carlip
33622 Meonder Road
Agua Dulce, CA 91350

A29967
Jean Demyen
3375 Country Way
P.O. Box 513
Acton, CA 93510

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

A30498
Wendy Phillips
101 Center Plaza Five
Monterey Park, CA 91754

A29967
Susan Tarr
10060 Lagos Road
Agua Dulce, CA 91350

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

A30498
Frank Collins
P.O. Box 220790
Newhall, CA 91321

A29898
A29967
Newhall County Water District
c/o James E. Jinks
P.O. Box 220970
Santa Clarita, CA 91322-0970

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

A29967 & A29398
Attorneys for Santa Clarita Water Company
Stephanie Osler Hastings
Hatch and Parent Law Firm
21 East Carrillo Street
Santa Barbara, CA 93101-2782

A29898 & A30498
Attorneys for Tansit Mix Concrete Company
Baker & McKenzie
c/o Kerry Shapiro
2 Embarcadero Center
24th Floor
San Francisco, CA 94111

A29898

Mr. Brian Mastin
Technical Services Manager
Transit Mixed Concrete Company
1201 W. Gladstone Street
Azusa, CA 91702-0575

Wendy Watanabe
Marcus, Watanabe, & Dave
6255 Sunset Blvd. Suite 1214
Los Angeles, CA 90028

A29898

Fox Canyon Groundwater
Management Agency
ATTN: District Manager
800 S. Victoria Ave, Location 1600
Ventura, CA 93009

A29898

Calleguas Municipal Water District
ATTN: Donald Kendall
2100 Olsen Rd.
Thousand Oaks, CA 91362

A29898

United Water Conservation District
ATTN: District Manager
P.O. Box 432
Santa Paula, CA 93061

A29898

Ken Woodward
Consulting Civil Engineer
950 Watt Ave
Sacramento, CA 95864

A29898

Valencia Water Company and
Newhall Land & Farming Company
Robert DiPrimio, Managing Director
28769 Castaic Canyon Road
Valencia, CA 91355

A30498

Lynne A Plambeck
1st Vice President
Santa Clarita Organization for
Planning the Environment
P.O. Box 1182
Santa Clarita, CA 91386

A30498

Robert J. Baiocchi, Consultant
California Sportfishing Alliance and
Santa Barbara Urban Creeks Council
P.O. Box 357
Quincy, CA 95971

CALMAT Company
c/o Robert Born
P.O. Box 2950, Terminal Annex
Los Angeles, CA 90051

Rio Dulce Ranch Company L.P.
c/o Rebecca J. Thyne
Lagerlof, Senecal, Drescher & Swift
301 North Lake Ave., 10th Floor
Pasadena, CA 91101-4107

Michael J. Rogers
U.S. Forest Service
Angeles National Forest
701 N. Santa Anita Ave
Arcadia, CA 91006

A29967

Jim Duzick
9303 Old Stage Road
Agua Dulce, CA 91350

John A. Hecht, P.E.
West Coast Environmental
and Engineering
4253 Transport Street, Suite A
Ventura, CA 93003

A29898

Newhall County Water District
c/o H. Jess Senecal, Esq.
Lagerlof, Senecal, Bradley, Gasney
& Kruse
301 North Lake Avenue, 10th Floor
Pasadena, CA 91101-410

A29898

Elizabeth E. Soriano
Assistant Coordinator
Archeological Information
Center
A-163 Fowler
405 Hilgard Ave.
Los Angeles, CA 90024-1510

A29967

James E. Jinks
Newhall County Water District
P.O. Box 779
Newhall, CA 91322-0779

A29967

Ecco Water Company
c/o L.V. Girard, Esq.
2604 Argolis Way
Sacramento, CA 95826

A29967

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

A29967

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

A29967

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

Charles Brockmeier
1304 Olympic Blvd.
Santa Monica. CA 90404-3726

Ted Robinson. Jr.
30131 Town Center Drive. Suite 268
Laquna Niguel. CA 92677

Allen Penrose
27920 Graceton Drive
Canyon Country. CA 91351-2113

Barbara DeMuth
27944 Graceton Drive
Canyon Country, CA 91351

Janet and Craig Feeder
27873 Oak Spring Canyon Road
Canyon Country. CA 91351

Doris M. Boydston
27875 Oak Spring Canyon Road
Canyon Country, CA 91351

Gail McClain
27945 Graceton Drive
Canyon Country. CA 91351

Bob Fleck
27363 Sand Canyon Road
Canyon Country. CA 91351

Sol Polen
28250 Oak Spring Canyon Road
Canyon Country. CA 91351

Ronald Halpern
Daly Environmental Services
17900 Sky Park Circle. Suite 230
Irvine, CA 92614-6472

Linda and Mark Hanson
27944 Graceton Drive
Canyon Country. CA 91351

Glen Marygold
28271 Oak Spring Canyon
Canyon Country. CA 91351

Robert Good
15920 Whitewater Canyon Road
Canyon Country, CA 91351

Dean Sword
28304 Oak Spring Canyon Road
Canyon Country. CA 91351

Ron Bottorff
660 Randy Drive
Newbury Park. CA 91320

Michael Kotch
28701 W Sloan Canyon
Castaic. CA 91384

[redacted]

California Regional Water Quality Control Board

Los Angeles Region

Winston H. Hickox
Secretary for Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: http://www.swrcb.ca.gov/~rwqcb4

Gray Davis
Governor

November 3, 1999

Mr. Mark Subbotin, Senior Vice-President
Valencia Company
23823 Valencia Boulevard
Valencia, CA 91355-2194

WASTE DISCHARGE REQUIREMENTS – NATURAL RIVER MANAGEMENT PLAN FOR SANTA CLARA RIVER AND ITS TRIBUTARIES IN CITY OF SANTA CLARITA, LOS ANGELES COUNTY (File No. 99-009) (CI 8099)

Dear Mr. Subbotin:

Our letter dated September 30, 1999, transmitted tentative requirements for your waste discharge to Santa Clara River and its tributaries in city of Santa Clarita.

Pursuant to Division 7 of the California Water Code, this Regional Board, at a public hearing held on October 28, 1999, reviewed the tentative requirements, considered all factors in the case, and adopted Order No 99-104 (copy attached) relative to the waste discharge.

You are required to implement the Monitoring and Reporting Program (M&RP) immediately after the effective date of Order No. 99-104. Your first monitoring report (for November and December of 1999) under this Order is due on February 1, 2000. The report shall state "no discharge or no construction activities during that period" if that was the case, and no monitoring was conducted. Please submit all monitoring reports to the Regional Board to the attention of the Information and Technology Unit. When submitting monitoring, technical reports, or any correspondence regarding the discharge under Order No 99-104 to the Regional Board, please include a reference to our compliance File No. CI 8099 to assure that the reports are directed to the appropriate staff and file. Also, do not combine other reports with your monitoring reports. Please submit each type of report as a separate document.

If you have any questions, please contact me at (213) 576-6689 or Alex Fu at (213) 576-6692.

Sincerely,

Raymond R. Jay
Chief, Nonpoint Source Unit

Enclosures

cc: See attached mailing list.

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

Order No. 99-104

WASTE DISCHARGE REQUIREMENTS
For
VALENCIA COMPANY
Natural River Management Plan
(File 99-009)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

1. The Valencia Company, a land owner and developer, proposes to conduct several projects along an approximately 15-mile stretch of Santa Clara River and its tributaries (See attached map), within unincorporated areas of Los Angeles County and portions of the City of Santa Clarita, under a Natural River Management Plan (NRMP) for the next 15 to 20 years. In order to develop the privately owned land in the Santa Clarita Valley, the Valencia Company, in consultation with the U.S. Army Corps of Engineers (Corps) and the California Department of Fish and Game (CDFG), has prepared the NRMP to specify all proposed activities which may impact U.S. waters and associated mitigation measures to minimize impacts and compensate losses of habitats within project area.

2. The proposed projects include construction of eight new bridges, replacement of one existing bridge, and widening of six existing bridges in the project area. Besides bridge construction, the Valencia Company also will conduct activities associated with river bank protection, inlet structures, utility lines installation, and construction of storm drain outlets for the future residential, commercial, and industrial projects in the area. However, the Valencia Company proposes to transfer routine maintenance activities for the above facilities to the Los Angeles County Department of Public Works and/or City of Santa Clarita.

3. The Valencia Company also proposes to conduct the following activities:

   a) Installation of a 1,700-foot-long inlet structure on the bottom of Santa Clara River upstream of Valencia Boulevard Bridge.

   b) Install a 100-foot-long buried concrete grade stabilizer immediately upstream of the inlet structure.

   These structures will permanently impact approximately 11.3 acre of riverbed.

4. The Valencia Company will implement four types of bank protection: buried soil cement, buried gunite, ungrouted riprap, and gunite lining. All of the bank protection will be located either within the nearby watercourse, along its bank, or outside the watercourse in an upland location. The Valencia Company proposes to locate bank protection along (or as close to as applicable) the lines of 100-year flood zone, including the lowered upland areas. The NRMP estimates a net gain of 69 acres of riverbed over the life of the entire project.

5. Furthermore, the Valencia Company proposes to establish buffer zones between the proposed upland development and the river, with average width from 75 feet to 225 feet, from the landward row of soil cement stacks to the river or from the top of the buried gunite to the river. Upland species will be planted and managed for habitat and open

9. Changes regarding potentially significant water quality impacts incorporated into the NRMP are within the responsibility and jurisdiction the Regional Board. Such changes have been adopted to mitigate for environmental effects to water quality. These changes are mitigation measures WQ-1; WQ-2; BIO-1 (a) through (n); BIO-6 (a) through (l); BIO-7(c); BIO-12; BIO-15; BIO-16; and BIO-17 (See Attachment), which are listed in Exhibit 9 (Mitigation Monitoring and Reporting Program) to both CDFG's Streambed Alteration Agreement No. 5-502-97 and the Corps' Section 404 Permit No. 94-00504-BAH. These mitigation measures are also required to be complied with by Provision III (2) of the Waste Discharge Requirements contained in Order No. 99-104. The project-specific water quality impacts of the NRMP project will be less than significant provided the above mentioned water quality mitigation measures are to be fully implemented by the project proponent.

10. Section 21081.6 of the California Public Resources Code requires the Regional Board to adopt a monitoring and reporting program regarding changes in the NRMP or mitigation measures imposed to lessen or avoid significant effects on the environment. The Regional Board has incorporated additional monitoring and reporting requirements which avoid or substantially lessen the environmental effects to water quality identified in the EIR. These monitoring and reporting requirements are listed in the Monitoring and Reporting Program (MRP) No. 8099 for the NRMP (File No. 99-009). The implementation of this MRP program shall effectively fulfill the following CEQA mitigation monitoring requirements:

    a. The Mitigation Measures are specific and are incorporated into Waste Discharge Requirements contained in Order No. 99-104 and, as appropriate, define performance standards to measure compliance under the Program; and

    b. The MRP has been designed with detailed descriptions of mitigation, implementation, verification, a compliance schedule and reporting requirements to insure compliance with the Mitigation Measures.

11. The Regional Board finds that significant cumulative water quality impacts will be mitigated to below the level of significance by regional NPDES permit requirements. Additional mitigation measures may be added as necessary if determined by the MRP.

12. As to all impacts, other than water quality, changes or alterations to the NRMP project are outside the responsibility and jurisdiction of the Regional Board. Such changes or alterations are within the responsibility and jurisdiction of other public agencies, and such changes have been adopted by such other agencies, or can and should be adopted by such other agencies.

13. The location and custodian of the documents which constitute the record of proceedings on which the decision was made is California Regional Water Quality Control Board, Los Angeles Region, 320 West 4th Street, Suite 200, Los Angeles, CA 90013.

14. As the DEIR/FEIR indicates, implementation of upland development may also impact the quality of surface and ground water in the project area where the current natural drainage systems on undeveloped land will be modified to capture and convey urban stormwater runoff to the Santa Clara River. Stormwater urban runoff through new storm drainage systems will be subject to the NPDES municipal stormwater discharge permit issued to the Los Angeles County (and designated municipal co-permittees) under Regional Board Order No. 96-054 (NPDES Permit No. CAS614001), and any successive permits issued to the County and its co-permittees in the future.

Beneficial uses designated in the Basin Plan for ground waters underlying the NRMP include: municipal and domestic supply; industrial service and process supply, and agricultural supply.

24. To offset significant impacts to water quality objectives and destruction and degradation of aquatic and riparian habitats, Valencia Company, under Corps' Section 404 Permit No. 94-00504-BAH and CDFG's Section 1603 Streambed Alteration Agreement No. 5-502-97 will be required to undertake the mitigation measures as specified in the NRMP.

The Board has notified the County and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Board, in a Public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

IT IS HEREBY ORDERED that the Valencia Company, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act as amended and regulations and guidelines adopted thereunder, shall comply with the following:

I. DISCHARGE LIMITATIONS

Waste discharged shall be limited to construction related wastes from implementation of the NRMP only, as set below.

1. If any in-stream work or surface flows are impacted, then upstream and downstream monitoring for turbidity and total suspended solids (TSS) shall be implemented.

   - TSS and turbidity shall be monitored in accordance with the enclosed Monitoring and Reporting Program No. 8099.
   - TSS discharged by the project shall not cause nuisance nor adversely affect beneficial uses.
   - Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

   Results of the above analysis shall be submitted to the Regional Board, monthly, for review. Violations of the turbidity requirements above shall be provided in writing.

2. No wet excavation (defined as excavation less than 5 feet above the anticipated groundwater table) shall be performed, except when necessary to temporarily divert a stream or place a temporary culvert crossing for construction work in accordance with the NRMP, or to accomplish approved dewatering operations.

3. All construction activities under the NRMP shall not cause any of the following conditions in receiving waters as a result of the discharge:

   a) Formation of deposits (e.g., sediments, construction related wastes) downstream of the construction work site, that would adversely affect the composition of benthic fauna and flora or interfere with fish propagation or deleteriously affect their habitat.

b) Visible material, including oil and grease, either floating on or suspended in the water or deposited on the stream banks.

c) Objectionable odors emanating from the dredge or fill sites.

d) Depression of dissolved oxygen concentrations below 5.0 mg/l at any time and annual average dissolved oxygen concentration less than 7 mg/l beyond project site. Depression of dissolved oxygen concentrations below 6 mg/l at any time in waters designated for cold freshwater habitat beneficial uses.

e) Alteration of the natural receiving water temperature by more than 5° F above the ambient temperature.

f) Toxic substances in concentration that are toxic to or that produce detrimental physiological responses in human, animal, fish, bird or plant life.

g) Toxic pollutants at levels that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health.

h) Biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.

i) Concentration of chemical constituents in amounts that adversely affect any designated beneficial use.

j) Coloration that causes nuisance or adversely affects beneficial uses.

k) Exotic vegetation shall not be introduced around stream courses to the extent that such growth causes nuisance or adversely affects beneficial uses.

4. The water quality filters, wetland filters, and soft bottom channels specified in the NRMP shall be located, constructed and maintained in accordance with NRMP, or in accordance with approved procedures for the design and maintenance of these types of water quality facilities contained in any current or future NPDES municipal storm water permits issued to the County or other permittees in the NRMP project area, whichever is more stringent at the time that the facilities are constructed.

II. PROHIBITIONS

1. Other than as defined by this Order, disposal of sediment to areas other than approved disposal sites is prohibited.

2. Application of pesticides is prohibited.

3. Except as authorized in the Construction Stormwater General NPDES Permit or other WDR's issued by this Regional Board, discharge of equipment washwaters or any other non-stormwater associated with construction, to surface waters, ground waters or land is prohibited.

4. Discharge of concrete or grout to surface waters is prohibited.

III. PROVISIONS

1. The Valencia Company shall be in compliance with conditions specified in the Corps' Section 404 Permit No. 94-00504-BAH and CDFG's Streambed Alteration Agreement No. 5-502-97 through out the life of this Order.

2. The Valencia Company shall file, if applicable, a Notice of Intent to be covered under the State Board's General Construction Activity Storm Water Permit (General Permit No. CAS000002). Two copies of the Storm Water Pollution Prevention Plan (SWPPP) required by the General Permit shall be submitted to this Regional Board (Attn: Nonpoint Source Unit; Attn: Ventura Coastal Unit) prior to any dredge, excavation, fill, or construction activities. Please contact Mark Purnford, Ventura Coastal Unit, at (213) 576-6657 for further information.

3. The SWPPP, as required above in Item No. III. 2. shall include the information indicated in Appendix I of the General NPDES Permit and the requirements indicated in the State Board's storm water permit (General Permit No. CAS000002), or as it may be amended.

4. All surface water inflows shall be redirected away from areas undergoing construction, excavation, and/or sediment or vegetation removal. If surface flows are expected within onsite drainages during grading or construction, the project proponent shall develop and submit a water diversion plan to this Regional Board (Attn: Nonpoint Source Unit) prior to grading or construction within the existing drainages. This plan shall include structure configuration, location, construction materials, equipment, operation procedures, erosion and sediment control measures, and monitoring. This plan shall also identify contingency measures addressing various flow discharge rates and can be included in the SWPPP identified in Provisions Nos. 2 and 3 herein above.

5. No activities within surface waters shall be performed during rainfall events or within flowing water; except for the installation and maintenance of temporary diversion structures, temporary construction crossings, and groundwater dewatering operations, as indicated in the NRMP, in accordance with the provisions of the Corps and CDFG permits.

6. The project proponent shall submit a Report of Waste Discharge (an application) to this Regional Board for dewatering activities resulting in the disposal of groundwater (including subsurface water) to surface waters (including storm drains and dry streambeds), groundwater, or land. Please contact Mark Purnford, Ventura Coastal Unit, at (213) 576-6657 for further information on disposal to surface waters. Inquiries regarding disposal to groundwater or land should be directed to Rodney Nelson, Landfills & Cleanup Unit, at (213) 576-6719.

7. Each construction zone shall be visually marked (*e.g.*, with stakes) prior to grading or construction. All activities shall be limited to designated grading or construction zones.

8. No construction equipment and/or materials shall be stored within sensitive areas, including wetlands, or other surface waters. All staging and storage areas shall be located outside wetlands and other surface waters and shall be adequately contained to prevent discharges to such waters.

9. All equipment or vehicles operated within or adjacent to wetlands or other surface waters shall be checked and maintained daily to prevent leaks and discharges of

materials. No equipment maintenance shall be done within or near wetlands or other surface waters.

10. Designated spoil areas shall be visually marked prior to grading or construction. Stockpiling of excavated material shall be confined to these areas and shall not be discharged to wetlands or other surface waters unless exempted by the Executive Officer.

11. All grading and construction shall follow best management practices to minimize impacts on water quality and beneficial uses. Water used in dust control shall be minimized and managed in accordance with the Construction Stormwater General NPDES Permit. Construction, concrete and sanitary wastes or wastewater shall be properly contained, treated, and/or disposed, and not discharged to groundwater nor wetlands and other surface waters, except non-stormwater discharges authorized by another NPDES Permit or other Waste Discharge Requirements issued by this Regional Board.

12. All excess materials not used for backfilling or streambed recontouring shall be removed to an approved disposal site. The project proponent shall submit a Report of Waste Discharge to this Regional Board for inland disposal of nonhazardous contaminated soils and materials. All contaminated waste material removed shall be relocated to a legal point of disposal or recycled for use as a soil amendment, if applicable. A legal point of disposal for contaminated waste material is defined as one for which Waste Discharge Requirements have been established or waived by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact Rodney Nelson, Landfills & Cleanup Unit. at (213) 576-6719 for further information.

13. Only uncontaminated fill material shall be imported and placed in U.S. waters.

14. Any temporarily disturbed streambed shall be returned to pre-project conditions to the maximum extent practicable upon project completion.

15. To avoid potential impacts to adjacent natural habitats or sensitive species outside the project areas, work sites shall be clearly flagged or staked, depicted on photographs of the facility, or otherwise delineated, such that personnel conducting construction activities are aware of the boundaries of the work sites.

16. In November 1998 the CDFG issued a 2081 Permit to Valencia Company to permit the incidental take of threatened, endangered, and certain unlisted species. Should threatened or endangered species, in addition to those covered in the 2081 Permit, be found in a proposed work area, or are found in a location that could be impacted by the work proposed, the Valencia Company shall submit a plan to CDFG for review and approval to ensure adequate protection of the species.

17. Temporary culverts shall be placed in bypasses or dewatering trenches where equipment crossings are necessary. Repairs to roads and other appurtenances shall be limited to reconstruction to previous configurations (e.g., location, width, length, and height).

18. Emergency activities shall be limited as defined in Section 21060.3 of the Public Resources Code and Section 15269 of the California Environmental Quality Act CEQA) Procedures and Guidelines.

19. In the event of any change in name of operator, or in control or ownership of land or drainage facilities owned or controlled by the Valencia Company associated with the NRMP, the discharger shall comply with the "Standard Provision 4" attached to this Order.

20. This Order does not apply to maintenance activities for proposed drainage facilities to be transferred to agencies or organizations other than Valencia Company. A new Section 401 application must be submitted to the Regional Board at least 120 days before actual maintenance activities occur.

21. This Order is subject to final permits from and conditions and subsequent revisions set forth by the Corps, CDFG, and other appropriate authorities, including requirements of the National Environmental Policy Act and the CEQA.

22. In accordance with the California Water Code, the Valencia Company shall furnish, under penalty of perjury, technical monitoring program reports (as set forth in the Monitoring and Reporting Program No. 8099); such reports shall be submitted in accordance with specifications prepared by the Executive Officer and are subject to periodic revisions as may be warranted.

23. This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Standard Provisions"). If there is any conflict between the provisions stated herein and said "Standard Provisions," those provisions stated herein shall prevail.

24. According to Section 13263 of the California Water Code, these requirements are subject to periodic review and revision by this Regional Board. This Order shall remain in effect until the Regional Board has issued a modified Order after review and consideration of the requirements contained within and ongoing compliance with applicable portions of the Water Code.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on October 28, 1999.

Dennis A. Dickerson

DENNIS A. DICKERSON
Executive Officer

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. 8099
For
VALENCIA COMPANY
Natural River Management Plan (File No. 99-009)

I. RECEIVING WATER CHEMICAL MONITORING COMPONENT

The following sampling protocol shall be undertaken during the implementation of Natural River Management Plan for any construction activity affecting receiving waters. Sampling for the receiving water chemical monitoring for preconstruction conditions shall commence with the collection of two receiving water samples within two weeks prior to the start of construction. Once construction work has commenced, samples shall be collected twice daily daily (one sample at pre-operation and the other at the peak of operation) during the first week of construction, then weekly for the next three weeks. Thereafter, samples shall be collected on a monthly basis until the in-stream work is completed. However, the frequency of monitoring shall return to the initial cycle (daily for one week, then weekly for three weeks, and then monthly) whenever a new stream diversion is established at an existing construction site, or whenever an existing construction related stream diversion is relocated during the course of normal construction.

All receiving water samples shall be collected by grab samples from the following stations. Latitude and longitude coordinates shall be determined prior to sampling and submitted to the Regional Board.

A. Stations for Bridge Construction/Widening – There shall be at least one sampling station at an upstream and down stream location for each construction site. The station shall be within 100 feet of the construction zone.

B. Stations for Construction of Bank Protection – Stations shall be established at a downstream site within 500 feet from the construction zone.

C. Stations for Construction of Inlet Structures and Storm Drain Outlet Structures – There shall be at least one sampling station at no more than 100 feet downstream from the construction zone.

D. Stations for Installation of Utility Lines and Other Construction Activities within U.S. waters – There shall be one sampling station at an upstream and down stream area for each such activity. The station shall be located within 100 feet radius of the construction zone.

The following shall constitute the receiving water column monitoring program, and shall apply to all monitoring stations:

Parameters	Units	Frequency
Dissolved oxygen	mg/l	weekly*
pH	pH units	weekly*
Suspended solids	mg/l	weekly*
Turbidity	NTU	weekly*
Temperature	°F	weekly*

The following receiving water observations shall be made and logged daily during all scheduled dry weather construction activities:

a. Date and time of observations;
b. Appearance of trash, floatable material, grease, oil or oily slick, or other objectionable materials;
c. Odors;
d. Appearance of gravel/substrate.

Monitoring reports shall be submitted within 30 days following each sampling period. In reporting, the discharger shall arrange the monitoring data in tabular form so that dates, time, parameters, test data, and observations are readily discernible. The data shall be summarized to demonstrate compliance with the waste discharge requirements. A final report for each construction event, summarizing the results of all the monitoring data, shall be submitted within one month of completion of such construction.

II. REPORTING REQUIREMENTS

A. General Requirements

1. The discharger shall implement this monitoring program on the effective date of this Order. Monitoring reports shall be addressed to the Regional Board, Attention: Information Technology Unit.

2. All chemical analyses shall be conducted at a laboratory certified for such analysis by the State Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of the laboratory certification shall be provided each time a new and/or renewal is obtained from ELAP.

3. Water/wastewater samples for chemicals shall be analyzed within allowable holding time limits as specified in 40 CFR Part 136.3. All QA/QC items must be run on the same dates when samples were actually analyzed. The results shall be submitted to the Regional Board with the laboratory reports. Proper chain of custody procedures shall be followed and a copy shall be submitted with report.

* Sampling shall be started at least two weeks before scheduled construction and continued weekly at least three weeks after the completion of each construction activity. Thereafter, the sampling frequency may be reduced to monthly until in-stream work is completed, or a stream diversion is established or modified.

If so required, monitoring data will be submitted to the Regional Board in a specified digital format.

4. The detection limits employed for sample analyses shall be lower than the permit limits established for a given parameter, unless the discharger can demonstrate that a particular detection limit is not attainable and obtains approval for a higher detection limit from the Executive Officer. At least once a year, unless no analyses are performed, the discharger shall submit a list of the analytical methods employed for each test and associated laboratory quality assurance/quality control procedures.

B. General Provisions

1. All sampling, sample preservation, and analyses for receiving water chemicals shall be performed in accordance with the latest edition of "Guidelines Established Test Procedures for Analysis of Pollutants" promulgated by the USEPA.

2. The discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to insure accuracy of measurements, or shall insure that both activities will be conducted.

3. A grab sample is defined as an individual sample collected in fewer than 15 minutes.

4. All samples shall be representative of the waste discharged under the condition of normal peak load.

III. GENERAL PROVISIONS FOR REPORTING

This Monitoring and Reporting Program includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Standard Provisions"). If there is any conflict between the provisions stated herein and the "Standard Provisions," those provisions stated herein will prevail.

For every item where the requirements are not met, the discharger shall submit for approval a statement of the actions undertaken or proposed that will bring the discharge into full compliance with requirements as soon as possible and submit a timetable for correction.

Each report shall contain the following completed declaration:

"I declare under penalty of perjury that the foregoing is true and correct. Executed on

the _____day of _____at

_____.

_____(Signature)

_____(Title)

These records and reports are public documents and shall be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:

DENNIS A. DICKERSON
Executive Officer

Date: October 28, 1999

Enclosure 3

California Regional Water Quality Control Board

Los Angeles Region

Winston H. Hickox
Secretary for Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: http://www.swrcb.ca.gov/~rwqcb4

Gray Davis
Governor

September 30, 1999

Mr. Mark Subbotin, Senior Vice-President
Valencia Company
23823 Valencia Boulevard
Valencia, CA 91355-2194

TENTATIVE WASTE DISCHARGE REQUIREMENTS – NATURAL RIVER MANAGEMENT PLAN FOR SANTA CLARA RIVER AND ITS TRIBUTARIES IN CITY OF SANTA CLARITA, LOS ANGELES COUNTY (File No. 99-009)

Dear Mr. Subbotin:

We have completed our review of your application for a permit to discharge wastes under the Natural River Management Plan (NRMP). In order to develop the privately owned land in the Santa Clarita Valley, the Valencia Company, in consultation with the U.S. Army Corps of Engineers and the California Department of Fish and Game, has prepared the NRMP to specify all proposed activities, to be implemented in the next 15 to 20 years, which may impact U.S. waters and associated mitigation measures to minimize impacts and compensate losses of habitats within the project area.

Pursuant to provisions of Chapter 23 California Code of Regulations, Section 3857, the Regional Board would issue Waste Discharge Requirements, in lieu of Section 401 Water Quality Certification, for wastes discharge during the period while the NRMP is being implemented by the Valencia Company. These Waste Discharge Requirements may be reviewed and revised at any time by the Regional Board.

In accordance with the California Water Code, tentative Waste Discharge Requirements have been prepared. Enclosed are copies of the Tentative Waste Discharge Requirements consisting of:

a. Tentative Board Order;
b. Tentative Monitoring and Reporting Program; and
c. Standard Provisions.

In accordance with administrative procedures, this Board at a public hearing to be held on October 28, 1999, at the Richard H. Chambers U.S. Court of Appeals Building, 125 S. Grand Avenue, Pasadena, California, at 9:00 a.m., will consider the enclosed tentative requirements and comments thereof. The Board will hear any testimony pertinent to the discharge and tentative requirements. It is expected that the Board will take action at the hearing; however, as testimony indicates, the Board at its discretion may order further investigation.

Written comments or testimony regarding this tentative Order must be received at the Regional Board's office by the close of business on October 12, 1999, in order to be evaluated by the Board staff and included in the Board's agenda folder. Comments received after that date will be provided to the Board for their consideration. Timely submittal of written comments is encouraged to ensure that all comments are accurately and fully included in the administrative record, that Board staff is able to provide timely review, and that Regional Board members have sufficient time to give full consideration to the comments and issues raised. Comments received after the requested date may result in delay in consideration of the Tentative Order.

If you have any questions, please contact me at (213) 576-6689 or Alex Fu at (213) 576-6692.

Sincerely,

Raymond R. Jay
Chief, Nonpoint Source Unit

Enclosures
cc: See attached mailing list.

Mailing List

Bill Campbell, DWQ. SWRCB
Leslie MacNair, Streambed Alteration Team, CDFG (Long Beach) (File No. 5-502-97)
Curt Taucher, CDFG (Long Beach) (File No. 5-502-97)
Leslie McNair, CDFG, 28 Beach Drive, Aliso Viejo, CA 02656
Anne Malcolm, Legal Affairs Division, C DFG, 1416 Ninth Street, 12th Floor, Sacramento, CA 95814
California Coastal Commission, South Coast District, 245 W. Broadway, Ste. 380, Long Beach, CA 90801
Aaron Allen, USACOE (Los Angeles) (File No. 94-00504-BAH)
Dick Schubel, USACOE (Los Angetes) (File No. 94-00504-BAH)
Bruce Henderson, USACOE (Ventura) (File No. 94-00504-BAH)
Steve John, USEPA (Los Angeles, WTR-8)
Aaron Setran, USEPA (San Francisco, WTR-8)
Ray Bransfield. USFWS (Ventur)
Kirk Wain, USFWS (Ventura)
Department of Conservation, Division of Mines & Geology, Environmental Review Project, 801 K Street. MS12-32, Sacramento, CA 95814
William Hogarth, National Marine Fisheries Service, 501 W. Ocean Boulevard, Suite 4200, Long Beach, California 90802
Mike Kotch, SCOPE, P.O. Box 1182, Canyon Country, CA 91351
California Coastal Commission, South Coast District, 245 W. Broadway, Ste. 380, Long Beach. CA 90801
South Coast Air Quality Management Distract. 21865 E. Copley Drive, Diamond Bar. CA 91765
Wilford Melton, Caltrans – District 7, Transportaion Planning & Analysis, 120 S. Spring Street, Los Angeles, CA 90012
Joan Ruppert. County of Los Angeles. Parks and Recreation. 433 S. Vermont Avenue. Los Angeles. CA 90020
Phil Doudar. Los Angeles County Department of Public Works - Planning Division. 900 S. Freemont Avenue, Alhambra. CA 91803
Steve Highter, Los Angeles County Sanitation District, 1955 Workman Mill Road. Whittier. CA 90601
Frank Meneses. LosAngles County Regional Planning, 1320 Temple Street, 13th Floor. Los Angeles. CA 90012
Los Angeles County. Valencia Library, 23743 W. Valencia Boulevard, Valencia. CA 91355
Charles McDonald, Angeles National Forest. 701 N. Santa Anita Avenue, Arcadia. CA 91006
Jeff Lambert. City of Santa Clarita. 23920 Valencia Boulevard. Ste, 300. Santa Clarita. CA 91355
Laura Simonek. Metropolitan Water District. Planning Division, P.O. Box 54153, Los Angeles. CA 90054
Santa Clarita Water Company, P.O. Box 903, Santa Clarita, CA 91380
Peter Ngoon. Valencia Water Company. 28789 Castaic Canyon Road. Valencia. CA 91355
Newhal County Water District, P.O. Box 220970, Santa Clarita. CA 91322
California Native Plant Society, 1722 J Street. Suite 17. Sacramento. CA 95814
Jan Scow, California Native Plant Society, 5244 Village Green, Los Angeles, CA 90018
Ron Bottorff. Friends of the Santa Clara River, 660 Randy Drive, Newbury Park, CA 91320
Fred Heath. President. Audubon Society, Los Angeles Chapter, 7377 Santa Monica Boulevard. W. Hollywood. CA 90046
Santa Monica Mountains Conservancy, 3700 Solstice Canyon Road. Marlbu. CA 90265
Gary Spinning. Southern California Edison, 800 W. Cienega Avenue, San Dimas. CA 91733
Tana Lampton. Agua Dulce Town Council, P.O. Box 6099, Agua Dulce, CA 91350
Mark Subbotin, Valencia Company, 23823 Valencia Boulevard, Valencia. CA 91355
Bob Sagehorn, General Manager, Castalc Lake Water District, 27324 Bouquet Canyon Road, Santa Clarita, CA 91350
Julie Vandermost, 30100 Crown Valley Parkway, Suite 7B, Laguna Niguel, CA 92677
John Tettemer, 3151 Airway Avenue, Suite Q-1, Costa Mesa, CA 92626
Patrick Mitchell, Downey Brand Seymour & Rohwer, 555 Capitol Mall, 10th Floor, Sacramento, CA 95814-4686
Steve Nelson, PCR, 1 Venture. Suite 150, Irvine, CA 92618
Del Holland. President. Six Flags Magic Mountain, P.O. Box 5500, Valencia, CA 91358
Ron Horn, Sikand Engineering, 15230 Burbank Boulevard. Van Nuys, CA 91411

9. Changes regarding potentially significant water quality impacts incorporated into the NRMP are within the responsibility and jurisdiction the Regional Board. Such changes have been adopted to mitigate for environmental effects to water quality. These changes are mitigation measures WQ-1; WQ-2; BIO-1 (a) through (n); BIO-6 (a) through (l); BIO-7(c); BIO-12; BIO-15; BIO-16; and BIO-17 (See Attachment), which are listed in Exhibit 9 (Mitigation Monitoring and Reporting Program) to both CDFG's Streambed Alteration Agreement No. 5-502-97 and the Corps' Section 404 Permit No. 94-00504-BAH. These mitigation measures are also required to be complied with by Provision III (2) of the Waste Discharge Requirements contained in Order No. 99-xxx. The project-specific water quality impacts of the NRMP project will be less than significant provided the above mentioned water quality mitigation measures are to be fully implemented by the project proponent.

10. Section 21081.6 of the California Public Resources Code requires the Regional Board to adopt a monitoring and reporting program regarding changes in the NRMP or mitigation measures imposed to lessen or avoid significant effects on the environment. The Regional Board has incorporated additional monitoring and reporting requirements which avoid or substantially lessen the environmental effects to water quality identified in the EIR. These monitoring and reporting requirements are listed in the Monitoring and Reporting Program (MRP) No. xxxx for the NRMP (File No. 99-009). The implementation of this MRP program shall effectively fulfill the following CEQA mitigation monitoring requirements:

    a. The Mitigation Measures are specific and are incorporated into Waste Discharge Requirements contained in Order No. 99-0xx and, as appropriate, define performance standards to measure compliance under the Program; and

    b. The MRP has been designed with detailed descriptions of mitigation, implementation, verification, a compliance schedule and reporting requirements to insure compliance with the Mitigation Measures.

11. The Regional Board finds that significant cumulative water quality impacts will be mitigated to below the level of significance by regional NPDES permit requirements. Additional mitigation measures may be added as necessary if determined by the MRP.

12. As to all impacts. other than water quality, changes or alterations to the NRMP project are outside the responsibility and jurisdiction of the Regional Board. Such changes or alterations are within the responsibility and jurisdiction of other public agencies, and such changes have been adopted by such other agencies. or can and should be adopted by such other agencies.

13. The location and custodian of the documents which constitute the record of proceedings on which the decision was made is California Regional Water Quality Control Board, Los Angeles Region, 320 West 4th Street, Suite 200, Los Angeles, CA 90013.

14. As the DEIR/FEIR indicates, implementation of upland development may also impact the quality of surface and ground water in the project area where the current natural drainage systems on undeveloped land will be modified to capture and convey urban stormwater runoff to the Santa Clara River. Stormwater urban runoff through new storm drainage systems will be subject to the NPDES municipal stormwater discharge permit issued to the Los Angeles County (and designated municipal co-permittees) under Regional Board Order No. 96-054 (NPDES Permit No. CAS614001), and any successive permits issued to the County and its co-permittees in the future.

TENTATIVE

15. In order to comply with Section 1603 of the CDFG Code, in 1996 the Valencia Company applied for a Streambed Alteration Agreement (File No. 5-502-97) with the CDFG. The Section 1603 Agreement, which was issued by the CDFG on November 30, 1998, specifies provisions to mitigate and offset adverse impacts to fish and wildlife that are expected from implementation of the NRMP. The Section 1603 Agreement terminates on November 1, 2018.

16. In order to comply with Section 404 of the Clean Water Act for the proposed NRMP, the Valencia Company applied for a Section 404 permit from the Corps. On December 28, 1998, the Valencia Company received a Provisional Section 404 permit (No. 94-00504-BAH) from the Corps for activities described in findings no. 2 and 3, above. Provisional Permit No. 94-00504-BAH - expires on December 28, 2018 – and will become final upon receiving a Section 401 Water Quality Certification from the State or the Waste Discharge Requirements from the Regional Board.

17. In order to comply with Section 401 of the Clean Water Act for the proposed NRMP, the Valencia Company must obtain certification from the State for all activities within U.S. waters and wetlands under the NRMP. Furthermore, the Valencia Company must comply with enumerated sections of the Clean Water Act, which include applicable water quality standards set by the Regional Board. On April 1, 1999, the Valencia Company completed an application for a Section 401 water quality certification, for disturbance of and discharges to surface waters associated with the NRMP activities proposed above which constitute a discharge of waste. Pursuant to provisions of Chapter 23 California Code of Regulations, Section 3857, the Regional Board is issuing this Order specifying Waste Discharge Requirements in lieu of Section 401 Water Quality Certification.

18. As the DEIS/DEIR and FEIS/FEIR indicated, implementation of the NRMP may potentially impact quality of surface water and ground water. It may impact biological resources, and cause cumulative impacts to wetlands/waters of U.S. from bridge construction, bank protection activities, and from upland development projects in the area.

19. In order to mitigate impacts from stormwater and urban runoff at the project site, the Valencia Company will implement Development Planning, Development Construction measures, and Best Management Practices (BMPs) approved by the Regional Board pursuant to the Los Angeles County Municipal Storm Water Permit (Board Order No. 96-054; NPDES Permit No. CAS614001) and its successor permits. In addition, the Valencia Company will obtain coverage for the project under the State General Industrial Storm Water Permit for Construction Activity, and prepare and implement a State Storm Water Pollution Prevention Plan (SWPPP). The Valencia Company proposes to implement a drainage plan which will consist construction of water quality filters[1], water quality wetlands[2], and soft-bottom channels[3]. The purpose of utilizing these treatment controls is to capture urban runoff in the project area.

20. As additional mitigation, under the NRMP, Valencia Company will be implementing a riparian habitat mitigation program for impact in the riverbed and "upland zone". The

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1 The water quality filter, about 0.5 acre in size, is a 50-100-foot long reach of open channel near the end of a storm drain just upstream of the discharge point. The bottom of the filter would be 10 to 15 feet wide and be earthen, gravel, or grass-lined.

2 The water quality wetland, about 1.5 to 2.0 acres in size, is a constructed wetland area where nuisance and first-flush flows would be collected. The wetland functions similar to the filter except that it is has larger storage capacity, and in most cases it would be located off-line from the storm drain.

3 The soft-bottom channels are to be located in golf courses, parks, and other open space areas and to be used for percolating nuisance flows and filtering out pollutants from those areas.

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mitigation program calls for creation of riparian habitats on or adjacent to impacted sites of similar functions and values in the project area. Wetland restoration will be in-kind and at a 1:1 replacement ratio for new habitat installed two years in advance of the removal of habitat at the construction site. The replacement ratio may increase to 3:1 provided the habitat replacement could not be installed two years in advance and the impacted habitat is classified as high value habitat by the Corps and CDFG. However, lower replacement ratios may be applicable if a Corps-approved hydrogeomorphic method (HGM) of assessing replacement ratios indicates that a lower ratio would ensure replacement of habitat values and functions.

21. Valencia Company may remove exotic plant species, in lieu of habitat restoration, in areas where (a) an infestation of exotics plants has substantially degraded the natural habitat functions and values, and where the cover of exotics is equal to or exceeds 25 percent of the ground; or (b) other areas where exotic removal would be strategic in a watershed approach to weed management, as determined by the Corps and CDFG. The mitigation ratios for exotic removal may be 1:1 to 3:1 for low value and high value riparian habitat removed, respectively, two years in advance. The ratios may be increased to 2:1 to 4:1 for low value and high value riparian habitat removed, respectively, less than two years in advance.

22. The Regional Board adopted a revised Water Quality Control Plan (Basin Plan) for the Los Angeles Region on June 13, 1994. The Basin Plan designates beneficial uses and establishes water quality objectives for waters in the Los Angeles Region.

23. Beneficial uses designated in the Basin Plan for surface waters affected by the Valencia Company's proposed NRMP covered under these requirements include:

a) Santa Clara River South Fork (Hydrologic Unit No. 403.51) – municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat.

b) Bouquet Creek (Hydrologic Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm and cold freshwater habitat, spawning, and wildlife habitat.

c) San Francisquito Creek (Hydrological Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat, rare and endangered species, spawning, and wetland habitat.

d) Santa Clara River (Hydrological Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat, rare and endangered species, and wetland habitat.

e) Castaic Creek (Hydrological Unit No. 403.51) - municipal and domestic supply, industrial service and process supply, groundwater recharge, agricultural supply, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, rare and endangered species, and wildlife habitat.

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Beneficial uses designated in the Basin Plan for ground waters underlying the NRMP include: municipal and domestic supply, industrial service and process supply, and agricultural supply.

24. To offset significant impacts to water quality objectives and destruction and degradation of aquatic and riparian habitats, Valencia Company, under Corps' Section 404 Permit No. 94-00504-BAH and CDFG's Section 1603 Streambed Alteration Agreement No. 5-502-97 will be required to undertake the mitigation measures as specified in the NRMP.

The Board has notified the County and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Board, in a Public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

IT IS HEREBY ORDERED that the Valencia Company, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act as amended and regulations and guidelines adopted thereunder, shall comply with the following:

I. DISCHARGE LIMITATIONS

Waste discharged shall be limited to construction related wastes from implementation of the NRMP only, as set below.

1. If any in-stream work or surface flows are impacted. then upstream and downstream monitoring for turbidity and total suspended solids (TSS) shall be implemented.

   - TSS and turbidity shall be monitored in accordance with the enclosed Monitoring and Reporting Program No. xxxx.
   - TSS discharged by the project shall not cause nuisance nor adversely affect beneficial uses.
   - Where natural turbidity is between 0 and 50 NTU. increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

   Results of the above analysis shall be submitted to the Regional Board, monthly, for review. Violations of the turbidity requirements above shall be provided in writing.

2. No wet excavation (defined as excavation less than 5 feet above the anticipated groundwater table) shall be performed, except when necessary to temporarily divert a stream or place a temporary culvert crossing for construction work in accordance with the NRMP, or to accomplish approved dewatering operations.

3. All construction activities under the NRMP shall not cause any of the following conditions in receiving waters as a result of the discharge:

   a) Formation of deposits (e.g., sediments, construction related wastes) downstream of the construction work site, that would adversely affect the composition of benthic fauna and flora or interfere with fish propagation or deleteriously affect their habitat.

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b) Visible material, including oil and grease, either floating on or suspended in the water or deposited on the stream banks.

c) Objectionable odors emanating from the dredge or fill sites.

d) Depression of dissolved oxygen concentrations below 5.0 mg/l at any time and annual average dissolved oxygen concentration less than 7 mg/l beyond project site. Depression of dissolved oxygen concentrations below 6 mg/l at any time in waters designated for cold freshwater habitat beneficial uses.

e) Alteration of the natural receiving water temperature by more than 5° F above the ambient temperature.

f) Toxic substances in concentration that are toxic to or that produce detrimental physiological responses in human, animal, fish, bird or plant life.

g) Toxic pollutants at levels that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health.

h) Biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.

i) Concentration of chemical constituents in amounts that adversely affect any designated beneficial use.

j) Coloration that causes nuisance or adversely affects beneficial uses.

k) Exotic vegetation shall not be introduced around stream courses to the extent that such growth causes nuisance or adversely affects beneficial uses.

4. The water quality filters, wetland filters, and soft bottom channels specified in the NRMP shall be located, constructed and maintained in accordance with NRMP, or in accordance with approved procedures for the design and maintenance of these types of water quality facilities contained in any current or future NPDES municipal storm water permits issued to the County or other permittees in the NRMP project area, whichever is more stringent at the time that the facilities are constructed.

II. PROHIBITIONS

1. Other than as defined by this Order, disposal of sediment to areas other than approved disposal sites is prohibited.

2. Application of pesticides is prohibited.

3. Except as authorized in the Construction Stormwater General NPDES Permit or other WDR's issued by this Regional Board, discharge of equipment washwaters or any other non-stormwater associated with construction, to surface waters, ground waters or land is prohibited.

4. Discharge of concrete or grout to surface waters is prohibited.

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III. PROVISIONS

1. The Valencia Company shall be in compliance with conditions specified in the Corps' Section 404 Permit No. 94-00504-BAH and CDFG's Streambed Alteration Agreement No. 5-502-97 through out the life of this Order.

2. The Valencia Company shall file, if applicable, a Notice of Intent to be covered under the State Board's General Construction Activity Storm Water Permit (General Permit No. CAS000002). Two copies of the Storm Water Pollution Prevention Plan (SWPPP) required by the General Permit shall be submitted to this Regional Board (Attn: Nonpoint Source Unit; Attn: Ventura Coastal Unit) prior to any dredge, excavation, fill, or construction activities. Please contact Mark Pumford, Ventura Coastal Unit, at (213) 576-6657 for further information.

3. The SWPPP, as required above in Item No. III. 2. shall include the information indicated in Appendix I of the General NPDES Permit and the requirements indicated in the State Board's storm water permit (General Permit No. CAS000002), or as it may be amended.

4. All surface water inflows shall be redirected away from areas undergoing construction, excavation, and/or sediment or vegetation removal. If surface flows are expected within onsite drainages during grading or construction, the project proponent shall develop and submit a water diversion plan to this Regional Board (Attn: Nonpoint Source Unit) prior to grading or construction within the existing drainages. This plan shall include structure configuration, location, construction materials, equipment, operation procedures, erosion and sediment control measures, and monitoring. This plan shall also identify contingency measures addressing various flow discharge rates and can be included in the SWPPP identified in Provisions Nos. 2 and 3 herein above.

5. No activities within surface waters shall be performed during rainfall events or within flowing water; except for the installation and maintenance of temporary diversion structures, temporary construction crossings, and groundwater dewatering operations, as indicated in the NRMP, in accordance with the provisions of the Corps and CDFG permits.

6. The project proponent shall submit a Report of Waste Discharge (an application) to this Regional Board for dewatering activities resulting in the disposal of groundwater (including subsurface water) to surface waters (including storm drains and dry streambeds), groundwater, or land. Please contact Mark Pumford, Ventura Coastal Unit, at (213) 576-6657 for further information on disposal to surface waters. Inquiries regarding disposal to groundwater or land should be directed to Rodney Nelson, Landfills & Cleanup Unit, at (213) 576-6719.

7. Each construction zone shall be visually marked (*e.g.*, with stakes) prior to grading or construction. All activities shall be limited to designated grading or construction zones.

8. No construction equipment and/or materials shall be stored within sensitive areas, including wetlands, or other surface waters. All staging and storage areas shall be located outside wetlands and other surface waters and shall be adequately contained to prevent discharges to such waters.

9. All equipment or vehicles operated within or adjacent to wetlands or other surface waters shall be checked and maintained daily to prevent leaks and discharges of

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materials. No equipment maintenance shall be done within or near wetlands or other surface waters.

10. Designated spoil areas shall be visually marked prior to grading or construction. Stockpiling of excavated material shall be confined to these areas and shall not be discharged to wetlands or other surface waters unless exempted by the Executive Officer.

11. All grading and construction shall follow best management practices to minimize impacts on water quality and beneficial uses. Water used in dust control shall be minimized and managed in accordance with the Construction Stormwater General NPDES Permit. Construction, concrete and sanitary wastes or wastewater shall be properly contained, treated, and/or disposed, and not discharged to groundwater nor wetlands and other surface waters, except non-stormwater discharges authorized by another NPDES Permit or other Waste Discharge Requirements issued by this Regional Board.

12. All excess materials not used for backfilling or streambed recontouring shall be removed to an approved disposal site. The project proponent shall submit a Report of Waste Discharge to this Regional Board for inland disposal of nonhazardous contaminated soils and materials. All contaminated waste material removed shall be relocated to a legal point of disposal or recycled for use as a soil amendment, if applicable. A legal point of disposal for contaminated waste material is defined as one for which Waste Discharge Requirements have been established or waived by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact Rodney Nelson, Landfills & Cleanup Unit, at (213) 576-6719 for further information.

13. Only uncontaminated fill material shall be imported and placed in U.S. waters.

14. Any temporarily disturbed streambed shall be returned to pre-project conditions to the maximum extent practicable upon project completion.

15. To avoid potential impacts to adjacent natural habitats or sensitive species outside the project areas, work sites shall be clearly flagged or staked, depicted on photographs of the facility, or otherwise delineated, such that personnel conducting construction activities are aware of the boundaries of the work sites.

16. In November 1998 the CDFG issued a 2081 Permit to Valencia Company to permit the incidental take of threatened, endangered, and certain unlisted species. Should threatened or endangered species, in addition to those covered in the 2081 Permit, be found in a proposed work area, or are found in a location that could be impacted by the work proposed, the Valencia Company shall submit a plan to CDFG for review and approval to ensure adequate protection of the species.

17. Temporary culverts shall be placed in bypasses or dewatering trenches where equipment crossings are necessary. Repairs to roads and other appurtenances shall be limited to reconstruction to previous configurations (e.g., location, width, length, and height).

18. Emergency activities shall be limited as defined in Section 21060.3 of the Public Resources Code and Section 15269 of the California Environmental Quality Act CEQA) Procedures and Guidelines.

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19. In the event of any change in name of operator, or in control or ownership of land or drainage facilities owned or controlled by the Valencia Company associated with the NRMP, the discharger shall comply with the "Standard Provision 4" attached to this Order.

20. This Order does not apply to maintenance activities for proposed drainage facilities to be transferred to agencies or organizations other than Valencia Company. A new Section 401 application must be submitted to the Regional Board at least 120 days before actual maintenance activities occur.

21. This Order is subject to final permits from and conditions and subsequent revisions set forth by the Corps, CDFG, and other appropriate authorities, including requirements of the National Environmental Policy Act and the CEQA.

22. In accordance with the California Water Code, the Valencia Company shall furnish, under penalty of perjury, technical monitoring program reports (as set forth in the Monitoring and Reporting Program No. xxxx); such reports shall be submitted in accordance with specifications prepared by the Executive Officer and are subject to periodic revisions as may be warranted.

23. This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Standard Provisions"). If there is any conflict between the provisions stated herein and said "Standard Provisions," those provisions stated herein shall prevail.

24. According to Section 13263 of the California Water Code, these requirements are subject to periodic review and revision by this Regional Board. This Order shall remain in effect until the Regional Board has issued a modified Order after review and consideration of the requirements contained within and ongoing compliance with applicable portions of the Water Code.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on October 28, 1999.

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DENNIS A. DICKERSON
Executive Officer

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STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. XXXX
For
VALENCIA COMPANY
Natural River Management Plan (File No. 99-009)

I. RECEIVING WATER CHEMICAL MONITORING COMPONENT

The following sampling protocol shall be undertaken during the implementation of Natural River Management Plan for any construction activity affecting receiving waters. Sampling for the receiving water chemical monitoring for preconstruction conditions shall commence with the collection of two receiving water samples within two weeks prior to the start of construction. Once construction work has commenced, samples shall be collected twice daily daily (one sample at pre-operation and the other at the peak of operation) during the first week of construction, then weekly for the next three weeks. Thereafter, samples shall be collected on a monthly basis until the in-stream work is completed. However, the frequency of monitoring shall return to the initial cycle (daily for one week, then weekly for three weeks, and then monthly) whenever a new stream diversion is established at an existing construction site, or whenever an existing construction related stream diversion is relocated during the course of normal construction.

All receiving water samples shall be collected by grab samples from the following stations. Latitude and longitude coordinates shall be determined prior to sampling and submitted to the Regional Board.

A. Stations for Bridge Construction/Widening – There shall be at least one sampling station at an upstream and down stream location for each construction site. The station shall be within 100 feet of the construction zone.

B. Stations for Construction of Bank Protection – Stations shall be established at a downstream site within 500 feet from the construction zone.

C. Stations for Construction of Inlet Structures and Storm Drain Outlet Structures – There shall be at least one sampling station at no more than 100 feet downstream from the construction zone.

D. Stations for Installation of Utility Lines and Other Construction Activities within U.S. waters – There shall be one sampling station at an upstream and down stream area for each such activity. The station shall be located within 100 feet radius of the construction zone.

The following shall constitute the receiving water column monitoring program, and shall apply to all monitoring stations:

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Parameters	Units	Frequency
Dissolved oxygen	mg/l	weekly*
pH	pH units	weekly*
Suspended solids	mg/l	weekly*
Turbidity	NTU	weekly*
Temperature	°F	weekly*

The following receiving water observations shall be made and logged daily during all scheduled dry weather construction activities:

a. Date and time of observations;
b. Appearance of trash, floatable material, grease, oil or oily slick, or other objectionable materials;
c. Odors;
d. Appearance of gravel/substrate.

Monitoring reports shall be submitted within 30 days following each sampling period. In reporting, the discharger shall arrange the monitoring data in tabular form so that dates, time, parameters, test data, and observations are readily discernible. The data shall be summarized to demonstrate compliance with the waste discharge requirements. A final report for each construction event, summarizing the results of all the monitoring data, shall be submitted within one month of completion of such construction.

II. REPORTING REQUIREMENTS

A. General Requirements

1. The discharger shall implement this monitoring program on the effective date of this Order. Monitoring reports shall be addressed to the Regional Board, Attention: Information Technology Unit.

2. All chemical analyses shall be conducted at a laboratory certified for such analysis by the State Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of the laboratory certification shall be provided each time a new and/or renewal is obtained from ELAP.

3. Water/wastewater samples for chemicals shall be analyzed within allowable holding time limits as specified in 40 CFR Part 136.3. All QA/QC items must be run on the same dates when samples were actually analyzed. The results shall be submitted to the Regional Board with the laboratory reports. Proper chain of custody procedures shall be followed and a copy shall be submitted with report.

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* Sampling shall be started at least two weeks before scheduled construction and continued weekly at least three weeks after the completion of each construction activity. Thereafter, the sampling frequency may be reduced to monthly until in-stream work is completed, or a stream diversion is established or modified.

These records and reports are public documents and shall be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:

DENNIS A. DICKERSON
Executive Officer

Date: October 28, 1999

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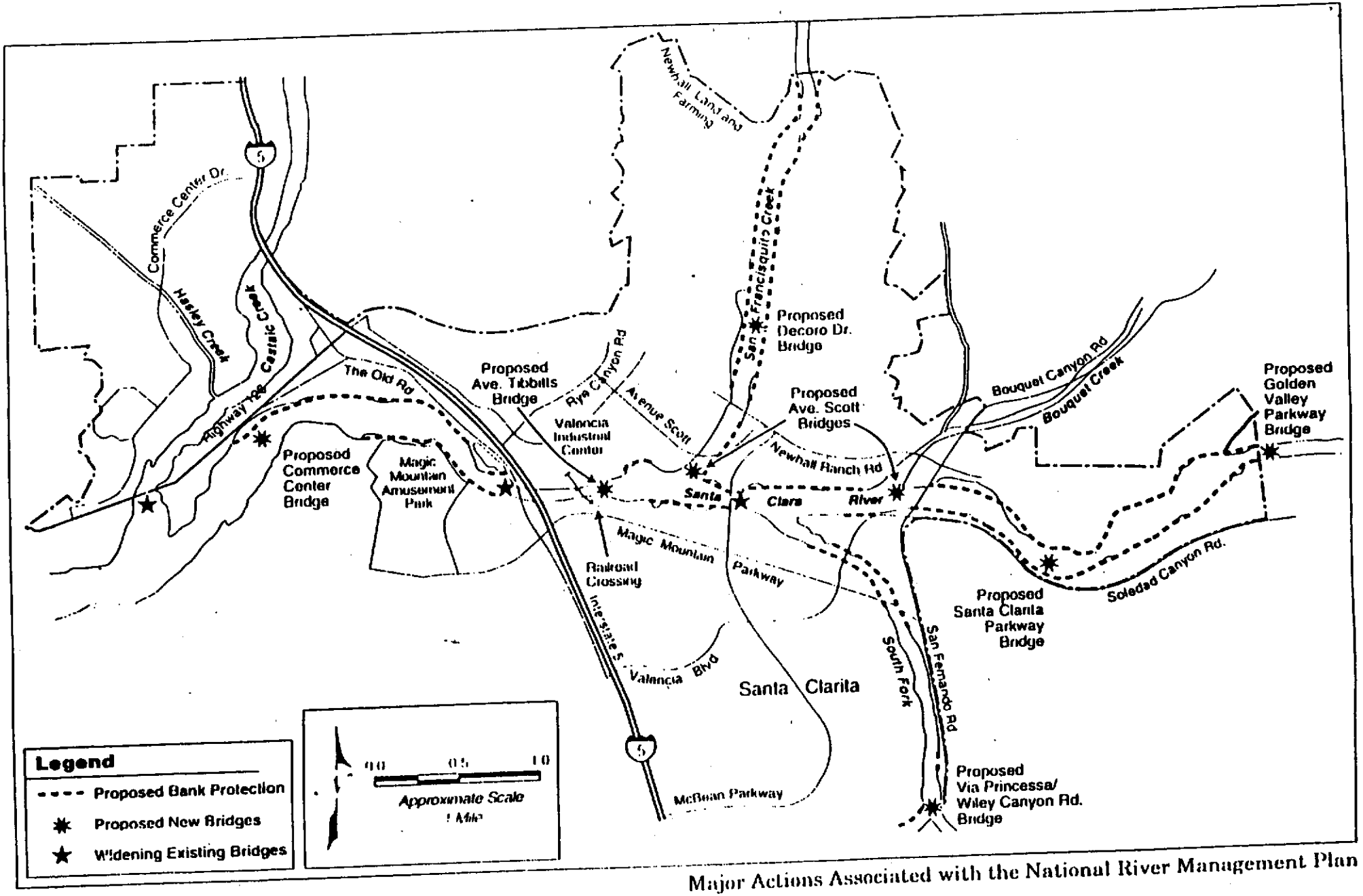


Major Actions Associated with the National River Management Plan

ATTACHMENT

Mitigation Measures
For
Natural River Management Plan

(File No. 99-009)

MITIGATION MONITORING AND REPORTING PLAN
VALENCIA COMPANY
NATURAL RIVER MANAGEMENT PLAN
November 12, 1998

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
WATER QUALITY				
WQ-1 The engineering design and operational criteria of the proposed water quality wetlands and filters shall be reviewed by the Regional Board staff during the 401 certification review for individual projects. The final designs should consider optimal size, retention time, internal flow patterns, use of a forebay, selection of appropriate plants, and location of inlets and outlets.	401 certification process	Corps confirms issuance of 401 certification or waiver from Regional Water Quality Control Board to the applicant	Upon issuance of 401 certification or waiver	Corps
WQ-2 The design of the proposed treatment control BMPs must meet the requirements of any similar treatment control BMP that is formally adopted by the Regional Board for the then current municipal stormwater permit for Los Angeles County or the City of Santa Clarita.	Approval of Verification Request Letter by the Corps	Corps confirms that the treatment control BMPs included in each project meets the current requirements of NPDES municipal stormwater permit for Los Angeles County and the City of Santa Clarita	Upon approval of each Verification Request Letter	Corps
BIOLOGY - AQUATIC HABITAT AND WATER QUALITY DURING CONSTRUCTION				
BIO-1 (a) Construction activities shall be limited to the following areas of temporary disturbance: (1) an 85-foot-wide zone that extends into the river from the base of the rip-rap or gunite bank protection where it intercepts the river bottom; (2) 60 feet on either side of the outer edge of a new bridge or bridge to be modified; (3) 50-foot-wide corridor for all utility lines; and (4) 20-foot-wide temporary access ramps and roads to reach construction sites. The locations of these temporary construction sites and the routes of all access roads shall be shown on maps submitted with the Verification Request Letters for individual projects that are submitted to the CDFG and Corps. Any variation from these limits shall be noted, with a justification for a variation. The construction plans should indicate what type of vegetation, if any, would be temporarily disturbed, and the post-construction activities to facilitate natural revegetation of the temporarily disturbed areas. The boundaries of the construction site and any	During plan preparation and construction	Permittee shows initial compliance on project plans and in the Verification Request Letter. Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	Upon receipt of Verification Request Letter, and after construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No construction activities, vehicular access, equipment storage, stockpiling, or significant human intrusion shall occur outside the work area and access roads.				
BIO-1 (b) Equipment shall not be operated in areas of ponded or flowing water unless there are no practicable alternative methods to accomplish the construction work, and only after prior approval by the CDFG and the Corps. Approval shall be acquired by submitting a request to CDFG and Corps no later than 30 days prior to construction. The request must contain a biological evaluation demonstrating that no sensitive fish, amphibians, and/or reptiles are currently present, or likely to be present during construction, at the construction site or along access roads. This request may be included in Verification Request Letters for individual projects that are submitted to the CDFG and Corps.	During plan preparation and construction	Permittee shows initial compliance on project plans and in the Verification Request Letter. Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	Upon receipt of Verification Request Letter, and after construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (c) Temporary sediment retention ponds shall be constructed downstream of construction sites that are located in the riverbed under the following circumstances: (1) the construction site contains flowing or ponded water that drains off-site into the undisturbed streamflow or ponds, as allowed for certain areas under BIO-1a above; or (2) streamflow is diverted around the construction site, but the work is occurring in the period November 1st through April 15th when storm flows could inundate the construction site. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy riverbottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to pre-construction grades and substrate conditions within 30 days after construction has ended at that particular site. The location and design of sediment retention ponds shall be included in the Storm Water Pollution Prevention Plan (SWPPP) prepared by Valencia Company for all construction activities that require a NPDES General Construction Activity Storm Water Permit.	During plan preparation and construction	Permittee shows initial compliance on project plans and in the Verification Request Letter. Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	Upon receipt of Verification Request Letter, and after construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (d) Installation of bridges, culverts, or other structures shall not impair	During	Permittee documents	After construction	Corps and

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
movement of fish and aquatic life. Bottoms of temporary culverts shall be placed at or below channel grade. Bottoms of permanent culverts shall be placed below channel grade.	construction of individual projects	compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	CDFG
BIO-1 (e) Water containing mud, silt, or other pollutants from construction activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during periods when storm flows can reasonably be expected to occur.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (f) Vehicles shall not be driven or equipment operated in areas of ponded or flowing water, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the 404 permit or 1603 Agreement.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (g) Silt settling basins, installed during the construction process, shall be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (h) If a stream channel has been altered during the construction and/or maintenance operations, its low flow channel shall be returned as nearly as practical to pre-project topographic conditions without creating a possible future bank erosion problem, or a flat wide channel or sluice like area. The gradient of	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in	After construction of a project is completed, and Corps and CDFG have received	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
the streambed shall be returned to pre-project grade, to the extent practical, unless it is represents a wetland restoration area.		Annual Permit Status Letter Report.	monitoring documentation from permittee.	
BIO-1 (i) Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (j) Staging/storage areas for construction equipment and materials shall be located outside of the ordinary high water mark.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (k) Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (l) Stationary equipment such as motors, pumps, generators, and welders which may be located within the riverbed construction zone shall be positioned over drip pans. No fuel storage tanks shall be allowed in the riverbed.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
BIO-1(m) No debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any construction, or associated activity of whatever nature, shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, watercourses included in the permit When construction operations are completed, any excess materials or debris shall be removed from the work area.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIO-1 (n) No equipment maintenance shall be done within or near any stream where petroleum products or other pollutants from the equipment may enter these areas with stream flow.	During construction of individual projects	Permittee documents compliance based on field observations by permittee's compliance personnel. Compliance documented in Annual Permit Status Letter Report.	After construction of a project is completed, and Corps and CDFG have received monitoring documentation from permittee.	Corps and CDFG
BIOLOGY: SENSITIVE AQUATIC SPECIES AVOIDANCE DURING CONSTRUCTION				
BIO-2 (a) Prior to initiating construction for the installation of bridges, storm drain outlets, utility lines, and/or bank protection, all construction sites and access roads within the riverbed, as well as all riverbed areas within 300 feet of the construction site and access road, shall be inspected at the appropriate season by a qualified biologist for the presence of the unarmored three-spine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. The Corps and the CDFG shall be notified of the inspection and shall have the option of attending. If either agency is not represented, the biologist shall file a written report of the inspection with the agency not in attendance within 14 days of the survey and no sooner than 30 days prior to any construction work in the riverbed.	Prior to and during construction of individual projects	Biologist conducts field survey and documents in a report to the agencies.	No sooner than 30 days prior to construction.	Corps and CDFG
BIO-2 (b) Construction work areas and access roads shall be cleared of the species listed in BIO-2a immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. The removal of such species shall be conducted by a qualified biologist using procedures approved by the Corps and CDFG, and with the appropriate collection and handling permits. Species shall be relocated to nearby suitable habitat areas. A	Prior to and during construction of individual projects	Plan to relocate species submitted to agencies with Verification Request Letter. Biologist conducts relocation and documents in a report to the agencies.	Upon receipt of the relocation plan in the Verification Request Letter and upon receipt of the Annual Permit Status	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
CDFG. BIO-5 (m) If Valencia Company does not have sufficient mitigation credits for an upcoming project, and is therefore planning to restore habitat or remove exotics concurrent with project implementation, project-specific plans for restoring riparian habitats or for removing exotics from existing habitats shall be submitted to the Corps and CDFG as part of the Verification Request Letters for individual project approvals. BIO-5 (n) An Annual Mitigation Status Report shall be submitted to the Corps and CDFG by April 1st of each year for the life of the permit, or until five years after all mitigation has been completed. This report shall include any required plans for plant spacing, locations of candidate restoration and weed removal sites, restoration methods, weed removal plans, and habitat restoration performance standards. For active habitat creation sites, the report shall include the survival, percent cover, and height of planted species, the number by species of plants replaced, an overview of the revegetation effort and its success in meeting performance criteria, the method used to assess these parameters, and photographs. For active exotics removal sites, the report shall include an assessment of weed removal; a description of the relative cover of native vegetation, bare areas, and exotic vegetation; colonization by native plants; and photographs. The report shall also include the Mitigation Accounting Form (see BIO-5l above) which outlines accounting information related to species planted or exotic removed, and mitigation credit remaining. BIO-5 (o) The mitigation program shall incorporate applicable principles in the interagency "Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks" (FR 60; 58605-58614), to the extent feasible and appropriate, particularly the guidance on administration and accounting. Nothing in the 404 permit shall preclude Valencia Company from selling mitigation credits to other parties wishing to use the 404 permit for a project and/or maintenance activity included in the 404 permit.				
BIOLOGY: ROUTINE MAINTENANCE GENERAL MEASURES				
BIO-6 (a) Temporary access roads to the work site shall be routed to avoid, to the extent feasible, riparian vegetation, live streams, and wetted areas. The	Prior to, during, and after maintenance	LACDPW describes compliance plans in Maintenance Notification to the	Upon receipt of the Maintenance Notification, and	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforce-ment Agency
boundaries of the maintenance site and any temporary access roads within the riverbed shall be marked in the field with stakes and flagging. No maintenance activities, vehicular access, equipment storage, stockpiling, or human intrusion shall occur outside the work area and access roads. If a live stream or pond is located within the maintenance site or access roads, the procedures described below in Measure BIO-7 to identify and relocate endangered species from live streams or ponded water would be followed. BIO-6 (b) Equipment shall not be operated in areas of ponded or flowing water unless there are no practicable alternative methods to accomplish the maintenance work, and only after prior approval by the CDFG and the Corps based on a request included in the Maintenance Notification submitted to these agencies 30 days before the planned maintenance work. BIO-6 (c) Temporary sediment retention ponds shall be constructed downstream of maintenance sites which involve grading or excavating and that contain flowing or ponded water that drains off-site into the undisturbed streamflow or ponds. The sediment ponds shall be constructed of riverbed material and shall prevent sediment-laden water from reaching undisturbed ponds or streamflows. To the extent feasible, ponds shall be located in barren or sandy riverbottom areas devoid of existing riparian scrub, riparian woodland, or aquatic habitat. The ponds shall be maintained and repaired after flooding events, and shall be restored to pre-disturbance grades and substrate conditions within 30 days after maintenance work has ended. BIO-6 (d) Repair of in-channel facilities shall not impair movement of fish and aquatic life. Bottoms of temporary culverts shall be placed at or below channel grade. BIO-6 (e) Water containing mud, silt, or other pollutants from maintenance activities shall not be allowed to enter a flowing stream or placed in locations that may be subject to normal storm flows during the period November 1st through April 15th. BIO-6 (f) If a stream channel has been altered during maintenance, the low flow channel shall be returned as nearly as practical to pre-project topographic	events	agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	then the post-maintenance compliance report	

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
conditions. BIO-6 (g) Temporary structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur. BIO-6 (h) Staging/storage areas for maintenance equipment and materials shall be located outside of the ordinary high water mark. BIO-6 (i) Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life. BIO-6 (j) Stationary equipment such as motors, pumps, generators, and welders, located within the riverbed maintenance zone shall be positioned over drip pans. No fuel tanks shall be allowed in the riverbed. BIO-6 (k) No debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil, petroleum products, or other organic material from any maintenance activity shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, watercourses included in the NRMP. When maintenance is completed, any excess materials or debris shall be removed from the work area. BIO-6 (l) No equipment maintenance shall be conducted within 50 feet of a watercourse.				
BIOLOGY: ROUTINE MAINTENANCE: SENSITIVE AQUATIC SPECIES: AVOIDANCE				
BIO-7 (a) Prior to initiating in-channel maintenance activities, all work sites and access roads within the riverbed, as well as all riverbed areas within 300 feet of the maintenance site and access road, shall be inspected by a qualified biologist for the presence of the unarmored three-spine stickleback, arroyo chub, Santa Ana sucker, arroyo toad, two-striped garter snake, and southwestern pond turtle. The Corps and the CDFG shall be notified of the inspection and shall have the option of attending.	Prior to, during, and after maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
BIO-7 (b) Except in portions of the river or creek where the unarmored three-spine stickleback is present, maintenance work areas and access roads shall be cleared of the species listed in BIO-7a immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the stream or habitat areas, and immediately before diverting any stream water. The removal of such species shall be conducted by a qualified biologist using procedures approved by the Corps and CDFG, and with the appropriate collection and handling permits. Species shall be relocated to nearby suitable habitat areas. A plan to relocate these species shall be submitted to the Corps and CDFG with the Maintenance Notification. BIO-7 (c) All stream flows traversing a maintenance work site or temporary access road shall be diverted around the site and under access roads (using a temporary culverts or crossings that allow fish passage). A temporary diversion channel shall be constructed using the least damaging method possible, such as blading a narrow pilot channel through an open sandy river bottom. The removal of wetland and riparian vegetation to construct the channel shall be avoided to the greatest extent feasible. The temporary channel shall be connected to a natural channel downstream of the maintenance site prior to diverting the stream. The original stream channel alignment shall be restored after maintenance work. BIO-7 (d) A qualified biologist shall be present when any stream diversion takes place, and shall patrol the areas both within, upstream, and downstream of the work area to rescue any species stranded by the diversion of the stream water. Species that are collected shall be relocated to suitable area downstream of the work area.				
BIOLOGY-ROUTINE MAINTENANCE-SENSITIVE BIRD AVOIDANCE				
BIO-8 All maintenance and repair work, excluding emergency work, shall occur between August 1st and March 15th (which is outside of the breeding season for sensitive riparian birds such as the least Bell's vireo) for facilities along the Santa Clara River downstream of Bouquet Canyon Bridge, and along San Francisquito Creek between Newhall Ranch Road and its confluence with the Santa Clara River. In-channel maintenance work that must occur between March 15th through August 1st in these areas shall follow the procedures in Mitigation Measure BIO-3.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
BIOLOGY: ROUTINE MAINTENANCE: RESTORATION OF TEMPORARILY DISTURBED AREAS				
BIO-9 Native vegetation within temporary maintenance work areas shall be mulched and spread over the temporary impact areas once maintenance work is complete in order to facilitate revegetation.	After maintenance events	LACDPW monitors compliance in the field, and then reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the post-maintenance compliance report	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: CHANNEL CLEARING NEAR BRIDGES				
BIO-10 Vegetation and/or debris will be removed from around the following bridges, on an as-needed basis, as determined by LACDPW: Bouquet Canyon Road Bridge - 50 feet upstream and 50 feet downstream; McBean Parkway Bridge - 50 feet upstream and 50 feet downstream; The Old Road Bridge - 50 feet upstream and 50 feet downstream. Vegetation and debris may be removed by heavy equipment. Equipment within the river shall be operated within the above-described removal areas which shall be demarcated with temporary fencing or staking.	Prior to maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies.	Upon receipt of the Maintenance Notification.	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: REMOVAL OF VEGETATION FROM RIP-RAP				
BIO-11 For existing and new rip-rap constructed under the 404 permit and 1603 Agreement, LACDPW may remove trees that grow in levees, and may remove large trees, defined as trees with trunks 4 inches in diameter at breast height (dbh), within 15 feet of the levee toe in order to maintain the structural integrity of the levees. Whenever possible this work shall be performed from the levee access road. If access to the bottom of the river is required, the work area shall be limited to a 30-foot-wide zone extending outward from the levee at the invert and 15 feet upstream and downstream on either side of the tree to be removed. Hand held equipment shall be used.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: CLEANING STORM DRAIN OUTLETS				
BIO-12 Sediment buildup at existing side drains shall be removed on an as needed basis as determined by the LACDPW. The County shall use light equipment to create a swale up to 75 feet long and 10 feet wide, to allow water to drain. Light equipment such as a Caterpillar D-8 or equivalent may enter areas of the river as long as they avoid areas of ponded or flowing water (not including water discharging from the side drain) to remove sediment. Large riparian trees defined as trees with trunks in excess of four inches in diameter at breast height (dbh) shall be avoided. The maintenance area shall be demarcated with flagging. New side drains shall be designed with a rock apron to maintain a	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

Mitigation Measure	Timing of Mitigation	Monitoring Action, Party, and Method of Documentation	Timing of Reporting	Enforcement Agency
clear area large enough to provide hydraulic capacity to maintain flow from a side drain. Equipment shall be introduced into the river by means of an earth ramp constructed on the sideslope in the immediate vicinity, or from an adjacent invert access ramp if within 1,000 feet of the area to be maintained. If the equipment must access the riverbed, care will be taken to minimize impacts to vegetation and to avoid destruction of large trees, defined as trees with trunks in excess of four inches in diameter.				
BIOLOGY: ROUTINE MAINTENANCE: CONTROL OF ODOR FROM PONDS				
BIO-13 In order to drain stagnant water that is causing an odor problem, LACDPW shall dig a swale using a Caterpillar D-6 or its equivalent or may hand shovel a swale, up to 75 feet long and 10 feet wide to allow ponded water to percolate. LACDPW shall notify the Corps and CDFG prior to performing this work. The procedures described in Measure BIO-7 to identify and relocate endangered species from live streams and ponded water shall be followed.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: BRIDGE REPAIR				
BIO-14 Whenever practical, repairs to bridges shall be made from the bridge deck. If this is not practical, minimum encroachment upstream and/or downstream of the bridge will be acceptable. The maintenance work area for structural repairs shall be limited to 30 feet on either side of the bridge and under the bridge itself. Equipment shall be introduced into the river by means of an earth ramp constructed on the sideslope in the immediate vicinity, or from an adjacent invert access ramp if within 1,000 feet of the bridge. If the equipment must access the river bed, care shall be taken to minimize impacts to vegetation and to avoid destruction of large trees, defined as trees with trunks in excess of four inches in diameter at breast height (dbh).	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the maintenance event.	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG
BIOLOGY: ROUTINE MAINTENANCE: REPAIRS TO BANK PROTECTION				
BIO-15 Structural repairs to levees, side drains, water quality facilities, utility crossings, etc. shall be performed on an as-needed basis to maintain the integrity of the structures. The work area shall be limited to the section of the structure, plus a 30-foot work area extending out from the levee at the invert and upstream and downstream within the 30-foot width of the structure to be repaired.	Prior to and during maintenance events	LACDPW describes compliance plans in Maintenance Notification to the agencies, then monitors compliance in the field, and reports results to the agencies in a report completed after the	Upon receipt of the Maintenance Notification, and then the post-maintenance compliance report	Corps and CDFG

[redacted]

Residents Blame Mine for Emptying Idyllic Community

Pollution: Some say fumes and dust from plant owned by Glendale firm have made them sick and destroyed their quality of life. Company says it's obeying the law.

BY GARY POLAKOVIC
TIMES STAFF WRITER

LOCKWOOD VALLEY—A tiny community deep in Los Padres National Forest seems like the perfect haven for the urban weary. Blaze-yellow cottonwoods and cobalt blue skies shout autumn while rows of mountain ridges keep street gangs and traffic a safe distance away.

Folks moved here for the quality of life. But now some of them are moving out. Rural homes on Lockwood Valley Road stand vacant and many others are posted with for-sale signs. Many residents here say they can no longer tolerate the strip mine next door.

Susan Norfleet Lee and Kristi Mordica used to live next door to the mine, but they closed their horse ranch and moved out last month. They said their lives were made miserable by dust and fumes from the mine. A physician, said Mordica, examined her and noted that her body exuded diesel odors, gave her injections to aid her breathing and then alerted Ventura County health officials.

"I had chronic headaches, couldn't breathe and was coughing up brownish stuff. I just couldn't take it anymore," Mordica said.

Rick Thanstrom, a sheriff's deputy, who moved his family into the community on the county's north rim to escape city crime and pollution, has also left the area. He said emissions from the mine so sickened his wife and two children that they were forced to abandon the property in August.

"You ever been at an intersection in downtown L.A. during traffic, standing on a corner and had a big bus blow exhaust right into your face? Take that, multiply it by 10, put your head in a bag, and that's what it's like living next to the mine," Thanstrom said.

And so the stories go at many of the dozen or so households in this part of Lockwood Valley, 20 miles north of Ojai. There is 58-year-old Edward Gertner who said he nearly gagged planting 1,300 trees to protect his 20 acres from noise and dust. Jerry Piesch prefers to stay inside his sweltering machine shop rather than go outside and breathe the air. Arnold "Dean" Swan said friends are so revolted by the odors they don't come to visit anymore.

Residents say that when they purchased their homes several years ago, the mine, under different ownership, seldom operated and caused few disturbances. Today, they regret their decision to put down roots there. "Look, we're not activists," Norfleet Lee said. "This is just like [the movie] 'A Civil Action,' but with stupid people."

Dallas-based Texas Industries Inc., one of the nation's biggest suppliers of building materials, bought Pacific Custom Materials in 1996 and has run the mine ever since.

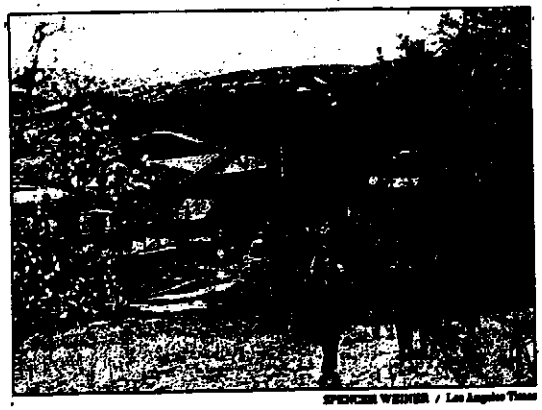
The mine employs 50 people who dig clay from a quarry and burn it inside two kilns to produce 250,000 cubic yards of aggregate product annually for use in skid-resistant highway surfaces, fireproof roof tiles and lightweight concrete. Some of the product was used at Dodger Stadium and the Getty Center.

Production has recently increased at the mine, still run by Pacific Materials, which is now a subsidiary of Texas Industries, to supply a surging construction industry, boosting the parent company's sales for aggregate products by 48% to record levels this year and contributing substantially to its $1.1 billion in annual sales, according to documents the company filed with the U.S. Securities and Exchange Commission.

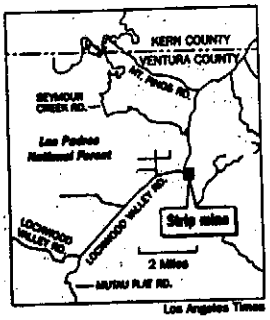
Texas Industries is seeking permission from the U.S. Forest Service to open 23 new mining claims on 460 acres of federal lands in and around the Sespe Wilderness Area, a plan that has drawn fire from Ventura County environmental groups.

George Eure, a vice president at Texas Industries, said the company anticipates more production from the Lockwood Valley plant in coming years, but added that the mine does not pose a pollution problem for the community. Numerous steps have been taken in recent years, company officials say, to reduce emissions, including keeping hauling roads moist and spraying water on material piles to cut dust. Bag houses and filters, among other devices, are in place to capture dust and fumes, too.

"Our business is to run our facility in compliance with all rules and regulations established by Ventura County and the state of California, and we are in compliance," said plant manager Will Rickman. "We want to be good neighbors. By being in compliance, we are doing what we think we need to do to be good neighbors."



SPENCER WEINER / Los Angeles Times



Los Angeles Times

Susan Norfleet Lee, in front, and Kristi Mordica used to live next to the 400-acre mining operation.

Mine Hasn't Always Been in Compliance

But to many neighbors near the plant, that is not good enough. Although the mine appears to be in compliance now, that has not always been the case, according to government officials.

Pacific Custom Materials ranks among Ventura County's most polluting companies, emitting about 180 tons of smog-forming emissions each year, according to the county Air Pollution Control District. Clay is mixed with up to 3.2 million gallons of diesel fuel annually—an average of nearly 400 gallons per hour—and burned in two kilns. No other plant in Southern California consumes more diesel fuel, according to air quality officials.

Studies have linked diesel pollution to asthma attacks, allergies, lung cancer, deaths from heart and respiratory disorders and weakened lungs unable to fend off infections. Children are especially vulnerable and so are workers exposed to the emissions. Consequently, state air quality officials declared diesel pollutants a cancer-causing substance last year.

Tina Haller-Wade, a physician at Frazier Mountain Community Health Center, said patients from Lockwood Valley come to her clinic complaining of illnesses ranging from rashes to wheezing to fatigue they believe is caused by pollution from the mine. It's not enough to prove the plant caused the illnesses, but it is enough to cause her to report the situation to Ventura County authorities.

"I've seen probably less than six cases. Those complaints need to be investigated," Haller-Wade said.

Despite the pollution from the mine, state and local regulators say the company, for the most part, abides by the rules.

"They work with dirt. It's going to create dusty conditions," said Keith Duval, compliance division manager for the Ventura County Air Pollution Control District. "From what we've observed recently, it's in compliance. There is no demonstrating that operating within their permit conditions is creating the problem. They appear to be going the extra step to try to take care of their emissions."

Officials acknowledge, however, that gaps exist in the regulatory shield designed to protect people from air pollution and noise at the mine.

Duval acknowledges, for example, that the mine is so remote it is difficult for inspectors to verify complaints. When they do go to the mine, inspectors usually notify the mine in advance. They look at dust differently, too, using angles of sunshine prescribed by law that make haze look less opaque than what residents typically see. And generally, a nuisance violation isn't triggered until the agency receives about a dozen simultaneous complaints, a threshold difficult to achieve in such a small community, he said.

The air district also decided not to designate the mine as a toxic hot spot, but that determination was made five years ago before Texas Industries ran the mine and increased production. Such a designation would precipitate health warnings to the community and perhaps new regulations, according to air quality officials.

Old Permits Still Govern

Patrick Richards, manager for the commercial and industrial land-use section of the county planning division, described similar limitations in the mine's conditional use permit, which was issued in 1953. It contains few conditions governing the day-to-day operations at the mine, he said, and the company is out of compliance with at least one provision governing the location of ponds that hold cooling water. He said he hopes to complete a revised permit for the mine by January.

"This is a very, very old one and there were not many rules and regulations back then, so it's hard to say it's out of compliance," Richards said. "It doesn't have all the conditions that we would put in place for a mine today. These are minimum standards and we want them to get more in line with today's standards."

Government documents reveal a checkered compliance history at th mine. It has been cited for a pollution violations six times in th past 10 years. Those included viol tions in August 1996 and July 199 for excessive emissions that r sulted in fines totaling $4,000, a cording to records at the air distric

In response to citizen complaint the plant has come under increa ing scrutiny from authoritie Among the agencies that ha probed the operation in the past months are the state Department Toxic Substances Control, th county Environmental Health Di sion, the air district, the U.S. Fore Service and the Occupation Safety and Health Administratio

Supervisor Kathy Long, who district includes Lockwood Valle said she has directed the county health officer, environment health director and planning di sion to conduct a full inquiry problems reported at the mine. S said conversations with reside and film footage she viewed of d clouds enveloping the commun suggest that the county's enforc ment efforts to date have be lacking.

"I can't believe we have pictu of all the dust, horses losing hair their back, people having sudd health conditions they never h before; it's too much coincidenc Long said. "We need a full sweep this and look at everything going at that plant. I question if the revi has been as thorough as it neede be. Frankly, I don't know that th operation is following the guideli of today's environmental laws."

But opponents of Pacific Custo Materials are skeptical. They qu tion whether the county is will to get tough with a company t contributes so much to the lo economy. Pacific Custom Materi estimates its annual contributio the region that includes Vent County to be $8.5 million, wh includes money spent on ite ranging from payroll to unifo for Lockwood Valley basek teams to $37,000 in property ta paid to the county this year.

"The county has always i cated those kinds of businesses t provide those basic building materials to the area are need Richards said. "But that doe give business the right to do so thing to threaten public health cause nuisances."

Open Long Before Suburbanites Came

At the heart of the dispute is the 400-acre mine near Seymour Creek operated by Glendale-based Pacific Custom Materials Inc. Old-timers still call the mine Ridgelite. It has been operating at various levels of capacity since 1948—long before suburbanites fleeing the big city discovered Lockwood Valley.

HALL & ASSOCIATES
10951 WEST PICO BOULEVARD
THIRD FLOOR
LOS ANGELES, CALIFORNIA 90064-2126
TELEPHONE: (310) 441-8300
FACSIMILE: (310) 474-7083
E-MAIL: HALLFIRM@PRIMENET.COM

LEGAL STAFF
CARLYLE W. HALL, JR.
ANDREW R. HENDERSON
BETHANY A. DREYFUS

PUBLIC INTEREST FELLOW
BRIDGET ROONEY BEIMLER

November 12, 1999

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

Re: Comments on the Soledad Canyon Sand & Gravel Mining Project Draft EIR from Safe Action for the Environment (SAFE)

Dear Dr. Koutnik:

We have been retained by Safe Action for the Environment ("SAFE") to comment on the environmental documents relating to the Soledad Canyon Sand & Gravel Mining Project.

We have been informed that, although the deadline for public comments on the Draft EIR had been set for November 15, 1999, an extension for such comments is on the Regional Planning Commission's agenda for its December 1st meeting. In particular, a substantially revised supplemental air quality analysis for the Project's EIS is expected to be publicly circulated soon, but it has not yet been circulated. This new analysis of a core impact will fundamentally affect any comments relating to air quality, but, even beyond that, will likely require further analysis and comment by members of the public with respect to many other sections of the document (for example, land use compatibility). It will also likely affect the types of project alternatives and mitigation measures that should be analyzed and subject to public comment.

SAFE and other members of the public therefore anticipate that the deadline for public comments on the Draft EIR will be extended by the RPC through the time for comments on the Draft EIS, including the new air quality analysis. We will submit all of our comments concurrently.

Very truly yours,

Carlyle W. Hall, Jr.
Attorney for SAFE

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C-35

Center for Biological Diversity

Protecting and restoring natural ecosystems and imperiled species through science, education, policy, and environmental law.

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VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED

November 23, 1999

Mr. Daryl Koutnik
Los Angeles County Regional Planning Dept.
320 W. Temple St.
Los Angeles, CA 90012

Re: Soledad Canyon Sand and Gravel Mining Project DEIR SCH#91111066

Dear Mr. Koutnik:

Thank-you for giving us the opportunity to comment on this project. The Center for Biodiversity is a non-profit, public interest, conservation organization dedicated to the protection of imperiled native species and their habitat. We are particularly interested in this project because of its impact on the unarmored three-spined stickleback, a federally listed endangered species. The Center wishes to incorporate by reference the objections of all other agencies and organizations such as the City of Santa Clarita, the Sierra Club, SCOPE and S.A.F.E. particularly pertaining to the sections regarding traffic analysis and air quality that we will not be addressing in our comments.

Background

This project proposes to mine 83 million tons of aggregate on a 460 acre site just east of the City of Santa Clarita and adjacent to the Santa Clara River. Transit Mix would mine the site to produce 56.1 million tons of Portland cement aggregates. A substantial amount of tailings will remain on site. Concrete processing is also proposed to occur on site.

Unarmoured Three-Spined Stickleback

Transit proposes to appropriate 500 acre feet of water from the Santa Clara River to operate its mining process. This is a significant unmitigated impact affecting a listed endangered species. Center for Biological Diversity has been actively seeking protection for the UTS and its habitat for some time. (See, *e.g.* Southwest Center v. Sprague, C-98-2434) and has recently filed a 60 day notice of intent to sue to establish critical habitat designations for the UTS. UTS Populations exist in the Santa Clara River downstream from this project. When critical habitat is established as required by law, it may affect entitlements currently in process. To avoid delays, we suggest that that the project not be approved without an adequate outside source of water. Since it is our understanding that such a source does not currently exist, this project should not go forward at this time.

Public Trust Rights Violated

The sustainable yield for this project is calculated to produce draw downs up to 40% (See supporting report by Western Technologies, 1989, introduction). Surface and subsurface flows in the area have been found to be inter-connected (see supporting report by Ground Water Systems, April 1993 Chapter 11.2 Section B). A 40% draw-down will therefore affect surface flows. The extent of this affect and its potential to impact, indeed, eliminate, the unarmored three-spined stickleback, was not investigated by any of the water resource reports or the DEIR. Failure to disclose this impact is an EIR deficiency and must be addressed. Such impacts would constitute a violation of Public Trust Law and a violation of the Endangered Species Act. Elimination of surface flow may also constitute an illegal take of a listed endangered species under §1604 of the State Fish and Game code.

Data Not Current

Further, all water resources studies are based on information compiled and analyzed between 1989 and 1991. This makes all data a minimum of eight years old. Considerable building has occurred both upstream and downstream from this site. Updated water usage data must be supplied prior to final consideration of this project to ensure that existing users will not be impacted.

Yield Not Sustainable

Total water usage for this project is estimated to be 442 AF for phase I and 746 AF after phase II is implemented (p.3-60). These figures are arrived at only after a 35% reduction for the use of clarifiers. Therefore, clarifiers must be made a project condition if even the water usage levels sited in the DEIR are to be achieved. This water usage will over-draft the existing water resources of the Santa Clara River. As indicated in the section labeled "Storage Capacity of the Alluvial Aquifer" (Introduction, no page numbers indicated), by Western Technologies, Inc., 1989, the sustainable yield in this area is 283 AF in a dry year to 419 AF in a wet yea based on 80% of water return from the project to the River. However, the DEIR states on page 3-60 "No waste or return to the River of water is planned". Further, for the purposes of this report sustainable yield is defined as "the maximum amount of water that can be withdrawn from the alluvial aquifer in the study area without creating average drawdowns greater than 40 percent of the original saturated thickness." This is an unusual definition of sustainable yield. Sustainable yield is commonly accepted to indicate water usage that will not degrade water quality or desiccate wetlands, yet the study definition would do both (a 40% draw down would affect surface flows since the are inter-related, see referenced report by Geo Water Systems, Chapter 11-2 B. "Surface Water Flows in the Santa Clara River Valley" and the Law/Crandell, 1991 Water Quality Analysis pg. 8 "There may be a slight increase in total disolved solids content.") We therefore object to this definition of sustainable yield as being misleading. Simply labeling the project "sustainable" by semantic and definitional sleight-of-hand does not make it so. Real and substantial over-draft problems will occur if this project is approved.

The Santa Clara River is Already in Over-draft

The safe yield of the Santa Clara River eastern basin was calculated to be 25,000AF by the USGS in 1972 and 31,600-32,500AF by Richard Slade in 1986. Both these two figures have been exceeded

by municipal and private pumping for the last 5 years as indicated in Table III-7 of the Santa Clarita Valley Water Report, 1998. Since the proposed project will exceed available water resources on site, it will add to over-draft of the alluvial aquifer. Such over-draft is inconsistent with the water resources section of the Santa Clarita Area Plan.

Water Quality

The effect of reduced water quality due to overdraft (potable increased hardness and TDS) on downstream populations was not investigated or addressed. Also, water quality changes such as possible increased nitrate levels from tailings run-off was not addressed. Water quality changes will not only affect the habitat of the UTS, but could also affect the potable water source for the City of Santa Clarita. These issues must be addressed and disclosed in the DEIR.

Alternative Analysis

The DEIR fails to discuss a reasonable range of alternatives in accordance with Public Resources Code §21100 (b)(4), 21002; CEQA Guidelines §15002,(a)(3), §15021(a)(2), §15126(f), §15126.6. Several proposed "alternatives" are in reality not alternatives at all, but rather a method of mitigating the storage of fines, the movement of materials or the location of the batch plant. No discussion of alternate sites is included, although such sites exist. Also, no discussion of the potential for aggregate production from recycled materials such as glass or crushed demolition materials was included. Such sources were exploited after the 1994 earthquake and continue as a source of raw materials and a re-use of the waste stream.

Cumulative Analysis

The DEIR fails to provide an updated and current analysis of nearby projects. This includes, but is not limited to the effect on water availability, surface flows and water quality from the cumulative effect of all newly approved housing projects in the area and of the CalMat surface mining proposal.

Conclusion

Since there are no other water sources than the Santa Clara River identified for this project, approval under the present circumstances would constitute a violation of public trust law and a violation of the Endangered Species Act. Therefore, this project may not be approved as proposed. Thank-you for your consideration of these issues.

Sincerely,

Peter Galvin

Peter Galvin
Conservation Biologist

C-36

Thousand Trails - Soledad Canyon
4700 Crown Valley Road Acton, CA 93510

October 14, 1999

Ms. Moore
Regional Planner
Department of Regional Planning
320 west Temple Street, Room 1383
Los Angeles CA 90012

Dear Ms. Moore,

We would like to register our vehement protest over the proposed Transit Mix Concrete Plant project.

We operate a campground in Acton called Thousand Trails. Our facility is host to over 95,000 nights of camping per year for our Members- one of the busiest in out nationwide system. Our members, who are mostly elderly, enjoy many outdoor activities at our resort. They primarily drive up Soledad Canyon road in their recreational vehicles to get to our campground.

OCT 16

Our concerns are threefold:

- **Truck Traffic.** Apparently over 60 dump trucks a day will be driving north on Soledad Canyon Road full of gravel. This heavy truck traffic will substantially slow the access to our business. Gravel trucks often drop loose stones on the road which can easily damage an RV or cars' windshield. The 80,000 pound trucks will also damage the road itself causing expensive repairs. There are eight bridges on Soledad Canyon Road which are marginally wide enough to safe traverse as they are. I did not see in any reports produced so far that bridge enlargement or road improvements were part of TMCs' responsibility. This truck traffic is also noisy and would disturb our guests.

- **Air Pollution.** The surface blasting that is proposed would create huge amounts of dust. Our property is only 9 miles down wind the TMC site. The senior citizens that frequent our property often have more fragile respiratory systems which can easily be affected by the dust that TMC activities would certainly create.

- **Noise Pollution.** Constant blasting with dynamite will certainly be annoying to our guest and the wildlife. The truck traffic will also create unwanted additional noise.

Ours is one of six campgrounds located in Soledad Canyon and I am confident the other campground operators would share my concerns. I sincerely hope that your planning process reveals that this truly is a project that is more detrimental to public health, economic prosperity, and the environment than it is beneficial.

Sincerely,

Steve Werner

Steve Werner
Manager
Thousand Trails

Original

C-37

BAKER & McKENZIE

ATTORNEYS AT LAW

TWO EMBARCADERO CENTER
TWENTY-FOURTH FLOOR
SAN FRANCISCO, CALIFORNIA 94111-3909
TELEPHONE (415) 576-3000
FACSIMILE (415) 576-3099

EUROPE MIDDLE EAST: AMSTERDAM, BAHRAIN, BARCELONA, BERLIN, BRUSSELS, BUDAPEST, CAIRO, DUSSELDORF, FRANKFURT, GENEVA, KIEV, LONDON, MADRID, MILAN, MOSCOW, MUNICH, PARIS, PRAGUE, RIYADH, ROME, ST. PETERSBURG, STOCKHOLM, WARSAW, ZURICH

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November 24, 1999

KERRY SHAPIRO
OF COUNSEL
(415) 984-3823
INTERNET: kerry.shapiro@bakernet.com

Ms. Esther Feldman, Chairperson
Regional Planning Commission
Los Angeles County
320 West Temple Street
Los Angeles, CA 90012

Re: Soledad Canyon Sand and Gravel Project ("Project") – Project No. 91-165

Dear Chairperson Feldman and Members of the Commission:

On behalf of Transit Mixed Concrete Company ("TMC"), the Project applicant, we submit the following attached information, for review by the Regional Planning Commission ("Commission") prior to the December 1, 1999 hearing on the Project:

1. Bureau of Land Management ("BLM") News Release of the Supplemental Draft Environmental Impact Statement ("SDEIS"), published on November 17, 1999;
2. Letter from Supervisor Michael Antonovich to Esther Feldman, dated October 12, 1999, requesting the TMC Soledad Canyon Project be taken off calendar; and
3. Written rebuttal information and revised conditions, prepared by TMC.

Although, as noted in Supervisor Antonovich's letter, the BLM's preparation of the SDEIS has raised questions about the need to recirculate the Draft EIR, sufficient information is now before the Commission to render a decision at this time. ***TMC therefore requests that: (i) the Commission vote on whether or not to approve the Project at the December 1st hearing, and (ii) TMC be provided sufficient time during the December 1, 1999 hearing to complete its oral rebuttal testimony.*** A decision by the Commission is appropriate now because:

1. EIR recirculation under CEQA focuses on information regarding significant new impacts or increases in impacts;
2. The information in the SDEIS only addresses reductions in significant air quality impacts, clarifications of existing analysis, and/or federal compliance standards; and
3. The 9-month EIR comment period has been more than sufficient, and comments received during the recent (third) extension have not raised any new issues.

The issues are discussed in greater detail below.

I. The BLM's SDEIS Does Not Trigger County Recirculation of the Draft EIR

A. Recirculation Focuses On New or Increased Significant Impacts

Under CEQA, recirculation of an EIR prior to certification is required where "significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review . . ." Title 14, California Code of Regulations ("CEQA Guidelines"), §15088.5(a). However, information is not "significant" unless it deprives the public of a "meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponents have declined to implement." CEQA Guidelines §15088.5(a). (Emphasis Added.)

Examples of "significant new information" include: (i) a new significant environmental impact that would result from the project or from a new mitigation measure; (ii) a substantial increase in the severity of an environmental impact unless mitigated; and (iii) a feasible project alternative or mitigation measure is identified that would lessen significant impacts but the project's proponents decline to adopt it. See CEQA Guidelines §15088.5. Thus the focus of recirculation is on new or increased significant impacts.

On the other hand, recirculation is *not* required where new information added to the EIR "merely *clarifies or amplifies* or makes insignificant modifications in an adequate EIR." CEQA Guidelines §15088.5(b). (Emphasis added.)

B. The Scope of Issues Addressed in the SDEIS

As described in the attached BLM documents, the SDEIS includes discussion of the following three subject areas:

1. Agency Preferred Alternative ("APA): The BLM's identification of the APA is purely a NEPA requirement, set forth in Title 40 of the Code of Federal Regulations at Part 1500. Identification of the APA does not impact the County's environmental review process in any way, but rather constitutes the BLM's consideration of the most appropriate way to mine the site, based on the environmental review to date, including the SDEIS. Interestingly, the APA (Reduced North Fines Storage Area Alternative, with new conveyor mitigation) is similar to the County Staff Recommendation, issued in April 1999, which recommended the same alternative, absent the conveyor, which had not yet been presented.

2. Air Quality: The supplemental air quality information consists of the following:

(i) Updated PM-10 emissions calculations for Rock Plant Processing resulting in *lower emissions* estimates;

(ii) New Mitigation -- a conveyor system to move materials to the NFSA as a means

to *further reduce PM-10 emissions by 35%* (further detail of this mitigation is provided in the TMC written rebuttal, attached hereto);

(iii) New Mitigation – EPA/ARB-certified diesel engines for off-road equipment where applicable, *to further reduce diesel exhaust particulates by 40%;* and

(iv) Supplemental discussion/analysis of the federal requirement for determining conformity of the Project to the State Implementation Plan (SIP), as *required by Title 40, Code of Federal Regulations, 93.150.*

This SDEIS air quality information does not identify any new significant impacts, only reductions in previously-identified significant impacts. The Federal Conformity analysis is a requirement under the Federal Clean Air Act, and is simply not relevant to the County's environmental review under the California Environmental Quality Act ("CEQA").

3. Alternatives: The SDEIS analysis of alternatives does not replace the existing alternatives analysis in the BLM's Draft EIS, but rather supplements it by providing language summarizing in more comparative terms the analytic process used in the Draft EIS. It presents greater detail regarding the analysis and conclusions previously discussed. This reorganization and clarification was prepared in order for the Final EIS to comply with Federal NEPA requirements, set forth in Title 40, CFR Section 1502.14. There are no similar requirements for such reformatting under CEQA.

C. The SDEIS Does Not Meet the CEQA Threshold for Recirculation

The SDEIS does not identify any new significant impacts, or increases in the severity of impacts. Therefore, this information does not trigger the need for additional environmental analysis and/or recirculation of the County's Draft EIR, or the need for additional public review.

To the extent the County wants to ensure that the EIR and EIS contain similar information, as requested by Supervisor Antonovich in his October 12 letter, relevant information could be incorporated into the Final EIR. That would *not* prejudice the Commission's ability to render a decision on December 1.

II. Additional Comments on the EIR Are Not Necessary

Just prior to the September 22, 1999 Commission hearing on this Project, several school districts in the Santa Clarita area requested that the Commission provide additional time to comment on the Draft EIR, because they had not previously received copies of the document. Based upon this request, the Commission re-opened and extended the comment period until November 15, 1999, to allow the school districts and others to comment on the Draft EIR.

However, this extension yielded relatively few additional comments on the Draft EIR. Only one letter from one school district (Saugus Union School District) was submitted prior to the November 15th deadline. That letter, while discussing important issues, did not discuss any

U.S. Department of the Interior
Bureau of Land Management

News Release

For Immediate Release: November 19, 1999 CA 0610-99-63

Contact: Carole Levitzky, (909) 697-5217; E-MAIL: clevitzk @ ca.blm.gov
Jan Bedrosian (916) 978-4616, E-MAIL: jbedrosi@ca.blm.gov

Soledad Canyon Sand and Gravel Project's Supplemental Draft Environmental Impact Statement Available for Public Review

In response to public concerns about air quality impacts of a proposed sand and gravel mine in Soledad Canyon in Los Angeles County and to consider additional mitigation measures from the project applicant, the U.S. Bureau of Land Management (BLM) has prepared a supplement to the draft environmental impact statement (SDEIS) and it is available for public review beginning today.

The SDEIS includes a Draft Conformity Determination to fulfill requirements of the Federal Federal Clean Act and is prepared in compliance with the National Environmental Policy Act of 1969 (NEPA) to address new information regarding air quality impacts. The document also specifies and describes the BLM's preferred alternative, which is identified as the reduced north fines storage area alternative, including a newly proposed conveyor belt system for transporting fines material onsite, as proposed by Transit Mixed Concrete Company (TMC). The BLM preferred alternative identified in the SDEIS reduces air quality impacts by substantially reducing fugitive dust and exhaust emissions in comparison to the proposed action as described in the DEIS which was released for public review in May 1999.

BLM awarded the contracts to mine the federal sand and gravel deposits to TMC by competitive bid in 1990. Since then, BLM has been engaged in the environmental review process to determine how to mine this deposit in the most environmentally sensitive manner.

Public comments are being sought on both the supplement, the overall draft EIS and the Draft Conformity Determination until January 10, 2000. All public comments received on the draft, the supplement, as well as comments received as part of Los Angeles County's public hearing process, along with BLM's responses to those comments, will also be incorporated into a final EIS, expected to be completed early next year.

All those who commented on the draft EIS as well as other affected agencies and elected officials will receive copies in the mail shortly. If you did not comment on the draft EIS and would like to receive a copy o the SDEIS, please call BLM Environmental Coordinator Elena Misquez at (760) 251-4810 and a copy will be mailed to you.

A Federal Register notice announcing the release of the SDEIS will be published November 22, 1999 and will be available online at www.ca.blm.gov

-BLM-

"visit our website at www.ca.blm.gov"

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
California Desert District
6221 Box Springs Boulevard
Riverside, CA 92507-0714

IN REPLY REFER TO:
1795P
CA-066.31

NOV 17 1999

Dear Reader:

Enclosed for your review is the Supplemental Draft Environmental Impact Statement (SDEIS) for the Transit Mixed Concrete (TMC) Company proposed Sand and Gravel Mining Project in Soledad Canyon, Los Angeles County, California. TMC proposes to mine sand and gravel over a 20-year period in an unincorporated area within Los Angeles County north of Soledad Canyon Road, south of Antelope Valley Freeway, and west of Agua Dulce Canyon.

The BLM in 1990 awarded a competitive contract to TMC to mine approximately 56 million tons of sand and gravel at the project site. Since 1990, the BLM has been engaged in analyzing alternatives of how to mine in a manner that minimizes adverse impacts to the environment. The BLM's draft Environmental Impact Statement (DEIS) and this supplement assess the environmental impacts of implementing TMC's proposed mining and reclamation plan and, as required by statute, includes several implementation alternatives.

This SDEIS supplements the Draft EIS released by BLM for public review on May 6, 1999. The Draft EIS analyzes the potential environmental impacts of the proposed project. This SDEIS is prepared in compliance with the National Environmental Policy Act of 1969 (NEPA) to address new information regarding air quality impacts. The SDEIS also specifies and describes the agency-preferred alternative, which is identified as the reduced north fines storage area alternative, including a newly proposed conveyor belt system for transporting mine materials proposed by TMC. Finally, the SDEIS also clarifies and further describes the range of alternatives.

In response to public concerns and changes by TMC, the BLM preferred alternative identified in this SDEIS reduces air quality impacts by substantially reducing fugitive dust and diesel exhaust emissions in comparison to the proposed action as described in the DEIS.

As part of this NEPA process and before a Record of Decision is prepared, the BLM will consider the concerns of local citizens, as well as official comments from Los Angeles County, other local government agencies, the State of California, and other affected Federal government agencies. Therefore, your input is important to us. BLM will continue to accept public comments on both the Draft EIS and this supplement until January 10, 2000. Please submit your written comments to the following address:

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

Comments may also be submitted by e-mail to the following address: Palm Springs FO_CA-EMAIL. If you have any questions regarding the NEPA process, contact Ms. Elena Misquez at (760) 251-4810. We appreciate your interest in shared stewardship of the public lands and resources.

Sincerely,

Tim Salt
District Manager

Section 1.0 - Introduction

1.1 Purpose and Authorization

The U.S. Department of the Interior, Bureau of Land Management (BLM) as Lead Agency for preparation of an Environmental Impact Statement (EIS) for Transit Mixed Concrete Company's (TMC) proposed Sand and Gravel Mining Project (Project) has determined that a Supplement to the Draft Environmental Impact Statement (SDEIS) be prepared in accordance with the National Environmental Policy Act (42 USCA [United States Code Annotated] §§4321-4347; NEPA). Under Title 40 of the Code of Federal Regulations (CFR); Chapter V, Council on Environmental Quality, Part 1502.9(c)(1), an agency is authorized to prepare a supplemental document if there are significant new circumstances or information relevant to environmental concerns and bearing on the Proposed Action or its impacts. Section 1.2 addresses the content of this SDEIS.

1.2 Content of the SDEIS

This SDEIS includes the following three items:

- Identification of the Agency Preferred Alternative,
- Supplemental Air Quality Information, and
- Clarification and reorganization of alternatives addressed in the DEIS.

In accordance with 40 CFR Section 1502.14.e, and in accordance with the BLM NEPA Handbook, NEPA requires identification of the agency's preferred alternative which is identified in this SDEIS in Section 1.4.

Section 2.0 of the SDEIS contains supplemental information related to air quality. Included is information and discussion regarding updated PM-10 emissions for Rock Plant Processing and an additional mitigation measure, AQ3, which involves the use of a conveyor system to move materials to the North Fines Storage Area (NFSA) as a means to further reduce PM-10 emissions. Also included is additional mitigation measure AQ4, which incorporates the use of Environmental Protection Agency/Air Resources Board (EPA/ARB) certified engines for off-road equipment where applicable. A supplemental discussion/analysis of the Federal requirement for determining conformity of the Proposed Action to the State Implementation Plan (SIP) per 40 CFR 93.150 is also included.

Section 3.0 of this SDEIS addresses alternatives. The section does not replace the Alternatives analysis section presented in Section 3.2 of the DEIS, but rather, supplements that section by providing language summarizing in more comparative terms the analytic process used in the DEIS Alternatives discussion and presenting greater detail regarding the analysis and conclusions previously discussed in the DEIS.

The mitigation measures that would be applied to each alternative and the residual effect(s) are also presented. No new information is presented with the exception that the supplemental air quality information as presented in Section 2.0 of this SDEIS is applied to the discussion of air quality alternatives.

1.3 Project Background

The site for the proposed mining operation is located north of the City of Los Angeles in Soledad Canyon within an unincorporated area of the County of Los Angeles north of Soledad Canyon Road, south of the Antelope Valley Freeway, and west of Agua Dulce Canyon. Portions of the site have been mined by prior sand and gravel operators since 1968. The County issued a conditional use permit (CUP) for mining sand and gravel in 1972 that expired in 1992.

The majority of the Project site is a "split estate" with the mineral resources owned by the United States of America and administered by the BLM. Accordingly, the decision to allow mining of the federal minerals is a "federal action" requiring federal environmental review pursuant to NEPA.

In 1989, the BLM prepared an environmental assessment in accordance with NEPA to analyze the impacts of a proposed sale by competitive bid of up to 100 million tons of sand and gravel. The BLM issued a Decision Record approving the sale with a Finding of No Significant Impact (FONSI) statement. In issuing the FONSI, the BLM also committed to analyze the impacts of the Project operations (Mining and Reclamation Plan) at a later date.

TMC, a division of Southdown, Inc., and who is the Project Applicant, has entered into contracts with the BLM (Federal Contracts) to mine the federally owned minerals on the site pursuant to its winning bid submitted in response to the public competitive bid process conducted by the BLM, as required by the federal Minerals Act of 1947. Pursuant to these Federal Contracts, the Project includes plans to mine a total of 83 million tons of material and produce and sell approximately 56.1 million tons of sand and gravel, also known as Portland cement concrete sand and gravel (PCC aggregates), over a 20-year period. The Project includes plans to ship PCC aggregates to markets within the greater Los Angeles and Santa Clarita Valley areas and operate a concrete batch plant to produce and deliver ready-mixed concrete to the local market.

As noted in Section 1.1.2.3 of the DEIS, aggregate reserves are depleting in Los Angeles County while at the same time demand for, and consumption of aggregates are increasing. The San Fernando Valley consumption region, which has been consuming 8 to 9 million tons per year, has been estimated by the California Division of Mines and Geology to be depleted of reserves within two years. The combined production-consumption rate for the San Fernando Valley, the San Gabriel Valley, and

the Saugus-Newhall consumption regions, taken as a whole, is about 90 percent of the County's total consumption of 28 to 34 million tons per year. Reserves in these three regions could be depleted within ten years (DEIS, pg. 1-12).

Failure to develop resources within these regions, will by necessity, require transportation of these bulk commodities from more remote locations such as the Palmdale region. Technical Appendix E-4 of the DEIS details the significant additional pollution and economic costs that would be associated with a decision of not to develop designated resources in the Saugus-Newhall Production Consumption Region. Without the Project, additional material will need to be brought in from other locations. The next nearest sources of material are located an average of 30 additional miles from the Project site. Importation of aggregate an additional 30 miles would increase haul truck mileage by 73 percent for Phase 1 and 77 percent for Phase 2 of the Project.

The DEIS prepared for the Project was published May 1999 and distributed for public review. The DEIS provides an analysis of the environmental impacts associated with TMC's proposed Project. The DEIS provides documentation of the potential direct and indirect environmental impacts of the Project and serves as an agency decision-making tool for Project approval.

The public comment period for both the DEIS and this SDEIS will close concurrently. Public comments on this SDEIS along with the comments received on the DEIS will be addressed in a Final EIS (FEIS) to be prepared after the close of the DEIS and SEIS comment period.

1.4 Agency Preferred Alternative

NEPA requires identification of the agency's preferred alternative or alternatives in accordance with 40 CFR Section 1502.14.e., and in accordance with the BLM NEPA Handbook H-1790-1 (Chapter 5, Section B.2.b). In accordance with the BLM Handbook, the selection of the preferred alternative should be based on the environmental analysis as well as consideration of other factors which influence the decision or are required under another statutory authority. Because the Preferred Alternative was not announced in the DEIS, the BLM is identifying one in the SDEIS. The BLM Preferred Alternative consists of the Reduced NFSA Alternative with the conveyor mitigation.

COPIES: EACH COMMISSIONER
STAFF

Board of Supervisors
County of Los Angeles

MICHAEL D. ANTONOVICH
SUPERVISOR-FIFTH DISTRICT

October 12, 1999

Mr. Esther Feldman, Chairman
Regional Planning Commission
Room 170, Hall of Records
320 West Temple Street
Los Angeles, California 90012

Dear Chairman Feldman: Esther

The local newspapers have reported that the Bureau of Land Management has instructed Transit Mix Concrete Company to revise significant portions of its environmental impact statement (EIS) to insure that the air quality issues are fully disclosed for their Soledad Canyon proposal.

While I understand that the EIS is technically a different document from the project environmental impact report (EIR) required by the County, it is important that the two documents be consistent as to the impacts resulting from the proposal.

Consequently, I believe that the community would be better served if the Planning Commission would instruct the applicant to revise the project EIR at the same time as the EIS is revised, and that the matter be taken off calendar by the Commission until the two documents are updated.

Please give this matter your consideration at your earliest convenience. Thank you.

Sincerely,

Mike Antonovich

MICHAEL D. ANTONOVICH
Supervisor, Fifth District

MDA:dvd:trnstmx/ltr

cc: Commissioner George Pederson
Congressman Howard McKeon
Department of Regional Planning
City of Santa Clarita
Transit Mix

ROOM 869 KENNETH HAHN HALL OF ADMINISTRATION, 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012
TELEPHONE (213) 974-5555 • (213) 974-1010 (FAX)

TRANSIT MIXED CONCRETE COMPANY
A Division of Southdown, Inc.

November 23, 1999

Ms. Esther Feldman, Chairperson
Regional Planning Commission
Los Angeles County
320 West Temple Street
Los Angeles, CA 90012

Subject: Surface Mining Permit 91-165-(5) Transit Mixed Concrete Company ("TMC"), Clarification of Issues Raised in the September 22, 1999 Regional Planning Commission ("RPC") Public Hearing.

TMC appreciates the RPC's commitment to allow TMC to complete on December 1st the rebuttal testimony initiated by TMC on September 22nd. In order to be considerate of the RPC's limited time availability, and to shorten TMC's final verbal rebuttal, TMC is submitting this letter to clarify issues raised in the previous public hearing on this case. Also included in section VIII of this letter are a few proposed changes to the mitigation measures and conditions which TMC is asking the RPC to consider.

I. AGGREGATE NEED:

A question was raised regarding the need for Portland Cement Concrete ("PCC") grade aggregate resource development, in light of the potential availability of other (unpermitted) sources of aggregate (either from the development of aggregates from construction sites, or from recycling of aggregates from 60 alternative recycling sites). The State Department of Conservation, the State Mining and Geology Board, and the State Division of Mines and Geology ("DMG") have written a number of letters to the RPC in recent years about the importance of this Regionally Significant Construction Aggregate Resource Area to the County of Los Angeles. According to DMG estimates, the County is consuming approximately 30 million tons per year of aggregate produced from permitted reserves. ***Utilizing DMG consumption estimates it can be calculated that all aggregate reserves in the Saugus-Newhall, San Fernando Valley, and San Gabriel Valley could be depleted in 10 to 12 years. At that point in time, those regions will need to import 30 million tons per year, every year unless new permits are issued.*** TMC Soledad Canyon Project could provide 2 to 4 million tons per year of the overall County need.

SFDOCS 6152862v1

P.O. Box 575 • Azusa, California 91702-0575 • Fax (818) 334-3740

Although the use of recycled aggregate is growing, it accounts for less than 1-4% of nationwide aggregate demand according to the U.S. Geological Survey. The California Integrated Waste Management Board estimated that 57% of inert waste is recycled statewide. The County of Los Angeles Department of Public works has estimated that 1.2 million tons per year of inert waste is disposed of in Los Angeles County. Thus it is estimated that at most, recycled aggregate will only be able to provide 1-3 million tons per year, less than 10% of the County's overall aggregate need. In addition, recycled aggregate is suitable only as aggregate base materials, such as crushed aggregate for road base, and is prohibited for use as PCC grade aggregate for use in ready-mixed concrete.

DMG reports of aggregate consumption are based only on aggregates produced and sold from permitted aggregate production facilities. These facilities are located in specific alluvial deposits located in and near rivers and streams flowing off of the San Gabriel Mountains. Most construction sites do not produce PCC grade aggregates because they either do not contain PCC grade aggregates, or the construction contractors lack the extensive amount of capital investment and quality control expertise necessary to produce PCC grade aggregate. On very rare occasions, a construction site might produce aggregate for road base, but the overall contribution to the aggregate market place from construction sites is miniscule (personal communication, Mr. Stephen Bledsoe, President, Southern California Rock Products Association).

II. AIR QUALITY:

To further reduce PM-10 emissions, TMC will implement a new mitigation measure AQ3, which will use a semi-stationary "fines" conveyor system to move the excess natural fines from the mobile primary crusher, located in the active mining area, directly to the North Fines Storage Area ("NFSA"). This fines conveyor shall extend along the haul road to the NFSA. An additional mobile conveyor shall be located in the NFSA, and will tie in to this stationary fines conveyor thereby allowing fines to be distributed throughout the NFSA without the need for subsequent trucking of this material. The implementation of mitigation measure AQ-3 will reduce PM10 emissions from the project by 35%.

Even after implementation of the new mitigation measure AQ-3, the air quality impact will remain significant, as it would for virtually any mining operation in the South Coast Air Basin.

A question was raised regarding the relationship of visible dust and PM10 dust. Fugitive dust is made up of particles ranging from 1 to 75 microns in diameter. Visible dust includes this full range of particles and can be seen by the human eye. PM10 makes up only a small fraction of this dust and cannot be seen by the human eye. As soon as dust is generated, being heavier than air, it begins to settle. The larger particles settle out faster than the smaller particles. When properly mitigated, by the time dust has traveled 10-100 feet most of the visible particles, and many of the smaller particles, have fallen back to the ground. South Coast Air Quality Management District Rule 403, which applies to fugitive dust, has requirements for both forms of dust:

- No visible dust is allowed to extend beyond the project boundaries
- Project related PM10 must not exceed 50 micrograms per cubic meter (ug/m3) at the project boundary.

Regarding health effects of PM10, with the new mitigation AQ3 the project will reduce PM10 emissions by 35%, and will not violate the Primary National Ambient Air Quality Standard for PM10. This Primary Standard is the level of air quality necessary, with an adequate margin of safety, to protect the public health.

Comments were also made regarding toxic air emissions. Sand and gravel mines are not typical sources of toxic air emissions. However, the presence of diesel fueled mobile equipment will result in emissions of diesel exhaust particulates, which have been identified by the California Air Resources Board ("ARB") as a Toxic Air Contaminant. With implementation of the new mitigation measure AQ4 (use of U.S. Environmental Protection Agency / ARB certified diesel engines) generation of diesel particulates will be reduced by 40%. We have reviewed the information presented at the September 22, 1999 hearing and have determined that the project emissions will not exceed the Proposition 65 standard at the nearest receptor.

III. RAIL-HAUL ALTERNATIVE:

Rail-haul would result in greater environmental impacts. Comments have been made by the public which may give the impression that rail-haul to Los Angeles would result in reduced environmental impacts. In reality, the rail-haul alternative would result in greater impacts in a number of areas. Regional air emissions would increase. Rail-haul itself results in significant air quality impacts from diesel exhaust and these are increased when truck transport at the distribution end of the rail route is added in. Noise impacts would increase along the rail haul and alternate truck routes, as well as at both the loading and distribution points. Biota and visual impacts would also increase due to the construction and operation of the rail spur and rail loadout facility immediately adjacent to the Santa Clara River and Sensitive Ecological Area No. 36.

Rail-haul is not a feasible alternative. Nationwide some aggregates are shipped via waterways, and by rail-haul, however the majority of aggregate (greater than 90%) is shipped by truck throughout the United States, because truck transport is a more economical and reliable form of shipping. Rail-haul only becomes feasible when rail facilities are shipping to distances of 100 miles or greater, or if the producer has a dedicated use at the destination point. Neither of these conditions exist for the Soledad Canyon Project. Shipping by rail 30 miles to the Los Angeles market followed by 25 miles of additional truck transport at the distribution point will result in nearly double the shipping costs, along with the associated increased environmental impacts.

IV. SURFACE MINING AND RECLAMATION ACT ("SMARA") DESIGNATION/COMPATIBILITY:

A question was raised again regarding this state law which requires the County to provide protections to designated aggregate resource areas from incompatible land use. The County's General Plan complies with this state requirement. The County General Plan requires that proposed development be reviewed for compatibility with existing or potential mineral resource production from mineral resource areas.

V. BLASTING:

A question was raised about whether blasting is required at this site, or could the geologic formation be mined utilizing a bulldozer without blasting. The geologic formation to be mined is a consolidated sedimentary rock formation (known as a conglomerate), not a loose alluvial river deposit like many sites which are mined in Southern California. Bulldozers are not normally used to mine rock formations without blasting. Typical mining methods for rock formations utilize either low yield or high yield explosives, combined with subsequent excavation by hydraulic shovels or front-end loaders. After conducting extensive tests at the Project site using various drilling and experimental excavations, it was determined by TMC's professional operations managers and mining consultants that low yield blasting will be required at this site. However, blasting is an expense item in the mining process, so TMC will only blast when it is required. Nonetheless the EIR has evaluated the reasonable worst case potential for blasting frequency.

VI. NITRATES:

A question was raised about the possibility of nitrate contamination from sand and gravel aggregate processing including aggregate crushing. However, pursuant to studies of the mineralogy of the site, no significant quantities of nitrate minerals are known or expected to exist in the aggregate to be mined at the Project site.

Nitrate minerals are extremely soluble in water and therefore are not found in alluvial rock formations or, in sand and gravel. Instead, when present as natural materials, they are found in areas with little to no drainage such as dry lake beds, which is not the case at this site.

The concentration of nitrate (as NO_3) found in subsurface water at the Project site is in the range of 5-10 mg/L. The drinking water standard for nitrate (as NO_3) is 45 mg/l. There is no reason to expect water from the site to exceed the existing range of 5-10 mg/L and it will certainly not exceed the drinking water standard.

TMC will monitor stormwater runoff for nitrates as part of the Stormwater Pollution Prevention Program contained in Appendix B1 of the Draft Environmental Impact Report.