Planning Director Staff Report Hearing on July 31, 2025



County of Ventura · Resource Management Agency

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ARCOSA FRAZIER PARK RECLAMATION PLAN AMENDMENT CASE NO. PL23-0039, CA MINE ID# 91-56-0001

A. PROJECT INFORMATION

- 1. Request: The applicant requests that a Reclamation Plan Amendment (RPA) be approved to authorize changes in the final reclaimed configuration of the Arcosa Frazier Park Mine. (Case No. PL23-0039)
- 2. Applicant/Property Owner: Arcosa LWFP, LLC., 17410 East Lockwood Valley Road, Frazier Park, California, 93225
- **3. Applicant's Representative:** Sespe Consulting, Inc., 374 Poli Street, Suite 200, Ventura, CA 93003
- 4. Decision-Making Authority: Pursuant to Section 8107-9.6.9 of the Ventura County Non-Coastal Zoning Ordinance (NCZO), the proposed changes in the approved reclamation plan require a public hearing to be held. Pursuant to Section 8111-6.1.2 of the NCZO, the Planning Director would be the decision-maker for the requested change in the Reclamation Plan.
- **5. Project Site Size, Location, and Parcel Number:** The 260-acre project site is located at 17410 East Lockwood Valley Road, in the community of Lockwood Valley, in the unincorporated area of Ventura County. The Tax Assessor's parcel numbers for the parcels that constitute the project site are 004-0-030-220, 004-0-030-180, 004-0-190-140, and 004-0-030-200 (Exhibit 2).
- 6. Project Site Land Use and Zoning Designations (Exhibit 2):
 - a. Countywide General Plan Land Use Map Designation: Open Space
 - b. Zoning Designation: OS-160 ac (Open Space, 160-acre minimum lot size)

7. Table 1 - Adjacent Zoning and Land Uses/Development (Exhibit 2):

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	RA-5 ac (Rural Agricultural, 5-acre minimum lot size)	Open Space
East	OS-160 ac (Open Space, 160-acre minimum lot size)	Open Space
South	OS-160 ac	Open Space
West	RA-5, and OS-10 ac (Open Space, 10-acre minimum lot size)	Residential, Open Space

8. History:

- A Special Use Permit, later identified as Conditional Use Permit (CUP) No. 212 and tracked LU212A, was approved August 18, 1953, for the mining of clay and firing of said clay in a rotary kiln in the manner and to the extend described in the application. CUP 212 was approved with no expiration date, and the Conditions of Approval did not specify mining limits, mining depth limits, limits on production volumes, or truck volumes. Additionally, CUP 212 was approved prior to the creation of the California Environmental Quality Act (CEQA) and therefore had no formal environmental review.
- CUP 212 Major Modification Number 1 (LU212B) was approved on November 8, 1979. The Planning Commission approved the initial Reclamation Plan. An expiration date added to CUP 212 by the Planning Commission was appealed by the applicant to the Board of Supervisors and was subsequently deleted from the permit on March 11, 1980.
- CUP 212 Permit Adjustment (PAJ) Number 1 (LU212C) was approved on February 11, 1997. This PAJ permitted the construction of a 100 ft x 100 ft by 25 ft tall roof over product stockpiles to protect them from weather and the relocation of no-spill fuel storage tanks onto a single concrete slab surrounded by walls to prevent spills from spreading.
- CUP 212 PAJ Number 2 was approved on February 12, 1998. This PAJ revised the design of all existing above ground water storage tanks, in accordance with Ventura County Fire Department requirements, to include valves accessible to the Fire Department.
- CUP 212 PAJ Number 3 was approved on March 24, 1999. The PAJ permitted the addition of an 8 ft by 6 ft entrance room to the existing office building.
- CUP 212 PAJ Number 4 was approved on June 24, 1999. This PAJ permitted the addition of a 600 sq. ft. addition to the existing office building, and a new septic system.
- CUP 212 PAJ Number 5 (LU212D) was approved on July 7, 2000, for the following reasons:
 - 1. To abate violation No. 95-155 (which was issued as a result of the lower pond area not being included within the approved boundary) and to include the lower pond area within the approved permit boundary.
 - 2. That there shall be no net change in acreage as a result of the permit adjustment (total of 260 acres).
 - 3. Relocation of 26.2 acres of undisturbed, approved mining areas to the following areas: 24.9 acres to cover the lower pond and spillway areas, and

- 1.3 acres to cover the northern area that was disturbed in an attempt to alleviate erosion problems (to include areas that had been disturbed outside the CUP boundary).
- 4. No mining will be allowed to occur in the 26.2 acres from Claims 10 & 11, and the new CUP permit boundary will be that shown in Exhibits C and D.

No mining is allowed in the expanded area to the south. No conditions were attached. Before and after this Permit Adjustment the CUP consisted of approximately 260 acres.

- CUP 212 PAJ Number 6 was approved on July 13, 2001. This PAJ permitted the addition of a 32.8-foot meteorology tower to assist APCD in weather monitoring.
- CUP 212 PAJ Number 7 was approved on January 27, 2006. This PAJ set a 39-year time limit on the permit expiring January 18, 2045. The permit adjustment allows 17 years of operation, then upon a successful review by the Planning Director another 17 years of operation, then with a second successful review an additional 5 years of operation. The adjustment also established operating hours for the office and hours during which truck loading could not occur, and other conditions.
- CUP 212 RPA LU06-0045 was approved on April 6, 2010. The RPA amended the original 1979 Reclamation Plan for the mine. This RPA revised the finished contours to expand the mine footprint by 21 acres and change the reclamation contours of the pit bottom from approximately 70 vertical feet below ground level to approximately 110 vertical feet below ground level. This RPA also required the elimination of the two ponds onsite to allow all surface water to pass through the site and not be impounded. This RPA was reviewed under CEQA and a Negative Declaration was adopted for the expansion and lowering of mine pit bottom.
- CUP 212 PAJ PL16-0144 was approved on January 31, 2017. This PAJ permitted the replacement of a 20,000-gallon water tank with four (4) new 21,000-gallon portable water tanks.
- **9. Project Description:** The applicant requests that a Reclamation Plan Amendment (RPA) be approved to authorize changes in the final reclaimed configuration of the Arcosa Mine.

The current approved Reclamation Plan for the Arcosa Mine is comprised of the 2010 Reclamation Plan (Exhibit 8) and CUP 212 (Exhibit 9). The proposed RPA (Exhibit 3) would allow the mining pit to be deepened by approximately 60 vertical feet from 5170 feet above mean sea level (amsl) to 5110 amsl; the existing mine footprint and disturbance area will not change. The change in the mining pit bottom

would also eliminate positive drainage offsite, allowing stormwater to be captured within the mining pit that would naturally evaporate over time. The volume of additional material to be extracted is estimated to be 700,000 bank cubic yards, or approximately 1.1 to 1.3 million tons of material (assuming an average density of 1.6 to 1.9 tons/cubic yard). Mined materials will continue to be processed at the on-site plant; no changes to the existing processing facility are proposed. End of mine date to remain January 18, 2045.

B. SCOPE OF THE HEARING

Section 2770 of the Public Resources Code (PRC) mandates that a permit to operate must be obtained, a reclamation plan prepared in accordance with Surface Mining and Reclamation Act (SMARA) must be approved, and a financial assurance must be posted with the Lead Agency and State in order to operate a mining facility. The operator of the Arcosa Mine is currently in compliance with these requirements.

A Reclamation Plan is not a local land use permit granted by the County of Ventura. It is a mandatory plan required by State law to be prepared for each surface mining facility. Although it must include an estimated closure date, a Reclamation Plan does not "expire" and remains in effect until a mining site is reclaimed and the financial assurance released by concurrent action of the County and State.

The proposed project is limited to amendments of the approved Reclamation Plan for this facility. No changes in the operating permit (Conditional Use Permit 212) are proposed. The proposed RPA would revise the geometry of the final reclaimed depth and eliminate the drainage offsite. A revised financial assurance would be posted that reflects the proposed RPA, if approved.

In accordance with PRC 2770(a) and 2770(b), a proposed Reclamation Plan that substantially meets SMARA standards must be approved by the Lead Agency, or the State Mining and Geology Board on appeal. Thus, the consideration of the RPA by the Planning Director is limited to whether the RPA satisfies the standards of SMARA and is in compliance with the reclamation regulations in the California Code of Regulations (CCR 3500 et.seq.) adopted by the State Mining and Geology Board.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code or Regulations, Division 6, Chapter 3, Section15000 et seq.), the subject application is a "project" that is subject to environmental review.

On April 6, 2010, the Planning Director approved a Permit Adjustment to CUP 212 for the continued operation of an existing mining facility and adopted a Negative Declaration (ND) that evaluated the project pursuant to CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3, Section 15000 et seq.). Section 15164(b) of the CEQA Guidelines states that the decision-making body may adopt and addendum to an adopted

ND if (1) only minor technical changes or additions are necessary and, (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of an Environmental Impact Report (EIR) or subsequent ND have occurred.

Based on the analysis of the proposed project set forth in the enclosed Addendum to the ND, only minor technical changes related to drainage on site are required and there is no substantial evidence to warrant the preparation of the subsequent EIR or ND for the proposed project. Therefore, pursuant to the authority granted by the Ventura County Administrative Supplement to the CEQA Guidelines (2010, Chapters 3 and 8), the Planning Director has approved the ND Addendum as satisfying the environmental review requirements of CEQA. Pursuant to the CEQA Guidelines [Section 15164(c)], the ND Addendum to the ND does not need to be circulated for public review, and shall be included in, or attached to, the adopted ND.

D. CONSISTENCY WITH THE GENERAL PLAN

The proposed project has been analyzed and determined to be consistent with all applicable General Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan is included as Exhibit 5 of this Staff Report.

E. CONFORMANCE WITH SMARA AND STATE MINING AND GEOLOGY BOARD RECLAMATION REQUIREMENTS:

The text and diagrams included in the proposed RPA (Exhibit 3) describe and document the conformance of the reclamation measures included therein with the requirements of SMARA and the State Mining and Geology Board reclamation regulations. The RPA was reviewed by County staff and by staff of the State Division of Mine Reclamation. The draft RPA was revised in response to comments provided by the State Division of Mine Reclamation. The proposed RPA under consideration at this hearing is considered by County and State staff to adequately demonstrate conformance with all applicable reclamation requirements.

F. ZONING ORDINANCE COMPLIANCE

The proposed RPA is subject to the special use standards set forth in Section 8107-9.6 of the NCZO. The conformance of the RPA with the applicable standards is evaluated in the following table. A consistency analysis which evaluates the project's consistency with the standards of the Non-Coastal Zoning Ordinance is included as Exhibit 6 of this staff report.

G. RECLAMATION PLAN FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to approve a Reclamation Plan pursuant to NCZO Section 8107-9.6.9. The ability to make the required findings is evaluated below.

1. The reclamation plan must be consistent with and approved in accordance with:

- The Ventura County Zoning Ordinance
- The provisions of SMARA (Public Resources Code Section 2710 et seq.).
- Public Resources Code Section 2207 (i.e. State Annual Reporting and Fee requirements).
- State mining regulations (14 CCR Section 3500 et. seq.).
- The regulations, guidelines and other measures adopted by the State Mining and Geology Board
- Ventura County Public Works Agency standards
- Any and all locally adopted resource management goals and policies.

The proposed Reclamation Plan Amendment was prepared consistent with the County of Ventura Non-Coastal Zoning Ordinance (Exhibit 6), SMARA, PRC Section 2270, 14 CCR Section 3500 et. seq., regulations adopted by the State Mining and Geology Board, Ventura County Public Works Agency standards, and all locally adopted resource management goals and policies (Exhibit 5). The RPA lists all applicable reclamation regulations and documentation of conformance with each regulatory standard. Based on review by County staff and staff of the State Office of Mine Reclamation, the proposed RPA (Exhibit 3) includes the required documentation of conformance with the above-listed statutory and regulatory requirements.

Based on the above discussion, this finding can be made.

2. The reclamation plan must be compatible with the existing geological and topographical features of the area.

The Reclamation Plan Amendment reflects, and is compatible with, the existing geological and topographical features of the project area. The geologic conditions underlying the existing slopes have been evaluated in the technical reports prepared by California-licensed geologists and engineers included in the RPA (Exhibit 3). These reports document that the existing slopes meet established standards of slope stability. Thus, the existing slopes in the historically over-excavated areas of the mining site can be (and are) designated as a portion of the final reclaimed surface depicted in the proposed RPA.

Upon the completion of mining activities, the mining site will be reclaimed to an open space use with stable slopes. The site will be re-vegetated and drainage control measures will be installed to minimize erosion and sedimentation. The condition of the reclaimed slopes will be compatible with the undisturbed slopes that will surround the former excavation area.

Based on the above discussion, this finding can be made.

- 3. Additional considerations, such as the following, shall be addressed in the reclamation plan and permit:
- The creation of stable slopes and the prevention of subsidence;
- Control of water run-off and erosion;
- Views of the site from surrounding areas;
- Availability of backfill materials;
- Proposed subsequent use of the land which will be consistent with the General Plan and existing and proposed uses in the general area;
- Removal or reuse of all structures and equipment:
- The time frame for completing reclamation;
- The costs of reclamation if the County will need to contract to have it performed;
- Revegetation of the site;
- Phased reclamation of the project area;
- Provisions of an appropriate financial assurance mechanism to ensure complete implementation of the approved reclamation plan.

The proposed RPA (Exhibit 3) adequately addresses each of the issues specified above based on review by County staff and the State Division of Mine Reclamation.

Based on the above discussion, this finding can be made.

H. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS

The Planning Division provided public notice of the Planning Director hearing in accordance with the Government Code (Section 65091) and Ventura County Non-Coastal Zoning Ordinance (Section 8111-3.1 et seq.). On June 30, 2025, the Planning Division provided 30 days' notice to the California Division of Mine Reclamation as required by Article 5 Reclamation Plans and the Conduct of Surface Mining Operations, Section 2772.1. Additionally, the Planning Division mailed notices to owners of property within 300 feet of the subject project site and placed a legal ads in the Mountain Enterprise on July 18, 2025, and the Ventura County Star on July 21, 2025.

I. RECOMMENDED ACTIONS

Based on the information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

 CERTIFY that the Planning Director has reviewed and considered this staff report and all exhibits thereto, including the Addendum (Exhibit 4) to the Negative Declaration, and has considered all comments received during the public comment process;

- FIND that none of the conditions have occurred or exist as set forth in CEQA
 Guidelines section 15162 to require the preparation of a supplemental or
 subsequent ND for the subject project, and that the addendum to the previously
 adopted ND (Exhibit 10) satisfies the environmental review requirements of CEQA;
- 3. MAKE the required findings that the Reclamation Plan Amendment has been prepared in conformance with the requirements of Section 8107-9 of the Ventura County NCZO, the California Surface Mining and Reclamation Act (Pub. Res. Code Section 2710 et seq.), and the State Mining and Geology Board regulations (14 Cal. Code of Regs, Section 3500 et seq.) based on the substantial evidence presented in Section G of this staff report and the entire record;
- 4. **GRANT** the Reclamation Plan Amendment (PL23-00390 Subject to the conditions of approval (Exhibit 7); and
- 5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the Reclamation Plan Amendment has been approved or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact Thomas Chaffee at (805) 654-2406 or Thomas.Chaffee@ventura.org.

Prepared by:

Thomas Chaffee

Thomas Chaffee, Case Planner Commercial and Industrial Permits Ventura County Planning Division Reviewed by:

John Novi, Manager

Commercial and Industrial Permits Ventura County Planning Division

EXHIBITS

Exhibit 2 Maps

Exhibit 3 Reclamation Plan

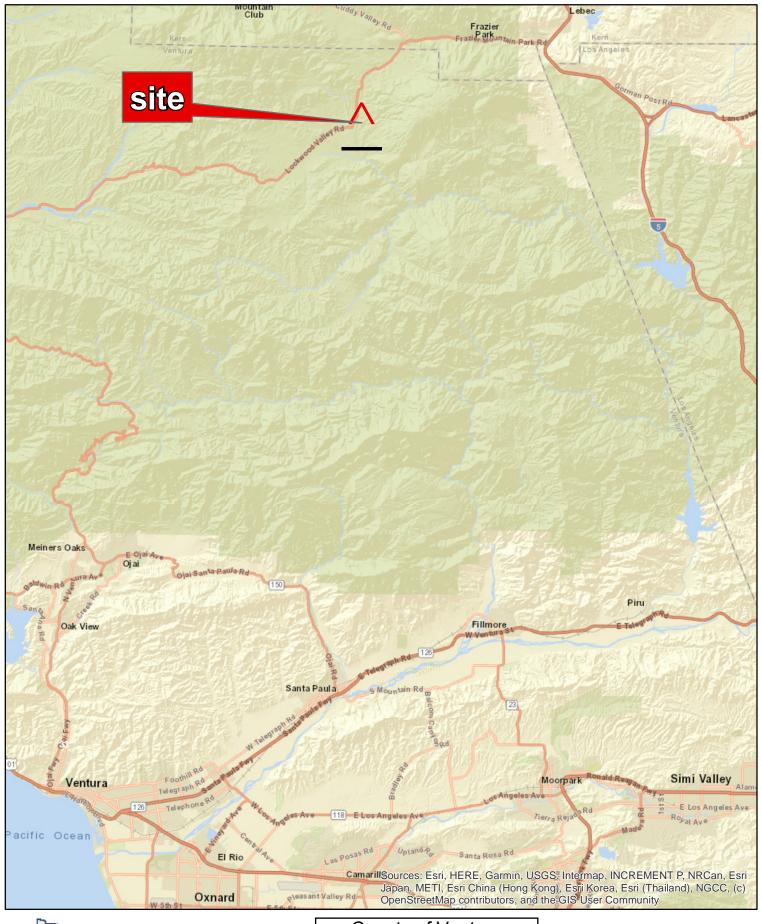
Exhibit 4 Addendum to Negative Declaration Exhibit 5 General Plan Consistency Analysis Exhibit 6 NCZO Special Use Standards

Exhibit 7 Conditions of Approval

Exhibit 8 2010 Reclamation Plan

Exhibit 9 CUP 212

Exhibit 10 Negative Declaration for LU06-0045





Ventura County, California Resource Management Agency GIS Development & Mapping Services Map created on 07-07-2025

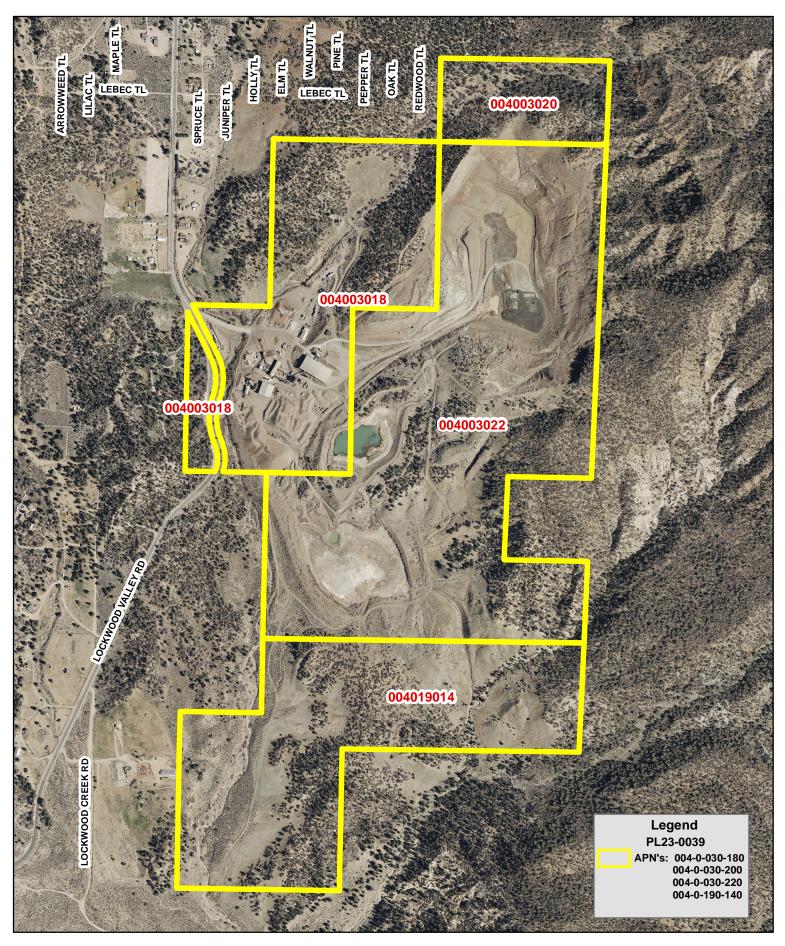


County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 2 - Maps

12,500 25,000 Feet

Disclaimer. This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no twarrant the accuracy of this mapand no decision involving a risk of economic loss or physical rigury should be made in reliance thereon.







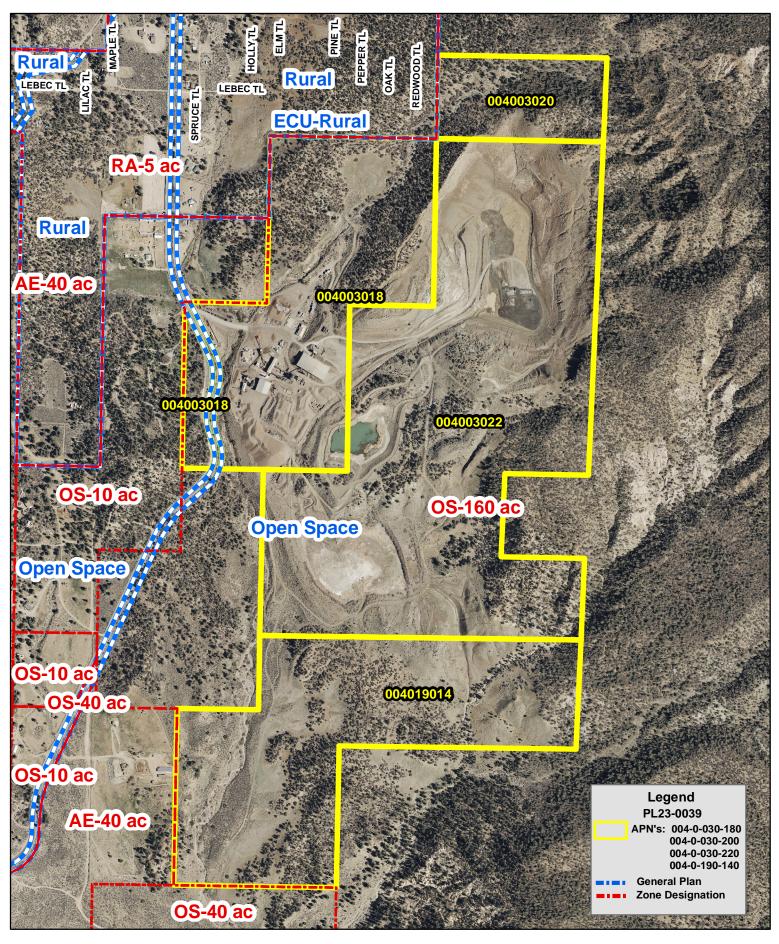
Ventura County, California Resource Management Agency GIS Development & Mapping Services Map Created on 07-07-2025 This aerial imagery is under the copyrights of Vexcel 2022



County of Ventura
Planning Director Hearing
APNs: 004-0-180-, -200, -220
004-0190-140
PL23-0039
Aerial Photography



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Ventura County, California Resource Management Agency GIS Development & Mapping Services Map Created on 07-07-2025 This aerial imagery is under the copyrights of Vexcel 2022



County of Ventura
Planning Director Hearing
APNs: 004-0-180-, -200, -220
004-0190-140
PL23-0039
General Plan and Zoning Map



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A Trinity Consultants Company

June 30, 2025

Mr. John Novi and Ms. Susan Curtis Ventura County Planning Division 800 S. Victoria Avenue, L#1740 Ventura, California 93001

Re: Reclamation Plan Amendment – Arcosa LWFP, LLC (CA Mine ID: 91-56-0001)
Proposed Text Updates to the Existing Approved Reclamation Plan

Dear Mr. Novi and Ms. Curtis,

On behalf of Arcosa LWFP, LLC (Arcosa), Sespe Consulting, Inc. (Sespe) prepared and submitted to Ventura County a Reclamation Plan Amendment for Arcosa's lightweight aggregate mine located in Frazier Park, CA. Arcosa's facility currently operates pursuant to a Conditional Use Permit ("CUP", record #'s PL16-0144, LU06-0045, CUP 212) and associated Reclamation Plan (CA Mine ID: 91-56-0001). At this time, Arcosa has submitted an amendment to the existing Reclamation Plan, of which the most recent iteration was approved in 2010, to allow them to excavate materials at deeper depths within the existing onsite excavation pit. No modifications to the existing CUP are proposed. The amendment would be implemented concurrently with ongoing mining operations and would not extend the currently approved mine life, which is permitted through 2046. Additionally, this amendment does not propose any changes to the existing processing facilities, CUP, reclamation methods, or end use of the mine.

Specifically, the proposed amendment to the existing Reclamation Plan will deepen the existing mining pit by approximately 60 vertical feet, modifying the permitted pit bottom from 5,170 feet above mean sea level (amsl) to 5,110 feet amsl. To address this change, Sespe prepared a Reclamation Plan Amendment package, which was submitted to the County on April 12, 2023, and the County deemed the submittal complete on June 14, 2023. The County also submitted the Reclamation Plan Amendment package to the California Division of Mine Reclamation (DMR) for review in June 2023, and received confirmation that the DMR would not be providing comment on the submitted package on July 20, 2023.

Due to the minor changes proposed as part of this Reclamation Plan Amendment, the majority of the facility's existing Reclamation Plan document approved in 2010, including the prescribed reclamation design standards and provisions in accordance with the Surface Mining and Reclamation Act (SMARA), would remain applicable as-is. Nonetheless, we have prepared this supplemental letter to highlight those discrete areas of the 2010 Reclamation Plan that require minor updates to ensure consistency with this proposed Reclamation Plan Amendment. In addition to the Reclamation Plan sections, minor changes to the associated Revegetation Plan prepared by Project KKGB in 2007 would also be required (this document is Attachment 7 within the Reclamation Plan).

Additionally, to address revisions to the 2010 Reclamation Plan that were approved during the February 25, 2010 hearing but not formally incorporated into the document, we have included clarifying language regarding the removal of the Lower Pond during final site reclamation in the revised Reclamation Plan Amendment. Please note that this does not represent a change to the currently approved reclamation requirements and is included here for the sake of clarity and record-keeping. The revised Reclamation Plan Amendment package is included as

Attachment A of this letter. Additionally, the supplemental revegetation plan addendum memorandum prepared by ECORP Consulting, Inc. (ECORP), which further substantiates the minor updates to Project KKGB's 2007 Revegetation Plan, is included as Attachment C of the Reclamation Plan Amendment Package.

The following summarizes those revisions and additions that would be incorporated into the 2010 Reclamation Plan to address the proposed deepening of the excavation pit. Amended text is identified by page number. Clarifications and revisions to the 2010 Reclamation Plan text are shown with <u>underline</u> and text removed from the document is shown with <u>strikethrough</u>.

REVISIONS - Reclamation Plan Text

Description of Mining Operation (2010 Reclamation Plan, page 11)

The proposed expansion of the mining area will deepen the existing mining pit and extend to the south. Mining must be performed in all areas as it proceeds. This is required to meet logistical, moisture and quality requirements for the clay which requires that the slopes and bottom be lowered simultaneously. In addition, positive drainage out of the quarry into the Lower Pond will be maintained to a certain depth (i.e., 5,150 amsl); however, at lower depths positive drainage will not occur. This will be accomplished by progressive deepening of the stormwater channel. The channel will be lowered as the floor of the mining area is lowered, until the 5,150 amsl depth is reached, at which point the channel will no longer be lowered. Please refer to Attachment 6, WREA Hydrology and Hydraulic Report.

Mineral commodities to be removed (2010 Reclamation Plan, page 12)

Approximately 4,65,900,000 tons of clay (at quarry conditions) will be removed during the <u>remainder of</u> the 39 year period permitted by CUP 212, ending in 2046.

Maximum anticipated depth (minimum elevation) (2010 Reclamation Plan, page 12)

The current minimum elevation in the mining area is approximately 5,210 feet above sea level (asl) on the quarry floor. See Attachment $1 - \text{Figure} \underline{s} \ \underline{2-}4$. The minimum anticipated elevation in the mining area will be 5,17010 feet amsl. This will be at the inlet to the drainage channel on the quarry floor.

e. Rehabilitation of pre-mining drainage (2010 Reclamation Plan, page 18)

Prior to mining, the quarry area was a short valley surrounded by sparsely vegetated hills of varying slopes, some steeper and some flatter than the proposed final slope. The valley drained towards the south and was not a permanent stream. The valley likely drained during precipitation events into the tributaries of Seymour Creek.

After mining is completed, the valley slopes will have been established as described above. In the area of the Lower Pond, a natural (i.e. vegetated, rock) spillway will be constructed to mitigate any overflow from the pond.

27. Describe how reclamation of this site in this manner may affect future mining at this site and in the surrounding area (2010 Reclamation Plan, page 28)

The purpose of this reclamation plan is to return the Frazier Park Plant to a pre-mining condition after the completion of a mining effort that will encompass approximately 420 years from the date of approval of this Reclamation Plan Amendment (PL23-0039). There is more minable clay at the site that could be extracted that is outside the scope of this Reclamation Plan.

§ 3703 Performance Standards for Wildlife Habitat (2010 Reclamation Plan, page 30)

The Upper and Lower Ponds were constructed for and operate as process water collection and storage structures. The Lower Pond also provides runoff mitigation functions. Water in the Upper Pond only exists due to artificial pumping from water wells and the Lower Pond. The excavation pit may also contain water following storm events. Any coincidental wetland habitat created onsite due to storm water is purely artificial. Modification from wetland habitat to naturally occurring open space habitat will occur after mining is completed.

Consequently, no wetland mitigation for this Reclamation Area is proposed.

§ 3704 Performance Standards for Backfilling, Regrading, Slope Stability, and Recontouring (2010 Reclamation Plan, page 30)

The proposed final slopes in the quarry area will have a total height of <u>approximately</u> 200 feet and a slope inclination of 2.6:1 (h:v) without benches. The gross stability analysis indicates that these proposed slopes have a factor of safety exceeding 1.5 for static conditions and 1.1 for seismic conditions against a total slope failure. Therefore, based on the findings of the Slope Stability Evaluation, the proposed cut slope of 2.6:1 (h:v) is considered stable under both gross static and seismic conditions. Please refer to Attachment 3 – Hilltop Geotechnical, Inc., Report of Proposed Cut Slope Stability Evaluation, Frazier Park Plant, November 11, 2005.

Mined slopes, the pit bottom and the processing area will be revegetated in compliance with this Reclamation Plan, while the pit bottom would be allowed to naturally revegetate.

These and other aspects of this plan demonstrate compliance with this standard.

§ 3706 Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control (2010 Reclamation Plan, page 31)

Prior to mining, the quarry area was a short valley surrounded by sparsely vegetated hills of varying slopes, some steeper and some flatter than the proposed final slope. The valley drained towards the south and was not a permanent stream. The valley likely drained during precipitation events into the tributaries of Seymour Creek.

After mining is completed, the valley slopes will have been established as described above. In the area of the Lower Pond, a natural (i.e. vegetated, rock) spillway will be constructed to mitigate any overflow from the pond.

The area surrounding the Lower Pond will be revegetated according to the Revegetation Plan.

REVISIONS – Reclamation Plan Figures (Attachment 1)

Figure 1 - Vicinity Map Site Overview – Existing Conditions

Figures 2a and 2b - Ventura County Assessors Parcel Maps (to be prepared by Ventura County

Assessor's Office) Mining Plan

Figure 2c - PCM Reclamation Plan Parcels

Figure 3 - PCM Reclamation Plan Map Post Mining Design Reclaimed Conditions

Figure 4 - PCM Reclamation Plan Map Current Conditions Cross-Sections

REVISIONS – Revegetation Plan (Attachment 7)

As noted above, a supplemental Revegetation Plan Addendum memorandum was prepared by ECORP, to ensure the existing Revegetation Plan prepared by KKGB's in 2007 (see Attachment 7 within the 2010 Reclamation Plan) remains accurate and applicable to this Reclamation Plan Amendment project. Per ECORP's memorandum, it was determined that most of the onsite conditions will remain the same as those identified in the 2010 Reclamation Plan, and therefore will involve the same goals and objectives outlined in KKGB's 2007 Revegetation Plan. However, the increase in depth within the excavation pit would result in the potential for water ponding and growth of riparian/hydrophytic plant species following storm events. For this reason, ECORP addressed these changes and summarized and supplemented portions of the Revegetation Plan within their attachment memorandum. Specifically, ECORP identified that adaptive management strategies will still apply to the riparian/wetland vegetation that is expected to be established within the deepened excavation pit; however, the increase in depth of the excavation pit does introduce factors that the Revegetation Plan had not accounted for, including ponding of water and the potential establishment of naturally occurring riparian/hydrophytic vegetation. Water from precipitation events may collect within the deeper excavation pit and result in the establishment of riparian/wetland habitat post-reclamation; however ECORP determined this would be a positive occurrence rather than negative, as it would help potentially create riparian/wetland habitat without the need for active revegetation.

In summary, ECORP's memorandum presented information that should be used to supplement the following sections found within KKGB's 2007 Revegetation Plan (see Attachment 7 of the 2010 Reclamation Plan). See ECORP's memorandum attached herein for additional detail:

- Section 3.3 Vegetation Removal and Soil Salvage
- Section 3.5.2 Site Grading and Planting Preparation
- Section 3.5.4 Erosion Control
- Section 3.5.5 Plant Materials and Procedures
- Section 5.0 Monitoring

CONCLUSION

We have included the final Reclamation Plan Amendment package, dated May 2025, as well as a complete copy of the 2010 Reclamation Plan with this letter. This letter and the attached documents taken together represent the complete Reclamation Plan Amendment package to be approved by the County.

We appreciate the County's assistance with this matter. Please call me or John Hecht at (805) 275-1515 if you have any questions or if you need additional information.

Respectfully submitted,

Pearce Swerdfeger, P.E. Managing Consultant

Sespe Consulting, Inc.

Enclosures

- 1. Reclamation Plan Amendment Arcosa LWFP, LLC (Dated May 2025)
- 2. Reclamation Plan Application Update, Pacific Custom Materials, Inc., Frazier Park Plant (Dated June 2007, Approved April 2010)

ENCLOSURE 1

Reclamation Plan Amendment – Arcosa LWFP, LLC (Dated May 2025)



A Trinity Consultants Company

RECLAMATION PLAN AMENDMENT

ARCOSA LWFP, LLC

Ventura County, California

CA MINE ID NO. 91-56-0001

May 2025

Prepared for: Planning Division

County of Ventura 800 S. Victoria Avenue, Ventura, California 93001

Prepared by: Sespe Consulting, Inc.

374 Poli Street, Suite 200 Ventura, California 93003

(805) 275-1515

In coordination with: Arcosa LWFP, LLC

17410 E. Lockwood Valley Rd Frazier Park, California 93225

(661) 245-3736

1.0 CONTACT INFORMATION

MINE OPERATOR

Arcosa LWFP, LLC 17410 E. Lockwood Valley Rd. Frazier Park, California 93225 (661) 245-3736

PROPERTY OWNERS

Arcosa LWFP, LLC 17410 E. Lockwood Valley Rd. Frazier Park, California 93225 (661) 245-3736

AGENT

Pearce Swerdfeger, P.E. Helen Eloyan, MPPA, AICP Sespe Consulting, Inc. 374 Poli Street, Suite 200 Ventura, California 93001 (805) 275-1515

2.0 TABLE OF COMPLIANCE FOR SMARA REQUIREMENTS

Public Resources Code §	Required Content	Section/Appendix	Page #
§ 2772 (c)(1)	Mine Operator Information	Owner, Operator, and Agent 1-7	i, 5
§ 2772 (c)(2)	Quantity & Type of Materials Mined	10, 15, 16	8, 12
§ 2772 (c)(3)	Initiation & Termination Dates	Introduction, 13	4, 11
§ 2772 (c)(4)	Maximum Anticipated Mining Depth	3.0 Project Description, Introduction, 16	iv, 4, 12
§ 2772 (c)(5)	Reclamation Plan Maps & Figures	Attachment 1, Attachment A	-
§ 2772 (c)(6)	Mining Activities, Phases & Time Schedule	13-18, 20, 26	11-13, 14, 28
§ 2772 (c)(7)	Post-Reclamation Land Use	23	14-15
§ 2772 (c)(8)	Methods for Achieving Final Reclamation	20, 26	14, 28
§ 2772 (c)(8)(A)	Known Contaminants & Mining Waste Disposal	23, 25(d), 25(g), 25(i)	14, 18, 19
F§ 2772 (c)(8)(B)	Streambed Rehabilitation & Erosion Minimization	25(e), 25(h)	18-19
§ 2772 (c)(9)	Effect on Future Mining	Introduction, 27	4, 28
§ 2772 (c)(10)	Operator Statement of Responsibility	Statement of Responsibility	33
§ 2772 (c)(11)	Additional Lead Agency Requirements	Introduction, 12, Attachment 5	4, 10-11
§ 2772 (d)	Other Documents Incorporated by Referenced	Introduction, 12, Attachments 12 & 13	4, 10
§ 2773 (a)	Reclamation Plan Applicability and Basis	Sec. 3, Introduction	iv, 4
§ 2773.1 (a)	Financial Assurance Mechanism Description	SMARA Rec Standards §3702 Financial Assurances, Attachment 9	29
§ 3502 (b)(1)	Pre/Post-Reclamation Environmental Setting Description	12, 23	9-11, 14-15
§ 3502 (b)(2)	Public Health & Safety Concerns	25(j)	28
§ 3502 (b)(3)	Reclaimed Slope Design & Stability	23, 25(b), 25(j)	14-15, 18, 19-20
§ 3502 (b)(4)	Reclamation Backfilling, Grading, & Compaction	23, 25(a-d), 25(j)	14-15, 18, 19-20
§ 3502 (b)(5)	Disposition of Old Equipment	25(f)	19

Public Resources Code §	Required Content	Section/Appendix	Page #
§ 3502 (b)(6)	Temporary Stream & Watershed Diversions	25(e), 25(h), § 3710 Performance Standards for Stream Protection, Including Surface & Groundwater	18-19, 32
§ 3502 (c)	Adequacy	N/A	N/A
§ 3502 (d)	Reclamation Plan Amendment	N/A	N/A
§ 3503	Surface Mining and Reclamation Practice	16 - §3713	12-32
§ 3503 (a)	Soil Erosion Control	25	18-28
§ 3503 (b)	Water Quality and Watershed Control	12, 19, 25(a-h)	10-11, 13, 18-19
§ 3503 (c)	Protection of Fish and Wildlife Habitat	§3703 Performance Standards for Wildlife Habitat	29-30
§ 3503 (d)	Disposal of Mine Waste Rock and Overburden	16-18, §3710 Performance Standards for Stream Protection, Including Surface, and Groundwater - §3713 Performance Standards for Closure of Surface Openings	12-13, 32
§ 3503 (e)	Erosion and Drainage	25(a) & 25(e), 25(h), § 3706 Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control, & Attachment 7 Revegetation Plan	18, 19, 31
§ 3503 (f)	Resoiling	24, 25(j)	17, 19-22
§ 3503 (g)	Revegetation	24, 25(j), & Attachment 7	17, 19-27
§ 3703	Performance Standards for Wildlife Habitat	§ 3703 Performance Standards for Wildlife Habitat	29-30
§ 3704	Performance Standards for Backfilling, Regrading, Slope Stability, & Recontouring	§ 3704 Performance Standards for Backfilling, Regrading, Slope Stability, and Recontouring	30
§ 3705	Performance Standards for Revegetation	Table 8, § 3705 Performance Standards for Revegetation	27, 30-31
§ 3706	Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control	§ 3706 Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control	31
§ 3707	Performance Standards for Prime Agricultural Land Reclamation	N/A	31
§ 3708	Performance Standards for Other Agricultural Land	N/A	31

Public Resources Code §	Required Content	Section/Appendix	Page #
§ 3709	Performance Standards for Building, Structure, and Equipment Removal	§ 3709 Performance Standards for Building, Structure and Equipment Removal	31
§ 3710	Performance Standards for Stream Protection, Including Surface and Groundwater	§ 3710 Performance Standards for Stream Protection, Including Surface and Groundwater	32
§ 3711	Performance Standards for Topsoil Salvage, Maintenance, and Redistribution	§ 3711 Performance Standards for Topsoil Salvage, Maintenance, and Redistribution	32
§ 3712	Performance Standards for Tailing and Mine Waste Management	§ 3712 Performance Standards for Tailing and Mine Waste Management	32
§ 3713	Performance Standards for Closure of Surface Openings	§ 3713 Performance Standards for Closure of Surface Openings	32

3.0 PROJECT DESCRIPTION

The Arcosa LWFP, LLC (Arcosa) produces a lightweight aggregate material from pure clay mined from Lockwood Valley located in unincorporated Ventura County (County). The County had previously approved the existing reclamation plan amendment in 2010 (LU06-0045); the original reclamation plan was approved in 1979.

The previously approved Reclamation Plan describes mining and reclamation within portions of the project site that encompassed the following Assessor Parcel Numbers (APNs): 004-0-030-080, 004-0-030-100, and 004-0-190-030. These original parcel numbers were modified by a subdivision following the initial approval of the Reclamation Plan; this Reclamation Plan Amendment covers the same mining and reclamation areas within the updated APNs: 004-0-030-180, 004-0-030-200, 004-0-030-220, and 004-0-190-140. Note that there is no change in areas included in this Reclamation Plan Amendment.

As noted, the proposed project is an Amendment to the existing Reclamation Plan and proposes to deepen the existing mining pit by approximately 60 vertical feet. Arcosa proposes to change the permitted pit bottom from 5170 feet above mean sea level (amsl) to 5110 feet amsl; the existing mine footprint and disturbance area will not change. The volume of additional material to be extracted is estimated to be 700,000 bank cubic yards, or approximately 1.1 to 1.3 million tons of material (assuming an average density of 1.6 to 1.9 tons/cubic yard). Mined materials will continue to be processed at the on-site plant; no changes to the existing Processing Facility are proposed. Please refer to **Attachment A** for the updated mine site figures.

The additional mining depth is not expected to have any significant impacts to downstream areas and mitigation is not necessary for the Project. The reclaimed pit will be grossly capable of containing the runoff volume produced by modeled design storm events demonstrated in **Attachment B**.

Finally, a supplemental Revegetation Plan Addendum memorandum was prepared by ECORP, to ensure the existing Revegetation Plan prepared by Project KKGB in 2007 (Attachment 7 within the 2010 Reclamation Plan) remains accurate and applicable to this Reclamation Plan Amendment project. ECORP's memorandum determined that most of the onsite conditions will remain the same as those identified in the 2010 Reclamation Plan, and therefore will involve the same goals and objectives outlined in 2007 Revegetation Plan. However, the increase in depth within the excavation pit would result in the potential for water ponding and growth of riparian/hydrophytic plant species following storm events. For this reason, ECORP addressed these changes and summarized and supplemented portions of the Revegetation Plan within their memorandum, presented in Attachment C.

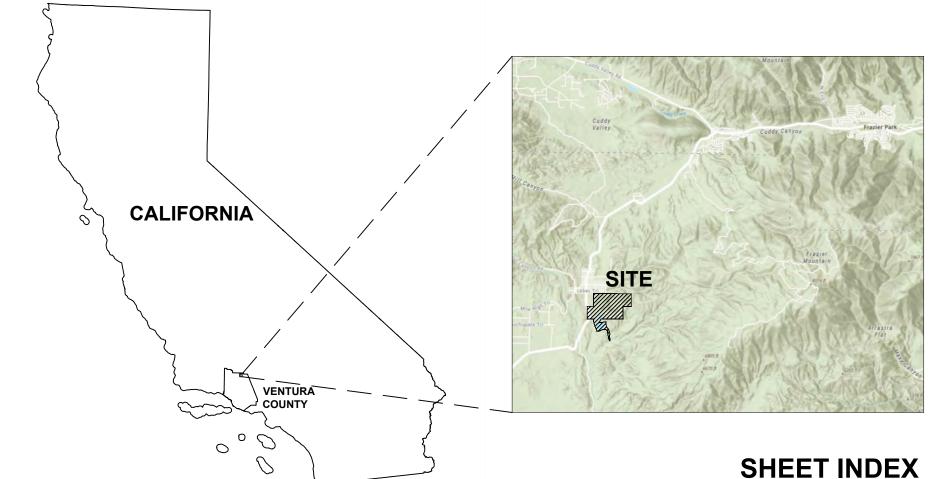
This Amendment would be implemented concurrently with ongoing mining operations and would not extend the currently approved mine life, which is permitted through 2046. Additionally, this Amendment does not propose any changes to the existing processing facilities, Conditional Use Permit, reclamation methods, or end use of the mine. This Amendment does not meet the requirements of a substantial deviation as the proposed change does not substantially affect the existing mining operations, end use, or termination date and is consistent with previously adopted environmental determinations.

Attachments:

- A. Updated Figures
- B. Drainage Study
- C. Revegetation Plan Addendum (ECORP, 2024)

ATTACHMENT A

Updated Figures



INDEX MAP

EXISTING, PERMITTED LIGHTWEIGHT AGGREGATE

MINE AND AGGREGATE PROCESSING FACILITIES

17410 EAST LOCKWOOD VALLEY ROAD

FRAZIER PARK, CALIFORNIA 93225

ARCOSA LWFP, LLC

CA MINE ID # 91-56-0001

LOCKWOOD CLAY

ARCOSA LWFP, LLC

SESPE CONSULTING, INC.

COUNTY OF VENTURA

374 POLI STREET, SUITE 200

VENTURA, CALIFORNIA 93001

RESOURCE MANAGEMENT AGENCY

VENTURA, CALIFORNIA 93004

800 SOUTH VICTORIA AVENUE, UNIT 1700

(661) 245-3736

(805) 275-1515

(805) 654-2494

SOURCE: REPORT OF PROPOSED CUT SLOPE STABILITY EVALUATION FRAZIER

PARK PLANT. LOCKWOOD VALLEY AREA OF VENTURA COUNTY. CALIFORNIA.

THE LOCKWOOD VALLEY AREA IN THE NORTHEASTERN PART OF VENTURA

SQUARE MILES. THE OLDEST ROCKS, NOW EXPOSED AS GNEISS, SCHIST, AND

HORNFELS, WERE DERIVED FROM SEDIMENTS WHICH HAVE BEEN INVADED BY

JURASSIC AGE. OVER 2.000 FEET OF MARINE EOCENE SANDSTONE AND SHALE

LIE UNCONFORMABLY ON THE CRYSTALLINE ROCKS AND ARE OVERLAPPED BY

SEDIMENTARY ROCKS. THE CONTINENTAL ROCKS INCLUDE THE PLUSH RANCH

FINE-GRAINED LACUSTRINE FACIES, BASALT FLOWS, AND LEUCOCRATIC TUFF

LOCALLY, THE SITE IS MAPPED AS BEING UNDERLAIN BY THE PLIOCENE AGED

RELATIVELY THIN COVER OF ALLUVIAL TYPE SOIL COMPOSED OF SANDS AND

THE SITE MATERIALS ENCOUNTERED DURING THE FIELD EXPLORATION WERE

CLAYEY FINE TO COARSE SANDS WITH A LITTLE GRAVEL AND SOME COBBLES

AND BOULDERS (SC) AND CLAY (CL). THESE STRATA WERE GENERALLY LIGHT

BROWN OR GREENISH GRAY IN COLOR, MOIST, AND LOOSE TO VERY DENSE IN

5 FEET

VERT= NAVD88

IDENTIFIED A LOCKWOOD CLAY FORMATION (TLC) WHICH CONSISTED OF

RELATIVE DENSITY OR VERY STIFF TO HARD IN CONSISTENCY.

LOCKWOOD CLAY FORMATION (KELLOGG, 2003). RECONNAISSANCE OF THE

SITE INDICATES THE LOCKWOOD CLAY FORMATION IS CAPPED WITH A

THE MOUNT PINOS GRANITE AND OTHER ACIDIC INTRUSIONS OF PROBABLE

APPROXIMATELY 8,500 FEET OF MIDDLE AND LATE TERTIARY CONTINENTAL

AND CALIENTE FORMATIONS, THE LOCKWOOD CLAY, AND THE QUATAL

FORMATION. COARSE ELASTICS COMPRISE MOST OF THE SECTION, BUT

OCCUR IN SUBSIDIARY AMOUNTS. THE TERTIARY AND OLDER ROCKS ARE

CAPPED BY QUATERNARY ALLUVIAL DEPOSITS OF THE FRAZIER MOUNTAIN

COUNTY, SOUTH OF MOUNT PINOS, ENCOMPASSES APPROXIMATELY 60

PROPOSED USE:

APPLICANT /

OPERATOR:

PLAN DESIGN:

LEAD AGENCY:

GEOLOGIC DESCRIPTION

REGIONAL GEOLOGIC SETTING

HILLTOP GEOTECHNICAL, INC., NOVEMBER 11, 2005.

FORMATION, AND LATER TERRACE GRAVELS.

LOCAL SUBSURFACE CONDITIONS

GRAVELS, AND DIATOMACEOUS SANDS.

SOURCES:

TOPOGRAPHY:

IMAGERY:

DATUM:

PROPERTY BOUNDARY:

PARCEL BOUNDARIES:

CONTOUR INTERVAL:

MINERAL COMMODITY

LEGEND

RECLAMATION PLAN BOUNDARY **CONDITIONAL USE PERMIT** BOUNDARY PROPERTY BOUNDARY PRE-1976 DISTURBANCE AREA PARCEL LINES

2009 TOPOGRAPHY

RIDGELITE MILLSITE NO. 1 CLAIM EMBRACING THE EAST

RIDGELITE MILLSITE NO. 2 CLAIM EMBRACING THE WEST

RIDGELITE MILLSITE NO. 3 CLAIM EMBRACING THE EAST

RIDGELITE MILLSITE NO. 5 CLAIM EMBRACING THE WEST

8. RIDGELITE MILLSITE NO. 4 CLAIM EMBRACING THE WEST

10. RIDGELITE MILLSITE NO. 6 CLAIM EMBRACING THE EAST

11. RIDGELITE MILLSITE NO. 7 CLAIM EMBRACING THE WEST

13. RIDGELITE MILLSITE NO. 9 CLAIM EMBRACING THE WEST

14. RIDGELITE MILLSITE NO. 10 CLAIM EMBRACING THE WEST

15. RIDGELITE MILLSITE NO. 11 CLAIM EMBRACING THE EAST

16. RIDGELITE MILLSITE NO. 12 CLAIM EMBRACING THE WEST

17. RIDGELITE MILLSITE NO. 13 CLAIM EMBRACING THE WEST

18. RIDGELITE MILLSITE NO. 14 CLAIM EMBRACING THE EAST

ANY VEINS OR LODES OF QUARTZ OR OTHER ROCK IN PLACE

QUARTER OF THE SOUTHWEST QUARTER. 12. RIDGELITE

QUARTER OF THE SOUTHWEST QUARTER

QUARTER OF THE SOUTHWEST QUARTER.

QUARTER OF THE SOUTHWEST QUARTER.

QUARTER OF THE SOUTHWEST QUARTER

QUARTER OF THE SOUTHWEST QUARTER.

SOUTHWEST QUARTER.

02, 1980.

AND 004-0-190-140]

ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST

ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST

ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST

ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST

ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST

ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST

ONE-HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST

MILLSITE NO. 8 CLAIM EMBRACING THE EAST ONE-HALF OF THE

SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE

ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST

ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST

ONE-HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST

ONE-HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST

ONE-HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST

ONE-HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST

EXCEPTING FROM THE CLAIMS DESCRIBED IN PARAGRAPH B. ABOVE,

BEARING GOLD, SILVER, CINNABAR, LEAD, TIN, COPPER OR OTHER

VALUABLE DEPOSITS WITHIN THE LAND ABOVE; DESCRIBED WHICH

MAY HAVE BEEN DISCOVERED OR KNOWN TO EXIST PRIOR TO JUNE

ALSO EXCEPTING FROM THE CLAIMS DESCRIBED IN PARAGRAPH B.

STEAM AND ASSOCIATED GEOTHERMAL RESOURCES) AND THE RIGHT

OF THE UNITED STATES, ITS LESSEES, PERMITTEES AND LICENSEES

TREAT, STORE AND REMOVE THE SAME, AND TO USE SO MUCH OF

PROVISIONS OF THE ACT OF AUGUST 13, 1954, AS AMENDED (30 U.S.C.

521 AND 1001); AS RESERVED IN THE PATENT ABOVE REFERRED TO.

[VENTURA COUNTY APNs 004-0-030-200, 004-0-030-180, 004-0-030-220]

374 Poli Street, Suite 200 • Ventura, CA 93001

(805) 275-1515 • www.sespeconsulting.com

VENTURA, CALIFORNIA 93001

(805) 275-1515

AWN BY: G.CAMUS

ECKED BY: APS

ABOVE, ALL LEASING ACT MINERALS (INCLUDING GEOTHERMAL

TO ENTER UPON THE SAID LAND, PROSPECT FOR, DRILL, MINE,

NECESSARY FOR SUCH PURPOSES, IN ACCORDANCE WITH THE

THE SURFACE AND SUBSURFACE OF SAID LAND AS MAY BE

SITE OVERVIEW - EXISTING CONDITIONS FIGURE 1: FIGURE 2: MINING PLAN FIGURE 3: RECLAIMED CONDITIONS FIGURE 4: **CROSS SECTIONS**

LEGAL DESCRIPTION

THOSE PATENTED PLACER MINING CLAIMS AND MILLSITE CLAIMS BEING MORE PARTICULARLY DESCRIBED IN THE PATENT FROM THE U.S.A. TO LIGHTWEIGHT PROCESSING COMPANY DATED FEBRUARY 22, 198S AND RECORDED JULY 31, 1985 AS INSTRUMENT NO. 081869 OFFICIAL RECORDS OF VENTURA COUNTY, AS FOLLOWS:

WITHIN SECTION 30, TOWNSHIP 8 NORTH, RANGE 20 WEST, SAN

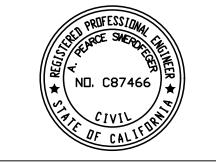
- OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER
- B. MUD HILLS MINE CLAIM EMBRACING THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF

EXCEPTING FROM THE CLAIMS DESCRIBED IN PARAGRAPHS A AND B ABOVE, ANY VEINS OR LODES OF QUARTZ OR OTHER ROCK IN PLACE BEARING GOLD, SILVER, CINNABAR, LEAD, TIN, COPPER OR OTHER VALUABLE DEPOSITS WITHIN THE LAND ABOVE DESCRIBED WHICH MAY HAVE BEEN DISCOVERED OR KNOWN TO EXIST PRIOR TO JUNE 02, 1980, WITHIN SECTION 19, TOWNSHIP 8 NORTH; RANGE 20 WEST. SAN BERNARDINO MERIDIAN:

- THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE EAST ONE-HALF OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST
- 2. KING GULCH NO. 2 MINE CLAIM EMBRACING THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER. EXCEPTING FROM THE CLAIMS DESCRIBED IN PARAGRAPH A. ABOVE, ANY VEINS OR LODES OF QUARTZ OR OTHER ROCK IN PLACE BEARING GOLD, SILVER, CINNABAR, LEAD, TIN, COPPER OR OTHER VALUABLE DEPOSITS WITHIN THE LAND ABOVE DESCRIBED WHICH MAY HAVE BEEN DISCOVERED OR KNOWN TO EXIST PRIOR TO JUNE

- 2. CLAY MOUNTAIN ANNEX CLAIM EMBRACING THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.
- OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER.
- 4. SLIPPERY HILL CLAIM EMBRACING THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER.

THE PRACTICE OF ENGINEERING. THE SCOPE OF ENGINEERING (EXCLUDING GEOTECHNICAL ENGINEERING)



BERNARDINO MERIDIAN:

- A. CLAY FLAT MINE CLAIM EMBRACING THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER
- THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER.

1. KING GULCH MINE CLAIM EMBRACING THE EAST ONE-HALF OF

QUARTER.

02. 1980.

CLAY MOUNTAIN CLAIM EMBRACING THE WEST ONE-HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

3. RIDGELITE NO. 1 CLAIM EMBRACING THE SOUTHWEST QUARTER

THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH A STANDARD OF CARE ORDINARY AND CUSTOMARY WITHIN RESPONSIBILITY OF THE UNDERSIGNED IS LIMITED SPECIFICALLY TO THE AREA OF PRACTICE OF CIVIL



APN: 040-0-030-200 SITE INGRESS/ APN: 040-0-030-220 APN: 040-0-190-140 SCALE IN FEET **REVISIONS OWNER / APPLICANT** ARCOSA LWFP, LLC SCALE: 1" = 400' ARCOSA LWFP, LLC SCALE INDICATED IS BASED ON A DESCRIPTION 24" X 36" FORMAT PRINT 17410 EAST LOCKWOOD VALLEY ROAD 21/23 INITIAL DRAFT FRAZIER PARK, CA FRAZIER PARK, CALIFORNIA 93225 (661) 245-3736 SITE OVERVIEW **EXISTING CONDITIONS** CONSULTING, INC. LAND USE CONSULTANT SESPE CONSULTING, INC. LE: HORIZ. AS SHOWN /IEWED BY: A Trinity Consultants Company FIGURE 374 POLI STREET, SUITE 200 AS SHOWN

DEFINED IN THE CALIFORNIA PROFESSIONAL ENGINEERS

HORZ= NAD83. CALIFORNIA ZONE 5. US FOOT A. PEARCE SWERDFEGER R.C.E. 87466 EXP. 09-30-2025

C: \Users\Pearce.Swerdfeger\Trinity Consultants, Inc\Arcosa — CA Frazier Park\Projects\210509.0473 Pit Deepening\09 CAD—Maps\Arcosa_RecPlanFigures_v2.0.dwg — May 14, 2025, 2:26pm — Pearce.Swerdfeger

SURVEY PLAT, ARCOSA LIGHTWEIGHT; FRENCH

AND ASSOCIATES, JEFFERY FRENCH, RCE 17366

DELINEATED BASED ON PROJECT BOUNDARY

INTERNAL BOUNDARIES (NOT CONCURRENT

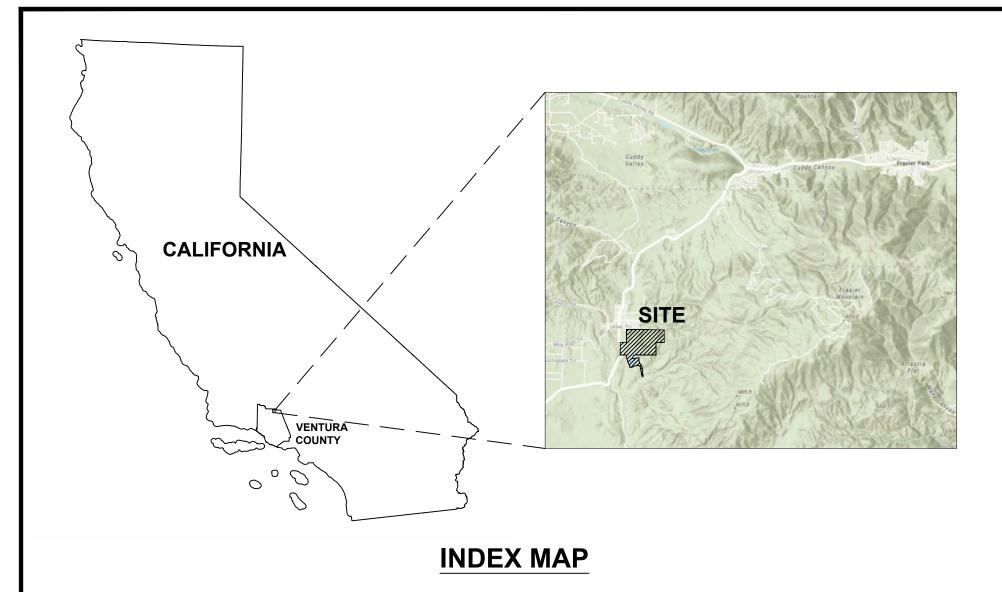
WITH PROJECT BOUNDARY) DERIVED FROM VENTURA COUNTY ASSESSORS GIS DATA

MAPPING PROFESSIONALS, FLOWN 09/02/2009

PROVIDED BY FRENCH AND ASSOCIATES,

PHOTO GEODETIC CORPORATION AERIAL

GOOGLE EARTH, DATED 03/01/2021



LEGEND

RECLAMATION PLAN BOUNDARY

CONDITIONAL USE PERMIT BOUNDARY

PROPERTY BOUNDARY

PRE-1976 DISTURBANCE AREA

2009 TOPOGRAPHY MINING CONTOURS

ARCOSA LWFP, LLC

CA MINE ID # 91-56-0001

PROPOSED USE:		EXISTING, PERMITTED LIGHTWEIGHT AGGREGATE MINE AND AGGREGATE PROCESSING FACILITIES		
	MINERAL COMMODITY:	LOCKWOOD CLAY		
	APPLICANT / OPERATOR:	ARCOSA LWFP, LLC 17410 EAST LOCKWOOD VALLEY ROAD FRAZIER PARK, CALIFORNIA 93225 (661) 245-3736		
	PLAN DESIGN:	SESPE CONSULTING, INC. 374 POLI STREET, SUITE 200 VENTURA, CALIFORNIA 93001 (805) 275-1515		
	LEAD AGENCY:	COUNTY OF VENTURA RESOURCE MANAGEMENT AGENCY 800 SOUTH VICTORIA AVENUE, UNIT 1700 VENTURA, CALIFORNIA 93004 (805) 654-2494		

SHEET INDEX

SITE OVERVIEW - EXISTING CONDITIONS FIGURE 2: **MINING PLAN** FIGURE 3: RECLAIMED CONDITIONS FIGURE 4: **CROSS SECTIONS**

MINING NOTES

- 1. THESE DRAWINGS DO NOT INCLUDE ANY PROPOSED CHANGES TO THE EXISTING, APPROVED MINING OR PROCESSING OPERATIONS, OTHER THAN LOWERING THE PROPOSED PIT BOTTOM FROM THE PERMITTED ELEVATION (5170' AMSL) TO 5110' AMSL, AS SHOWN HEREON.
- 2. THE EXISTING STOCKPILED TOPSOIL AND OVERBURDEN WILL REMAIN IN PLACE FOR USE IN RECLAMATION ACTIVITIES.
- 3. FINAL SLOPE CONFIGURATIONS WITHIN THE PIT SHALL NOT EXCEED 2.6 HORIZONTAL UNITS TO 1 VERTICAL UNIT (2.6H:1V). NO FILL SLOPES ARE PROPOSED.
- 4. BEST MANAGEMENT PRACTICES (BMPs) TO PREVENT EROSION, SEDIMENT, AND WINDBLOWN DUST WILL BE IMPLEMENTED AS DESCRIBED IN THE SITE-SPECIFIC STORM WATER POLLUTION PREVENTION PLAN (SWPPP).

THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH A STANDARD OF CARE ORDINARY AND CUSTOMARY WITHIN THE PRACTICE OF ENGINEERING. THE SCOPE OF RESPONSIBILITY OF THE UNDERSIGNED IS LIMITED SPECIFICALLY TO THE AREA OF PRACTICE OF CIVIL ENGINEERING (EXCLUDING GEOTECHNICAL ENGINEERING) DEFINED IN THE CALIFORNIA PROFESSIONAL ENGINEERS



A. PEARCE SWERDFEGER R.C.E. 87466 EXP. 09-30-2025

SOURCES:

PROPERTY BOUNDARY:

TOPOGRAPHY:

IMAGERY: CONTOUR INTERVAL: DATUM:

SURVEY PLAT, ARCOSA LIGHTWEIGHT; FRENCH AND ASSOCIATES, JEFFERY FRENCH, RCE 17366 PHOTO GEODETIC CORPORATION AERIAL MAPPING PROFESSIONALS, FLOWN 09/02/2009 GOOGLE EARTH, DATED 03/01/2021 5 FEET HORZ= NAD83, CALIFORNIA ZONE 5, US FOOT

VERT= NAVD88

SCALE: 1" = 300' SCALE INDICATED IS BASED ON A 24" X 36" FORMAT PRINT

SCALE IN FEET

REVISIONS OWNER / APPLICANT ARCOSA LWFP, LLC DESCRIPTION 17410 EAST LOCKWOOD VALLEY ROAD 03/21/23 INITIAL DRAFT FRAZIER PARK, CALIFORNIA 93225 (661) 245-3736 LAND USE CONSULTANT SESPE CONSULTING, INC. EVIEWED BY:

374 POLI STREET, SUITE 200

VENTURA, CALIFORNIA 93001

(805) 275-1515

ARCOSA LWFP, LLC FRAZIER PARK, CA

MINING PLAN

AWN BY: G.CAMUS

HECKED BY: APS

FIGURE

5E5PE
CONSULTING, INC. A Trinity Consultants Company 374 Poli Street, Suite 200 • Ventura, CA 93001 (805) 275-1515 • www.sespeconsulting.com

TOPSOIL

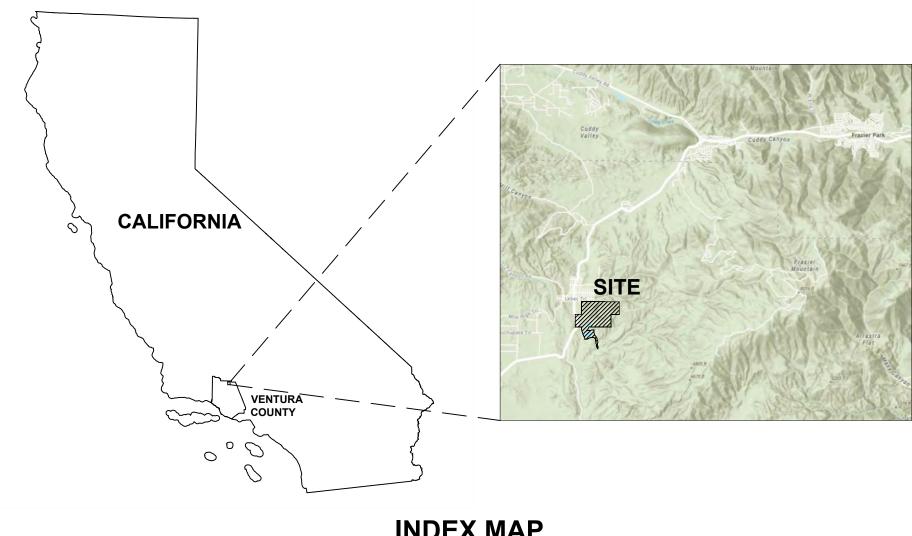
STOCKPILE

UPPER

POND

LOWER POND

C:\Users\Pearce.Swerdfeger\Trinity Consultants, Inc\Arcosa — CA Frazier Park\Projects\210509.0473 Pit Deepening\09 CAD-Maps\Arcosa_RecPlanFigures_v2.0.dwg May 14, 2025, 2:26pm Pearce.Swerdfeger



LEGEND RECLAMATION PLAN BOUNDARY

CONDITIONAL USE PERMIT BOUNDARY

PROPERTY BOUNDARY

PRE-1976 DISTURBANCE AREA

2009 TOPOGRAPHY **RECLAMATION CONTOURS**

INDEX MAP

ARCOSA LWFP, LLC CA MINE ID # 91-56-0001

PROPOSED USE:	EXISTING, PERMITTED LIGHTWEIGHT AGGREGATE MINE AND AGGREGATE PROCESSING FACILITIES
MINERAL COMMODITY:	LOCKWOOD CLAY
APPLICANT / OPERATOR:	ARCOSA LWFP, LLC 17410 EAST LOCKWOOD VALLEY ROAD FRAZIER PARK, CALIFORNIA 93225 (661) 245-3736
PLAN DESIGN:	SESPE CONSULTING, INC. 374 POLI STREET, SUITE 200 VENTURA, CALIFORNIA 93001 (805) 275-1515
LEAD AGENCY:	COUNTY OF VENTURA RESOURCE MANAGEMENT AGENCY 800 SOUTH VICTORIA AVENUE, UNIT 1700 VENTURA, CALIFORNIA 93004 (805) 654-2494

SHEET INDEX

SITE OVERVIEW - EXISTING CONDITIONS MINING PLAN FIGURE 2: **RECLAIMED CONDITIONS** FIGURE 3: FIGURE 4: **CROSS SECTIONS**

RECLAMATION NOTES

- 1. AT THE COMPLETION OF MINING ALL SURFACE (MINING RELATED EQUIPMENT, PROCESSING EQUIPMENT, STRUCTURES, ETC.) AND SUBSURFACE STRUCTURES (WATER WELLS, PIPES, SEPTIC SYSTEMS, ETC.) WILL BE REMOVED. NO WASTE DUMPS, TAILINGS, OR OTHER PERMANENT STOCKPILES WILL BE LEFT ON SITE.
- CONCRETE FOUNDATIONS, ASPHALT ROADS, AND OTHER INERT, NON-METAL DEBRIS, MAY BE USED FOR FILL IN THE PROCESSING AREA. SUFFICIENT OVERBURDEN WILL BE USED TO COVER ANY SUCH FILL.
- 3. ANY HAZARDOUS MATERIALS WILL BE PROPERLY DISPOSED OF OFF SITE; NO HAZARDOUS MATERIALS WILL REMAIN ONSITE.
- 4. THE PLANT, PROCESSING, AND STOCKPILE AREA WILL BE GRADED TO UNDULATING CONTOURS TO BE CONSISTENT WITH THE SURROUNDING TOPOGRAPHY.
- 5. THE UPPER POND WILL BE BACKFILLED WITH SITE SOIL AND GRADED TO UNDULATING CONTOURS TO BE CONSISTENT WITH THE SURROUNDING TOPOGRAPHY. A DRAINAGE CHANNEL WILL BE CUT THROUGH THE POND LOCATION, AS NECESSARY.
- 6. THE EXISTING, MAN-MADE DISCHARGE STRUCTURE AT THE LOWER POND WILL BE REMOVED TO ELIMINATE THE POTENTIAL FOR IMPOUNDMENT OF
- 7. TOPSOIL AND OVERBURDEN STOCKPILED ON SITE WILL BE SPREAD OVER THE RECLAIMED SURFACE TO AID IN RECLAMATION REVEGETATION EFFORTS. ADDITIONAL SOIL AMENDMENTS, AS DESCRIBED IN THE APPROVED REVEGETATION PLAN, WILL BE APPLIED THROUGHOUT THE
- 8. AT THE CONCLUSION OF MINING, DISTURBED AREAS AT THE SITE WILL BE PREPARED (TRACKWALKED, RIPPED, ETC.) AND REVEGETATED AS DESCRIBED IN THE REVEGETATION PLAN (REVEGETATION PLAN PREPARED FOR PACIFIC CUSTOM MATERIALS, INC. FRAZIER PARK PLANT, JANUARY 2006, PROJECT KKGB) AND ADDENDUM (REVEGETATION PLAN ADDENDUM: SUPPLEMENTAL INFORMATION IN SUPPORT OF THE RECLAMATION PLAN AMENDMENT FOR THE FRAZIER PARK FACILITY, DECEMBER 2024, ECORP CONSULTING) INCLUDED AS AN ATTACHMENT TO THE RECLAMATION PLAN.

THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH A STANDARD OF CARE ORDINARY AND CUSTOMARY WITHIN THE PRACTICE OF ENGINEERING. THE SCOPE OF RESPONSIBILITY OF THE UNDERSIGNED IS LIMITED SPECIFICALLY TO THE AREA OF PRACTICE OF CIVIL ENGINEERING (EXCLUDING GEOTECHNICAL ENGINEERING) DEFINED IN THE CALIFORNIA PROFESSIONAL ENGINEERS



A. PEARCE SWERDFEGER R.C.E. 87466 EXP. 09-30-2025

SOURCES:

DATUM:

PROPERTY BOUNDARY:

TOPOGRAPHY: CONTOUR INTERVAL: SURVEY PLAT, ARCOSA LIGHTWEIGHT; FRENCH AND ASSOCIATES, JEFFERY FRENCH, RCE 17366 PHOTO GEODETIC CORPORATION AERIAL MAPPING PROFESSIONALS, FLOWN 09/02/2009 5 FEET

HORZ= NAD83, CALIFORNIA ZONE 5, US FOOT VERT= NAVD88

SESPE CONSULTING, INC. A Trinity Consultants Company 374 Poli Street, Suite 200 • Ventura, CA 93001 (805) 275-1515 • www.sespeconsulting.com

SCALE IN FEET

SCALE: 1" = 300'

SCALE INDICATED IS BASED ON A 24" X 36" FORMAT PRINT

REVISIONS OWNER / APPLICANT ARCOSA LWFP, LLC DESCRIPTION 17410 EAST LOCKWOOD VALLEY ROAD 1/23 INITIAL DRAFT UPDATED LOWER POND RECLAMATION DESIGN (FLOW-THRU) PER 2010 NEG DEC FRAZIER PARK, CALIFORNIA 93225 (661) 245-3736 LAND USE CONSULTANT SESPE CONSULTING, INC. EVIEWED BY:

ARCOSA LWFP, LLC FRAZIER PARK, CA

RECLAIMED CONDITIONS

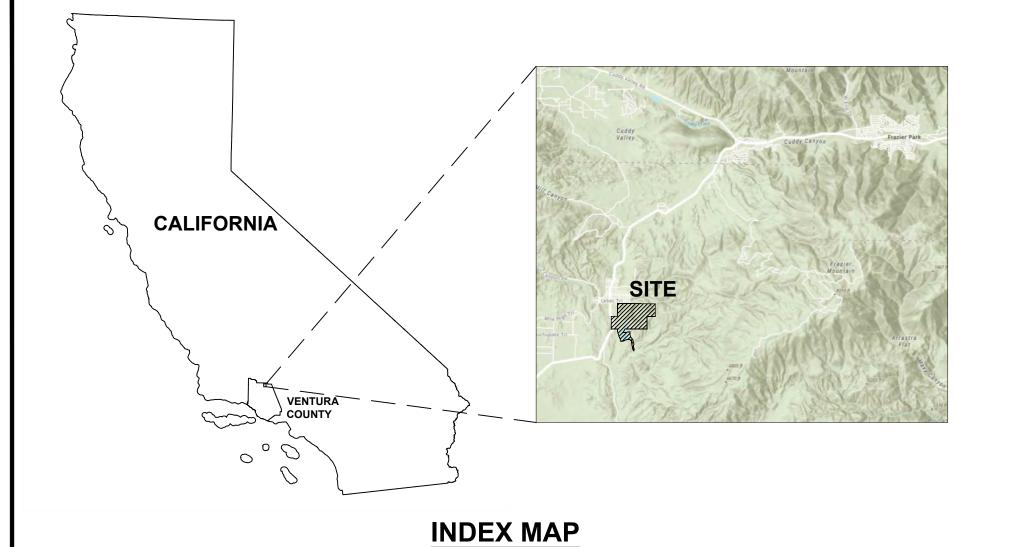
374 POLI STREET, SUITE 200 VENTURA, CALIFORNIA 93001 (805) 275-1515

FIGURE AWN BY: G.CAMUS ECKED BY: APS

C:\Users\Pearce.Swerdfeger\Trinity Consultants, Inc\Arcosa — CA Frazier Park\Projects\210509.0473 Pit Deepening\09 CAD—Maps\Arcosa_RecPlanFigures_v2.0.dwg May 14, 2025, 2:26pm Pearce.Swerdfeger

ARCOSA LWFP, LLC

CA MINE ID # 91-56-0001



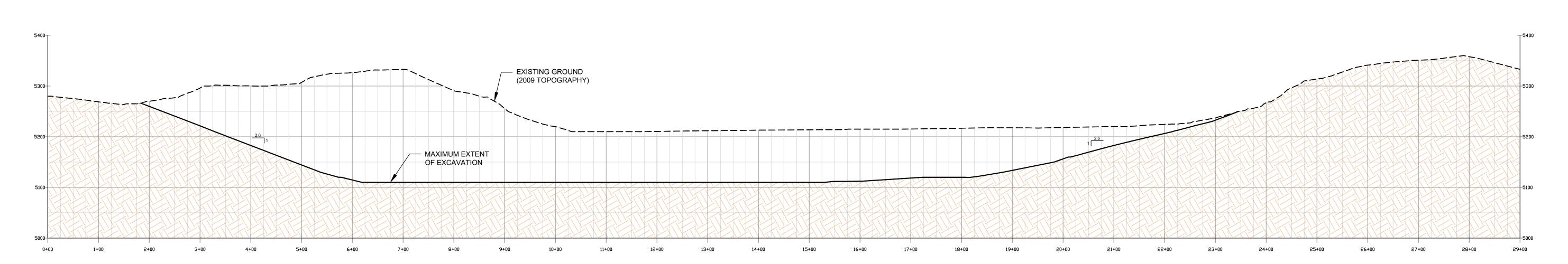
EXISTING, PERMITTED LIGHTWEIGHT AGGREGATE MINE AND AGGREGATE PROCESSING FACILITIES
LOCKWOOD CLAY
ARCOSA LWFP, LLC 17410 EAST LOCKWOOD VALLEY ROAD FRAZIER PARK, CALIFORNIA 93225 (661) 245-3736
SESPE CONSULTING, INC. 374 POLI STREET, SUITE 200 VENTURA, CALIFORNIA 93001 (805) 275-1515
COUNTY OF VENTURA RESOURCE MANAGEMENT AGENCY 800 SOUTH VICTORIA AVENUE, UNIT 1700 VENTURA, CALIFORNIA 93004 (805) 654-2494

SHEET INDEX

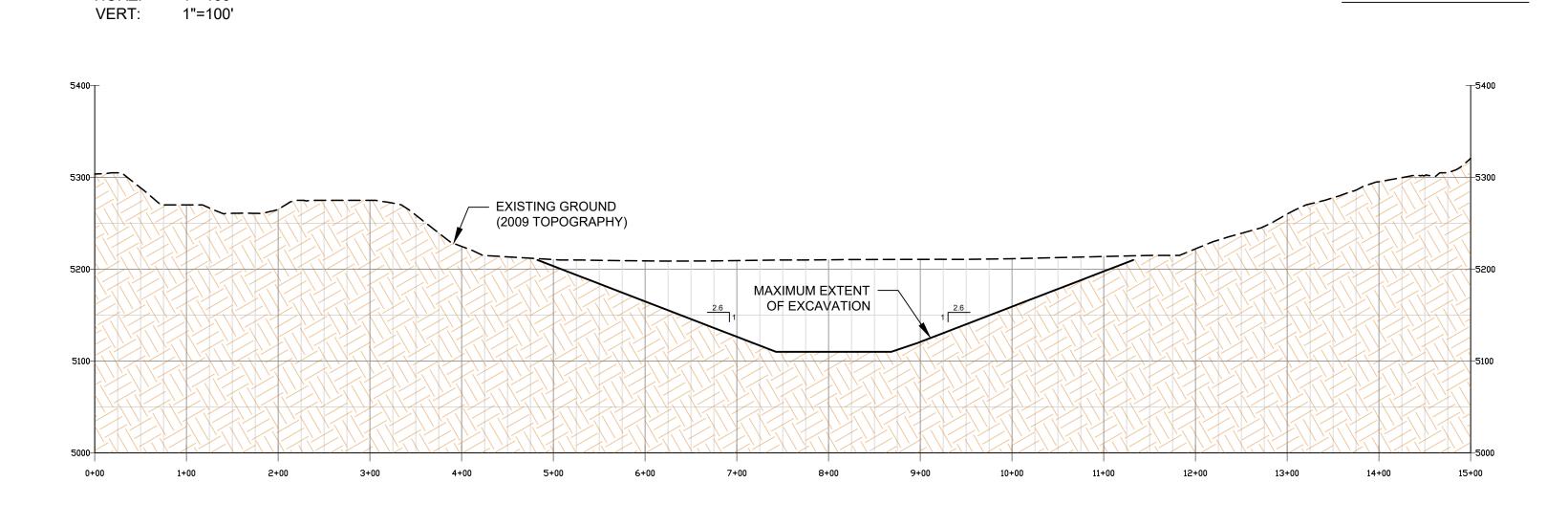
SITE OVERVIEW - EXISTING CONDITIONS

FIGURE 2: MINING PLAN

RECLAIMED CONDITIONS FIGURE 3: **CROSS SECTIONS** FIGURE 4:



SECTION A - A'



SECTION B - B'

THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH A STANDARD OF CARE ORDINARY AND CUSTOMARY WITHIN THE PRACTICE OF ENGINEERING. THE SCOPE OF RESPONSIBILITY OF THE UNDERSIGNED IS LIMITED SPECIFICALLY TO THE AREA OF PRACTICE OF CIVIL ENGINEERING (EXCLUDING GEOTECHNICAL ENGINEERING) DEFINED IN THE CALIFORNIA PROFESSIONAL ENGINEERS ACT.



SCALE: HORZ:

SCALE:

HORZ:

VERT:

1"=100'

1"=100'

1"=100'

TOPOGRAPHY: DATUM:

PHOTO GEODETIC CORPORATION AERIAL MAPPING PROFESSIONALS, FLOWN 09/02/2009 HORZ= NAD83, CALIFORNIA ZONE 5, US FOOT VERT= NAVD88



5E5PE
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SESPE CONSULTING, INC.

374 POLI STREET, SUITE 200

VENTURA, CALIFORNIA 93001

(805) 275-1515

OWNER / APPLICANT	REVISIONS			ARCOSA LWFP, LL	
ARCOSA LWFP, LLC	MARK	DATE	DESCRIPTION	BY	ARCOSA LWFP, LL
17410 EAST LOCKWOOD VALLEY ROAD		03/21/23	INITIAL DRAFT	GJC	FRAZIER PARK, CA
FRAZIER PARK, CALIFORNIA 93225					TIVAZILIKI AKK, OA
(661) 245-3736					
LAND USE CONSULTANT					CROSS-SECTIONS

REVIEWED BY:

3CALE: HORIZ. AS SHOWN

DRAWN BY: G.CAMUS

CHECKED BY: APS

VERT. AS SHOWN

FIGURE

Reclamation Plan Amendment
May 2025

ATTACHMENT B

Drainage Study

Arcosa LWFP, LLC



A Trinity Consultants Company

DRAINAGE STUDY

Arcosa LWFP, LLC

17410 East Lockwood Valley Road Frazier Park, California 93225

April 2023

Prepared for: Arcosa LWFP, LLC

17410 East Lockwood Valley Road Frazier Park, California 93225

Prepared by:

Pearce Swerdfeger, PE Civil 87466 (California) Sespe Consulting, Inc. 374 Poli Street, Suite 200 Ventura, California 93001

(805) 275-1515

Arcosa LWFP, LLC Drainage Study
April 2023

DRAINAGE STUDY

Arcosa LWFP, LLC

Frazier Park, California

April 2023

TABLE OF CONTENTS

1.0	Executive Summary	1
2.0	Study Criteria	2
3.0	Peak Runoff Analysis	2
4.0	Summary and Conclusions	4

ATTACHMENTS

- Figures
- 2. Runoff Calculations for the Reclaimed Condition
- 3. Runoff Calculations for the Approved Reclaimed Condition by Water Resource Engineering Associates, December 2005



A Trinity Consultants Company

DRAINAGE STUDY

Arcosa LWFP, LLC Frazier Park, CA

1.0 EXECUTIVE SUMMARY

Arcosa LWFP, LLC (Arcosa) operates an existing lightweight aggregate mine and processing facility (Facility) in Lockwood Valley in unincorporated Ventura County. The Facility is situated along the east side of Lockwood Valley Road, approximately 6.75 miles southwest of the community of Frazier Park. The Facility drains to Seymour Creek (a tributary to Upper Piru Creek). Mining is conducted in compliance with the Surface Mining and Reclamation Act of 1975. Ventura County approved the Facility's original Reclamation Plan in 1979 and the current Reclamation Plan Amendment in 2010.

Arcosa is proposing an amendment to the current Reclamation Plan to increase the currently approved maximum mining and reclamation depth of 5170 feet above mean sea level (asml) to a proposed maximum mining and reclamation depth of 5110 feet asml (Project). The footprint of the existing mining area will remain unchanged. No changes to the other components of the currently approved Reclamation Plan are proposed as part of this amendment. This drainage study has been prepared in support of the Reclamation Plan Amendment application to assess the Project's effect on the local drainage conditions at the site after mining and reclamation is complete.

The amended reclamation plan will affect drainage conditions in the final pit configuration by increasing the maximum mining and reclamation depth within the existing mining area by 60 vertical feet (from 5170 feet asml to 5110 feet asml). There are no impervious surfaces within the mining area, and no impervious development is proposed. An existing, earthen storm water conveyance channel is located in the southwestern portion of the existing mining area. The storm water channel conveys storm water generated within the mining area and off-site upstream areas to the existing lower water detention pond in the southern portion of the Facility. As the Project will increase the mining and reclamation depth below the inlet elevation of the existing storm water conveyance channel, the proposed deepened mining pit will retain storm water generated within the mining area and upstream, off-site areas during the design storm events, and that the conveyance channel will no longer convey storm water from the mining area to the southern storm water detention pond. However, the conveyance channel will remain in place during and post mining to convey surface runoff from other areas of the site.

This study uses current methodology from the Ventura County Watershed Protection District (VCWPD) to evaluate the effect that the deepened pit will have on peak flows during the final, reclaimed condition. The drainage conditions of the currently approved final reclaimed site were previously evaluated by Water Resource Engineering Associates (WREA) in 2005; this drainage study compares the Project's proposed drainage conditions to the drainage conditions evaluated by WREA in 2005 (i.e., baseline approved condition). Please refer to Attachment 1 for a drainage plan which includes the existing and proposed final

Arcosa LWFP, LLC Drainage Study
April 2023

topography, and drainage subarea boundary. WREA's 2005 Hydrology Analysis is included in Attachment 3.

2.0 STUDY CRITERIA

This study has been prepared to assess the proposed project changes' consistency with the following requirements set forth by the VCWPD:

- Hydrologic calculations demonstrate compliance with the VCWPD's stormwater quantity standard that the Project will not generate any additional peak flows and will mitigate any increase in impervious area in order to ensure that the peak flow runoff after development will not exceed the peak flow under baseline conditions for any frequency of event.
- The Project shall not impair, divert, impede or alter the characteristics of the flow of water for any WPD jurisdictional channel.
- The Drainage Study shall include recommended mitigation measures that need to be implemented to specifically avoid any increase in peak for the 10-, 25-, 50-, and 100-year design storms.

In addition to the local regulatory requirements, this report satisfies the requirements of the Surface Mining and Reclamation Act (SMARA) (CCR, Title 14, Division 2, Chapter 8, Subchapter 1, §§ 3503 and §§ 3706), which requires surface mining and reclamation activities to be conducted in such a way to protect both on-site and downstream beneficial uses of water. Per SMARA requirements, erosion control methods on site must be designed to handle runoff from not less than the 20-year, 1-hour storm (approximately 1.41" for this location). This report conservatively analyzes the 10-, 25-, 50-, and 100-year, 24-hour design storms, which are well above the SMARA design storm standard.

Finally, the focus of this drainage study is limited to the drainage subarea that encompasses the deepened mining pit, as the existing entitled areas outside of the pit will not be altered as part of the reclamation plan amendment.

3.0 PEAK RUNOFF ANALYSIS

Peak runoff calculations were performed using the methodology described in the VCWPD's 2017 Hydrology Manual. The following table presents the inputs used for the reclaimed condition in the WPD's Time of Concentration (Tc) Calculator Data Excel Spreadsheet (version 6.1) and VCRAT Program (version 2.64). Exhibits showing the site characteristics and hydrologic analysis input data are included in Attachment 1; the runoff calculations (Tc and VCRAT) for the reclaimed condition are included in Attachment 2.

Table 1: Input Summary to VCRAT Program and Tc Calculator Data Sheet

Item	Input	Source
Ventura County Soil Number	4REV	2017 Hydrology Manual, Appendix E-10 Soil
Ventura County 3011 Number	4NEV	Map shapefile.
Ventura County Storm Zone	Upper Piru	2017 Hydrology Manual, Appendix E-9
10-Year Rainfall Depth	5.5 in	2017 Hydrology Manual, Appendix E-1
25-Year Rainfall Depth	6.5 in	2017 Hydrology Manual, Appendix E-2

¹ Ventura County Watershed Protection District (WPD). Design Hydrology Manual. Ventura County, California. Updated July, 2017.

Item	Input	Source
50-Year Rainfall Depth	7.5 in	2017 Hydrology Manual, Appendix E-3
100-Year Rainfall Depth	8.5 in	2017 Hydrology Manual, Appendix E-4
Elevation Contours	-	Existing topography: Photo Geodetic Corporation Aerial Mapping Professionals (09/02/09); Reclamation Plan Amendment design topography: Sespe Consulting, Inc. (2023).
Percent Impervious – Reclaimed Condition	2%	No existing or proposed impervious surfaces exist within the drainage subarea; assumed 2% impervious area the reclaimed condition as a conservative measure.

The Project drainage subarea (i.e., Subarea 1) consist primarily of undeveloped hillslopes, an active mining area, and various pervious access roads. Virtually all flows from the hillslopes were modeled as natural mountain channels due to the steepness of the existing and reclaimed landform. No impervious drainage conveyance structures exist within the reclaimed condition of Subarea 1.

As discussed previously, this study focused solely on areas that are proposed to change as a result of the reclamation plan amendment—or, more specifically, the deepened mining pit.

Storm water flows within the reclaimed mining area will be captured by the mining pit (see Figure 2) due to the pit's containment capacity. Upon reclamation, the ground cover of the areas disturbed my mining operations in Subarea 1 will be revegetated, thus minimizing drainage velocities and promoting overland flow drainage patterns. For the purposes of this analysis, the reclaimed ground cover condition was assumed to be "Natural Mountain Channel," as this option most closely resembles the proposed ground cover conditions. For Subarea 1, the time of concentration (Tc) for the 100-year design storm was determined to be 6 minutes. Tc values for the 10-year, 25-year, and 50-year design storms were input into the VCRAT model using the Tc calculated for the 100-year event; this is a conservative measure as the Tc values are only be expected to increase for storm events smaller than the 100-year storm. Tc and VCRAT calculations are included in Attachment 2, and the resulting peak flowrates and runoff volumes are shown in Table 2 and Table 3 below, respectively.

Table 2: Calculated Runoff Flowrate Summary

Parameter	Q ₁₀ (cfs)	Q ₂₅ (cfs)	Q ₅₀ (cfs)	Q ₁₀₀ (cfs)
Approved Reclaimed Condition ¹	N/A	N/A	497	N/A
Proposed Reclaimed Condition	162	216	259	305

1. Runoff flowrate estimates for the currently approved reclaimed conditions were sourced from the *Hydrology and Hydraulics Calculations*, by WREA dated December 2005, which only estimated runoff from a 50-year, 24-hour storm event. Flowrates for the 10-year, 25-year, and 100-year design storms were not back-calculated for the purposes of this analysis.

Arcosa LWFP, LLC Drainage Study
April 2023

Table 3: Calculated Runoff & Containment Capacity Volume Summary

Parameter	V ₁₀ (ac-ft)	V ₂₅ (ac-ft)	V ₅₀ (ac-ft)	V ₁₀₀ (ac-ft)	
Proposed Reclaimed Condition Runoff	3.35	5.23	6.73	8.55	
Total Proposed Containment Capacity ¹	1,149				
Excess Containment Capacity	1,146	1,144	1,142	1,140	

^{1.} Total storm water containment capacity of the proposed reclaimed mining pit until storm water would overflow via the designated, earthen storm water conveyance channel to the lower storm water detention pond in the southern portion of the Facility, as calculated based on the three-dimensional model in AutoCAD Civil3D.

4.0 SUMMARY AND CONCLUSIONS

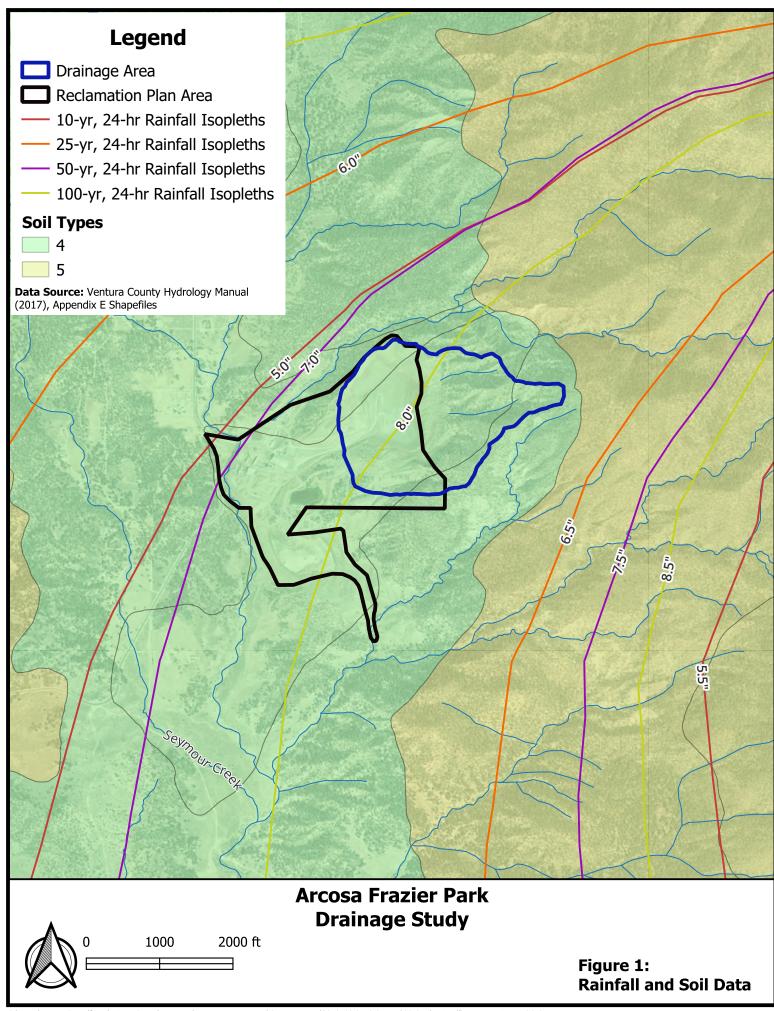
Based on the updated hydrology analysis included in Section 3.0, drainage Subarea 1 is expected to generate approximately 305 cubic feet per second (cfs) of storm water flows during the 100-year design storm event, which is less than the 50-year design storm event flowrate for the existing, approved reclaimed condition as calculated in the *Hydrology and Hydraulics Calculations* by WREA (2005). Although the 2005 *Hydrology and Hydraulics Calculations* only assessed the 50-year design storm event, peak flow runoff after reclamation activities will not exceed the peak flows analyzed for the currently approved reclaimed conditions for any frequency event because all flows within the mining area will be captured in the deepened pit.

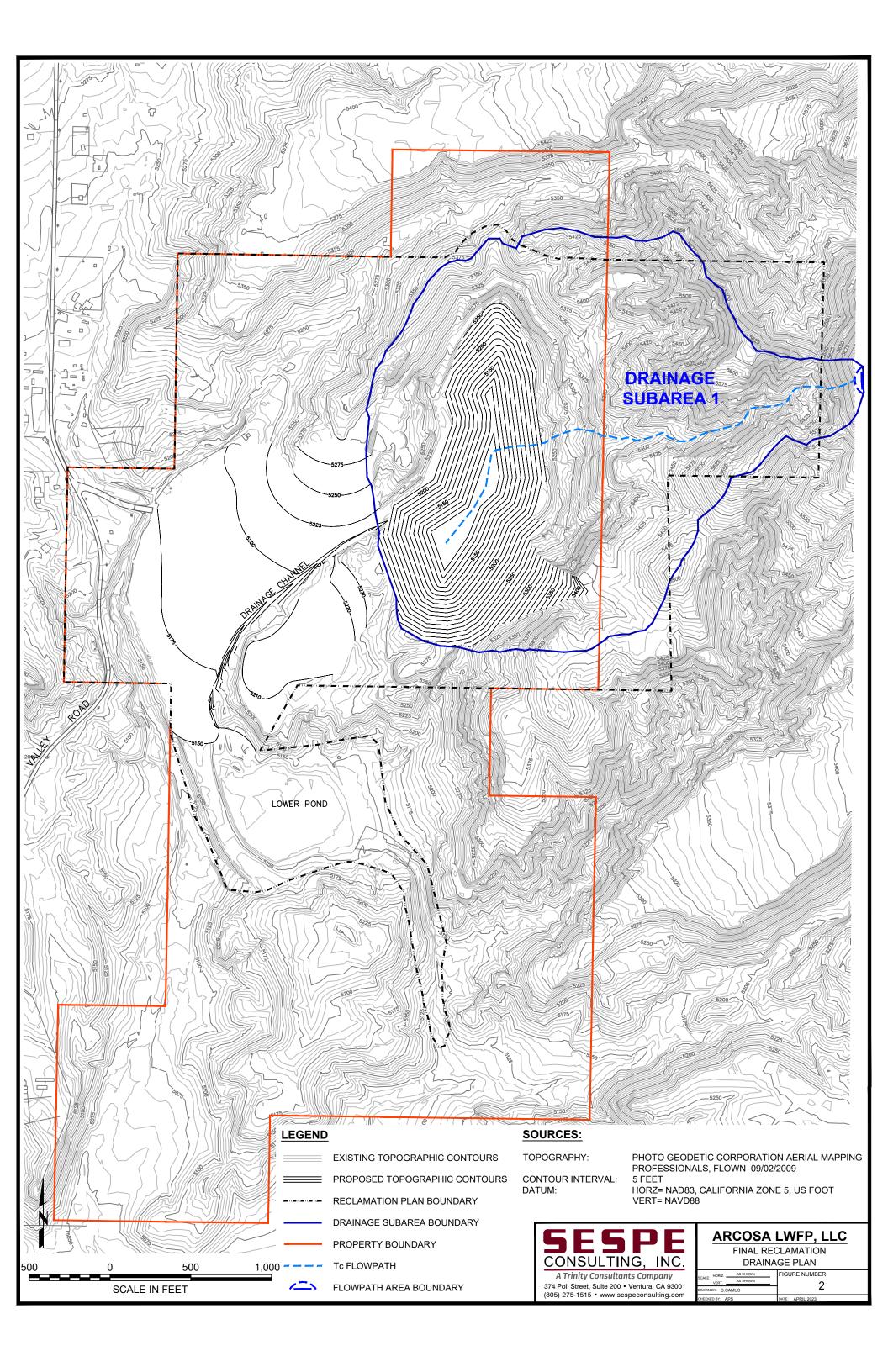
These results of the hydrologic modeling completed for this study are expected, as the proposed reclamation activities will lower the final pit elevation of the mining area below the elevation of the existing earthen storm water conveyance channel at the southwestern edge of the mining pit. Thus, the reclaimed mining pit will no longer discharge storm water to the lower detention pond in the southern portion of the site during the modeled storm event frequencies, and will be grossly capable of containing the runoff volume produced by the modeled design storm events, as demonstrated in Table 3. Therefore, the site is not expected to have any significant impacts to downstream areas and mitigation is not necessary for the Project.

Arcosa LWFP, LLC Drainage Study
April 2023

ATTACHMENT 1

Figure 1: Rainfall and Soil Data Figure 2: Proposed Drainage Plan





Drainage Study Arcosa LWFP, LLC April 2023 **ATTACHMENT 2 Runoff Calculations for the Reclaimed Condition**

Tc Calculator Data Sheet V6.1

Project Name and Number: Arcosa LWFP, LLC Drainage Study Update

	USER INPUT IN BL	UE FIELDS:
Subarea Name =	1	User Input
Watershed Area ac =	123.9	Calculated from flowpath data
% Imperviousness =	2	User Input
Land Use Description =	Open	DropMenu
Storm Frequency	100	DropMenu
Storm Zone =	Upper Piru	DropMenu
Zone ID =	Piru1_100	Calculated
District Soil Number (1-7) =	4Rev	DropMenu- Rev for Revised C Coefficients
Tc for Intensity Calc min =	6.00	Rounded, Use for Peak Flow Calc.
Intensity in/hr =	5.216	Calculated
C_undeveloped =	0.460	Calculated
C_composite =	0.470	Calculated
Peak cfs =	306.29	Calculated
Calculated Tc=	5.04	Calculated
_		

Instructions:

- 1. Set to manual calculations with File->Options->Formulas
- 2. Set max iterative calculations to 50
- 3. Enter required subarea and flowpath data in blue fields
- 4. Use site-specific topo or District 2005 LiDAR data for elevations
- 5. LiDAR and rain zone data at: http://vcwatershed.net/publicMaps/data
- 6. Clear any unnessary flowpath data from blue fields
- 7. Manually calculate with F9 or Formulas->Calculate Now
- 8. If error or comments appear, revise input data accordingly
- 9. Tc's in cells C12 and C17 should converge to the nearest minute.
- 10. Use result in C12 for peak flow calculation.
- 11. Print area is set for printing this page on one sheet.

		FLO ¹	WPATH D	ATA-	UPSTR	EAM TO	DOWNS	STREAM						
								Mtn Chan.	Diam/		Side-			
Flowpath	Type- Selected with		Flowpath	Upper	Bott.		Мар	Eff. Slope	Width		slope X;			Cum.
Number	DropMenus	Type#	Area ac	Elev. Ft	Elev. Ft	Length ft	Slope ft/ft	ft/ft	ft	n value	XH:1V	% Area	Q cfs	Q cfs
1	Overland-Undeveloped	1	0.14	5700	5695	55	0.091					0.1%	0.3	0.3
2	Natural Mountain Channel	4	123.74	5695	5110	3085	0.190	0.154				99.9%	305.9	306.3
3	None	0										0.0%	-	306.3
4	None	0										0.0%	-	306.3
5	None	0										0.0%	-	306.3
6	None	0										0.0%	-	306.3
7	None	0										0.0%	-	306.3
8	None	0										0.0%	-	306.3
9	None	0										0.0%	-	306.3
10	None	0										0.0%	-	306.3
Sum			123.9									100%	306.3	

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

Modified Rational Model Results Report

Job: 2 Project: Arcosa - Frazier Park Project Description ------Reclaimed Condition, SubArea 1, 100-year storm event VCRat version: 2.64.0.37 VCRain version: 201801 DOS EXE version: PC 2.64-201605 VCRain Curve Set: VCWPD 2016 Revised Curve Set Curve A: PIR1: Upper Piru Creek Curve B: None Curve C: None Curve D: None Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64) 2 Project: Arcosa - Frazier Park Page: Model Results |----- SUBAREA DATA AND RESULTS -----|- ACCUMULATED DATA --|---- ROUTING AFTER ACCUMULATION ------| NODE SOIL RAIN TC % AREA FLOW | AREA FLOW TIME | CHANNEL LENGTH SLOPE SIZE H:V N VALUES VEL DEPTH |
| ID TYPE ZONE (MIN) IMP (AC) (CFS) | (AC)
(Z) CHNL SIDES (FT/S) (FT) | (CFS) (MIN) TYPE (FT) (FT/FT) (FT) |------| 1A 040 A100 6 2 124 305 305 1153 124 -----124 305 1153 2A --------------Issue/Warning Messages TYPE ERR NO PROCEDURE LOCATION MESSAGE NO ISSUES OR WARNINGS DETECTED HYDROGRAPH PRINTOUT AT: 2A TOTAL AREA TO HYDROGRAPH: 124 acres cfs HYDROGRAPH PEAK: 305 TIME OF PEAK: 1153 minutes HYDROGRAPH VOLUME: 8.55 acre-ft FLOW TIME FLOW TIME FLOW TIME FLOW TIME TIME FLOW

(cfs) (min)

(cfs)

(min)

(cfs) (min) (cfs) (min) (cfs) (min)

0	0.00	100	0.52	200	0.52	300	0.52	400	0.52
500	0.52	600	0.58	700	0.77	800	0.77	900	0.93
1000	1.22	1050	1.50	1100	6.65	1110	31.64	1120	46.68
1130	50.12	1131	51.63	1132	53.85	1133	55.35	1134	57.57
1135	59.79	1136	61.29	1137	62.01	1138	61.29	1139	62.01
1140	61.29	1141	64.08	1142	67.27	1143	69.83	1144	72.38
1145	83.24	1146	94.73	1147	102.34	1148	110.57	1149	153.92
1150	198.67	1151	233.86	1152	269.36	1153	304.61	1154	303.97
1155	260.96	1156	214.22	1157	167.08	1158	120.71	1159	73.02
1160	59.86	1161	54.13	1162	51.27	1163	49.84	1164	46.97
1165	40.52	1166	34.08	1167	27.63	1168	21.73	1169	14.35
1170	7.67	1171	7.67	1172	7.67	1173	7.67	1174	7.67
1175	7.67	1176	7.67	1177	6.17	1178	4.66	1179	3.16
1180	1.65	1181	1.60	1182	1.55	1183	1.55	1184	1.55
1185	1.55	1186	1.53	1187	1.53	1188	1.55	1189	1.50
1190	1.45	1191	1.40	1192	1.35	1193	1.30	1194	1.22
1195	1.22	1196	1.22	1197	1.22	1198	1.22	1199	1.22
1200	1.22	1201	1.22	1202	1.22	1203	1.22	1204	1.22
1205	1.22	1206	1.22	1207	1.22	1208	1.22	1209	1.22
1210	1.22	1211	1.22	1212	1.22	1213	1.22	1214	1.22
1215	1.22	1216	1.22	1217	1.22	1218	1.22	1219	1.22
1220	1.22	1221	1.25	1222	1.25	1223	1.25	1224	1.25
1225	1.17	1226	1.09	1227	0.99	1228	0.92	1229	0.84
1230	0.76	1231	0.76	1232	0.76	1233	0.76	1234	0.76
1235	0.76	1236	0.76	1237	0.76	1238	0.76	1239	0.76
1240	0.76	1241	0.76	1242	0.76	1243	0.76	1244	0.76
1245	0.76	1246	0.79	1247	0.79	1248	0.79	1249	0.79
1250	0.79	1251	0.79	1252	0.76	1253	0.76	1254	0.76
1255	0.76	1256	0.76	1257	0.76	1258	0.76	1259	0.76
1260	0.76	1261	0.76	1262	0.76	1263	0.76	1264	0.76
1265	0.76	1266	0.76	1267	0.76	1268	0.76	1269	0.76
1270	0.79	1271	0.79	1272	0.79	1273	0.79	1274	0.79
1275	0.79	1276	0.76	1277	0.76	1278	0.76	1279	0.76
1280	0.76	1281	0.76	1282	0.76	1283	0.76	1284	0.76
1285	0.76	1286	0.76	1287	0.76	1288	0.76	1289	0.76
1290	0.76	1291	0.76	1292	0.76	1293	0.76	1294	0.79
1295	0.79	1296	0.79	1297	0.74	1298	0.69	1299	0.66
1300	0.58	1310	0.52	1320	0.52	1330	0.53	1340	0.52
1350	0.52	1360	0.52	1370	0.52	1380	0.52	1390	0.52
1400	0.53	1420	0.52	1440	0.52	1460	0.00	1500	0.00

999

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

> Job: 2 Project: Arcosa - Frazier Park

Page: 3 VCRat Model Input Model Lines 005 2 001A Header place holder 005 2 002A Header place holder 999 999 006 2 001A 040002012406A97 G1 1 2 006 2 002A 010 099A97

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

Modified Rational Model Results Report

Job: 2 Project: Arcosa - Frazier Park Project Description ------Reclaimed Condition, SubArea 1, 50-year storm event VCRat version: 2.64.0.37 VCRain version: 201801 DOS EXE version: PC 2.64-201605 VCRain Curve Set: VCWPD 2016 Revised Curve Set Curve A: PIR1: Upper Piru Creek Curve B: None Curve C: None Curve D: None Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64) 2 Project: Arcosa - Frazier Park Page: Model Results |----- SUBAREA DATA AND RESULTS -----|- ACCUMULATED DATA --|---- ROUTING AFTER ACCUMULATION ------| NODE SOIL RAIN TC % AREA FLOW | AREA FLOW TIME | CHANNEL LENGTH SLOPE SIZE H:V N VALUES VEL DEPTH |
| ID TYPE ZONE (MIN) IMP (AC) (CFS) | (AC)
(Z) CHNL SIDES (FT/S) (FT) | (CFS) (MIN) TYPE (FT) (FT/FT) (FT) |------| 1A 040 A50 6 2 259 259 1153 124 124 -----124 259 1153 2A --------------Issue/Warning Messages TYPE ERR NO PROCEDURE LOCATION MESSAGE NO ISSUES OR WARNINGS DETECTED HYDROGRAPH PRINTOUT AT: 2A TOTAL AREA TO HYDROGRAPH: 124 acres cfs HYDROGRAPH PEAK: 259 TIME OF PEAK: 1153 minutes 6.73 acre-ft HYDROGRAPH VOLUME: FLOW TIME FLOW TIME FLOW TIME FLOW TIME TIME FLOW

(cfs) (min)

(cfs)

(min)

(cfs) (min) (cfs) (min) (cfs) (min)

0	0.00	100	0.46	200	0.46	300	0.46	400	0.46
500	0.46	600	0.51	700	0.69	800	0.69	900	0.84
1000	1.10	1050	1.35	1100	1.69	1110	22.02	1120	34.65
1130	37.23	1131	38.73	1132	40.95	1133	42.46	1134	43.96
1135	45.47	1136	46.97	1137	46.97	1138	46.25	1139	46.25
1140	46.97	1141	49.84	1142	52.70	1143	55.56	1144	58.43
1145	68.55	1146	77.49	1147	84.51	1148	91.54	1149	128.36
1150	166.42	1151	197.37	1152	227.89	1153	259.03	1154	259.03
1155	220.71	1156	180.29	1157	139.50	1158	99.80	1159	57.71
1160	45.54	1161	40.52	1162	38.38	1163	36.94	1164	34.79
1165	29.78	1166	23.94	1167	18.78	1168	13.61	1169	7.67
1170	2.41	1171	2.41	1172	3.16	1173	3.16	1174	3.16
1175	3.16	1176	3.16	1177	1.65	1178	1.58	1179	1.53
1180	1.47	1181	1.45	1182	1.40	1183	1.40	1184	1.40
1185	1.40	1186	1.40	1187	1.40	1188	1.40	1189	1.35
1190	1.30	1191	1.25	1192	1.22	1193	1.14	1194	1.09
1195	1.09	1196	1.12	1197	1.12	1198	1.09	1199	1.09
1200	1.09	1201	1.12	1202	1.09	1203	1.09	1204	1.09
1205	1.12	1206	1.12	1207	1.09	1208	1.09	1209	1.09
1210	1.12	1211	1.09	1212	1.09	1213	1.09	1214	1.12
1215	1.12	1216	1.09	1217	1.09	1218	1.09	1219	1.12
1220	1.09	1221	1.09	1222	1.09	1223	1.12	1224	1.12
1225	1.02	1226	0.97	1227	0.89	1228	0.84	1229	0.74
1230	0.69	1231	0.69	1232	0.69	1233	0.69	1234	0.69
1235	0.69	1236	0.69	1237	0.69	1238	0.69	1239	0.71
1240	0.69	1241	0.71	1242	0.69	1243	0.71	1244	0.69
1245	0.69	1246	0.69	1247	0.69	1248	0.69	1249	0.69
1250	0.69	1251	0.69	1252	0.69	1253	0.69	1254	0.69
1255	0.69	1256	0.69	1257	0.69	1258	0.69	1259	0.69
1260	0.69	1261	0.69	1262	0.69	1263	0.69	1264	0.69
1265	0.69	1266	0.69	1267	0.69	1268	0.69	1269	0.69
1270	0.69	1271	0.69	1272	0.69	1273	0.69	1274	0.69
1275	0.69	1276	0.71	1277	0.69	1278	0.71	1279	0.69
1280	0.71	1281	0.69	1282	0.69	1283	0.69	1284	0.69
1285	0.69	1286	0.69	1287	0.69	1288	0.69	1289	0.69
1290	0.69	1291	0.69	1292	0.69	1293	0.69	1294	0.69
1295	0.69	1296	0.69	1297	0.66	1298	0.61	1299	0.58
1300	0.53	1310	0.46	1320	0.46	1330	0.46	1340	0.46
1350	0.47	1360	0.46	1370	0.46	1380	0.46	1390	0.46
1400	0.46	1420	0.47	1440	0.46	1460	0.00	1500	0.00

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

Job: 2 Project: Arcosa - Frazier Park

Page:		3	VCD-t M-1-1 Toront
Model	Line	s	VCRat Model Input
005	2	001A Header place holder	
005 999	2	002A Header place holder	
999			
006	2	001A 040002012406A97	G1
006	2	002A 010 099A97	1 2

999

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

Modified Rational Model Results Report

Job: 2 Project: Arcosa - Frazier Park Project Description ------Reclaimed Condition, SubArea 1, 25-year storm event VCRat version: 2.64.0.37 VCRain version: 201801 DOS EXE version: PC 2.64-201605 VCRain Curve Set: VCWPD 2016 Revised Curve Set Curve A: PIR1: Upper Piru Creek Curve B: None Curve C: None Curve D: None Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64) 2 Project: Arcosa - Frazier Park Page: Model Results |----- SUBAREA DATA AND RESULTS -----|- ACCUMULATED DATA --|---- ROUTING AFTER ACCUMULATION ------| NODE SOIL RAIN TC % AREA FLOW | AREA FLOW TIME | CHANNEL LENGTH SLOPE SIZE H:V N VALUES VEL DEPTH |
| ID TYPE ZONE (MIN) IMP (AC) (CFS) | (AC)
(Z) CHNL SIDES (FT/S) (FT) | (CFS) (MIN) TYPE (FT) (FT/FT) (FT) |------| 1A 040 A25 6 2 216 216 1153 124 124 -----124 216 1153 2A --- --------------Issue/Warning Messages TYPE ERR NO PROCEDURE LOCATION MESSAGE NO ISSUES OR WARNINGS DETECTED HYDROGRAPH PRINTOUT AT: 2A TOTAL AREA TO HYDROGRAPH: 124 acres HYDROGRAPH PEAK: cfs 216 TIME OF PEAK: 1153 minutes

5.23 acre-ft

FLOW

TIME

FLOW TIME

(cfs) (min)

FLOW

(cfs)

FLOW TIME

(cfs) (min) (cfs) (min) (cfs) (min)

HYDROGRAPH VOLUME:

TIME

FLOW

TIME

(min)

0	0.00	100	0.40	200	0.40	300	0.40	400	0.40
500	0.40	600	0.45	700	0.61	800	0.61	900	0.74
1000	0.98	1050	1.20	1100	1.48	1110	13.17	1120	22.91
1130	25.12	1131	26.53	1132	27.92	1133	29.28	1134	30.64
1135	32.00	1136	34.08	1137	34.08	1138	34.08	1139	34.08
1140	34.08	1141	36.23	1142	37.66	1143	39.81	1144	42.67
1145	51.27	1146	60.58	1147	67.27	1148	73.66	1149	105.50
1150	136.22	1151	163.12	1152	189.53	1153	215.52	1154	215.52
1155	182.93	1156	148.68	1157	114.37	1158	80.68	1159	43.39
1160	31.93	1161	28.35	1162	26.89	1163	24.68	1164	23.20
1165	18.78	1166	15.08	1167	10.66	1168	5.42	1169	1.65
1170	1.50	1171	1.50	1172	1.50	1173	1.50	1174	1.53
1175	1.53	1176	1.53	1177	1.47	1178	1.42	1179	1.37
1180	1.32	1181	1.30	1182	1.25	1183	1.25	1184	1.25
1185	1.25	1186	1.25	1187	1.25	1188	1.25	1189	1.20
1190	1.17	1191	1.12	1192	1.07	1193	1.02	1194	0.97
1195	0.99	1196	0.97	1197	0.97	1198	0.99	1199	0.97
1200	0.99	1201	0.97	1202	0.97	1203	0.99	1204	0.97
1205	0.99	1206	0.97	1207	0.99	1208	0.99	1209	0.97
1210	0.99	1211	0.97	1212	0.99	1213	0.97	1214	0.97
1215	0.99	1216	0.97	1217	0.99	1218	0.97	1219	0.97
1220	0.99	1221	0.97	1222	0.99	1223	0.97	1224	0.97
1225	0.92	1226	0.84	1227	0.79	1228	0.71	1229	0.66
1230	0.61	1231	0.61	1232	0.61	1233	0.61	1234	0.61
1235	0.61	1236	0.61	1237	0.61	1238	0.61	1239	0.61
1240	0.61	1241	0.61	1242	0.61	1243	0.61	1244	0.61
1245	0.61	1246	0.61	1247	0.61	1248	0.61	1249	0.61
1250	0.61	1251	0.61	1252	0.61	1253	0.61	1254	0.61
1255	0.61	1256	0.61	1257	0.61	1258	0.61	1259	0.61
1260	0.61	1261	0.61	1262	0.61	1263	0.61	1264	0.61
1265	0.61	1266	0.61	1267	0.61	1268	0.61	1269	0.61
1270	0.61	1271	0.58	1272	0.58	1273	0.58	1274	0.58
1275	0.58	1276	0.58	1277	0.61	1278	0.61	1279	0.61
1280	0.61	1281	0.61	1282	0.61	1283	0.61	1284	0.61
1285	0.61	1286	0.61	1287	0.61	1288	0.61	1289	0.61
1290	0.61	1291	0.61	1292	0.61	1293	0.61	1294	0.61
1295	0.61	1296	0.61	1297	0.58	1298	0.53	1299	0.51
1300	0.48	1310	0.40	1320	0.40	1330	0.40	1340	0.41
1350	0.40	1360	0.40	1370	0.40	1380	0.41	1390	0.40
1400	0.40	1420	0.40	1440	0.40	1460	0.00	1500	0.00

999

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

Job: 2 Project: Arcosa - Frazier Park

Page:		3	2 Trojece: Areosa Trazzel Tark
rage.		3	VCRat Model Input
Model	Line	S	
005	2	001A Header place holder	
005	2	002A Header place holder	
999			
999			
006	2	001A 040002012406A97	G1
006	2	002A 010 099A97	1 2
000			

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

Modified Rational Model Results Report

Job: 2 Project: Arcosa - Frazier Park Project Description ------Reclaimed Condition, SubArea 1, 10-year storm event VCRat version: 2.64.0.37 VCRain version: 201801 DOS EXE version: PC 2.64-201605 VCRain Curve Set: VCWPD 2016 Revised Curve Set Curve A: PIR1: Upper Piru Creek Curve B: None Curve C: None Curve D: None Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64) 2 Project: Arcosa - Frazier Park Page: Model Results |----- SUBAREA DATA AND RESULTS -----|- ACCUMULATED DATA --|---- ROUTING AFTER ACCUMULATION ------| NODE SOIL RAIN TC % AREA FLOW | AREA FLOW TIME | CHANNEL LENGTH SLOPE SIZE H:V N VALUES VEL DEPTH |
| ID TYPE ZONE (MIN) IMP (AC) (CFS) | (AC)
(Z) CHNL SIDES (FT/S) (FT) | (CFS) (MIN) TYPE (FT) (FT/FT) (FT) |------| 1A 040 A10 6 2 162 162 1154 124 124 -----124 162 1154 2A --------------Issue/Warning Messages TYPE ERR NO PROCEDURE LOCATION MESSAGE NO ISSUES OR WARNINGS DETECTED HYDROGRAPH PRINTOUT AT: 2A TOTAL AREA TO HYDROGRAPH: 124 acres HYDROGRAPH PEAK: cfs 162 TIME OF PEAK: 1153 minutes HYDROGRAPH VOLUME: 3.35 acre-ft FLOW TIME FLOW TIME FLOW TIME FLOW TIME TIME FLOW

(cfs) (min)

(cfs)

(min)

(cfs) (min) (cfs) (min) (cfs) (min)

0	0.00	100	0.32	200	0.32	300	0.32	400	0.32
0 500	0.32	600	0.32	200 700	0.50	300 800	0.50	900	0.32
1000	0.32	1050	1.00	1100	1.24	1110	1.63	1120	7.83
1130	10.07	1131	11.02	1132	11.98	1133	13.68	1134	14.64
		1131		1137		1138			
1135	15.60		17.30 18.77	1142	17.30		17.30 21.73	1139 1144	16.56
1140 1145	17.30 31.21	1141 1146		1142	20.25 44.11	1143 1148	49.12	1144	23.94 76.21
			37.66						
1150	100.43	1151	120.71	1152	141.47	1153	161.80	1154	161.80
1155	136.22	1156	109.94	1157	83.24	1158	55.57	1159	24.68
1160	15.82	1161	12.13	1162	10.66	1163	9.92	1164	8.43
1165	4.66	1166	2.41	1167	1.58	1168	1.47	1169	1.35
1170	1.27	1171	1.27	1172	1.25	1173	1.27	1174	1.27
1175	1.27	1176	1.25	1177	1.22	1178	1.20	1179	1.14
1180	1.12	1181	1.07	1182	1.04	1183	1.04	1184	1.04
1185	1.04	1186	1.04	1187	1.04	1188	1.04	1189	0.99
1190	0.97	1191	0.92	1192	0.86	1193	0.86	1194	0.81
1195	0.81	1196	0.81	1197	0.81	1198	0.81	1199	0.79
1200	0.81	1201	0.81	1202	0.79	1203	0.81	1204	0.81
1205	0.81	1206	0.81	1207	0.81	1208	0.81	1209	0.79
1210	0.81	1211	0.81	1212	0.79	1213	0.81	1214	0.81
1215	0.81	1216	0.81	1217	0.81	1218	0.81	1219	0.81
1220	0.81	1221	0.81	1222	0.79	1223	0.81	1224	0.81
1225	0.74	1226	0.71	1227	0.66	1228	0.61	1229	0.53
1230	0.51	1231	0.51	1232	0.48	1233	0.48	1234	0.51
1235	0.51	1236	0.48	1237	0.48	1238	0.51	1239	0.51
1240	0.48	1241	0.48	1242	0.51	1243	0.51	1244	0.48
1245	0.51	1246	0.51	1247	0.51	1248	0.48	1249	0.51
1250	0.51	1251	0.48	1252	0.48	1253	0.51	1254	0.51
1255	0.48	1256	0.48	1257	0.51	1258	0.51	1259	0.48
1260	0.48	1261	0.51	1262	0.51	1263	0.48	1264	0.51
1265	0.51	1266	0.51	1267	0.48	1268	0.51	1269	0.51
1270	0.48	1271	0.48	1272	0.51	1273	0.51	1274	0.48
1275	0.48	1276	0.51	1277	0.51	1278	0.48	1279	0.51
1280	0.51	1281	0.51	1282	0.48	1283	0.51	1284	0.51
1285	0.48	1286	0.48	1287	0.51	1288	0.51	1289	0.48
1290	0.48	1291	0.51	1292	0.51	1293	0.48	1294	0.48
1295	0.51	1296	0.51	1297	0.46	1298	0.43	1299	0.41
1300	0.38	1310	0.34	1320	0.32	1330	0.32	1340	0.32
1350	0.32	1360	0.32	1370	0.32	1380	0.32	1390	0.32
1400	0.34	1420	0.32	1440	0.32	1460	0.00	1500	0.00

Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.64)

> Job: 2 Project: Arcosa - Frazier Park

Page: 3 VCRat Model Input

Model Lines

005 2 001A Header place holder 005 2 002A Header place holder

999 999

2 001A 040002012406A97 006 G1 1 2 006 2 002A 010 099A97 999

Drainage Study Arcosa LWFP, LLC April 2023 **ATTACHMENT 3 Runoff Calculations for the Approved Reclaimed Condition** by Water Resource Engineering Associates, December 2005

Attachment 4

Hydrology and Hydraulic Calculations prepared by WREA dated December 2005

TXI PACIFIC CUSTOM MATERIALS RIDGELITE MINE FRAZIER PARK, CA CUP #212

Hydrology and Hydraulic Calculations Expansion of Ore Reserve Area

BACKGROUND

The Ridgelite Mine, Life of Mine Update Project (CUP #212), located on Lockwood Valley Road in the northwestern section of Ventura County just west of Frazier Park, is proposing to expand the ore reserve area. The following hydrologic analysis addresses the requirements for the main drainage channel that carries runoff from the quarry and upstream areas to the existing Lower Pond. The watershed that affects the drainage channel design includes approximately 131 acres; 58 upstream and 73 within the quarry area. The drainage area is outlined on the attached exhibit based on the mine expansion project description (assuming 5370'± elevation for highwall start as quarry extent).

The system was modeled based on a 50-year/24 hour storm intensity using the SCS hydrologic analysis methodologies. Drainage channel and culvert hydraulic calculations were completed utilizing the Flowmaster, Haestad Methods software, Version 7.0, 2005.

HYDROLOGY

Developed Conditions:

Estimated Drainage Area

= Approximately 131 acres

-58 acres upstream

-73 acres quarry area Slopes = Steep (> 8%)

Curve #: Upstream:

Veg. Cover = Narrow Leaf Chaparral

Hydrologic Conditions = Fair Hydrologic Soil Group = D

CN = 86 (SCS EFM Exhibit CAL-2-11)

Quarry Area:

Veg. Cover = Bare/Dirt

Hydrologic Conditions = Poor Hydrologic Soil Group = D

 $\dot{CN} = 91 (SCS EFM Exhibit CAL-2-11)$

Weighted Curve # $(58*86)/131 + (73*91)/131 = 88.8 \approx 89$

Standard Dwg ES 1026 Sheet 38 = 435 cfs (SCS Discharge Curve #85) Standard Dwg ES 1026 Sheet 39 = 500 cfs (SCS Discharge Curve #90) Interpolating for CN 89 discharge yields 487 CFS

Specific Discharge:

487 CFS

= 3.72 CFS/Acre

Steep Slopes are defined as watershed slopes greater than 8%

Type I Storm curves will be used in this instance. Design criteria is applicable as the Type I storms are more intense than Type IA.

HYDRAULICS

Culvert sizing calculations were performed for the proposed channel crossing areas using assumed standard Caltrans concrete box culvert structure (Manning's N=0.015 for concrete). The culverts and drainage channel were sized for capacity of the peak Q_{50} .

The Mine Drainage Site Plan and Channel Grading Exhibit shows the main channel at the side slopes required by the soils engineer as follows: slopes 60' or less designed at ratio of 1.6:1 (H:V) and slopes with effective heights greater than 60' designed at ratio 1.8:1. Cross sections at various areas along the channel (every 500'±) are provided for reference only and do not show proposed slope bench/access road (no excavation volume calculations were completed).

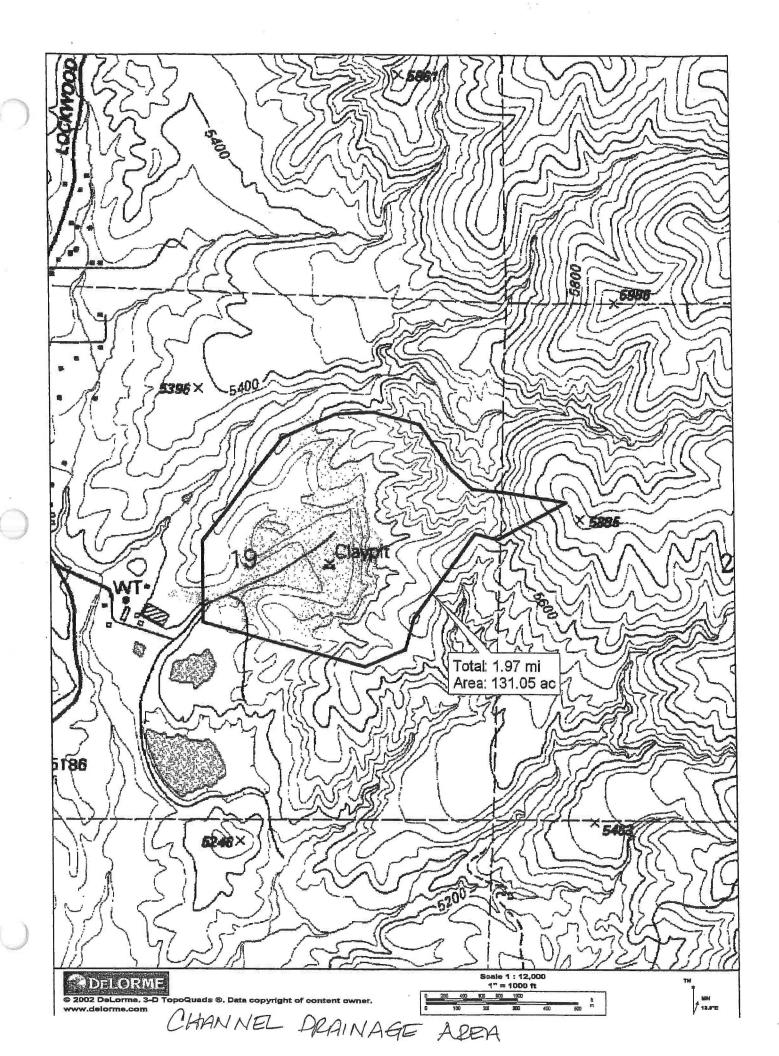
Culvert cross sections are provided with the required size criteria on Sheet 2 of the plan set. Culvert section plans are shown for general information purposes only; size, slope, crossing location, etc. and are not to be used for construction purposes. As design progresses, a detailed construction drawing set should be completed that indicates standard box culvert concrete mixture (ultimate and compressive strength) design criteria, reinforcement standards, backfill procedures, headwall design, etc. Soils engineer should review final culvert design at crossings to determine compaction and slope stability requirements.

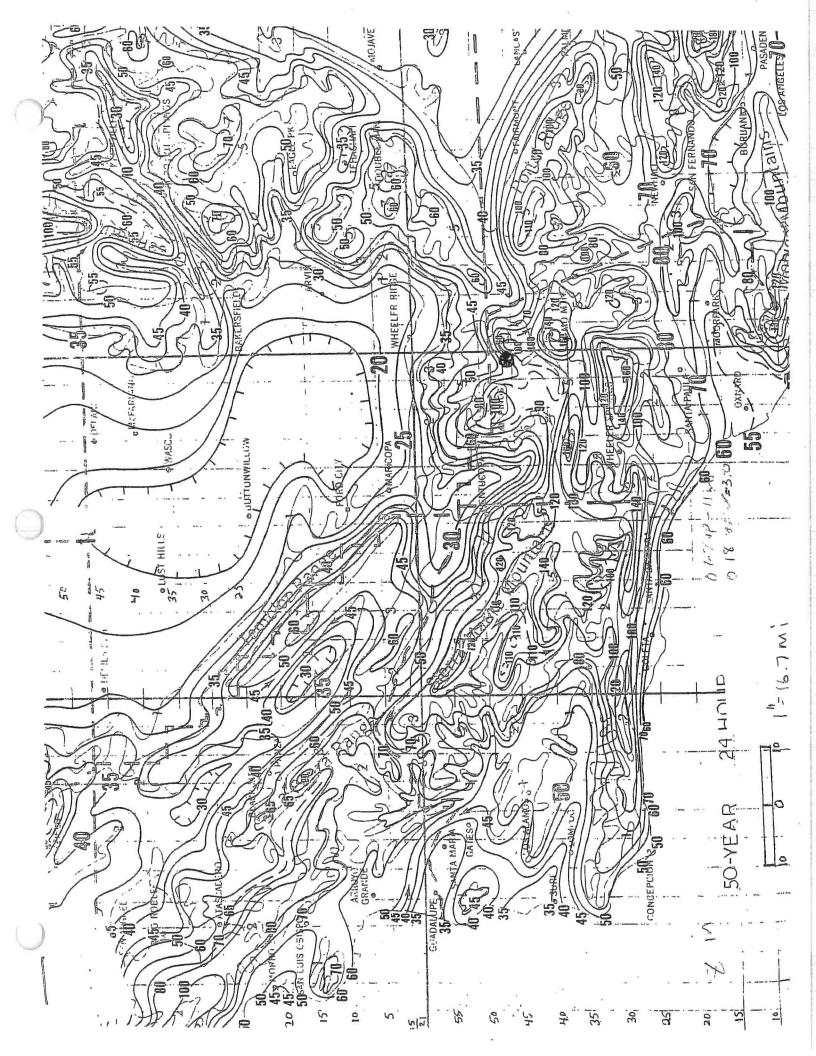
Prepared by:



WATER RESOURCE ENGINEERING ASSOCIATES 2300 Alessandro Drive, Suite 215, Ventura, CA (805) 653-7900 800-25-WATER Fax (805) 653-0610 12/05/05







PEAK RATES OF DISCHARGE FOR SMALL WATERSHEDS TYPE I STORM DISTRIBUTION

SLOPES - STEEP

CURVE NUMBER - 85

24 HOUR RAINFALL FROM US WB TP-43, TP-47, & (Revised) TP-40

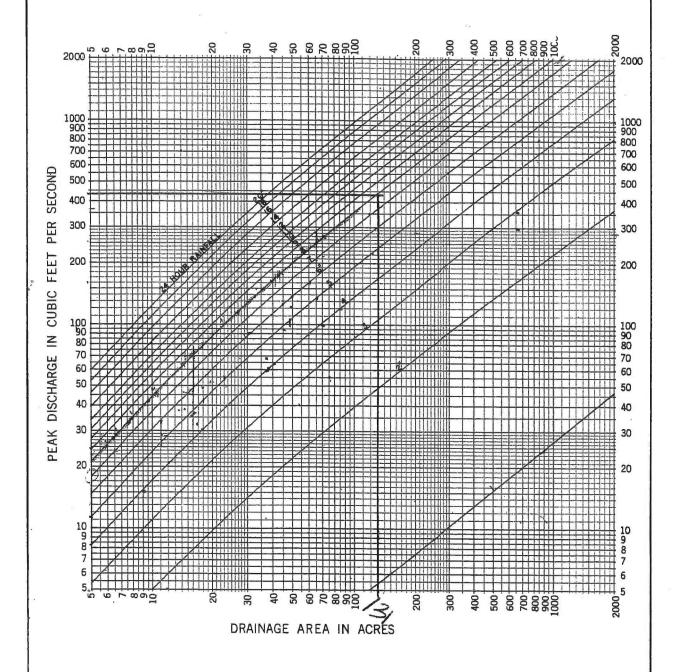


Exhibit 2-11

REFERENCE

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
ENGINEERING DIVISION - HYDROLOGY BRANCH

DATE 6-1-71

PEAK RATES OF DISCHARGE FOR SMALL WATERSHEDS TYPE I STORM DISTRIBUTION

SLOPES - STEEP CURVE NUMBER - 90

24 HOUR RAINFALL FROM US WB TP-43, TP-47, & (Revised) TP-40

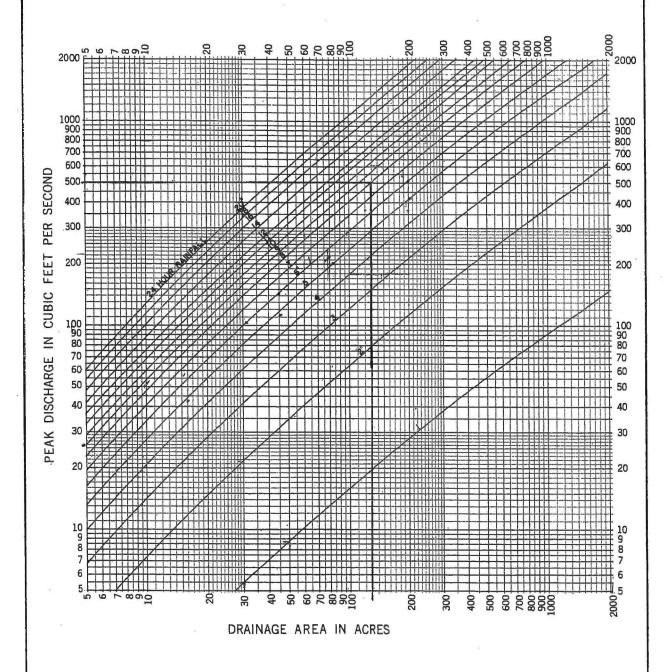


Exhibit 2-11

REFERENCE

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
ENGINEERING DIVISION - HYDROLOGY BRANCH

DATE 6-1-71

Conservation Service
SHEET 39 OF 39

DATE 6-1-71

Worksheet Worksheet for Rectangular Channel

Project Description	on
Worksheet	Box Culvert
Flow Element	Rectangular Ch
Method	Manning's Form
Solve For	Channel Depth
Input Data	
Mannings Coeff	ic 0.015
Channel Slope	010000 ft/ft
Bottom Width	6.00 ft
Discharge	487.00 cfs
Results	
Depth	5.31 ft
Flow Area	31.9 ft²
Wetted Perima	16.62 ft
Top Width	6.00 ft
Critical Depth	5.89 ft
Critical Slope	0.007730 ft/ft
Velocity	15.29 ft/s
Velocity Head	3.63 ft
Specific Energ	8.94 ft

1.17.

Supercritical

Froude Numb

Flow Type

Worksheet **Worksheet for Trapezoidal Channel**

Worksheet	Main Drainage (minimum size
Flow Element	Trapezoidal Channel
Method	Manning's Formula
Solve For	Channel Depth
Input Data	
Manninga Coeffic	0.030

Input Data		
Mannings Coeffic	0.030	
Channel Slope	010000	ft/ft
Left Side Slope	1.60	H:V
Right Side Slope	1.60	H:V
Bottom Width	5.00	ft
Discharge	487.00	cfs

Results	
Depth	4.44 ft
Flow Area	53.8 ft ²
Wetted Perima	21.76 ft
Top Width	19.22 ft
Critical Depth	4.34 ft
Critical Slope	0.011049 ft/ft
Velocity	9.05 ft/s
Velocity Head	1.27 ft
Specific Energ	5.72 ft
Froude Numb	0.95
Flow Type	Subcritical

Arcosa LWFP, LLC	Reclamation Plan Amendment May 2025
	ATTACHMENT C
	Revegetation Plan Addendum



December 10, 2024

Helen Eloyan Sespe Consulting, Inc. 374 Poli Street, Suite 200 Ventura, CA 93001

Via email: heloyan@sespeconsulting.com

Re: Revegetation Plan Addendum: Supplemental Information in Support of the Reclamation Plan Amendment for the Frazier Park Facility, Ventura County, California (Application No: LU06-0045)

Dear Ms. Eloyan:

The purpose of this letter report is to provide supplemental information in support of a Reclamation Plan Amendment for an existing clay mine operated near Frazier Park in Lockwood Valley in unincorporated Ventura County, California. Arcosa LWFP, LLC is proposing to deepen the existing excavation pit at the Frazier Park facility by approximately 60 vertical feet (herein referred to as the Project), which has triggered the need for a Reclamation Plan Amendment. Specifically, this document proposes revisions to the Revegetation Plan prepared by Project KKGB in 2007 (Project KKGB 2007), which is included in the Reclamation Plan (Pacific Custom Materials, Inc. 2007) and was approved by Ventura County in 2007. In addition, this document discusses the wetland and riparian habitat that has the potential to be established in the excavation pit after reclamation is complete and the added benefits that this habitat will provide to local and transient wildlife, if established.

INTRODUCTION

Project Location

The Project is located at 17410 East Lockwood Valley Road, Frazier Park, California in unincorporated Ventura County. The entrance to the Project is from Lockwood Valley Road, approximately 21 miles from State Route 33 and 12 miles from Interstate 5 at the Frazier Park exit. The Project encompasses approximately 260 acres and is located within the Cuddy Valley U.S. Geologic Survey 7 .5-minute topographic quadrangle.

Project Description

The Proposed Project will deepen the existing excavation pit but will not expand any of the current mining boundaries. Specifically, the Project will involve deepening the existing mining pit by approximately 60 vertical feet, lowering the permitted pit bottom from 5,170 feet above Mean Sea Level (MSL) to 5,110 feet above MSL. The existing Reclamation Plan boundary, mine footprint, and disturbance area within the facility would not change or expand. Additionally, the site operates pursuant to Conditional Use Permit (CUP) No. 212, and the existing conditions of approval under CUP No. 212 would also not change. The volume of additional material to be extracted is estimated to be 700,000 bank cubic yards, or

approximately 1.1 to 1.3 million tons of material (assuming an average density of 1.6 to 1.9 tons/cubic yard). Mined materials would continue to be processed at the onsite plant; no changes to the existing onsite processing facilities are proposed. Mining would be performed in all existing mining areas as excavation proceeds and will require that the slopes and bottom of the excavation pit be lowered simultaneously.

This Project would be implemented concurrently with ongoing mining operations and would not extend the currently approved mine life, which is estimated to remain through 2046 as described in the existing Reclamation Plan. Additionally, this Project does not propose any changes to the existing processing facilities, CUP, mining or reclamation methods, or end use of the site post-mining.

REVEGETATION PLAN HIGHLIGHTS

Most of the Project conditions will remain the same as the pre-Project conditions, and therefore will involve the same goals and objectives outlined in the Revegetation Plan. However, the increase in depth within the excavation pit would result in the potential for water ponding and growth of riparian/hydrophytic plant species following storm events. Therefore, the following sections in this letter report have been prepared to address these changes and to summarize and supplement portions of the Revegetation Plan. The following adaptive management strategies will still apply to the riparian/wetland vegetation that is expected to be established within the deepened excavation pit. Note the information presented below is meant to supplement Project KKGB's 2007 Revegetation Plan (Project KKGB 2007) and will be included as an appendix in the Project's Amended Reclamation Plan.

Summary of Revegetation Plan Sections

Section 3.3 Vegetation Removal and Soil Salvage

Both the original topsoil and overburden from the site have already been salvaged and stored for reclamation purposes prior to the existing active mining operation. Once mining operations are complete, the soil at the bottom of the excavation pit will be supplemented with the original topsoil and overburden that has been saved on site according to the specifications of the Revegetation Plan and will be used to fill and prep the area for revegetation within the deepened excavation pit. No bare bedrock or leftover bottom surface of the excavation pit will remain exposed, which will provide vegetation with substrate, nutrients, and microbes necessary to grow and establish.

Section 3.5.2 Site Grading and Planting Preparation

The graded surface that is left on slopes and within the deepened excavation pit is crucial to the revegetation effort. The angle and slope of the reapplied topsoil will follow the specifications in the Revegetation Plan, so as not to increase the potential for erosion. The condition of the surface, which shall be left "rough", has several benefits including soil retention, seed trapping, microhabitats, moisture conservation, and improved root growth.

Section 3.5.4. Erosion Control

Straw wattling will be used for erosion control on slopes as needed. This will further stabilize the slopes leading into the deepened excavation pit and create a better substrate for many types of vegetation.

Revegetation Plan Section Revisions

Section 3.5.5 Plant Materials and Procedures

Plant species specified for the seed mix in the Revegetation Plan were chosen based on their occurrence within the boundaries of the Project Site and remain appropriate for the slopes leading into the excavation pit. However, these species are upland species that would not necessarily establish in the riparian/wetland conditions, if said conditions were to occur within the deepened excavation pit following a significant storm event. Therefore, it is recommended that the bottom of the excavation pit not be hydroseeded or broadcasted with seed and no tackifier or mulch be used, as its applications are not meant for constant moisture. In time, riparian/wetland species from the surrounding area are expected to naturally establish within the excavation pit as it holds extra moisture from storm events, and therefore revegetation of this area would not be required. Specifically, it is recommended that the bottom 3 feet of the excavation pit should not be revegetated during reclamation, as this portion of the pit is expected to be naturally revegetated over time.

Section 5.0 Monitoring

The performance standards outlined for the revegetation of the Project Site will not apply to the bottom 3 feet of the excavation pit, where riparian/wetland vegetation will naturally establish. The reason for this is the cover and composition of species will gradually change over the years with above average and below average precipitation, and this vegetation cover will reestablish naturally. The composition will naturally transition to species that are drought tolerant but are also adapted to soil saturation and high-water levels. In addition, the cover criteria would not be applicable to areas where there is the potential for ponded water.

Benefits of Revegetation Plan Revisions

Pairing with Wildlife Corridors and Habitat Connectivity

Designated wildlife corridors are not present on or near the Project Site. However, by creating wetland/riparian habitat within the excavation pit post-reclamation, habitat connectivity could potentially be increased compared to existing/pre-Project conditions by providing an essential stopover point for various migratory and local wildlife species that depend on riparian habitat, wetlands, or ponded water.

Wetland/Riparian Habitat Creation

The Project proposes to deepen the excavation pit, thereby increasing the water capture potential. Based on hydrologic projections, captured water from the 10-year to 50-year storm events would take approximately 115 to 215 days, respectively, to either percolate below the pit floor or evaporate naturally. During these periods, the presence of water will potentially create ideal conditions for wetland vegetation

such as bulrush (*Schoenoplectus* sp.) and cattails (*Typha* sp.). If established, these plant species can significantly enhance the habitat in the area, providing critical resources for many species. As water levels fluctuate, riparian shrubs, trees, and herbs could also take root along the banks and offer shelter, breeding/nesting sites, and food for birds, amphibians, and insects. Moreover, the presence of water can attract numerous species, which will help maintain local biodiversity by serving as a critical stopover point for migratory birds.

The cycle of inundation and drawdown will bring its own set of ecological dynamics. During inundation periods, some shrubs and trees may die back due to prolonged submersion, while others that are more adapted to wet conditions may survive and flourish. This can create a mosaic of habitats that changes with water levels, providing diverse niches for different species. In drought cycles, the reduction in water availability can lead to the drying of wetland areas, affecting the plant communities and potentially reducing habitat availability for certain wildlife. However, the adaptability of wetland species often allows some vegetation to persist even during these dry periods, ensuring that the area continues to provide valuable habitat functions.

The complex structure of wetland ecosystems also provides essential functions such as flood mitigation, water filtration, and carbon storage. Vegetation within riparian/wetland habitats also helps stabilize soil and prevent erosion. The wetland habitat within the excavation pit combined with the adjacent terrestrial habitat is expected to support a higher diversity of wildlife and plants.

Slope Steepness for Wildlife

Slopes with a steepness of 21.2 to 31 degrees (38 to 60 percent slope) within the excavation pit will be essential for facilitating safe and easy access for animals to the upland portions of the Project Site. The final reclaimed condition, which includes a proposed slope steepness of 38 percent (2.6H:1.0V), will be sufficiently flat for wildlife to enter and exit the excavation pit. Please refer to Figure 1 below showing the proposed reclaimed slopes.

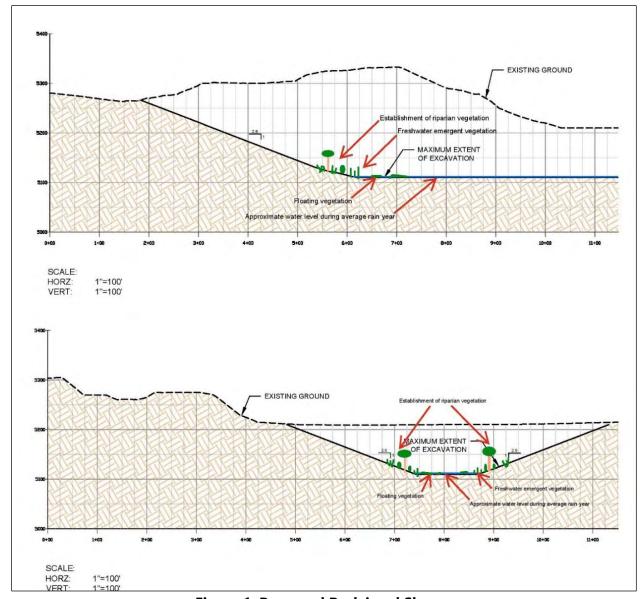


Figure 1. Proposed Reclaimed Slopes

As such, the Project's proposed finished slopes will allow for the safe movement of wildlife species across the post-reclamation condition of the Project Site, which will not adversely affect the local wildlife population.

DISCUSSION AND CONCLUSION

In summary, the increase in depth of the excavation pit does introduce factors that the Revegetation Plan had not accounted for, including ponding of water and the potential establishment of naturally occurring riparian/hydrophytic vegetation. Water from precipitation events may collect within the deeper excavation pit and result in the establishment of riparian/wetland habitat post-reclamation. Impacts to biological resources on the Project Site will be positive rather than negative with the availability of the riparian/wetland habitat.

The supplemental information and suggested modifications to the Revegetation Plan included in this letter report highlight benefits of the proposed changes to the Project. As noted above, the information presented herein will be included as an appendix in the Project's Amended Reclamation Plan.

If you have any questions regarding this information, please contact me at (619) 780-1334 or email me at ghamnpton@ecorpconsulting.com.

Sincerely,

Greg Hampton

Senior Biologist/Restoration Specialist

ECORP Consulting, Inc.

REFERENCES

Pacific Custom Materials, Inc. 2007. Reclamation Plan Application Update. Frazier Park Plant. June.

Project KKGB. 2007. Revegetation Plan for Pacific Custom Material, Inc. January.

ENCLOSURE 2

Reclamation Plan Application Update, Pacific Custom Materials, Inc., Frazier Park Plant (Dated June 2007, Approved April 2010)

Reclamation Plan Application Update Pacific Custom Materials, Inc. Frazier Park Plant

June 2007



Update Prepared By:

Pacific Custom Materials, Inc. Environmental Office P.O. Box 146 Oro Grande, CA 92368 COUNTY OF VENTURA
PLANNING DIVISION

APPROVED
Date APA 16 2010

Permit No. 406 - 0045

Planner Authorizing



• Environmental Office • P.O. Box 146 • Oro Grande, California 92368 • PHONE 760.245.5321 • FAX: 760.243.3567 •

June 1, 2007

Ms. Carole Aragon, Case Manager County of Ventura Resource Management Agency, Planning Division 800 South Victoria Avenue, L#1740 Ventura, California 93009

> Pacific Custom Materials, Inc. – Frazier Park Plant Reclamation Plan Amendment Application #LU06-0045 RE: <u>Update</u>

Dear Ms. Aragon:

Please find enclosed 4 copies of the referenced application update. This material provides responses to the County's requests over the past several months in one complete document.

Please call me with any questions at (760) 245-5321 ext 319.

Environmental Manager

Western Region,

Reclamation Plan Application Update Pacific Custom Materials, Inc. Frazier Park Plant

June 2007



Update Prepared By:

Pacific Custom Materials, Inc. Environmental Office P.O. Box 146 Oro Grande, CA 92368

TABLE OF CONTENTS

INTRODUCTION	4
OWNER, OPERATOR AND AGENT	5
LOCATION	6
SITE DESCRIPTION	8
PROPOSED STARTING DATE OF OPERATION	11
RECLAMATION PLAN	14
SMARA RECLAMATION STANDARDS	29
STATEMENT OF RESPONSIBILITY	33
REFERENCES	34
LIST OF TABLES	
TABLE 1 FRAZIER PARK PLANT RECLAMATION PLAN REAL PROPERTY PARCELS	
TABLE 2 FRAZIER PARK PLANT RECLAMATION PLAN AREAS	
TABLE 3 FRAZIER PARK PLANT POST-MINING RECLAMATION TIMELINE	
TABLE 4 FRAZIER PARK PLANT TOPSOIL STOCKPILE SEED LIST	
TABLE 5 FRAZIER PARK PLANT REVEGETATION TEST PLOT CONFIGURATION MATE	RIX
TABLE 6 FRAZIER PARK PLANT REVEGETATION TEST PLOT TIMELINE	
TABLE 7 FRAZIER PARK PLANT REVEGETATION SEED MIX	
TABLE 8 FRAZIER PARK PLANT REVEGETATION PERFORMANCE STANDARDS	

Pacific Custom Materials, Inc. Frazier Park Plant Reclamation Plan Update

LIST OF ATTACHMENTS

ATTACHMENT 1 RECLAMATION PLAN FIGURES

ATTACHMENT 2 1979 RECLAMATION PLAN

ATTACHMENT 3 RECLAMATION PLAN GEOTECHNICAL REPORTS

ATTACHMENT 4 RECLAMATION PLAN BIOLOGICAL REPORTS

ATTACHMENT 5 RECLAMATION PLAN GROUNDWATER INFORMATION

ATTACHMENT 6 RECLAMATION PLAN HYDROLOGY INFORMATION

ATTACHMENT 7 REVEGETATION PLAN

ATTACHMENT 8 RECLAMATION PLAN VISUAL RENDERINGS

ATTACHMENT 9 RECLAMATION PLAN FINANCIAL ASSURANCE CALCULATIONS

ATTACHMENT 10 FRAZIER PARK PLANT 2006 VENTURA COUNTY HAZARDOUS MATERIALS INVENTORY

ATTACHMENT 11 ARCHAEOLOGICAL INVESTIGATION FOR THE RIDGELITE MINE AND PLANT

ATTACHMENT 12 VENTURA COUNTY DEPARTMENTAL DOCUMENTS

ATTACHMENT 13 VENTURA COUNTY CEQA INITIAL STUDY CHECKLIST

INTRODUCTION

The Pacific Custom Materials, Inc. (PCM) Frazier Park Plant, formerly the Ridgelite Mine, produces lightweight aggregate (LWA) from clay (bentonite and montmorillonite) mined in the Lockwood Valley area of Ventura County. (See Attachment 1, Figure 1 - Vicinity Map.) Mining is conducted in compliance with the Surface Mining and Reclamation Act of 1975 (SMARA). The Frazier Park Plant has been in continuous operation since 1953 and operates pursuant to vested mining rights under Conditional Use Permit (CUP) 212.

Ventura County approved the current reclamation plan in November 1979. The reclamation plan presently covers approximately 190 acres and addresses mining and reclamation activities over a 30-year period ending in 2009. The reclamation plan contemplated a maximum quarry depth of 70 feet, and maximum slope angles of 1.0H:1.0V in some areas. The reclamation plan also included a condition of approval requiring the operator to reseed mined areas with native seeds. Mined material is processed at on-site plant facilities. The aerial extent of the current reclamation plan area is illustrated on Figure 4 in Attachment 1.

The proposed Project is an amendment to the existing 1979 reclamation plan to address the revised contours of the existing quarry, and to bring the reclamation plan up to SMARA's current Article 9 standards and the surface mining provisions of the County's Zoning Code. PCM does not seek a new use permit and does not propose any change to its current vested entitlements as part of the Project.

Under the amended reclamation plan, PCM will deepen the existing pit to a total slope length of 200 feet, extend the pit to the south, and soften the slope angles to 2.6H:1.0V consistent with the attached slope stability analysis. PCM will concurrently deepen the existing drainage channel to maintain positive drainage from the quarry into on-site basins. The amended reclamation plan also updates the site's revegetation requirements to conform to SMARA's current performance standards. Mined material will continue to be processed at the on-site plant. The amendment, when implemented, will create no additional impact to public facilities.

The amended reclamation plan would be implemented concurrently with ongoing mining operations, and would cover mining and reclamation activities through approximately 2046. The amendment contemplates the reclamation of the site to open space at the close of this period. Final reclamation will not prevent the future resource recovery, although an updated reclamation plan would need to be approved prior to that time to allow for a continuation of mining operations.

OWNER, OPERATOR AND AGENT

1. Applicant

Pacific Custom Materials, Inc. Frazier Park Plant 17410 East Lockwood Valley Rd. Frazier Park, CA 93225 (661) 245-3736 phone (661) 245-3559 fax Contact Person: Mark Mathis

2. Name of Mineral Property

Pacific Custom Materials, Inc. Frazier Park Plant

3. Property Owners, or Owners of Surface Rights

Same as applicant

4. Owners of Mineral Rights

Same as applicant

5. Lessee

Not applicable

6. Operator

Same as applicant

7. Agent of Process (Persons designated by operator as agent for the service of process)

Same as applicant

LOCATION

8. Brief description, including legal, of the extent of the mined lands (to be) involved by this operation, including total acreage:

The Pacific Custom Materials, Inc. Frazier Park Plant (PCM) is located within the Cuddy Valley United States Geologic Survey (USGS) 7.5-minute topographic quadrangle as follows. Refer to Attachment 1, Figure 1 – Vicinity Map. Parcel descriptions are provided in Table 1. The area subject to this plan is described in Table 2. In the current Ventura County General Land Use Plan, the parcels are zoned OS-160 and designated as Open Space.

Sections: 19 and 30 Township: 8N Range: 20W Meridian: San Bernardino Baseline: San Bernardino

Table 1 Frazier Park Plant Reclamation Plan Real Property Parcels

Assessor's Parcel Number	Total Parcel Acres	Approximate Acres In Reclamation Plan Area								
004-0-030-080	80	48	Real property parcel in Township 8 N., Range 20 W. San Bernardino Principal Meridian, consisting of 80 acres, more or less, which was created from U.S. Patent Number 04-85-0084, from the mining claims identified therein as a portion of King Gulch No. 2 Placer (Section 19 NE ¼ SE ¼ NW ¼), Slippery Hill, Ridgelite Millsite No. 1, Ridgelite Millsite No. 2, Ridgelite Millsite No. 3, Ridgelite Millsite No. 4, Ridgelite Millsite No. 5, Ridgelite Millsite No. 6, Ridgelite Millsite No. 7, and Ridgelite Millsite No. 8.							
004-0-030-100	300	110	Real property parcel in Township 8 N., Range 20 W. San Bernardino Principal Meridian, consisting of 300 acres, more or less, which was created from U.S. Patent Number 04-85-0084, from the mining claims identified therein as a portion of King Gulch No. 2 Placer (Section 19 N½ SW ¼ NE ¼), Clay Flat Mine, Clay Mountain, Clay Mountain Annex, King Gulch Mine, Mud Hills Mine, Ridgelite No. 1, Ridgelite Millsite No. 9, Ridgelite Millsite No. 10, Ridgelite Millsite No. 11, Ridgelite Millsite No. 12, Ridgelite Millsite No. 13, and Ridgelite Millsite No. 14.							
004-0-190-030	470	(CUP only)	Real property parcel in Township 8 N., Range 20 W. San Bernardino Principal Meridian, consisting of approximately 470 acres, which consists of unpatented placer mining claims described as follows: Ridgelite No. 8 (Sec. 19 N ½ SE ¼ NE ¼); Ridgelite No. 9 (Sec. 19 S ½ SE ¼ NE ¼); Ridgelite No. 10 (Sec. 19 N ½ NE ¼ SE ¼); Ridgelite No. 11 (Sec. 19 S ½ NE ¼ SE ¼); Ridgelite No. 12 (Sec. 19 N ½ SE ¼ SE ¼); Ridgelite No. 13 (Sec. 19 S ½ SE ¼ SE ¼); Ridgelite No. 14 (Sec. 19 NE ¼ SW ¼ SE ¼); Ridgelite No. 2 (Sec. 30 E ½ NE ¼ and Sec. 30 E ½ SE ¼); Ridgelite No. 3 (Sec. 30 W ½ SE ¼ and Sec. 30 E ½ NE ¼ SW ¼ and Sec. 30 E ½ NE ¼ SW ¼ and Sec. 30 E ½ NE ¼ SW ¼ SE ½ SE ¼ SW ¼); Ridgelite No. 16 (Sec. 30 E ½ SE ¼ NW ¼); Ridgelite #17 (Sec. 30 N ½ SW ¼ NE ¼); Ridgelite #18 (Sec. 30 S ½ SW ¼ NE ¼).							

Table 2 Frazier Park Plant Reclamation Plan Areas

Area	Acres (approximate)
Proposed Reclamation Plan Total Area	158
Processing Area	30
Mining Area	67
Other Areas (ponds, drainage, etc)	61
Current Reclamation Plan Area	190

Refer to Attachment 1, Figures 2a and 2b - Assessors Parcel Maps and Figures 3 and 4

9. Describe the access route to the operation site

The Project is located at 17410 East Lockwood Valley Road, Frazier Park, California within unincorporated Ventura County. The entrance to the Project is from Lockwood Valley Road, approximately 21 miles from State Route 33 and 12 miles from Interstate 5 at the Frazier Park exit. Refer to Attachment 1, Figure 1 – Vicinity Map.

SITE DESCRIPTION

10. Mineral Commodity Mined

Pure clay (bentonite and montmorillonite)

Geologic description, including brief general geologic setting, more detailed geologic description of the mineral deposit mined, and principal minerals or rock types present.

The Lockwood Clay Formation is in excess of 200 feet thick in the area of the mine. It is a weathered volcanic ash which contains bentonite and montmorillonite. The Lockwood Clay is medium gray in color when fresh, but weathers to reddish brown or greenish brown. The typical exposure consists of low rounded hills generally with minimal vegetation. The Lockwood Clay Formation is underlain by the Caliente Formation and overlain by the Quatal Formation. The general shape of the Lockwood clay in the mine area is that of an anticlinal (convex upward) fold with a general north-south trending axis, dipping moderately (30-40 degrees) to the east and west. It is composed mostly of silica and alumna (Attachment 2, County of Ventura Mining and Reclamation Plan Application 1979).

A report containing geologic cross-sections, prepared by Hilltop Geotechnical, has been included in Attachment 3.

12. Brief description of environmental setting of the site and the surrounding areas. Describe existing area land use, soil, vegetation, ground water elevation and surface water characteristics, average annual rainfall and/or other factors pertaining to environmental impacts and their mitigation and reclamation.

Existing land use

The existing and revised mining areas are located at the edge of a valley at approximately 5,200 feet elevation in low, rounded hills surrounded by mountains which rise to over 8,500 feet. Surrounding land uses consist of mostly open space with some scattered ranches nearby.

Soils

On-site soils consist of deep, poorly drained, calcareous heavy clay soils. These soils have a very high shrink potential and become very wet and sticky during winter rains. As soils begin to dry in the late spring or early summer, they begin to crack and shrink on the surface, creating various sized fissures, some going several inches below the soil surface. The soil porosity and drainage are very poor because of the high clay content which tends to fill the pore spaces over time. Clay particles compact, creating a compact dense soil.

Fertility is generally quite low for most plant nutrients except for potassium, calcium and magnesium, which are relatively high (Fruit Growers Laboratory, 1998).

Vegetation

Plant communities adjacent to the existing active mining area and within the proposed mining area consist of mixed stands of the singleleaf pinyon series and the California juniper series. The singleleaf pinyon series is characterized by singleleaf pinyon (Pinus monophylla) as the dominant tree in an open canopy. Other woody species that occur in this series include California juniper (Juniperus californica), big sagebrush (Artemesia tridendata), rubber rabbitbush (Chrysothammus nauseosus), California desert tea (Ephedra californica), California scrub oak (Quercus dumosa), and canyon live oak (Quercus chrysolepis). The understory is sparse and grassy.

Diversity

The California juniper series is characterized by California juniper as the dominant tree in an intermittent or open canopy. Other shrub and tree species that occur in this series include singleleaf pinyon, big sagebrush, California desert tea, chaparral yucca (Yucca whipplei), and desert scrub oak (Quercus turbinella). The understory is also sparse and grassy. Given the difficulties in determining where the two series end and begin (due to the extensive overlap in associated species), the plant communities on and adjacent to the project site should be characterized as a single community (i.e., pinyon-juniper woodland) for the purpose of reclamation. Refer to Attachment 4, Bumgardner Biological Consulting Letter Report, dated June 9, 2005.

Density

The east and north facing slopes of the undisturbed area have patchy vegetation consisting of mostly shrubs and small trees (i.e., pinion pines and juniper) with very little canopy cover and an overall vegetative cover of approximately 50 percent. The south facing slopes contain the same shrubs, however they contain taller trees and have a denser canopy. These southern slopes have a much more developed understory consisting of several different types of grasses and herbaceous plants. Total average vegetative cover in these areas is approximately 80 to 85 percent. Those undisturbed areas which are relatively flat contain small shrubs, grasses and small herbaceous plants with little to no tree presence and therefore no canopy. The average total vegetative cover in the flat areas is approximately 60 percent.

It should be noted that plant density and diversity varies throughout the pinyon-juniper woodland within the project vicinity and is affected by aspect, slope, depth of soil, and presence or absence of an associated drainage.

Groundwater elevations and quality

Water well information obtained from the files of the Ventura County Department of Water Resources for the three on-site water wells includes the following:

- The well located behind the office about 2 feet off the slab referred to as "Little Well" (State Well No. 08N20W19M02S, date drilled 1958) has a depth of 234 feet
- 2. "Big Well" (State Well No. 08N20W19M01S, Permit/State Log No. 66600, date drilled 1961) located 350 feet south-east of the office has a depth of 1140 feet.
- 3. "North Well" (State Well No. 08N20W19L02S, Permit/State Log No. 4182, date drilled 1997) located 150 feet south-west of "Little Well" has a depth of 1140 feet.

Please refer to Attachment 1, Figure 4 for well locations.

In January 2006, PCM completed Permit Adjustment 7 of CUP 212. During this adjustment, the Ventura County Public Works Agency, Water Resources Division, performed an analysis of groundwater in the Frazier Park Plant area. That analysis determined that the project qualified for a Categorical Exemption from the California Environmental Quality Act (CEQA). This was partially based on the fact that groundwater quantity impact was "less than significant" since the basin is not known to be overdrafted. A copy of the letter supporting this finding is included in Attachment 5.

A sample from the Big Well (Well No. 2) was analyzed for major drinking water constituents. The results are included in Attachment 5.

Surface water characteristics

The quarry and processing plant are located adjacent to Good Luck Creek, which runs along the western side of the plant and several, short, unnamed tributaries to Seymour Creek, which lie on the eastern side of the plant. An unnamed tributary joins Good Luck Creek near the entrance

road to the plant. Good Luck Creek joins Seymour Creek approximately one mile south of the plant.

The Project site contains two artificially created ponds known as the Upper Pond and the Lower Pond. Please refer to Attachment 1, Figure 4. Currently, all runoff from within the operational area is routed to and collects in the Lower Pond. The collected water is pumped to the Upper Pond for use in the plant. The Lower Pond mitigates any high runoff events by collecting and then slowly releasing runoff. This pond actually lowers peak runoff rate from pre-mining conditions.

On July 7, 2000 the County of Ventura granted Pacific Custom Materials a permit adjustment to CUP 212 to incorporate the Lower Pond into the CUP boundary. Please refer to Attachment 1, Figure 4. In this adjustment, Pacific Custom Materials exchanged approximately 26.2 acres of undisturbed approved mining area for the Lower Pond and spill way area and for the northern area that was disturbed.

Average annual precipitation

The meteorology is typical of California Coastal range areas characterized by a wet winter season that typically runs from October through May and a dry summer season running from June through September. Precipitation is in the form of rain and/or snow with an average annual amount of 11.86 inches. Winter snowfall can exceed 24-36 inches falling in individual storms. However, extended periods greater than 10 days, of snow cover are rare.

PROPOSED STARTING DATE OF OPERATION

13. Original Start Up of Mine

In continuous operation since 1953

Estimated life of operation

Ongoing under CUP 212 for approximately 39 years from 2006

Description of Mining Operation

The proposed expansion of the mining area will deepen the existing mining pit and extend to the south. Mining must be performed in all areas as it proceeds. This is required to meet logistical, moisture and quality requirements for the clay which requires that the slopes and bottom be lowered simultaneously. In addition, positive drainage out of the quarry into the Lower Pond will be maintained. This will be accomplished by progressive deepening of the stormwater channel. The channel will be lowered as the floor of the mining area is lowered. Please refer to Attachment 6, WREA Hydrology and Hydraulic Report.

14. Operation Will Be (is)

Open Pit

15. Operation Will Be (is)

Approximately 119,000 short tons of clay per year (averaged over 39 years).

16. Total Anticipated Production

Mineral commodities to be removed

Approximately 4,600,000 tons of clay (at quarry conditions) will be removed during the 39 year period permitted by CUP 212.

Overburden and Topsoil retained on the site

Approximately 294,000 tons overburden and topsoil will be stockpiled and used for revegetation of the site. There is no waste associated with the mining process. Please refer to the Revegetation Plan Attachment 7 for topsoil stockpile location.

Waste disposed off site

No mining waste will be disposed offsite.

Maximum anticipated depth (minimum elevation)

The current minimum elevation in the mining area is approximately 5,210 feet above sea level (asl) on the quarry floor. See Attachment 1 – Figure 4. The minimum anticipated elevation in the mining area will be 5,170 feet asl. This will be at the inlet to the drainage channel on the quarry floor.

17. Mining Method

The clay is removed and transported to the processing area with mobile "scrapers".

18. If processing of the ores or minerals mined is planned to be conducted at or adjacent to the site, briefly describe the nature of the processing and explain disposal method of the tailings or waste from processing.

The Pacific Custom Materials (PCM) Frazier Park Plant operates two rotary kilns that process clay pellets into lightweight aggregate material. Lightweight aggregate is formed due to "bloating" of the quarried material at high temperature in the rotary kiln which operates with excess air introduced into the gas stream.

The bloating is caused by the liberation of gases, mostly carbon dioxide (CO₂) from the semiviscous earth material heated in the kiln. The liberated gas forms voids in the material which

after cooling hardens, creating a lightweight aggregate. Across the United States, various deposits of earthen materials are used for lightweight aggregates which include shales, clays, and slates. Many of these have naturally-occurring organic compounds that are the source of the gases that are liberated to form the void spaces. The clay quarried onsite at Frazier Park requires the addition of supplemental organic compounds to form lightweight aggregate that is acceptable for some end uses. This condition is similar to other commercial clay deposits used for lightweight aggregates. In other U.S. and International locations, different types of organic compounds are added to the clay. These include Bunker C oil, diesel, and other petroleum products. Since the inception of the process at the Frazier Park plant in the early 1950's, organic compounds have been added to the clay. Biodiesel is currently used as the source of additional organic compounds.

There is no processing waste generated.

19. Estimate quantity (gallons per day) and quality of water required by the proposed operation, specifying proposed sources of this water, of method of its conveyance to this property and the quantity and quality and method of disposal of used and/or surplus water.

Baseline water use during current operations is approximately 75 acre-feet per year.

The Revegetation Plan prepared for this Reclamation Plan will attempt to establish vegetation without artificial irrigation pursuant to SMARA requirements. (See Attachment 7).

If some initial irrigation is required, for example in the first 5 years of revegetation, the source of water at the Project area for reclamation purposes is from three on-site wells. Once revegetation has been established without the need for irrigation, these water wells will be removed according to County standards. Supplemental irrigation would only be for containerized and transplanted trees and shrubs.

Initial estimates of potential supplemental irrigation for revegetation purposes have been calculated using the following assumptions:

- A drip irrigation system
- 200 gallons/year (0.83 gal/day) for 5-15 gallon plants
- Daily watering between March and October (240 days)
- Supplemental irrigation for 10 trees/acre
- 100 acres affected

This potential irrigation water use is 200,000 gal/year (0.61 acre-feet/year) or 830 gallons/day.

20. If the nature of the deposit and the mining method used will permit, describe and show the steps or phase of the mining operation that allow concurrent reclamation, and include a proposed time schedule for such concurrent activities

This Reclamation Plan addresses a mining technique that will extract clay from the entire mining area concurrently, generally from top to bottom.

Reclamation can begin prior to the complete cessation of mining as the uppermost slopes reach final slope gradient. The south and southeastern areas of the quarry are likely to be the first available for reclamation.

Reclamation will commence within 6 months on slopes reaching final gradient (2.6:1; H:V).

21. Attach a map of the mined lands and/or suitable aerial photograph

Please refer to Attachment 1, Figures 3 and 4.

RECLAMATION PLAN

PCM has operated under the 1979 approved Reclamation Plan (Attachment 2). This updated Reclamation Plan is designed to conform to SMARA standards adopted since the previous Reclamation Plan was approved as well as the County's Zoning Code, Section 8107-9 – Mining and Reclamation.

22. Indicate on an overlay of map of Item 20, or by color or symbol on map those areas to be covered by the Reclamation Plan

Please refer to Attachment 1, Figure 3 – Reclamation Plan.

23. Describe the ultimate physical condition of the site and specify proposed end use(s) of the mined lands as reclaimed

The proposed end use for the site is to return the land to open space. This will be accomplished by the following steps:

- During active mining, reclamation of slopes which have attained final slope will commence with final slope conditioning and revegetation;
- At the completion of active mining, removal of surface and subsurface structures, including pipelines (except any public service pipeline, e.g. regional natural gas) will commence:
- Concrete foundations and other inert, non-metal debris, will be used for fill in the processing area. Sufficient overburden will be used to cover any such fill;
- · Any hazardous materials will be properly disposed of off site;
- No hazardous materials will remain onsite;
- Topsoil will be applied to areas as projected in the Revegetation Plan;

- Final grading and soil preparation (e.g. track-walking and addition of amendments) will be performed;
- Revegetation will commence pursuant to the Revegetation Plan;
- · Final structure removal (e.g. water wells, asphalt roads) will be completed.
- Phase I Site assessment performed
- Monitoring and maintenance of revegetation will continue until County and State approval is attained;

To visually establish the environmental setting, a digital photograph was taken from Lockwood Valley Road looking southeast at the site entrance. This digital photograph was then modified through computer enhanced renderings to show 1.) existing condition 2.) post-mining with structures intact and 3.) post-mining with full growth mitigation. Please refer to Attachment 8, Visual Renderings.

Please refer to Table 3 (timeline) as a guide to the implementation of post-mining reclamation at the site.

Table 3
Frazier Park Plant
Post-mining Reclamation Timeline

Reclamation Activity	Year 1	Year 2	Year 3	Year 4	Year 5		
Removal of surface and subsurface structures							
Hazardous Material removal							
Final grading and soil preparation							
Revegetation seeding		新疆	1-10				
Revegetation monitoring and maintenance	10 10 10 10 10 10 10 10 10 10 10 10 10 1		W 7 7 7 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
Final structure removal				文献			
Phase I Site Assessment							

24. Describe soil conditions and proposed soil salvage plan

These are described in detail in the Revegetation Plan and are summarized as follows:

Topsoil, defined as the top 6 inches of soil cover, will be collected in the dry season from newly disturbed land. Vegetation, except mature trees, will be salvaged as well and crushed in place on the topsoil pile. Topsoil and crushed vegetation will be stored within the identified Topsoil Storage Area as depicted in the Revegetation Plan. Salvaged topsoil contains the beneficial microorganisms, soil animals, seeds of native plants and physical components that contribute to soil heterogeneity and successful revegetation.

Excessive height of the topsoil stockpile will be avoided since it may cause the internal temperature of the pile to increase, thereby "cooking" any native seed and microbial material contained in the stock pile. The stockpile will be maintained free of exotic, invasive weeds. Other native plant material will be encouraged to grow and establish. After all areas containing topsoil are disturbed, as proposed in this plan, and all potential topsoil has been salvaged, the topsoil pile will be overseeded with the mix described in Table 4 below. To prevent compaction, no heavy equipment will be allowed to travel over, or park on, this stockpile after it reaches final configuration. Some access is required for light duty vehicles for grading and maintenance. Silt fencing will be installed around stockpile bases to prevent erosion, and as a barrier to preclude any unauthorized access.

Overburden soil which is not suitable for processing will be salvaged as it is encountered during mining. It will be salvaged and stockpiled

Table 4
Frazier Park Plant
Topsoil Stockpile Seed List

Common Name	Botanic Name	lbs/acre	Minimum % Purity/ Germination 10/65		
Great basin sage	Artemesia tridentata	2			
Blue wildrye	Elymus glaucus	4	90/85		
California brome	Bromus carinatus	6	95/80		
California buckwheat	Eriogonum fasciculatum	2	50/10		
Rabbitbrush	Chrysothamnus nauseosus	3	20/50		
California poppy	Escholzia californica	1	98/80		
Bush daisey	Encelia californica	1	40/60		
Golden yarrow	Eriophyllum confertiflorum	2	30/70		
Meadow barley	Hordeum brachyantherum	6	90/80		

25. Describe methods, sequence, and timing to be used in bringing the reclamation of the land to its end state. Indicate on map (Items 21-22) or on diagrams as necessary. Include discussion of the pertinent items listed below

a. Backfilling and grading

The newly created slopes will be at an inclination of 2.6:1 (h:v) which will also be the final slope configuration. The final slope will generally be created as mining progresses, thus typically eliminating the need for significant additional grading. There will be no fill slopes in the mining area.

Slopes will be graded in a rounded fashion at intersections of topography, thus providing a look consistent with surrounding, undisturbed topography.

The existing upper pond was manmade. It will be backfilled with site soil and graded to be consistent with the surrounding topography. The area will be revegetated according to the Revegetation Plan.

b. Stabilization of slopes

The proposed final slopes in the quarry area will have a total height of 200 feet and a slope inclination of 2.6:1 (h:v) without benches. The gross stability analysis indicates that these proposed slopes have a factor of safety exceeding 1.5 for static conditions and 1.1 for seismic conditions against a total slope failure. Therefore, based on the findings of the Slope Stability Evaluation, the proposed cut slope of 2.6:1 (h:v) is considered stable under both gross static and seismic conditions. Please refer to Attachment 3 – Hilltop Geotechnical, Inc., Report of Proposed Cut Slope Stability Evaluation, Frazier Park Plant, November 11, 2005.

c. Scarification of roads

Existing roads will be scarified and revegetated according to the process described in the Revegetation Plan (Attachment 7).

d. Stabilization of permanent waste dumps, tailings, etc.

There will be no waste dumps, tailings, or other permanent stockpiles left onsite after reclamation.

e. Rehabilitation of pre-mining drainage

Prior to mining, the quarry area was a short valley surrounded by sparsely vegetated hills of varying slopes, some steeper and some flatter than the proposed final slope. The valley drained towards the south and was not a permanent stream. The valley likely drained during precipitation events into the tributaries of Seymour Creek.

After mining is completed, the valley slopes will have been established as described above. In the area of the Lower Pond, a natural (i.e. vegetated, rock) spillway will be constructed to mitigate any overflow from the pond.

The area surrounding the Lower Pond will be revegetated according to the Revegetation Plan.

f. Removal, disposal, or utilization of residual equipment, structures, refuse, etc.

Mining related equipment, structures and other physical components on the property will be removed at the beginning of reclamation activities. Concrete foundations and other inert, non-metal debris, will be used for fill in the processing area. Sufficient overburden will be used to cover any such fill.

Other support structures including three water wells, water pipes, office, septic system, and fencing will be removed upon completion of reclamation.

g. Control of contaminates, especially with regard to surface runoff and groundwater

At the conclusion of mining, any existing contaminants will be removed and properly disposed of at the time of reclamation. These could include waste oil, fuel, and refuse. No Hazardous Materials or contaminants will remain after reclamation.

A copy of the current Ventura County Hazardous Materials Inventory is included in Attachment 10.

A Phase I Site Assessment will be performed after the completion of final equipment and structure removal.

h. Treatment of streambeds and streambanks to control erosion and sedimentation

The channel side slopes will utilize bio-engineering slope stabilization measures. Slopes will be track walked after grading, seeded with the appropriate mixture of native plants, and then protected with a bonded fiber matrix (BFM). BFM's will be combined with gypsum plaster, thereby supplying nutrients in the form of calcium and sulfur to the soil.

The drainage will be regraded to achieve an approximate 1% gradient. Rock check dams will be constructed to mitigate flow velocity so that it matches pre-mining conditions.

i. Removal of minimization of residual hazards

Residual hazards, such as holes, unstable slopes, or others that may be present, will be removed at the completion of reclamation.

Resoiling, revegetation with evidence that selected plants can survive given the site's topography, soil, and climate

A Revegetation Plan was prepared by Project KKGB and is incorporated into this Reclamation Plan (Refer to Attachment 7, Revegetation Plan). The details of this plan are summarized below.

The goal of reclaiming the mine site is to return the vegetation conditions similar to those that existed prior to the onset of mining and to the current surrounding lands. Preparation for revegetation starts prior to final reclamation with the following actions:

- 1. Collection of seeds
- Salvage of existing topsoil and overburden and stockpiling of the material as mining progresses
- Establishment and monitoring of test plots
- 4. Adjustment of test plot parameters to establish a viable revegetation approach

Seed collection

Seeds from native vegetation will be hand-collected on site by a qualified native seed collector prior to excavation activities. If possible, seed will be collected over a period of two years from various locations at the site. Seed will be maintained by an organization experienced in long-term seed storage and tested periodically to assure that viability is maintained.

Revegetation test plots

A revegetation test plot program will be established to determine the effectiveness of the proposed seeding methods and species composition, seeding rates, soil preparation, and irrigation application rates, if any. The test plots will reveal the germination rate of the proposed seed palette, the ultimate vegetative cover of native plants, weeds that emerge as well as provide a clue as to the overall performance of the revegetation plan.

The proposed test plot areas will be composed of four 40 x 80 foot plots, 3,200 square feet each. The plots will be configured according to the matrix in Table 5 and according to the timeline in Table 6.

Test plots will be subject to the same performance standards and monitoring criteria presented in the Revegetation Plan (Attachment 7).

FINAL RECLAMATION PLANTING PROCEDURES

Timing

Planting will coincide with the winter rainy season. October-November is typically a good time to plant, although the final decision will be based on climatic conditions at the time of planting and Test Plot results.

Site grading and planting preparation

At the conclusion of mining, excavated slopes will be at an angle of 2.6:1 (h:v) or flatter, ready for the application of topsoil and soil amendments.

Table 5
Frazier Park Plant
Revegetation Test Plot Configuration Matrix

Test Plot No.	Years	Soil Amendments	Topsoil Added	Seeding Method	Irrigated	Seed Application Rate	% Sloped Area
A-1	1-5	Yes	Yes	Hand	No	As recommended	100
A-2	1-5	Yes	No	Hydro	No	As recommended	100
B-1	1-5	Yes	Yes	Hydro	No	As recommended	100
B-2	1-5	Yes	No	Hand	No	As recommended	100
C-5	1-5	Yes	No	Hand	No	As recommended	0

Test Plots in Years 6-10 will use the results from Years 1-5 to modify approaches to improve results.

Table 6
Frazier Park Plant
Revegetation Test Plot Timeline

Activity	1Q	20 2Q	2	1Q:	200 2Q	4Q	10	09 3Q	4Q	1Q	10 3Q	4Q	10	20 2Q	4Q	1Q	 12 3Q	4Q	1Q	20 2Q	13 3Q 4Q
Seed Collection								4									5.				
Site Prep													7	9							
Seeding						337															
Monitoring & Evaluation										100						26					
Reseed As Necessary																		(6)			

Resoiling and soil testing

The plant site and existing roads, including roads outside of the delineated revegetation area and excluding roads leading to the reclamation site, will be scarified and salvaged topsoil will be spread as described in the Revegetation Plan. Any native vegetation established on the stockpiles will be spread along with the soils. The broken branches of plants growing on the stockpiles will act as mulch and will provide partial shade to emerging seedlings. In addition, viable seeds will be transported in the seed bank and additional ripe seed may be carried along with the vegetation. The depth of the re-spread topsoil will be the maximum based on availability.

Re-spread soil will be tested for nutrient components prior to seeding and planting. Site samples will be compared to soil test results taken from adjacent, undisturbed areas. Re-spread soils will be augmented if growth inhibiting deficiencies of essential elements are noted.

Soil amendments

Soil amendments have been recommended in the Revegetation Plan. These will be tested in the Test Plots and adjusted as necessary according to the results of the plots. Soil amendments (amounts per acre) have been recommended as follows:

- 200 lbs of Gro-Power Plus with 12 percent with Mycorrhiza, or similar
- 200 lbs of agricultural gypsum
- 4 cubic yards of Greenways Best Soils Conditioner, or similar
- Salvaged Topsoil

The slopes will be track-walked with a dozer, perpendicular to the slope. This will bind the reapplied topsoil to the subsoil.

Weeding

Prior to planting, debris and any introduced weeds that have invaded the site will be removed. This will be done by hand or, if the problem is severe, by applying a short duration, broad spectrum, contact herbicide following manufacturer's recommendations.

Erosion control

Straw wattling will be used for erosion control on slopes, as needed, in a manner described in detail in the attached Revegetation Plan.

Seeding

Seeding of the reclamation site will depend on the results achieved at the test plots, which will include broadcast seeding and if necessary, hydro-sseding. A description of both methods is described below.

Broadcast seeding

Seed will be premixed and broadcast by hand over the site. One half of the seed will be applied in one direction, i.e., north-south, the other half will be applied in an east-west direction. This will ensure more even distribution of the seed material. After broadcasting of the seed, the site will be lightly harrowed or raked to provide closer seed to soil contact.

Hydro-seeding

Following site preparation and erosion control measures, the project site will be hydro-seeded. The seed mixture will be sprayed in a sweeping motion and in an arched stream until a uniform coat is achieved with no slumping or shadowing and the material is spread at the required rate per acre. Standard hydro-seeding technique will be employed.

Seed plants

Most plant species specified in the Revegetation Plan were chosen based on their occurrence within the Project area. Seed collected on site and stored will be used and supplemental seeds will be purchased as necessary. Plants not occurring within the Project were chosen for their tolerance to the local soils and may persist only for a short period. They will perform a valuable service, because as they die, their root system decomposes into the soil, adding organic matter.

Seed will be of a quality that has a minimum Pure Live Seed percent as specified in Table 7. Weed seed will not exceed 0.5 percent of the Pure Live Seed and inert materiel.

Table 7 Frazier Park Plant Revegetation Seed Mix

Common Name	Botanic Name	lbs/acre	Minimum % Purity/ Germination NA		
Pinyon pine	Pinus monophylla	1			
California juniper	Juniperus californica	2	95/40		
Great basin sage	Artemesia tridentata	2	10/65		
Scrub oak	Quercus Dumosa	1	NA		
Blue wildrye	Elymus Glaucus	4	90/85		
California brome	Bromus carinatus	6	95/80		
Mormon tea	Ephedra viridis	2	90/80		
Squirreltail	Sitanion jubatum	6	90/80		
Whitehorn	Ceanothus cordulatus	1	98/70		
Manzanita	Arctostaphylos patula	1	95/70		
California buckwheat	Eriogonum fasciculatum	4	50/10		
Rabbitbrush	Chrysothamnus nauseosus	3	20/50		
California poppy	Escholzia californica	1	98/80		
Bush daisey	Encelia californica	1	40/60		
Creeping wild rye	Elymus triticoides	4	90/80		
Goldfields	Lasthenia californica	2	70/50		
Tidy tips	Layia platyglossa	1	70/70		
Golden yarrow	Eriophyllum confertiflorum	1	30/70		
Meadow barley	Hordeum brachyantherum	6	90/80		

Irrigation

Seeds will be planted after the first storm event and prior to another winter rain. This should be sufficient for seeds to sprout. Temporary irrigation for containerized and transplanted trees and shrubs, if needed, will be determined by Test Plot results.

Maintenance

A Revegetation Maintenance Manual has been prepared and is included in Attachment 7. Maintenance will include any activities required to meet the performance standards set for the revegetation program. Maintenance of revegetation areas can include the following:

Maintenance staff training

Prior to the commencement of maintenance activities, the Maintenance Contractor will attend a training session that will be conducted on site by the consulting Revegetation Specialist to familiarize the maintenance staff with the Project (i.e., the boundaries of the site, general requirements of the different habitats, and identification of native and non-native species). This training will include an overview of a Maintenance Manual prepared by the consulting Revegetation Specialist, which will be distributed to the Maintenance Contractor during the training.

Weed control

During the maintenance period, weeds present in the revegetation areas will be removed if more than 25 percent of any 20 square foot of the area is occupied by weeds greater than six inches in height. These weeds will be removed before they produce seed or reach a height of six inches, whichever comes first.

Methods of weed removal

With the exception of those weeds that cannot be eradicated through manual removal (Bermuda grass, tree tobacco, cardoon, etc.) weeds present in the revegetation areas will be removed manually or mechanically. No herbicide treatment will be permitted without specific, written authorization from the consulting Revegetation Specialist.

Herbicide treatment guidelines

Spraying will be conducted only when weather conditions are conducive to effective uptake of the herbicide by the targeted species (e.g., sunny, dry, and when plants are actively growing), and when wind conditions are such that herbicide drift in non-existent (five mph or less).

Pruning and leaf litter

No pruning or leaf litter removal will take place within the revegetation sites. Dead branches will be left on the shrubs and trees, and no leaf litter or fallen branches will be cleared away from the plantings.

Replacement of dead or diseased plant materials

Seeded areas will be assessed annually for a five year period. Reseeding will be performed as necessary to meet performance standards. Plantings that die will be replaced at the first suitable growing season in accordance with the performance standards included in the Revegetation Plan (Attachment 7).

Revegetation Performance Goals

Revegetation performance goals have been established for the Revegetation efforts pursuant to the Reclamation Plan. The performance of the revegetation areas will be assessed in the fall of each calendar year. The performance standards are provided in Table 8.

Traditional success criteria include survival rate of final vegetative cover. However, success can also be measured by assessing the fundamental characteristic of a functional ecosystem: sustainability, resistance to invasive species, nutrient retention and biotic interactions. Reliable signs of functional ecosystems are the presence of certain target "indicator" species: animals, insects and/or plants typically found in that ecosystem.

The shrub density, cover and diversity goals were set by examining the existing conditions surrounding the site. The goals take into account that younger shrubs will show lower cover values and higher density values than those seen in a more established habitat. Success rates falling under the minimum may signal the need for a second or third revegetation effort. These performance goals may be modified if restoration experience and knowledge gained during the project life span present different goals are appropriate.

Reclamation monitoring

Monitoring will be conducted by an independent consultant. Monitoring will be conducted in the spring and fall, prior to the general seeding time. Monitoring will consist of the Line-Intercept Method where a 50 meter measuring tape is stretched between two points. The intercept distance is recorded for each plant/species that intercepts the line. The accumulated length for any species divided by the length of the transect multiplied by 100 is expressed as percent cover for that species. Photographic Monitoring will also be used. Permanent locations, photo points, will be marked. Identical, general view photos are taken over time during the same season every year to portray dominant vegetation and site conditions.

Annual reports and recommendations will be submitted to the County of Ventura by December 31 of each year. Monitoring will continue annually for at least five years or until the reclamation is deemed complete by the County of Ventura.

Table 8 Frazier Park Plant Revegetation Performance Standards

Trees and Large Shri	ibs Cover							
Goal	Native vegetation attaining similar cover, density and composition a nearby undisturbed areas. Baseline conditions are defined in the Revegetation Plan.							
Performance Criteria	4 th Year – 30 percent							
Contingency Action	Reseed if density and/or diversity of native plants is low.							
Smaller Shrubs and C	Grasses							
Goal	No interference with native plant establishment.							
Performance Criteria	1 st Year – 10 percent 2 nd Year – 25 percent 3 rd Year – 40 percent 5 th Year – 60 percent							
Contingency Action	Hand weed if weeds interfere with native plant establishment.							
Erosion								
Goal	Erosion does not interfere with native plant establishment. Loss of topsoil from wind erosion is minimal.							
Performance Criteria	No specific criterion.							
Contingency Action	Repair erosion.							
Resistance to Invasion	by Non-Natives							
Goal	Less than 25 percent of any 20 square foot area							
Performance Criteria	Weeds present in the revegetation areas will be removed if more the 25 percent of any 20 square foot of the area is occupied by west greater than six inches in height.							
Remove manually or mechanically. No herbicide treatment will be permitted without specific, written authorization form the Project Biologist/Revegetation Specialist.								

Public safety

Access to the reclamation area will be restricted by fencing and the existing surrounding steep topography. Fencing will be placed in strategic areas that will take advantage of the natural steep topography. Fencing around the reclamation area will remain at least until the reclamation is deemed complete.

Fencing will be four strand barbed-wire on metal or wooden posts.

The implementation of this Reclamation Plan will not generate additional vehicle trips by employees or consultants.

26. If applicant has selected a short term phasing of reclamation, describe in detail the specific reclamation to be accomplished during the first phase

As described above, mining and hence reclamation will not be performed in phases. However, some concurrent reclamation, also described above, on slopes attaining final grade will be performed.

27. Describe how reclamation of this site in this manner may affect future mining at this site and in the surrounding area

The purpose of this reclamation plan is to return the Frazier Park Plant to a pre-mining condition after the completion of a mining effort that will encompass approximately 40 years from the date of approval. There is more minable clay at the site that could be extracted that is outside the scope of this Reclamation Plan.

SMARA RECLAMATION STANDARDS

Reclamation activities must comply with Reclamation Standards, Section 14 CCR § 3700-3713 of the Surface Mining and Reclamation Act of 1975, as amended. This Reclamation Plan is designed to incorporate these standards. The following discussions demonstrate this plan's compliance with SMARA standards.

§ 3702 Financial Assurances

A Statement of Responsibility signed by Pacific Custom Materials, Inc. is included in this Reclamation Plan.

Financial assurance requirements pursuant to this plan are included in Attachment 9 utilizing the current Ventura County approach.

§ 3703 Performance Standards for Wildlife Habitat

Baseline conditions are described in a reconnaissance-level biological survey of the land within and immediately adjacent to the existing site. An onsite survey was conducted on May 4, 2005. A letter report was prepared by Bumgardner Biological Consulting dated July 12, 2005 and describes site conditions. Please refer to Attachment 4, Biological Letter Report. For this report, a review of the California Natural Diversity Data Base was conducted for the area. This database contains records for all special status species identified by the California Department of Fish and Game (CDFG). If a species is listed by CDFG, it is in this database. A review of this database functions as a consultation. See Attachment 4, Supplemental Biological Report. The United States Forest Service does not have jurisdiction over special status species and was/will not be contacted on this issue.

One special-status species of wildlife has a potential to occur within the proposed mine area, the San Diego horned lizard (*Phrynosoma coronatum blainvillii*). This species has not been documented in the project vicinity in the California Natural Diversity Data Base. However, a single individual was found within the proposed area of the mine (Bumgardner, July 2005). A list of wildlife species observed on site and in the immediate vicinity of the mine during the May 4, 2005 survey is provided in Attachment 4, Bumgardner Biological Letter Report.

The San Diego horned lizard is listed by the CDFG as a "reptile species of special concern". The purposes of such a designation are as follows:

"This designation is intended to result in special consideration for these animals by the Department, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under federal and State endangered species laws and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them."

A "species of special concern" is not a Fully Protected Species and does not require specific mitigating measures for its habitat.

More protective designations such as Endangered Species, Threatened Species, or Fully Protected Species (includes most Endangered and Threatened Species) may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

The Upper and Lower Ponds were constructed for and operate as process water collection and storage structures. The Lower Pond also provides runoff mitigation functions. Water in the Upper Pond only exists due to artificial pumping from water wells and the Lower Pond. Any coincidental wetland habitat created is purely artificial. Modification from wetland habitat to naturally occurring open space habitat will occur after mining is completed.

Consequently, no wetland mitigation for this Reclamation Area is proposed.

§ 3704 Performance Standards for Backfilling, Regrading, Slope Stability, and Recontouring

The proposed final slopes in the quarry area will have a total height of 200 feet and a slope inclination of 2.6:1 (h:v) without benches. The gross stability analysis indicates that these proposed slopes have a factor of safety exceeding 1.5 for static conditions and 1.1 for seismic conditions against a total slope failure. Therefore, based on the findings of the Slope Stability Evaluation, the proposed cut slope of 2.6:1 (h:v) is considered stable under both gross static and seismic conditions. Please refer to Attachment 3 – Hilltop Geotechnical, Inc., Report of Proposed Cut Slope Stability Evaluation, Frazier Park Plant, November 11, 2005.

Mined slopes, the pit bottom and the processing area will be revegetated in compliance with this Reclamation Plan.

These and other aspects of this plan demonstrate compliance with this standard.

§ 3705 Performance Standards for Revegetation

Revegetation performance goals have been established for the Revegetation efforts pursuant to the Revegetation Plan. The performance of the revegetation areas will be assessed in the fall of each calendar year. The performance standards are provided in Table 8.

Traditional success criteria include survival rate of final vegetative cover. However, success can also be measured by assessing the fundamental characteristic of a functional ecosystem: sustainability, resistance to invasive species, nutrient retention and biotic interactions. Reliable signs of functional ecosystems are the presence of certain target "indicator" species: animals, insects and/or plants typically found in that ecosystem.

The shrub density, cover and diversity goals were set by examining the existing conditions surrounding the site. The goals take into account that younger shrubs will show lower cover

values and higher density values than those seen in a more established habitat. Success rates falling under the minimum may signal the need for a second or third revegetation effort. These performance goals may be modified if restoration experience and knowledge gained during the project life span present different goals are appropriate.

§ 3706 Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control

Prior to mining, the quarry area was a short valley surrounded by sparsely vegetated hills of varying slopes, some steeper and some flatter than the proposed final slope. The valley drained towards the south and was not a permanent stream. The valley likely drained during precipitation events into the tributaries of Seymour Creek.

After mining is completed, the valley slopes will have been established as described above. In the area of the Lower Pond, a natural (i.e. vegetated, rock) spillway will be constructed to mitigate any overflow from the pond.

The area surrounding the Lower Pond will be revegetated according to the Revegetation Plan.

§ 3707 Performance Standards for Prime Agricultural Land Reclamation

N/A

§ 3708 Performance Standards for Other Agricultural Land

N/A

§ 3709 Performance Standards for Building, Structure and Equipment Removal

Mining related equipment, structures and other physical components on the property will be removed at the beginning of reclamation activities. Concrete foundations and other inert, non-metal debris, will be used for fill in the processing area. Sufficient overburden will be used to cover any such fill.

Other support structures including three water wells, water pipes, office, septic system, and fencing will be removed upon completion of reclamation.

§ 3710 Performance Standards for Stream Protection, Including Surface and Groundwater

Surface and groundwater will be protected for siltation and pollutants which may diminish water quality.

This will be accomplished by the design and construction of the valley drainage described above.

§ 3711 Performance Standards for Topsoil Salvage, Maintenance, and Redistribution

Topsoil, defined as the top 6 inches of soil cover, will be collected in the dry season from newly disturbed land. Vegetation, except mature trees, will be salvaged as well and crushed in place on the topsoil pile. Topsoil and crushed vegetation will be stored within the identified Topsoil Storage Area as depicted in the Revegetation Plan.

§ 3712 Performance Standards for Tailing and Mine Waste Management

There will be no waste dumps, tailings, or other permanent stockpiles left onsite after reclamation.

§ 3713 Performance Standards for Closure of Surface Openings

Residual hazards, such as holes, unstable slopes, or others that may be present, will be eliminated at the completion of reclamation.

STATEMENT OF RESPONSIBILITY

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

By: Cayofe: Date: 6/1/07

TITLE: WESTERN REGIONAL PRODUCTION MOR. E,S/C

REFERENCES

Bumgardner Biological Consulting, Letter Report, 2005

Financial Assurance Calculations, 2005

Frazier Park Plant Reclamation Plan, Ventura County Application and Approval, 1979

Hilltop Geotechnical, Inc., Report of Proposed Cut Slope Stability Evaluation, November 11, 2005

Pacific Custom Materials, Inc., Frazier Park Plant Reclamation Plan Amendment, August 2005

Pacific Custom Materials, Inc., Frazier Park Plant, Stormwater Pollution Prevention Plan, October 2001

Project KKGB, Revegetation Plan for Pacific Custom Materials, Inc., January 2007

Scott Bucy, Fruit Growers Laboratory, Inc., Ridgelite Mine Revegetation Plan, 1998

Ventura County Conditional Use Permit 212 Adjustment Approval Letter, July 7, 2000

Ventura County Department of Water Resources, Water Well Information, January 2004

Water and Landscape Consultants, Revegetation Plan, Ridgelite Quarry Site, Ventura, CA 1997

WREA, Hydrology and Hydraulic Calculations, December 2005

ATTACHMENT 1 RECLAMATION PLAN FIGURES

Figure 1 - Vicinity Map

Figures 2a and 2b - Ventura County Assessors Parcel Maps (to be prepared by Ventura County Assessor's Office)

Figure 2c - PCM Reclamation Plan Parcels

Figure 3 – PCM Reclamation Plan Map Post Mining Design Figure 4 - PCM Reclamation Plan Map Current Conditions

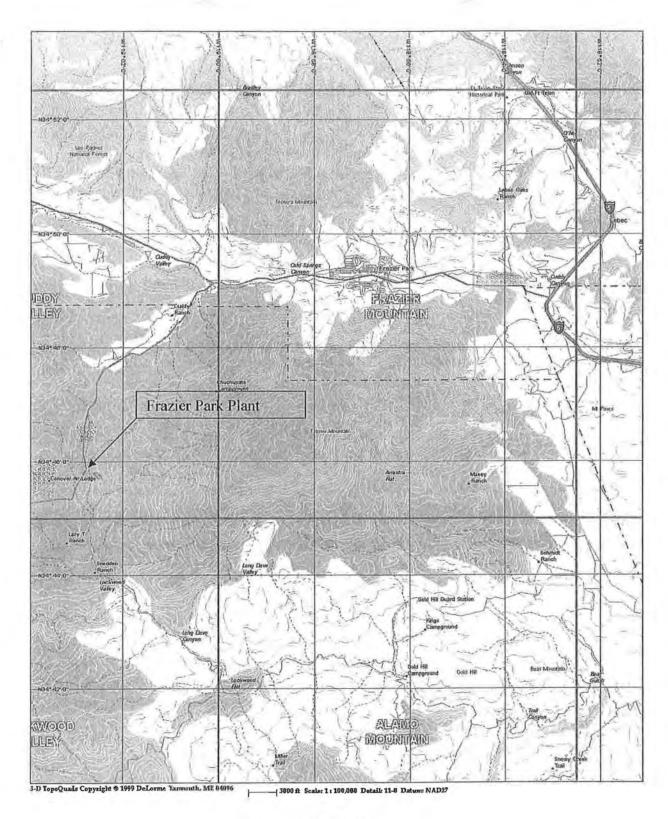
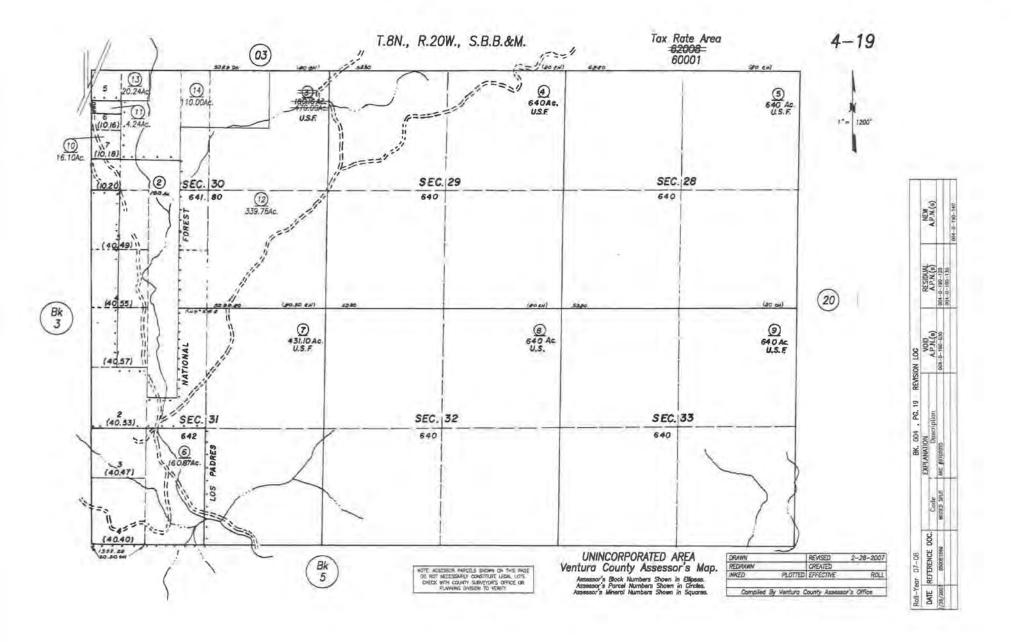
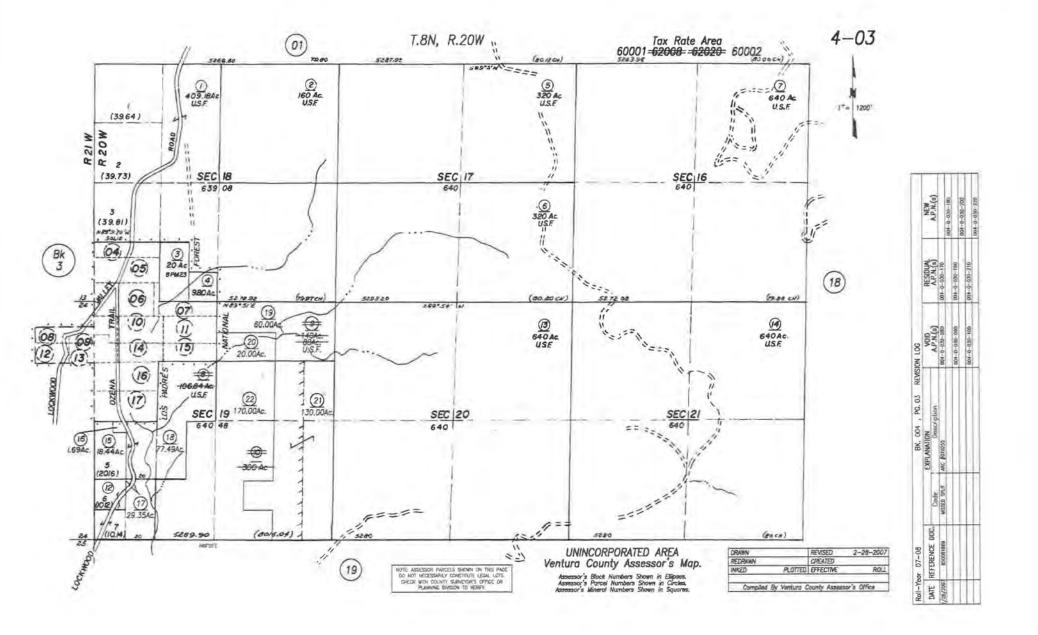
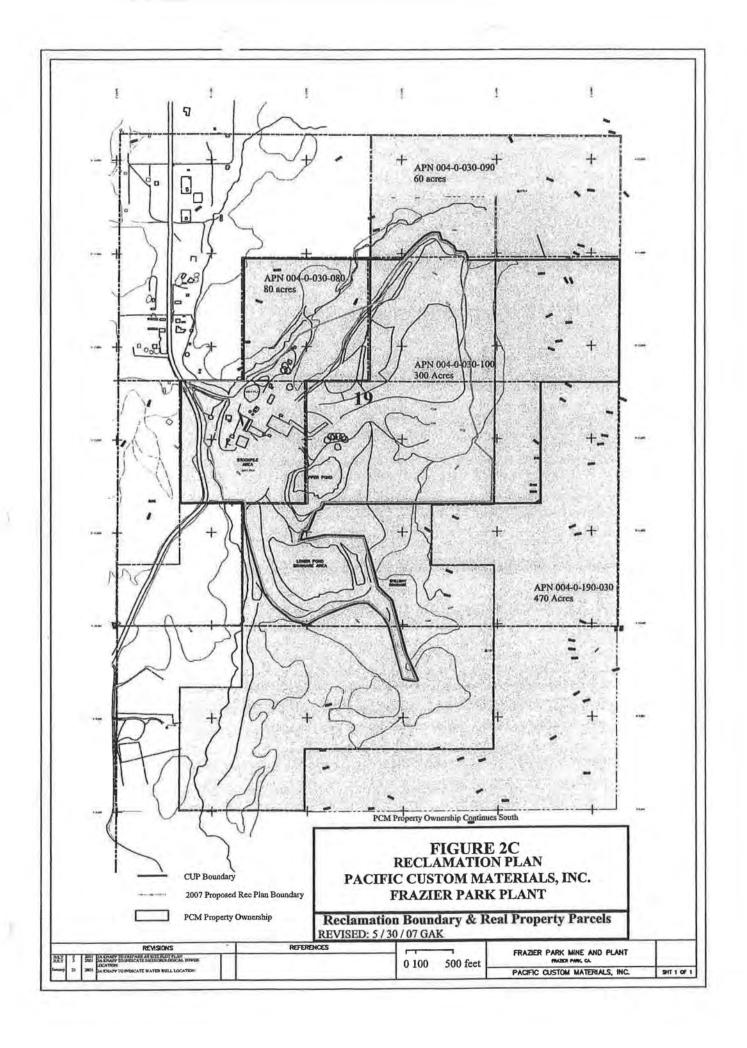
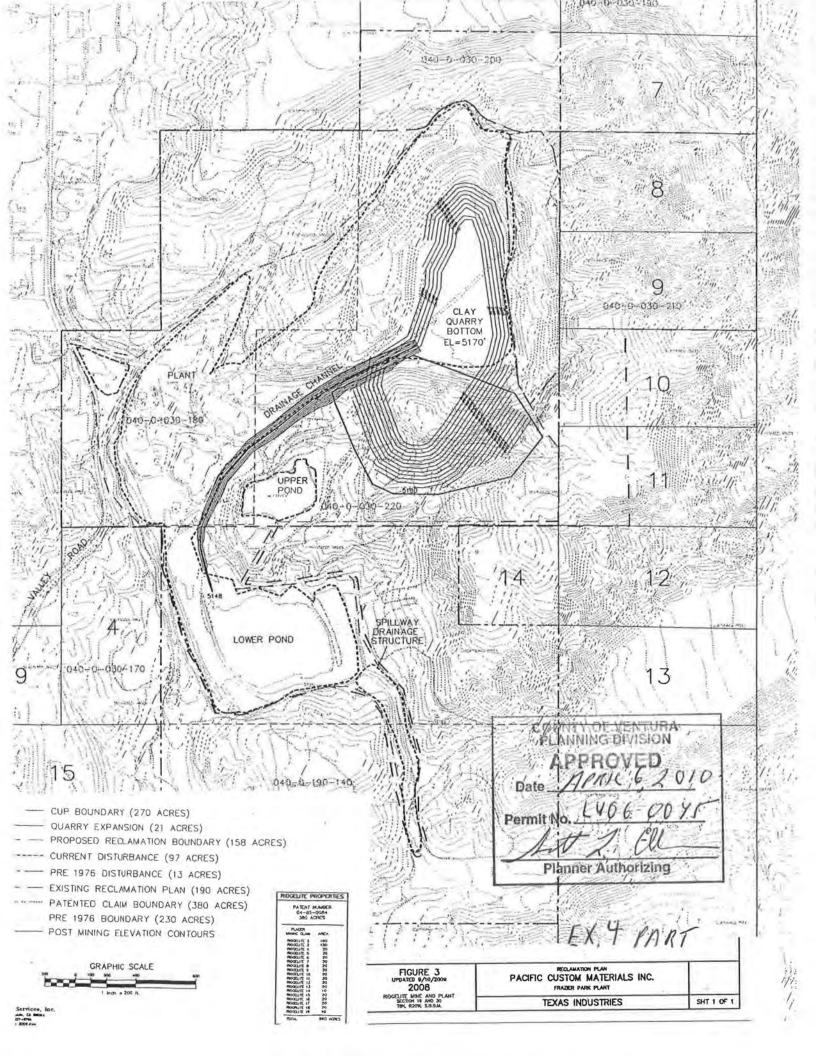


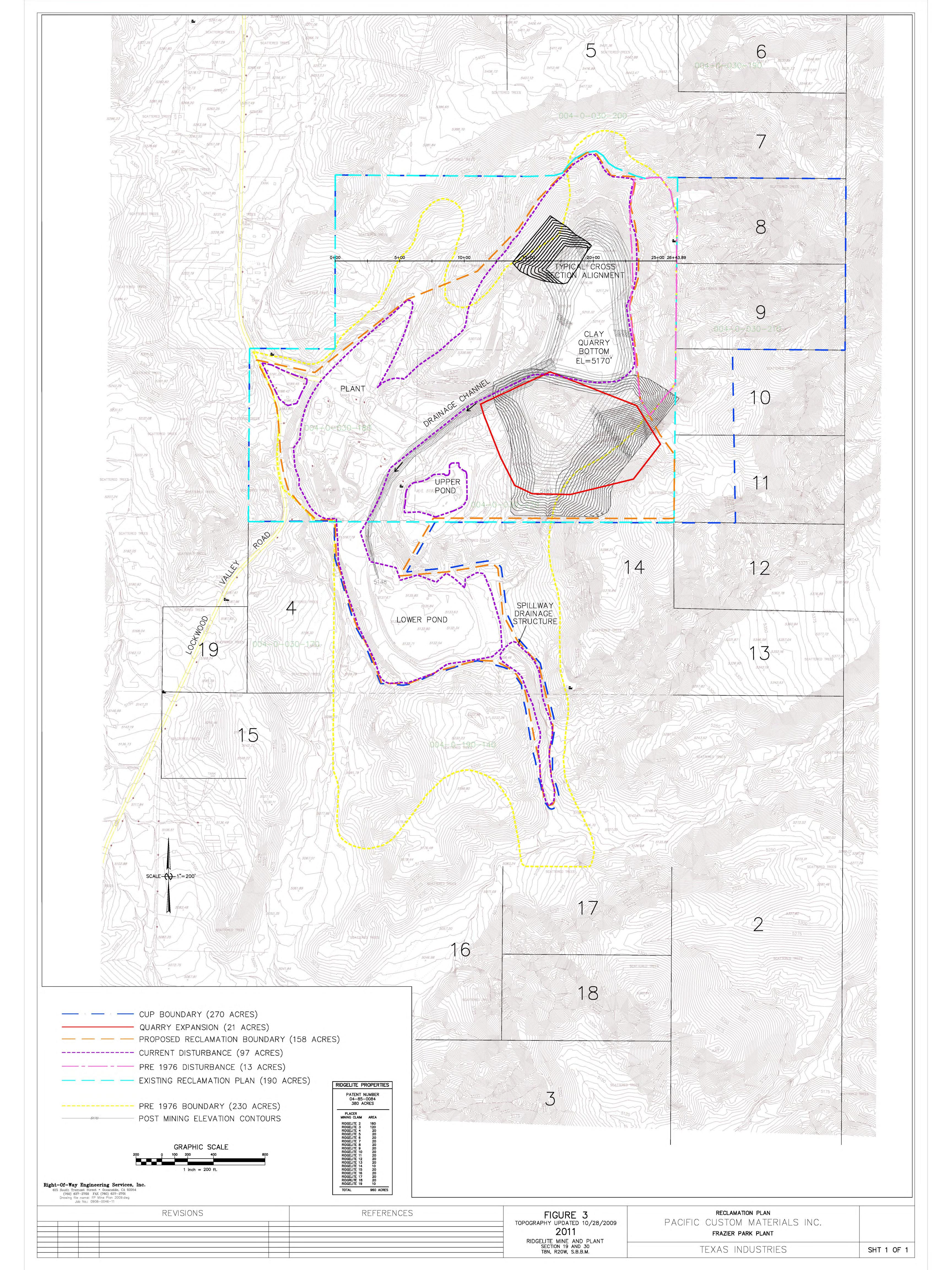
Figure 1
Frazier Park Plant Vicinity Map
Scale: 1" = 10,000 feet











Attachment 2

1979 County of Ventura Reclamation Plan Application and Conditions of Approval

VENTURA COUNTY PLANNING DEPARTMENT 62 North California Street Ventura, California 93001

PLANNED DEVELOPMENT PERMIT APPLICATION FO	
CONDITIONAL USE PERMIT X	DEVELOPMENT PLAN
(Non-residential Zones)	MODIFICATION
APPLICATION NO. CUP-212	DATE SUBMITTED
HEARING DATE	FEECHECK NO.
ADVANCE NOTICE	RECEIVED BY
NAME OF APPLICANT Lightweight Processing Co.	
	AM OR CORPORATION
TELEPHONE NUMBER OF APPLICANT (213) 240-5160	IY, STATE, ZIP CODE
PROPERTY OWNER U.S. Government MAIL ADD	DRESS <u>600 Truxton Ave., Bakersfield, C/</u> 93301 to produce lightweight apprenate.
115	1 9
PROPOSED USE: (Describe in detail the request being made, or the nat building, structure, improvement or premises is to be used.) Request is being made for the following: (1) Hodify Aning Permit, (3) Obtain approval of Reclamation PI the Surface Mining and Reclamation PI	the existing CUP. (2) Ohkain Surface
the Surface Mining and Reclamation Act of 1975.	an. Itts request was necessitated by
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COT. 1 MILES (D)(E) S. W. OF Stanffer	N. F. S. W.
is properly was acquired by the present owner on	970 00000
eal Paterence No.	(Date)
ilities on property: Sewer <u>No</u> Water <u>No</u> Electricity <u>Yes</u>	
miles of Dioberty, Somet No m.	Page

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declare, under		E 51	er) (lessee) (alte mey of the - tion, and the foregoing is tru		Ti.
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	N. V. and J. C.			_ day ofApr.	<u>L1</u> , 19 <u>78</u>
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COUNTY OF VENTURA
ENVIRONMENTAL RESOURCE AGENCY
PLANNING DIVISION
625 E. Santa Clara Street
Ventura, California 93001
(805) 648-6131

MINING AND RECLAMATION PLAN

Please supply all the requested data. If there are any questions please contact the Environmental Resource Agency, Planning Division. Please note any proprietary information, as provided in Section 2778 of the Surface Mine and Reclamation Act of 1975, on a separate sheet and it will not be released to the public.

OWNER, OPERATOR, AND AGENT:

Filing Date April 28, 1978

Applicant

Name Lightweight Processing Co.
715 North Central Ave., Suite 321
Glendale, Calif. 91203
(213) 240-5160

- 2. Name (If any) of Mineral Property _____RIDGELIT
- 3. Property Owners, or owners of surface rights or easements (List

Name
Address
Address
Bakersfield, Calif. 93301
Telephone
U.S. Government-Bureau of Land Management
Bakersfield, Calif. 93301
(805) 861-4191

Attach evidence that all owners of possessory interest have been notified of proposed or potential land use.

4. Mining Claimant

Type of Claim Placers and Hillsites No. of Claims 11 Placers; 8 Hillsites

5. Owners of Mineral rights

Name See no. 3 Address

Telephone

6. Lessen

Name Address See no. 1

Telephone

7. Operator

Name Address See no. 1

Telephone

0. Agent of Process (persons designated by operators as his agent for the service of process)

Hame Verhon B. Benfer, President Address Lightweight Processing Co.

Telephone (213) 240-5160

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9	. Illstory of Ownership (including other permits issued for site)
)	Original claims filed about 1926, passing through several changes of
10	Brief description include
	lands (to be) involved by this operation, including total acreage
	All property lies within Section 10
•	All property lies within Sections 19 and 30, T 8 N, R 20 W, San Bernar- dino Meridian, Ventura County. Total area: 970 acres.
	the second of th
	Assessoria Barria
	Assessor's Parcel Numbers
	Book 4 Page 3 and 19 Parcel 030-080
	section(s) 19 and 30 . Township 8 N Banga as a
	S. B. Meridian Range 20 W
11.	amount of truck traffic for each portion site. Estimate the
	Entrance to millsite is from a point on Lockwood Valley Road about 21 miles from State Route 33 and 12 miles from Interstate 5. Traffic will
	traffic will
12.	Attach Location and Vicinity Map.
DESC	RIPTION:
13.	
1	Hineral commodity (to be) mined: clay
14.	Geologic description, including brief general geologic setting, more detailed geologic description of the mineral deposit (to be) Lockwood clay is material plant.
	Calif. Div. of Mines and Geology. The clay is predominately montmortalinite. By greenish brown. The typical mental weathers dark to redden a
	It is pale tan to gray when fresh, but it weathers dark to reddish brown and vegetation. The typical exposure is that of low rounded hills devoid of probably nearly a true bentonite. The
	propagly nearly a true bentonite. The tast it is of volcanic order

vegetation. The geoligic report indicates that it is of volcanic origin and probably nearly a true bentonite. It is composed mostly of silica and alwana. 15. Brief description of environmental setting of the site and the surrounding areas. Describe existing area land use, soil, vegetation, ground water elevation and surface water characteristics, averate annual rainfall and/or other factors pertaining to environmental impacts and their mitigation and reclamation.

The operation is located at the edge of a valley at approximately 5,200 ft. clevation in low rounded hills surrounded by mountains which rise to over 8,500 ft. There is a small creek (dry in summer) that runs through and is adjacent to the site. There are a few trees but the ground is mostly covered with brush and shrubs. Two ponds are on the property and are used for storing water for use in the summer months when the well usually runs dry. Very few residents in the area. Turkey farm across the road.

PROPOSED (EVISIONAL)	
PROPOSED (EXISTING) SURFACE MINING OPERATION:	· × .
16. Proposed starting date of operation 195	5
Estimated Life of Operation	
Duration of First Phase N//	
17. Operation kull-l-ha (is): Continuous,	
Intermittant	
peveloped , (Hormal hours of operate	
· · · · · · · · · · · · · · · · · · ·	activated.
Stockpile in Mine	, , , , , , , , , , , , , , , , , , , ,
18. Operation we also (is):	
Under 5,000 tons cu. yds/yr	
5,000 - 50,000 tons cu. yds/yr.	· · · · · ·
50,000 - 250,000 tons cu. yds/vr. v	
250,000 - 1,000,000 tons cu. yds/vr	-:
over 1,000,000 tons cu. yds/yr.	
sittle pared production	1.
. Mineral commodities to be removed - 8-	
. Mineral commodities to be removed Commo (cu Waste retained on the site - tone (cu	. yds.) <u>100,000 per</u> yr.
Vaste disposed off	. yds.) None
Haximum anticipated depth 70	. yds.) None
. Mining method to be employed (surface-open	
set, etc.) Surface-open pit	rt, underground-square

If processing of the ores or minerals mined is planned to be conducted at or adjacent to the site, briefly describe the nature of the processing and explain disposal method of the tailings or

The raw clay is conveyed from the quarry to the processing plant by heavy earth moving equipment. It is then crushed and screened to size and fed into a rotary kiln where it is calcined at temperatures up to 2,000°F. The finished product is screened again and is then ready for shipment.

There is no waste product from this process because all oversize material is crushed down to a sand size and sold.

Estimate quantity (gallons per day) and quality of water required 22. by the proposed operation, specifying proposed sources of this water, of method of its conveyance to this property and the quantity and quality and method of disposal of used and/or surplus

The source of water at the processing plant is from a well located on the site. This water is pumped into ponds for storage. There is some surface runoff into the ponds during the rainy season. About 5,000 gallons per day are used when the plant is in production. It is used primarily for cooling the hot aggregate after it leaves the kiln and for dust control.

If the nature of the deposit and the mining method used will 23. permit, describe and show the steps or phases of the mining operation that allow concurrent reclamation, and include a proposed time schedule for such concurrent activities.

Not possible because all on the mined material is used in the process.

Attach a map of the mined lands and/or suitable aerial photograph 24. (a)

Boundaries and topographic details of the site; (b)

Location of all streams, roads, rallroads, water wells, and utility facilities within 500 feet of the site;

Location of all currently proposed access roads and other conveyance systems to be constructed in conducting the surface mining operation(s);
Location of areas (to be) mined, and of milling or
processing site, waste dumps, and tailing ponds. (d)

By use of overlay symbol or color, depiction of separate (e) mining phases if applicable. (See Item 23.) (,F)

The source of map base, orientation (North arrow), and scale (e.g.,]" = 500', etc.) of the map'.

Any existing or proposed structures on the site. (g)

25. Describe any other, short or long term, adverse effects upon the surrounding environment that could possibly be caused by your operation and the steps you will take to mitigate them. These effects could include high noise levels, recurrent blasting,

The processing plant is visible from Lockwood Valley Road. Should the area ever be developed, the plant could be considered unpleasant by some. The quarry area is not visible from the road. A new dust collection system has been installed and is under constant scrutiny by the Ventura County Air Pollution Control District.

26. Describe any social or economic effects of the operation. It provides work for 18 people with an annual payroll of \$125,000.

RECLAMATION PLAN:

27. Indicate on an overlay of map of Item 24, or by color or symbol on map those areas to be covered by reclamation plan.

Acreage 300

28. Describe the ultimate physical condition of the site and specify proposed use(s), or potential uses, of the mined lands as reclaimed.

The physical condition of the site at the termination of mining will be essentially the same as when mining was started. After all structures have been removed, the quarry and manufacturing areas will be replanted as described in Item 31. The ponds will be drained so as not to leave any surface water on the property.

- 29. Describe relationship of the interim uses other than mining and the ultimate physical condition to:
 - (a) Zoning regulations.
 - (b) General plan and plan elements.

There would be no interim uses until mining has been terminated. The zoning is 0-5-40Ac. and M-2.

Describe soil conditions and proposed soil salvage plan.

The soil condition in the quarry at the conclusion of mining will be hard and dense. It is proposed that this area be revegetated as described

- Describe the methods, their sequence and timing, to be used in bringing the reclamation of the land to its end state. , indicate on map (Item 24 and 27) or on diagrams as necessary. Include discussion of the pertinent items listed below.
 - Backfilling and grading. Stabilization of slopes. (b)

(c)

See other sheet

- Stabilization of permanent waste dumps, tailings, etc. Rehabilitation of pre-mining drainage. (d) (e)
- Removal, disposal, or utilization of residual equipment,
- (f) Control of contaminants, especially with regard to surface runoff and ground water. Give Los Angeles Regional Water Quality Control Waste Water Discharge (g)
- Give Air Pollution Control District Permit to Operate (h)
- Treatment of streambeds and streambanks to control erosion and sedimentation.
- Removal or minimization of residual hazards. Resolling, revegetation with evidence that selected plants can survive given the site's topography, soil
- if applicant has selected a short term phasing of his reclamation, 32. describe in detail the specific reclamation to be accomplished

Short term phasing would not be possible because the entire quarry area is being used.

Describe how reclamation of this site in this manner may affect 33. future mining at this site and in the surrounding area.

Haning could be resumed at any time.

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HOTE:

The Environmental Resource Agency shall be notified of any substantial changes to the above plans, and shall be notified of abandonment of any mining project nelse to

RESCRIPTE RECLAMATION PLAN Them 31

- No backfilling would be possible because all the material removed is .11) used in the manufacture of the product.
- The maximum slope in the quarry area would be at one to one in some areas. There are no tailings or waste dumps because all of the mined material c)
- The entire mining area is Jocated on a gradual slope draining to the south into Lockwood creek. This name direction would be maintained.
- e) All structures on the property will be revoved. There are no contaminants used in the manufacture of the product. The only water to leave the property would be runoff from rain and therefore no Waste Water Discharge Order Number is necessary.
- The plant is operating on a variance with a permit pending. h) The only streambeds are used during the rainy season for runoff. All streams are dry during the summer. Since no streams have been diverted,
- All hazards such as holes or dropoffs will be filled or leveled. j) Revegetation in the quarry area and other cleared land where the structures have been removed, would be with resceding of wheatgress (Agropyron sp.) and cheatgress (Bronus tectorum) together with rabbitbinsh (Chrysoth amnus nausecusus) and cattle spinech (Atriplex polycerps).

THIS STATEMENT HUST BE NOTARIZED OR April 20 OR OR STEWART TO April 20 OR OR Apri	STATEMENT OF RESPONSIBILITY:	
of Lightweight Processing Co. hereby accept the responsibility for reclaiming the mined lands described herein in the manner described herein and attached, forming the reclamation plan for the Ridgelite Millette (mino, millsite, or project) (s) Thurn D. Lond Market (mino, millsite, or project) This statement Hust be notarized in the medicined in the mid for mid Sint, personly appared Version R. Benfor (Market Millette Line and middle singlette mid Line, traceled the sine. JOAN E. STEWART (Millette Line and middle singlette middle singlette middle singlette	Voyage P. No. and S.	
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VENTURA COUNTY PLANNING COMMISSION STAFF REPORT AND RECOMMENDATION MEETING OF NOVEMBER 8, 1979

SUBJECT:

Modification of Conditional Use Permit No. CUP-212

APPLICANT:

Lightweight Processing Company 715 North Central Avenue, Suite 321 Glandale, CA 91203

REQUEST:

The applicant is requesting approval of a Reclamation Plan for a surface mining operation, which is required pursuant to Section 8163-16 of the Ventura County Ordinance Code and the State of California Surface Mining and Reclamation Act of 1975.

STAFF TESTIMONY AND PROPOSED FINDINGS:

- I. Location and Parcel Numbers: Subject property is approximately 260 acres in area and is generally located in Lockwood Valley in the North half of Ventura County, adjacent and east of Lockwood Valley Road, one mile northeast of the town of Stauffer and approximately three miles southwest of the Kern County line. The Assessor's Parcel Numbers are 4-030-08 and a portion of 4-030-10 (see Exhibit 2). For reference, the United States Bureau of Land Management is the owner of the subject property. However, the applicant states that there are mining and mill site patents pending, which, when finalized, would bring the entire permit area under his ownership;
- Zoning: The existing "M-2" (Limited Industrial District) and "O-S-40Ac" (Open Space, 40 Acre Minimum) zones were adopted on September 26, 1967 (Ordinance 1980), and January 22, 1974 (Ordinance 2763), respectively;
- 3. General Plan and Zoning Consistency: The Open Space Element of the Ventura County General Plan designates the subject property as "Open Space," which allows for the recovery of mineral resources. Therefore, the subject proposal is consistent with the objectives, policies, general land uses, and programs of the general plan. However, the existing "M-2" zone on Assessor's Parcel No. 4-030-10 is not consistent with the "Open Space" designation. Therefore, the portion of Assessor's Parcel No. 4-030-10 which is zoned "M-2" should be rezoned to the "O-S-40Ac" (Open Space, 40 Acre Minimum) zone (Condition No. 9);
- 4. <u>History</u>: The subject site contains a surface mine and mill site (CUP-212), which was granted to Whiteridge Mining Company by the Board of Supervisors on August 18, 1953, for the subject permit area only, with no time limit. On February 26, 1954, the permit was transferred to Ridgelite Products and in 1974, Lightweight Processing Company assumed the

On February 14, 1967, Mr. A. P. Stokes, Director of the Public Works Agency, reported to the Board of Supervisors that citizens near the plant had complained of dust emanating from the subject mill site. Following investigation of the problem, Mr. Stokes recommended that dust control equipment be installed to control the identified dust emissions. Said equipment was installed, and subsequent reports from County employees stationed in Lockwood Valley indicated that the dust complaints had stopped;

 Environmental Review: The Environmental Report Review Committee (ERRC) has reviewed this project and has recommended a finding that the project will not have a significant effect on the environment. A Negative Declaration has been prepared (see Exhibit 3); Staff Report and Recommendation Meating of November 8, 1979 Modification of CUP-212; Page 2

6. Description of Request: The subject property contains a surface mine, where montmorillinite clay is excavated with earth-moving equipment and moved to a mill site where the clay is processed and fired in one of four rotary kilns, producing a "calcined" lightweight aggregate material, which is mainly used by the building industry for lightweight concrete. The facility operates 24 hours per day, 7 days per week, with 24 employees;

The subject of this staff report is not the mining and processing operation, but the State and County mandated reclamation plan submitted by the permittee (see Exhibit 4). The Public Works Agency Plan has reviewed the subject plans and found them to be in conformance with the surface mining Reclamation Act Guidelines provided by the State, and has recommended approval of the proposed plan. In addition, the Planning Staff recommends that Condition Nos. 14 through 17 be imposed upon the permit for future administration of the Reclamation Plan and for necessary final landscaping approval. Therefore, with appropriate conditioning, the proposed Reclamation Plan has been found to be in conformance with Section 8163-16 of the Ventura County Ordinance Code;

- 7. City and Jurisdictional Comments: The Lockwood-Ozena Property Owners' Association (LOPOA) has been invited to comment on subject Reclamation Plan. On August 21, 1979, Vic Wacha, Chairman of LOPOA stated: "On behalf of the Lockwood-Ozena Property Owners' Association, we feel that the project always was and will be a good thing for the North half of Ventura County. Under good business management, and tax-wise, we endorse their way of doing things;"
- 8. Public Comments: Anna Marle Ryon, Burbank, CA., spoke during the Environmental Report Review Committee meeting on August 29, when that Committee approved the Negative Declaration. Mrs. Ryon stated that she had no objection to the subject Reclamation Plan, but if the applicants should ever wish to expand the permit area or add more equipment, she would like to comment at that time on certain dust problems she is experiencing and on aesthetics. She stated that she has owned a parcel across the street from the mill site for approximately two years;
- 9. Development Advisory Committee: On June 22, 1979, and again on August 29, 1979, the applicant met with representatives of Public Works Agency, the County Fire Department, the Environmental Health Division, and the Planning Division, to discuss the recommended conditions of approval. The applicant has expressed complete agreement with all of the conditions of the Reciamation Plan, but is not in agreement over the time limits (see below);
- 10. Time Limits: The subject permit currently has no time limits, but the proposed conditions would impose limits pursuant to policy direction from the Planning Commission in recent cases involving mining operations without time limits. The time limits being proposed by the Planning staff is based on time limit conditions imposed by the Planning Commission on four other recently approved and typical quarries in the County:

Approval Date	Case No.	Applicant	Expiration	Extensions Authorized
8/7/75 Small operation	CUP-3537 n one and one-h	Tapo Oyster Shell naif miles outside of	_	2 (5 years)
3/22/79	CUP-1942	S. P. Milling Clara River near El		1 (10 years)
4/19/79 Large operatio	CUP-3348 n one and one-	Tapo Rock & Sand half miles outside Si	5 years ml Valley	1 (5 years)
6/21/79	CUP-43			3 (5 years)

In none of the above cases has there been more than a potential 20 year permit and in all but one of the above cases, the maximum period of time before expiration has been five years with the Planning Director authorized to extend each permit at five-year intervals. In the one exception (S.P. Milling), the permittee was given a 10 year time limit, with a possible 10-year extension but must also annually file and receive approval for a Development Plan which specifies the measures to be taken by the permittee to comply with the conditions of the permit on an ongoing basis.

Staff Report and Recommendation Meeting of November 8, 1979 Modification of CUP-212; Page 3

> In all four of the above cases, conditions were imposed on the day-to-day operations of existing uses, as well as on reclamation of the site. In light of the time limits previously imposed by the Planning Commission, the Planning staff is proposing that the permit expire in five years, and that the Planning Director be authorized to review and continue the permit for two additional five-year periods. The applicant did not agree to this schedule, and proposed instead that the permit expire in fifteen years, and that the Planning Director be authorized to extend the permit for an additional ten years.

> in the subject case where there are only eight conditions of operation which have been in existence since in 1953, the applicant is proposing a longer period of time before expiration and longer intervals between extensions by the Planning Director than have been recently approved for mining operations with conditions covering day-to-day operations and a reclamation plan. Since no new conditions of operations are being proposed, the Planning staff cannot recommend that the time limits being proposed by the applicant be imposed.

> In a related case (V-2) being considered on the same agenda, the Planning staff is recommending that the Planning Director be authorized to extend the permit only once in contrast to two possible extensions by the Planning Director in the case of CUP-212. The reason for this discrepancy is that CUP-212 is located in a more remote location and has a greater degree of compatibility with surrounding uses. CUP-212 also has eight operating conditions, whereas V-2 has none.

RECOMMENDED ACTION:

- Find that this project will not have a significant effect on the environment and certify that the attached Negative Declaration has been completed in compliance with C.E.Q.A. and the State EIR Guidelines issued thereunder, and that this body has reviewed and considered the information contained In the Negative Declaration;
- initiate a Resolution of Intention to rezone the subject property from the "M-2" zone to the "O-S-40Ac" zone, or other such zone as may be deemed appropriate by the Commission; and
- Adopt the proposed findings and approve modification of Conditional Use Permit No. CUP-212, for inclusion of the proposed Reclamation Plan, (Exhibit 5), subject to the attached conditions (Exhibit 4).

The decision of your Commission is final, unless appealed within ten days to the

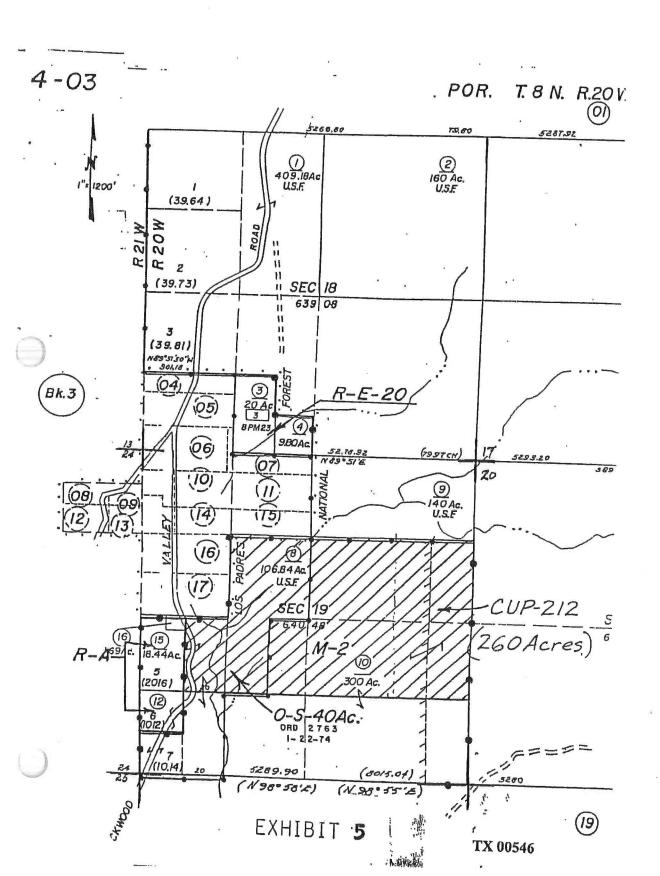
Prepared by

Reviewed by

Steve Wood

Case Planner

SW: 1P82s



NEGATIVE DECLARATION

VENTURA COUNTY RESOURCE MANAGEMENT AGENCY 800 South Victoria Ventura, California 93009

1. PROJECT DESCRIPTION:

- Entitlement: Conditional Use Permit No. CUP-212
- 2. Applicant: Lightweight Processing Company (Ridgelite)
- 3. Proposal: The applicant is proposing a reclamation plan for a 260 acre quarry site.
- Location and Parcel Number: (See attached map) The subject property, designated as Assessor's Parcel No. 190-030-080 is located in the North Half Sphere of Interest, adjacent and east of Lockwood Valley Road and approximately three miles southwest of the Kern County Line. (see attached map)
- Responsible Agencies: None

STATEMENT OF ENVIRONMENTAL FINDINGS: 11.

An initial study was conducted by the Planning Division to evaluate the potential effect of this project upon the environment. Based upon the findings contained in the attached initial study it has been determined that this project will not have a significant effect upon the environment.

III. MITIGATION MEASURES INCLUDED TO AVOID POTENTIALLY SIGNIFICANT

None

IV. PUBLIC REVIEW:

- Legal Notice Method: Direct mailing to property owners within 300
- Document Posting Period: July 25, 1979 to August 29, 1979 3.
- Environmental Report Review Committee Hearing: August 8, 1979 and August 29, 1979

Prepared by: Del Linares Approved by:

Robert K. Laughlin, Supervisor

Subdivision and Environmental Review Section

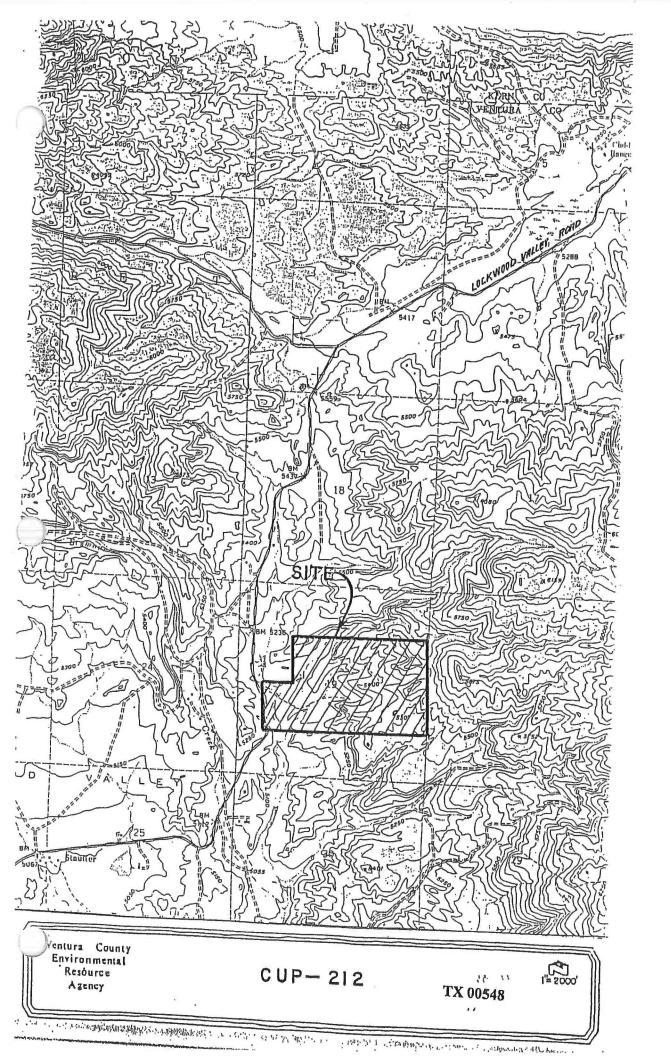
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EXHIBIT

TX 00547

Date: Sept. 24, 1979

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CONDITIONS FOR: CUP-212 (Ridgelite)

APPLICANT: Lightweight Processing Co.

RESOLUTION NO:

PAGE: 1

DATE: November 8, 1979

PLANNING DIVISION CONDITIONS:

The mining of montmorillinite clay and the firing and burning of said clay in a rotary kiln, for the purpose of producing a lightweight aggregate, in the manner and to the extent described in the application for this permit, together with buildings, equipment and other appurtenances accessory thereto, shall be subject to seven of the eight conditions which were originally applied to Conditional Use Permit No. CUP-212 by the Board of Supervisors on August 18, 1953, and which read as follows (Condition No. 7 of the original set of conditions has been superseded by Reclaination Plan Condition No. 14.):

- 1. That the permit is issued for the N^1_2 of the S^1_2 and the S^1_2 of the N^1_2 of Section 19, T 8 N, R 20 W.
- 2. That permit is limited to the duration of the operation by the Permittee of the mining of clay and firing of said clay in a rotary kiln in the manner and to the extent described in the application, and if the Permittee immediately expire. Provided, however, upon application to the Planning Commission, and after review by the Planning Commission, a transfer or authorized.
- That the permit shall expire when the use for which this permit is granted is discontinued for a period of six months.
- That the area around the mill site shall be completely cleared of trees, brush or other inflammable material for a distance of 100 feet.
- 5. That two fire hydrants be installed not closer than 50 feet to any building, to accommodate a standard 1½ fire hose, and said fire hoses, as well as other suitable fire fighting equipment shall be maintained in a satisfactory condition on the premises at all times.
- That any mill or quarry established within the area described shall be equipped with adequate controls for the elimination of dust, smoke, fumes or the discharge of other solid, liquid or gaseous materials.
- This condition of the original permit is hereby superseded by Condition No. 14 contained herein.
- That suitable and adequate sanitary toilet and washing facilities shall be installed and maintained in a clean and sanitary condition at all times.

in addition to the eight (8) conditions listed above, the following two (2) conditions shall be added to the conditions of operation for Conditional Use

- 9. That the subject property shall be rezoned at the County's expense from the "M-2" zone to the "O-S-40Ac" zone or other zone(s) that will be consistent with the Open Space Element of the Ventura County General Plan and the existing use.
- 10. That the permit is granted for a period of time of five (5) years, ending November 8, 1984. That at the end of this five (5) year period, the Planning Director is authorized to review and continue this Conditional Use Permit for up to two (2) additional five (5) year periods ending November 8, 1994, providing that full compliance with all conditions has been accomplished and that the use authorized by this permit will remain compatible with the properties in the general area during the duration of each additional five (5) year period. At least thirty (30) days prior to Minor Change Application.

The Reclamation Plan for Conditional Use Permit No. CUP-212 shall be subject to the following terms, conditions, and associated maps, plot plans, and exhibits:

11. That this Reclamation Plan shall become a part of CUP-212 and shall apply to the property identified by that permit and the attached Plot Plan "A" dated November 8, 1979.

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CONDITIONS FOR: CUP-212 (Ridgelite)

APPLICANT: Lightweight Processing Co.

RESOLUTION NO:

PAGE: 2

DATE: November 8, 1979

That the final slopes; contours and configurations of the excavated areas
of the permit area shall correspond to those identified on the attached Plot
Plan "A".

- 13. That as the final slopes, contours and configurations of excavated areas are reached, they shall be revegetated in a manner consistent with the native vegetation in the area as soon as practical, but in not more than one year. The proposed revegetation plan shall be reviewed by the County's landscape coordinator following payment of the then current fees and approved by the Planning Director prior to implementation. The revegetating of areas shall not preclude the mining of other areas of the permit. Accessways through revegetated areas to areas being mined may be maintained where needed.
- 14. That within six (6) months of the expiration, abandonment or revocation of the use, the reciamation of the site pursuant to the attached Plot Plan "A" and to these conditions shall be completed and all structures, facilities, improvements, stock piles, surpluses, wastes, debris and potentially hazardous features or conditions remaining which are inconsistent with the existing zoning, general plan or ultimate use of the land shall be removed or corrected and the site restored to its natural condition, or as near as practicable.
- That in implementing this Reclamation Plan, all Federal, State, and local laws, ordinances and regulations shall be adhered to.
- 16. That the permittee shall post a \$10,000 bond in a form to be approved by the County Counsel and certified by the County Clerk to guarantee the reclamation of the permit area pursuant to this Reclamation Plan. In case of fallure to conform or comply with any term or provision of this Reclamation Plan, the Planning Commission may, by resolution, declare the bond forfeited. The bond shall not be released until all terms and provisions of the Reclamation Plan have been completed. Every five (5) (November 8, 1979) the amount of the bond shall be reviewed and adjusted in accordance with inflation as evidenced by the Consumer Price Index.
- 17. That any minor changes in the Reciamation Plan may be approved by the Planning Director, but any major changes will require the filing of a Modification Application to be considered by the Planning Commission.
- 18. That minor deviations from the design and location of the run-off control improvements set out in the attached Plot Plan "A" may be approved by the Public Works Agency.

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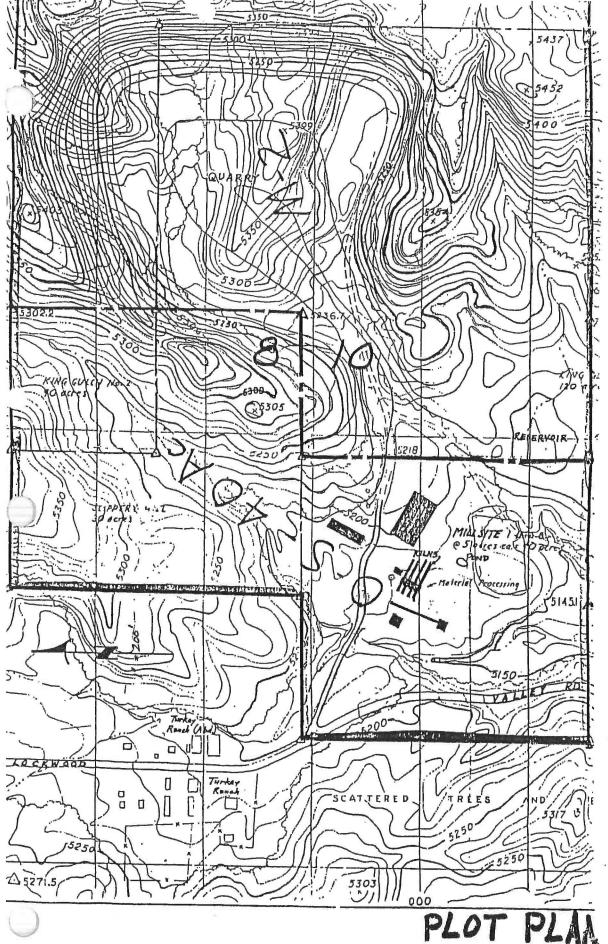


EXHIBIT 5

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ATTACHMENT 3

Report of Cut Slope Stability Evaluation Prepared by Hilltop Geotechnical Dated November 2005

REPORT OF PROPOSED CUT SLOPE STABILITY EVALUATION FRAZIER PARK PLANT LOCKWOOD VALLEY AREA OF VENTURA COUNTY, CALIFORNIA

PROJECT NO.: 526-A05 REPORT NO.: 1

NOVEMBER 11, 2005

SUBMITTED TO:

PACIFIC CUSTOM MATERIALS P.O. BOX 146 ORO GRANDE, CA 92368

PREPARED BY:

HILLTOP GEOTECHNICAL, INC. 786 SOUTH GIFFORD AVENUE SAN BERNARDINO, CA 92408



786 S. GIFFORD AVENUE • SAN BERNARDINO • CALIFORNIA 92408 hilltopg@hgeotech.com • FAX 909-890-9055 • **909-890-9079**

Project No.: 526-A05

Report No.: 1

November 11, 2005

Pacific Custom Materials P.O. Box 146 Oro Grande, CA 92368

Attention: Mr. Gregory A. Knapp

Report of Cut Slope Stability Evaluation, Frazier Park Plant,

Lockwood Valley Area of Ventura County, California.

References: Technical References - See Appendix 'B.'

Gentlemen:

Subject:

According to your request, we have completed a slope stability evaluation for the proposed mining cut slopes for the South Quarry Area of the proposed mining plan for the Frazier Park Plant located in the Lockwood Valley Area of Ventura County, California. We are presenting, herein, our findings and recommendations.

If you have any questions after reviewing the findings and recommendations contained in the attached report, please do not hesitate to contact this office. This opportunity to be of professional service is sincerely appreciated.

Exp: 3/31/07

Respectfully submitted,

HILLTOP GEOTECHNICAL, INC.

Mark Hulett, CEG No. 1623

President

Donald L. Curran, GE No. 254

Senior Engineer

also 4

Sundaramoorthy Srirajan,

Project Engineer

Date Signed: 11-11-05

SS/MH/DLC/em

Distribution:

(2) Addressee

(4) West Coast Environmental and Engineering

Attn: Mr. John Hecht

lo. C68601

TABLE OF CONTENTS

Section Title	Page No.
INTRODUCTION	
AUTHORIZATION	
PURPOSE AND SCOPE OF STUDY	
PREVIOUS SITE STUDIES	4
PROJECT DESCRIPTION / PROPOSED DEVELOPMEN	NT 4
FIELD EXPLORATION AND LABORATORY TESTING	5
FINDINGS	6
SITE DESCRIPTION	6
ENGINEERING GEOLOGIC ANALYSIS	7
Regional Geologic Setting	7
Local Subsurface Conditions	
Earth Materials Description	
Groundwater	
Surface Water	
Site Variations	9
CUT SLOPE STABILITY EVALUATION	10
GENERAL	
SLOPE STABILITY ANALYSIS	10
Strength Parameters	
Stability Analyses	
Conclusions	12
CLOSURE	
APPENDIX A	
FIELD EXPLORATION	A-1
LABORATORY TESTING PROGRAM	A-4
CLASSIFICATION	A-4
IN-SITU MOISTURE CONTENT AND DRY DEN	SITY A-4
MAXIMUM DRY DENSITY / OPTIMUM MOISTU	RE
CONTENT RELATIONSHIP TEST	
DIRECT SHEAR TEST	A-5

TABLE OF CONTENTS

Section Title	Page No.
"Exploratory Excavation Location Plan" P	late No. 1
'Subsurface Exploration Legend' P	late No. 2
'Subsurface Exploration Logs' Plate Nos. 3a th	arough 5d
'Maximum Dry Density / Optimum Moisture	
Content Test Results'	late No. 6
'Direct Shear Test Results'	late No. 7
APPENDIX B	
TECHNICAL REFERENCES	B-1
APPENDIX C	
'Slope Stability Results' Plate Nos. 8 th	rough 13

REPORT OF PROPOSED CUT SLOPE STABILITY EVALUATION FRAZIER PARK PLANT LOCKWOOD VALLEY AREA OF VENTURA COUNTY, CALIFORNIA

PROJECT NO.: 526-A05 REPORT NO.: 1

NOVEMBER 11, 2005

INTRODUCTION

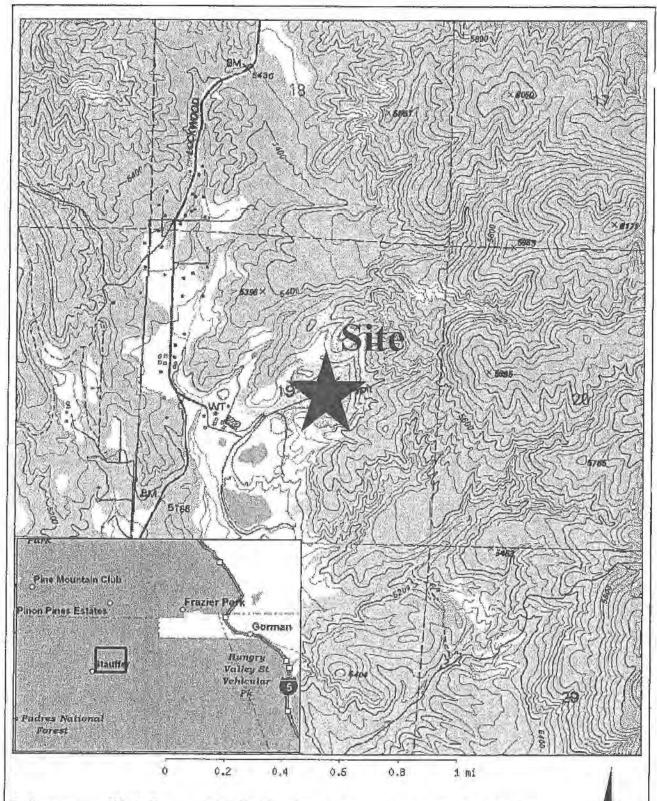
AUTHORIZATION

This report presents the results of a slope stability evaluation for the proposed mining cut slopes for the proposed South Quarry Area portion of the Frazier Park Plant located in the Lockwood Valley area of Ventura County, California. The general location of the subject site is indicated on the 'Site Location Map,' Figure No. 1.

Authorization to perform this study was in the form of a signed proposal from Hilltop Geotechnical, Inc. (Geotechnical Consultant) to West Coast Environmental and Engineering (Client's representative), dated May 25, 2005, Proposal Number: P05098.

PURPOSE AND SCOPE OF STUDY

The scope of work performed for this study was designed to evaluate the slope stability of proposed cut slopes for the mining of the South Quarry Area on the subject site. The scope of work included the following:



Reference:

Web's Topographic Map Site, http://www.topozone.com, cuddy valley quadrangle

Yahoo Map Site, http://www.mapquest.com



SITE LOCATION MAP		
By: SS	Date: 11/05	
Project No.: 526-A05.1	Figure No.: 1	

- Review of locally and easily available published and unpublished soils, and geologic reports and data for the area (see References in Appendix 'B') to ascertain geologic conditions of the area.
- Telephone conversations with the client and/or representatives of the client.
- Site reconnaissance.
- Subsurface exploration by means of borings to characterize earth material, geologic, and groundwater conditions that could influence the proposed development.
- Sampling of on-site earth materials from the exploratory excavations.
- Laboratory testing of selected earth material samples considered representative of the subsurface conditions to determine the engineering properties and characteristics.
- Define the general geology of the subject site and evaluate potential geologic hazards which would have an effect on the proposed site development.
- Engineering analysis of field and laboratory data to provide a basis for geotechnical conclusions and recommendations regarding the slope stability evaluation of the proposed mining cut slopes.
- Preparation of this report to present the geotechnical and geologic conclusions and recommendations for the proposed site development.

This report presents our conclusions and/or recommendations regarding evaluation of stability of proposed mining cut slopes. The scope of work performed for this report did <u>not</u> include any testing of soil or groundwater for environmental purposes, an environmental assessment of the property, or opinions relating to the possibility of surface or subsurface contamination by hazardous or toxic substances.

This study was prepared for the exclusive use of Pacific Custom Materials and their consultants for specific application to the proposed mining for the South Quarry Area of the Frazier Park Plant in accordance with generally accepted standards of the geotechnical and geologic professions and generally accepted geotechnical (soil) engineering principles and practices at the time this report was prepared. Other warranties, implied or expressed, are not made. Although reasonable effort has been made to obtain information regarding the geotechnical and subsurface conditions of the site, limitations exist with respect to the knowledge of unknown regional or localized off-site conditions which may have an impact at the site. The conclusions and recommendations presented in this report are valid as of the date of the report. However, changes in the conditions of a property can occur with the passage of time, whether they are due to natural processes or to the works of man on this and/or adjacent properties.

If conditions are observed or information becomes available during the design and mining process which are not reflected in this report, Hilltop Geotechnical, Inc., as the 'Geotechnical Engineer of Record' for the project, should be notified so that supplemental evaluations can be performed and the conclusions and recommendations presented in this report can be modified or verified in writing as necessary. Changes in applicable or appropriate standards of care in the geologic and geotechnical professions occur, whether they result from legislation or the broadening of knowledge and experience. Accordingly, the conclusions and recommendations presented in this report may be invalidated, wholly or in part, by changes outside the influence of the project Geotechnical Consultant which occur in the future.

PREVIOUS SITE STUDIES

Prior to this report, previous geologic studies have been performed on the subject site. The results of those studies were presented in the references noted in Appendix 'B' of this report. The results of the previous studies correspond with the results of this study, recognizing the normal variations in subsurface materials within the natural Lockwood Clay Formation on the subject site. The information presented in the referenced reports is not repeated herein. However, reference is made to inform the reader of the existence of the reports

PROJECT DESCRIPTION / PROPOSED DEVELOPMENT

As part of our study, we have discussed the project with yourself and Mr. John Hecht of West Coast Environmental and Engineering. We have also been provided with the 'Frazier Park Plant Life of Mine Plan' for the project. In addition, we have reviewed the referenced reports previously prepared for the subject site and surrounding area which are noted in Appendix 'B' of this report.

Based upon information presented to this firm by the client, it is our understanding that the proposed project will consist of the South Quarry Area portion of the existing clay mine located at the Frazier Park plant. The proposed cut slopes will have a total height of approximately 150 to 200 feet and an overall slope inclination of 2.6:1 (Horizontal to Vertical).

The above project description and assumptions were used as the basis for our engineering analysis, and the conclusions and recommendations presented in this report. Hilltop Geotechnical, Inc. should be notified if any details other than those represented herein are proposed for final development of the site so a review can be performed, a supplemental evaluation made, and revised recommendations submitted, if required.

FIELD EXPLORATION AND LABORATORY TESTING

The field study performed for this report included a visual reconnaissance of the existing surface conditions of the subject site. A study of the property's subsurface condition was performed to evaluate underlying earth strata and the presence of groundwater. Surface and subsurface conditions were explored on June 30 and July 26, 2005.

The subsurface exploration consisted of excavating three (3) exploratory borings on the subject site. The approximate locations of the exploratory excavations are shown on the 'Exploratory Excavation Location Plan,' Plate No. 1, presented in the map pocket in Appendix 'A.' The exploratory excavations were observed and logged by a representative of Hilltop Geotechnical, Inc., and the results are presented on the 'Subsurface Exploration Logs,' Plate Nos. 3a through 5d, presented in Appendix 'A.' A more detailed explanation of the field study which was performed for this report is presented in Appendix 'A.'

Relatively undisturbed ring samples and representative bulk samples of on-site earth materials were collected during the field exploration and returned to the laboratory for testing. Laboratory tests were conducted to evaluate the index and engineering properties of on-site materials and included in-situ dry density and moisture content tests, a maximum dry density / optimum moisture content relationship test, and direct shear tests. A more detailed explanation of the laboratory tests performed for this study and the test results are presented in Appendix 'A.'

FINDINGS

SITE DESCRIPTION

The subject property (Frazier Park Plant) is located in the Lockwood Valley Area of Ventura County, California.

The Frazier Park Plant South Quarry Area, the focus of our slope stability study, is directly south of the current quarry area. The Frazier Park Plant South Quarry Area is situated in the north central portion of the property as shown on the 'Exploratory Excavation Location Plan,' Plate No. 1, presented in the map pocket in Appendix 'A.'

Per the 'Frazier Park Plant Life of Mine Plan' noted in the references in Appendix 'B' of this report, the topography of the Frazier Park South Quarry Area was generally moderately steep to steep. Over steepened slopes were noted near the northern limits of the South Quarry Area adjoins the current quarry. Natural slopes in the South Quarry Area varied with inclinations between approximately 5.0 to 80 percent. Total on-site relief in the South Quarry Area was approximately 200 feet. On-site drainage was accomplished by sheetflow and small ravines in all directions.

At the time the field exploration was made, the surface of the site was firm and locally steep. The drilling equipment experienced minor difficulty in moving around on the site.

At the time of the field study, buildings or other type structures were not present in the South Quarry Area of the existing facility. Utilities consisting of electric, telephone, gas, sewer, water, as well as other unknown underground and overhead lines, were not observed to be present in the area of the South Quarry.

At the time of the field study, vegetation in the immediate vicinity of the South Quarry Area was light to heavy and consisted of seasonal native grasses, weeds, forbs, brush, and undergrowth and a few randomly located trees.

ENGINEERING GEOLOGIC ANALYSIS

Regional Geologic Setting

The Lockwood Valley area in the northeastern part of Ventura County, south of Mount Pinos, encompasses approximately 60 square miles. The oldest rocks, now exposed as gneiss, schist, and hornfels, were derived from sediments which have been invaded by the Mount Pinos granite and other acidic intrusions of probable Jurassic age. Over 2,000 feet of marine Eocene sandstone and shale lie unconformably on the crystalline rocks and are overlapped by approximately 8,500 feet of middle and late Tertiary continental sedimentary rocks. The continental rocks include the Plush Ranch and Caliente Formations, the Lockwood Clay, and the Quatal Formation. Coarse clastics comprise most of the section, but fine-grained lacustrine facies, basalt flows, and leucocratic tuff occur in subsidiary amounts. The Tertiary and older rocks are capped by Quaternary alluvial deposits of the Frazier Mountain Formation, and later Terrace gravels.

The sedimentary rocks are mostly gently folded along northeasterly trends, which reflect major movement of the crystalline blocks. The area is crossed by several faults of regional extent, including the San Andreas, Big Pine, and San Guillermo faults and the Frazier Mountain thrust.

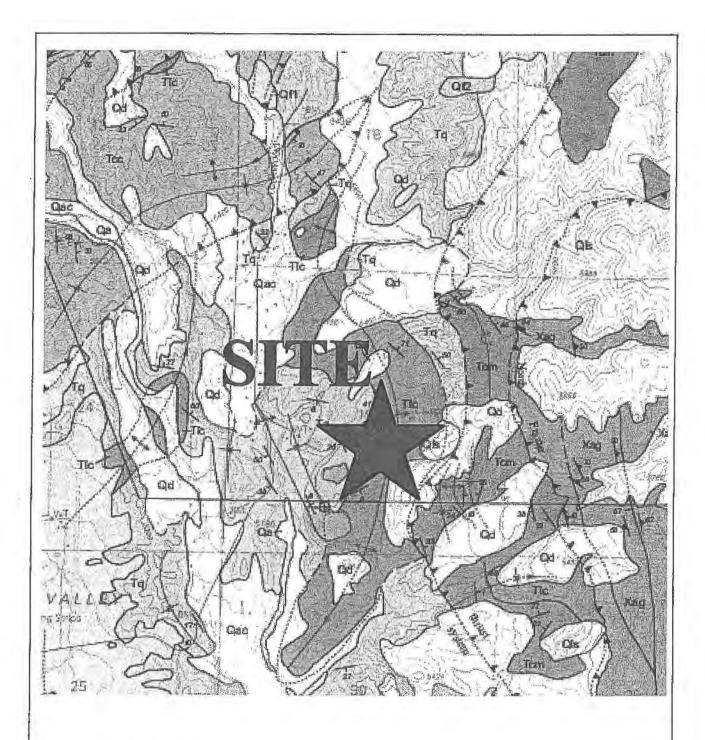
Strong deformation, accompanying the deposition of post-Eocene beds, was manifested first by probably middle Tertiary block faulting. Strike-slip movement on the northwest-trending San Andreas and northeast-trending Big Pine faults occurred in late Tertiary and Quaternary times. At about the same time the Frazier Mountain thrust formed, perhaps in response to localization of regional north-south compression along an east-west-trending bend in the San Andreas fault, which borders the thrust on the north. Uplift of the region accompanied these movements and has continued into recent time, as shown by terrace relations.

The Lockwood Valley area has been the site of repeated diastrophism and deposition of continental sediments since middle Tertiary time. Part of these sediments are tentatively correlated with the Vasquez-Mint Canyon sequence located approximately 40 miles to the southeast, and it is suggested they were once essentially contiguous deposits that have been separated by large lateral displacement on the intervening San Gabriel fault. This postulate is supported by the similarity of sedimentary sequences and crystalline rocks in the two (2) regions, and by the age relations of the rocks (Carman, 1954)

Locally, the site is mapped as being underlain by the Pliocene aged Lockwood Clay Formation (Kellogg, 2003). Reconnaissance of the site indicates the Lockwood Clay formation is capped with a relatively thin cover of alluvial type soil composed of sands and gravels, and diatomaceous sands The general geology in the area of the subject site is shown on the 'Regional Geology Map,' Figure No. 2.

Local Subsurface Conditions

Earth Materials Description: Presented as follows are brief descriptions of the earth materials encountered in the exploratory excavations. More detailed



Qd Diamicton (Pleistocene)

Tq Brown Member

Tlc Lockwood Clay Formation (Pliocene)

Reference:

U.S. Department of the Interior, Geological Survey, 2003, Kellogg, Karl S., Geologic Map of the Cuddy Valley' Quadrangle, Ventura County, California, U.S. Geological Survey Open-File Rep. 03-153, Scale 1:24,000.



REGIONAL GEO	LOGY MAP
By: HSH	Date: 11/05
Project No.: 526-A05.1	Figure No.: 2

descriptions of the earth materials encountered are presented on the 'Subsurface Exploration Logs,' Plate Nos. 3a through 5d presented in Appendix 'A.' The earth material strata as shown on the logs represent the conditions at the actual exploratory excavation locations. Other variations may occur beyond and/or between the excavations. Lines of demarcation between the earth materials on the logs represented the approximate boundary between the material types; however, the transition may be gradual.

The site materials encountered during the field exploration were identified as Lockwood Clay Formation (Tlc) which consisted of clayey fine to coarse sands with a little gravel and some cobbles and boulders (SC) and clay (CL). These strata were generally light brown or greenish gray in color, moist, and loose to very dense in relative density or very stiff to hard in consistency.

Groundwater: Groundwater was not encountered in the exploratory excavations to the maximum depth explored of approximately 76.5 feet below the existing ground surface at the boring locations at the time the field study was performed for this report.

Surface Water: Surface water was not observed on the subject site at the time the field study was performed for this report. However, two (2) drainage ponds were noted to the southwest of the project area.

Site Variations: Based on the results of our subsurface exploration and experience, variations in the continuity and nature of surface and subsurface conditions should be anticipated. Due to the uncertainty involved in the nature and depositional characteristics of the earth materials at the site, care should be

exercised in extrapolating or interpolating subsurface conditions between and beyond the exploratory excavation locations.

Groundwater observations were made in the exploratory excavations at times and under conditions stated on the boring logs. These data have been reviewed and interpretations made in the text in other sections of this report. However, it should be noted that fluctuations in the level of the groundwater and/or perched water may occur due to variations in precipitation, temperature, and other factors which were present at the time observations were made for this report.

CUT SLOPE STABILITY EVALUATION

GENERAL

Two (2) proposed cut slopes were evaluated for the project. The slopes evaluated included a slope at a 2.6:1 (Horizontal to Vertical) overall slope gradient with no benches and a slope at a 2.6:1 (Horizontal to Vertical) overall slope gradient with 10 foot wide benches every 50 vertical feet. The slope height evaluated was up to 200 feet in vertical height. The location of the slope evaluated is shown as Section A-A' on the 'Exploratory Excavation Location Plan,' Plate No. 1 presented in Appendix 'A.'

SLOPE STABILITY ANALYSIS

Gross stability analyses were performed for the two (2) slopes proposed to be constructed for the subject site. The slopes were evaluated for gross stability under static and pseudostatic (seismic) conditions. A coefficient of horizontal acceleration of 0.15g was utilized in this analysis for seismic conditions.

Strength Parameters

Direct shear strength tests were performed on several samples obtained from the field study. A more detailed description of the shear test procedures is presented in Appendix 'A.' The shear strength utilized in the slope stability analysis was chosen as the linear regression of all the strength data from the tests. The ultimate shear strength parameters obtained from shearing in-situ samples obtained from the soil material on the site are presented in the following table:

M	ATERIAL DESCRIPTION	PHI ANGLE (Degrees)*	COHESION (psf)*	
Lo	ckwood Clay Formation (Tlc)	34		
*	Linear regression of strength pa shear tests results.	arameters obtained fr	om the direct	

Stability Analyses

The computer program used to compute the safety factors for the gross slope stability under static and psuedo-static (seismic) conditions was PCSTABL5M by Purdue University. This program uses a random generated failure surface and the Modified Janbu Method of computing the factors of safety. The following table shows the calculated factors of safety for each analysis conducted. The calculations and cross sections for the analyses are presented in Appendix 'C.'

Summary of Safety Factors for Gross Stability Under No Ground Water Condition

Section Analyzed	Height Of Slope (ft.)	Slope Inclination (H:V)	Factor of Safety (Static)	Factor of Safety (Seismic)	Remarks
2.6:1 slope with no	benches				
Total Slope	200	2,6:1	1.8	1.2	Plate Nos. 8 and 9
2.6:1 slope with 10	foot benches	every 50 foot of	vertical height		
Total Slope	200	2,6:1	1.8	1.2	Plate Nos. 10 and 11
Intermediate Slope*	50	2.5:1	2.8	1.6	Plate Nos. 12 and 13
*	Interme	diate section with	10 feet bench.		

Conclusions

The following conclusions are based on the findings of the stability analyses performed for this report;

- For the proposed cut slope with a total height of 200 feet and a slope inclination of 2.6:1 (Horizontal to Vertical) with no benches, the gross stability analysis indicated that the proposed cut slope has a factor of safety exceeding 1.5 for static conditions and 1.1 for seismic conditions against a total slope failure.
- For the proposed cut slope with total height of 200 feet and an overall slope inclination of 2.6:1 (Horizontal to Vertical) with 10 foot wide benches every 50 vertical feet, the gross stability analysis indicated that the proposed cut slope has a factor of safety exceeding 1.5 for static conditions and 1.1 for seismic conditions against the total slope failure.

Therefore, based on the findings of the stability analyses performed for this report, the proposed cut slope of 2.6:1 (Horizontal to Vertical) is considered stable under both gross static and seismic conditions.

CLOSURE

Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable geotechnical engineers practicing in this or similar localities. No other warranty, express or implied, is made. The scope of our services did not include any environmental assessment or study for the presence or absence of hazardous or toxic materials in structures, soil, surface water, groundwater or air, below or around this site. This report was prepared for the use of the Pacific Custom Materials and their designates in cooperation with our office to be used as an aid in the design of the proposed project.

If conditions are encountered during construction that appear to be different than those indicated by this report, this office should be notified since it may be necessary to reevaluate the recommendations of this report.

This office should be advised of any changes in the project scope. In the event that any changes of the project are planned, the conclusions contained in this report shall be reviewed and the report should be modified or supplemented as necessary.

APPENDIX A

FIELD EXPLORATION

The field study performed for this report included a visual reconnaissance of the existing surface conditions of the subject site. Site observations were conducted on June 30 and July 26, 2005 by a representative of Hilltop Geotechnical, Inc.

A study of the property's subsurface condition was performed to evaluate underlying earth strata and the presence of groundwater. Three (3) exploratory borings were performed on the subject site on June 30 and July 26, 2005. The locations of the exploratory excavations were determined in the field by pacing and sighting from the adjacent existing streets and topographic features as shown on the Reference No. 2, 'Frazier Park Plant Life of Mine Plan,' noted on the cover page of this report. The approximate locations of the exploratory excavations are denoted on the 'Exploratory Excavation Location Plan,' Plate No. 1, presented in the map pocket in this Appendix. The approximate elevations of the exploratory excavations were determined by interpolation to the closest 5.0 foot from a 10 foot contour interval topographic plot of the site (See reference in Appendix 'B'). The locations and elevations of the exploratory excavations should be considered accurate only to the degree implied by the method used in determining them.

The exploratory borings were performed by using a truck-mounted drill rig equipped with 8-inch outside diameter, hollow stem augers. The exploratory excavations were explored to depths ranging from approximately 41.5 to 76.5 feet below the existing ground surface at the excavation locations. Bulk and relatively undisturbed samples of the earth materials encountered were obtained at various depths in the exploratory excavations and returned to our laboratory for verification of field classifications and testing. Bulk samples were obtained from cuttings developed during the excavation process and represent a mixture of the

soils within the depth indicated on the logs. Relatively undisturbed samples of the earth materials encountered were obtained by driving a thin-walled steel sampler lined with 1-inch high, 2.413-inch inside diameter brass rings. The sampler was driven with successive drops of a 140-pound weight having a free fall of approximately 30 inches. The blow counts for each successive 6.0 inches of penetration, or fraction thereof, are shown on the 'Subsurface Exploration Logs,' Plate Nos. 3a through 5d, presented in this Appendix. The ring samples were retained in close-fitting moisture-proof containers and returned to our laboratory for testing.

Groundwater observations were made during, and at the completion of the excavation process and are noted on the 'Subsurface Exploration Logs' presented in this Appendix, when encountered.

The exploratory excavations were logged by a representative of Hilltop Geotechnical, Inc. for earth materials and subsurface conditions encountered. The soil materials encountered in the exploratory excavations were visually described in the field in general accordance with the current Unified Soils Classification System (USCS), ASTM D2488 visual-manual procedures, as illustrated on the attached simplified 'Subsurface Exploration Legend,' Plate No. 2, presented in this Appendix. The visual textural description, the color of the soil at natural moisture content, the apparent moisture condition of the soil materials, and the consistency of the soils, etc. were recorded on the field logs. The 'Consistency' of silts or clays is given as very soft, soft, medium stiff, stiff, very stiff, or hard and is also based on the number of blows to drive the sampler. The field log for each excavation contains factual information and interpretation of soil conditions between the samples. The 'Subsurface Exploration Logs' presented in this Appendix represent our interpretation of the contents of the field logs and the

results of the laboratory observations and tests performed on the samples obtained in the field from the exploratory excavations.

The exploratory boring excavations were backfilled with excavated earth materials and with reasonable effort to restore the areas to their initial condition before leaving the site. In an area as small and deep as a boring excavation, consolidation and subsidence of the backfill soil may result in time, causing a depression of the excavation areas. The client is advised to observe the exploratory excavation areas periodically and, when needed, backfill noted depressions.

LABORATORY TESTING PROGRAM

Laboratory tests were performed on selected relatively undisturbed ring and bulk samples obtained from the exploratory excavations during the field study. Tests were performed in general accordance with generally accepted American Society for Testing and Materials (ASTM), State of California - Department of Transportation (CALTRANS), Uniform Building Code (UBC), or other suitable test methods or procedures. The remaining samples obtained during the field study will be discarded 30 days after the date of this report. This office should be notified immediately if retention of samples will be needed beyond 30 days. A brief description of the tests performed is presented below:

CLASSIFICATION

The field classification of soil materials encountered in the exploratory excavations was verified in the laboratory in general accordance with the current Unified Soils Classification System, ASTM D2488, 'Standard Practice for Determination and Identification of Soils (Visual-Manual Procedures).' The final classification is shown on the 'Subsurface Exploration Logs,' Plate Nos. 3a through 5d, presented in this Appendix.

IN-SITU MOISTURE CONTENT AND DRY DENSITY

The in-situ moisture content and dry density were determined in general accordance with current ASTM D2216 (Moisture Content) and D2937 (Drive Cylinder) procedures, respectively, for selected undisturbed samples obtained. This information was an aid to classification and permitted recognition of variations in material consistency with depth. The dry density is determined in pounds per cubic foot and the moisture content is determined as a percentage of

the oven dry weight of the soil. Test results are shown on the 'Subsurface Exploration Logs,' Plate Nos. 3a through 5d, presented in this Appendix.

MAXIMUM DRY DENSITY / OPTIMUM MOISTURE CONTENT RELATIONSHIP TEST

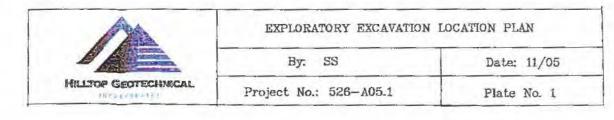
A maximum dry density / optimum moisture content relationship determination was performed on a sample of near-surface earth material in general accordance with current ASTM D1557 procedures using a 4-inch diameter mold. Samples were prepared at various moisture contents and compacted in five (5) layers using a 10-pound weight dropping 18 inches and with 25 blows per layer. A plot of the compacted dry density versus the moisture content of the specimens was constructed and the maximum dry density and optimum moisture content determined from the plot. The test results are summarized in the 'Maximum Dry Density / Optimum Moisture Content Test Results,' Plate No. 6, presented in this Appendix.

DIRECT SHEAR TEST

Direct shear tests were performed on selected in-situ samples of earth material in general accordance with current ASTM D3080 procedures. The shear machine is of the constant strain type. The shear machine is designed to receive a 1-inch high, 2.413-inch diameter ring sample. Specimens from each of the in-situ samples were sheared at various pressures normal to the face of the specimens. The specimens were tested in an in-situ moisture content condition and at a shear rate of 0.00035 inches per second to allow dissipation of internal pore pressure. The ultimate shear stresses were plotted verses the normal confining stresses to determine the shear strength (cohesion and angle of internal friction) of each set of specimens. The test results are summarized in the 'Summary of Laboratory Test Results,' Plate No. 7, presented in this Appendix.



Reference: Pacific Custom Materials, Inc., Undated with last Revision dated August 8, 2005, Frazier Park Plant Life of Mine Plan, 2005 to 2041, Frazier Park, CA.



SUBSURFACE EXPLORATION LEGEND

	Carlo College College	A STATE OF THE PARTY OF THE PAR	SSIFICATION CONTROL (AST.	ON SYSTEM M D2488)	CONSIST	TENCY / RI DENSITY	ELATIVE
N	AAJOR DIVISIONS	1	GROUP SYMBOLS	TYPICAL NAMES		CRITERIA	
773	Graveis	Clean Gravels	GW	Well Graded Gravels and Gravel-Sand Mixtures, Little or no Fines	Reference: 'Found Thornburn, 2nd E		ng*, Peck, Hansen,
	50 % or more of Coarse Fraction		GP	Poorly Graded Gravels and Gravel-Sand Mixtures, Little or no Fines	Stan	dard Penetration Granular Solls	Test
Coarso- Grained	Retained on No. 4 Sieve	Gravals	MD	Silty Gravels, Gravel-Sand-Silt Mixtures**	Penetration R N. (Blows		Relative Density
Solis*		with Fines	GC	Clayey Gravel, Gravel-Sand- Clay Mixtures**	0-4		Very Leose
More than 50 % Retained on No. 200	Sands More than 50 % of Coarse Fraction Passes	21	SW	Well Graded Sands and Gravely Sands, Little or no Fines	4 - 11		Loose
Sieve		Clean Sands	SP	Poorly Graded Sands and Gravely Sands, Little or no Fines	30 - 50 Dense > 50 Very Dense		
		0 % of Coarse Sands fraction Passes with	SM	Silty Sands, Sand-Silt Mixtures**			Very Dense
	No. 4 Sieve	4 Sieve Fines		Clayoy Sands, Sand-Clay Mixtures**			
	Silis and Clays Liquid Limits 50 % or loss		MI.	Inorganic Silts, Sandy Silts, Rock Flour	Standard Penetration Test Cohesive Soils		
Fine Grained			CL	Inorganic Clays of Low to Medium Plasticity, Oravelly Clays, Sandy Clays, Silty Clays, Lean Clays	Resistance, N, Ci (Blows / Foot)		Unconfined Compressive Strength, (Tons / Sq. Ft.)
Soils* 50 % or more Passos No. 200 Sieve			OL	Organic Silts and Organic silty Clays of Low Plasticity	<2	Very Soft	< 0.25
			МН	Inorganic Silts, Micaceous or Dintomaceous silts, Plastic Silts	2-4	Soft	0.25 - 0.5
		Silts and Clays		Inorganic Clays of High Plasticity, Fat Clays	4 - 8 8 - 15	Medium Suff	0.5 - 1.0
	Liquid Limits Gre %	eter than 50	НО	Organic Clays of Medium to High Plasticity	15 - 30 Very Stiff > 30 Hard		2.0 - 4.0 > 4.0
1	Lighly Organic Soils		PT	Pest, Muck, or Other Highly Organic Soils	- 50	MAIG	* na

Based on material passing the 3-inch sieve.

** More than 12% passing the No. 200 sieve; 5% to 12% passing No. 200 sieve requires use of duel symbols (i.e., SP-SM., GP-GM, SP-SC, GP-GC, etc.); Border line classifications are designated as CH/Cl, GM/SM, SP/SW, etc.

U.S. Standard Sieve Size		2"	3"	3/4"	#4	#10	#40	#200
Unified Soil Classification	Boulders	Cobbles	Gr	avel		Sand		Silt and
Designation		100	Coarse	Fine	Coarse	Medium	p Fin	Clny

N	luisture Condition	Materi	al Quantity	Other Symbols
Dry	Absence of moisture, dusty,	Trace	< 5 %	C - Core Sample
	dry to the touch.	Few	5 - 10%	S - SPT Sample
Moist	Damp but no visible moisture.	Little	15 - 25 %	B - Bulk Sample
Wet	Visible free water, usually	Some	35 - 45 %	CK - Chunk Sample
	below the water table.	Mostly	50 - 100%	R - Ring Sample ∇ - Water Table

SAMPLE TYPE	PENETRATION RESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	гітногосх	GROUNDWATER	DESCRIPTION
B 1 2 3		SC			Tlc		LOCKWOOD CLAY FORMATION: Clayey fine to coarse sand, little gravel and cobbles to 8.0 inches, trace boulders to 1.5 feet; Light brown; Moist; Loose to very dense.
4 5 R 6	3 3 4					A CONTRACTOR OF THE CONTRACTOR	
8 9 0 R 1	5 5 10						
5 R	50/1"	,					Cobbles/boulders.
8	X .	CL		8			Clay with caliche; Light brown; Moist; Very stiff.

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100		1		
HILLTOP	GEC	TPC	HNICAL	
		IRAIL		_

S	UBS	SURFACE EX	PLORATION LC	G
ELEVATION:	±	5385	BY:	SH
DATE:		06/30/2005	PLATE NO.	3a

NO. E	NON				~	
∞ PENETRATION RESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	гиногосх	GROUNDWATER	DESCRIPTION
8 12 21	CL			Tlc (Cont.)		LOCKWOOD CLAY FORMATION (Cont.): Clay with calcite; Light brown; Moist; Very stiff.
12 21 36	CL					Clay; Light brown; Moist; Hard.
14 37 50						
20 25 31						
	12 21 12 21 36 14 37 50	12 21 12 21 36 14 37 50	12 21 CL 12 21 36	12 21 36 CL 12 21 36	12 21 (Cont.) CL 12 21 36 14 37 50 20 25	12 21 (Cont.) CL 12 21 36 14 37 50

HILLTOP GEOTECHNICAL

S	UB:	SURFACE EX	PLORATION LO	G
ELEVATION:	+	5385	BY:	SH
DATE:		06/30/2005	PLATE NO.	3b

DEPTH (FT.)	SAMPLE TYPE	BESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	гітногосх	GROUNDWATER	
41	R	20 28 45				Tlc (Cont.)	Ä	LOCKWOOD CLAY FORMATION (Cont.): Clay; Light brown; Moist; Hard.
42	独态等和						8	Bottom of boring at 41.5 feet. No groundwater encountered.
43								Boring backfilled with excavated material.
44					h .			
45								
46								
47								
48								X
49				ľ				
50			1					
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A
HILTOP GEOTECHNICAL

S	SUBSURFACE E	EXPLORATION LO	OG
ELEVATION:	± 5385	BY:	SH
DATE:	06/30/2005	PLATE NO.	3с

PENETRATION RESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LITHOLOGY	GROUNDWATER	DESCRIPTION
	CL			Tlc		LOCKWOOD CLAY FORMATION: Clay, Light brown; Moist; Very stiff to hard.
6 10 14		93.5	29.1	1	3	
12 19 25		97.1	27.1			
6 18 25		92.2	24.0			
	6 10 14 12 19 25	6 10 14 12 19 25	6 10 14 93.5	6 10 14 93.5 29.1	6 10 14 93.5 29.1 12 19 25 97.1 27.1	6 10 14 93.5 29.1

	1			
Hu		BRATI	HNICA	L

S	UBS	SURFACE EX	PLORATION LO	G
ELEVATION:	±	5255	BY:	SH
DATE:		07/26/2005	PLATE NO.	4a

BORI	VGI	VO.	B-2 (Cont.)
Table of the Person of	7 There is	1 400 0		

PROJECT NUMBER:

526-A05.1

DEPTH (FT.)	PENETRATION RESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LITHOLOGY	GROUNDWATER	DESCRIPTION
21 22 23	14 32 40	CL	107.5	18.9	Tlc (Cont.)		LOCKWOOD CLAY FORMATION (Cont.): Clay; Light brown; Moist; Very stiff to hard.
24 25 R 26 27 28	6 13 30		99.4	27.4			
29 30 R 31 32	10 25 46		96.2	25.5			
34 35 R 36 37	12 33 50		97.5	25.7			

	1	4	
2			
HILL	TOP G	EOTE	CHNICAL
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S	UB!	SURFACE EX	PLORATION LO	OG
ELEVATION:	土	5255	BY:	SH
DATE:		07/26/2005	PLATE NO.	4b

BORING	NO.	B-2	(Cont.	
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PROJECT NUMBER:

526-A05.1

DEPTH (FT.)	SAMPLE TYPE	PENETRATION RESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	гітногосу	GROUNDWATER	DESCRIPTION
41	R	20 21 41	CL	93.8	27.6	Tlc (Cont.)		LOCKWOOD CLAY FORMATION (Cont): Clay; Light brown; Moist; Very stiff to hard.
	R	13						Clay; Greenish-gray; Moist; Hard.
46 47 48 49		28 47		96.0	29.1			
50 51 52 53	R	19 37 47		98.4	22,0			
54 55 56 57	R	17 27 38		97.2	21.0			
58 59 60								

	1	A	1		
		7			
HIL	LTOP	GEO	TEC	HNICA	L
				b	

SUBSURFACE EXPLORATION LOG							
ELEVATION:	±	5255	BY:	SH			
DATE:		07/26/2005	PLATE NO.	4c			

DEPTH (FT.)	≈ SAMPLE TYPE	ESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LITHOLOGY	GROUNDWATER	DESCRIPTION
51	R	12 50	CL	98.2	20.7	Tle (Cont.)		LOCKWOOD CLAY FORMATION (Cont.): Clay; Greenish-gray; Moist; Hard.
2								
3								
4								
5	R	17						
5		36 38		91.0	27.9			
7				5,272				
8								
9								
	R	25 50		100.4	24.1			
2				TOWN	A 1+1			
3								
4								
5								
6	R	12 39 50		89.8	28,4			
7	到時	30		07.0	40,4			Bottom of boring at 76.5 feet.
3								No groundwater encountered. Boring backfilled with excavated material.
9								
0								

	1	4	
HIL			ECHNICAL
	1850	RPOPA	1150

S	UB:	SURFACE EX	KPLORATION LC	OG
ELEVATION:	+	5255	BY:	SH
DATE:		07/26/2005	PLATE NO.	4d

DEPTH (FT.) SAMPLE TYPE	PENETRATION RESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	д гиногосх	GROUNDWATER	DESCRIPTION
1 2 3		CL			Tlc		LOCKWOOD CLAY FORMATION: Clay; Light brown; Moist; Very stiff to hard.
4 5 R 6 7	7 19 26		89.7	26.3			
9 10 R 11 12	15 18 19		107.3	21.1		3-	1.0 inch thick lens of fine sandy silt.
14 15 R 16 17	14 24 34		97.2	22.5			
19					-		

AL
-

S	UBSURFACE EX	KPLORATION LC	G
ELEVATION:	± 5335	BY:	SH
DATE:	07/26/2005	PLATE NO.	5a

יע		IIYU	110.		3 (0	Uni.		PROJECT NUMBER: 526-A05.1
DEPTH (FT.)	SAMPLE TYPE	PENETRATION RESISTANCE	CLASSIFICATION	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	ПТНОГОСУ	GROUNDWATER	
21	R	17 37	CL			Tlc (Cont.)		LOCKWOOD CLAY FORMATION (Cont.) Clay; Light brown; Moist; Very stiff to hard,
22		50		97.0	22,3			Gypsum crystals noted in upper portion of sample.
23					8			
24								
25	R	10						
26	N.	12 21		41.7	12.0			
27		32		95.6	22.1			
28								
29								
30	1							
	R	9						
31		21 35		101.4	22.8			
32	0							
33								
34								
35	-							
36	R	21 35						
37		45		92.0	24.6			
38								
							1.1	
39		-						
40								

A
HILLYOP GEOTECHNICAL
SACORAGRATED

S	UBS	SURFACE EX	CPLORATION LC)G
ELEVATION:	±	5335	BY;	SH
DATE:		07/26/2005	PLATE NO.	5b

BORING	NO.	B-3	(Cont.)
--------	-----	-----	--------	---

PROJECT NUMBER:

526-A05.1

DEPTH (FT.)	SAMPLE TYPE	PENETRATION RESISTANCE	SOIL	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	LITHOLOGY	GROUNDWATER	DESCRIPTION
41 42 43	R	14 25 33	CL	96.2	18.1	Tlc (Cont.)		LOCKWOOD CLAY FORMATION (Cont.): Clay; Greenish-brown; Moist; Hard.
44 45 46 47 48	R	10 24 40		96.6	21.9			
50 51 52 53	R	12 23 50		97.5	25.2			
54 55 56 57	R	19 30 40		97.0	26.2	0.000 m		
59								

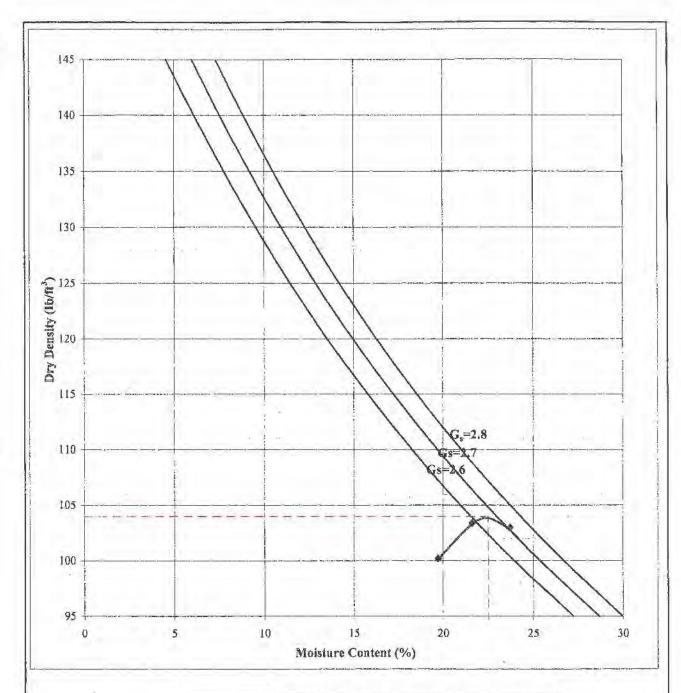
HILLTOP GEOTECHNICAL

S	UBS	SURFACE EX	CPLORATION LC	G
ELEVATION:	±	5335	BY:	SH
DATE:		07/26/2005	PLATE NO.	5c

SAMPLE TYPE	C PENETRATION RESISTANCE	CLASSIFICATION	DRY DENSITY (PCF)	MOISTURE CONTENT (%)	гтногосу	GROUNDWATER	DESCRIPTION
1	22 33 45	CL	100.3	24.8	Tle (Cont.)		LOCKWOOD CLAY FORMATION (Cont.): Clay; Greenish-brown; Moist; Hard.
5 R 6 2 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	19 22 50		99.5	20.2			
	25		97.8	23.3			Clay; Light brown; Moist; Hard.
Control Control	31						Bottom of boring at 76.0 feet Not groundwater encountered. Boring backfilled with excavated material.

		۵.	4
	1		
	11/1		
4	FA	1	
	1		
HILL	TOP G	SEOT	TECHNICAL
2			4111

S	UBS	SURFACE EX	PLORATION LC)G
ELEVATION:	+	5335	BY:	SH
DATE:		07/26/2005	PLATE NO.	5d



Maximum Dry Density (Ib/ft ³)	104.0
Optimum Moisture Content (%)	22.5
Procedure	A

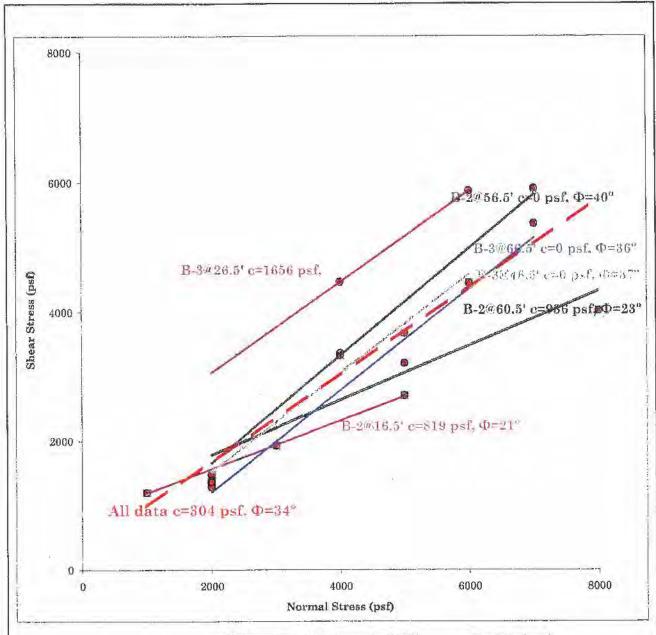


MAXIMUM DRY DENSITY / OPTIMUM MOISTURE CONTENT RELATIONSHIP TEST RESULTS

SAMPLE: B-3, 0'-5' SOIL DESCRIPTION: Light brown clay (CL)

BY: SS DATE: 11/05

JOB NO.: 526-A05.1 PLATE NO. .6



Cohesion	305 psf
Internal Friction Angle	34 degrees

* Cohesion and angle of internal friction values are ultimate strength values from in-situ samples.



DIRECT SHEAR TEST RESULTS

SAMPLE: B-2 @ 16.0'-16.5', B-2 @ 56.0'-56.5', B-2 @ 60.5'-61.0', B-3 @ 26.0'-26.5', B-3 @ 46.0'-46.5', and B-3 @ 66.0'-66.5'

SOIL DESCRIPTION: Light brown or greenish gray clay (CL)

BY: SS DATE: 11/05
PROJECT NO.: 526-A05.1 PLATE NO. 7

APPENDIX B

TECHNICAL REFERENCES

California Department of Conservation, Division of Mines and Geology, 1964, Carman, Max. F, Jr., Geology of the Lockwood Valley Area, Kern and Ventura Counties, California, Special Report 81.

Carlisle, Donald, Ph.D., December 1, 1957, Geological Report of the Ridgelite Clay Property, Ventura County, California.

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Carlisle, Donald, Ph.D., January 25, 1958, Ridgelite Clay Property - Third Report.

Carlisle, Donald, Ph.D., February 2, 1958, Ridgelite Clay Property - Fourth Report.

Carlisle, Donald, Ph.D., March 10, 1958, Ridgelite Clay Property - Fifth Report.

Hannan Geotechnical, Inc., April 30, 1998, Engineering Geologic & Geotechnical Evaluation of Pond Embankments, Pacific Custom Materials Plant, 17410 E. Lockwood Valley Road, Frazier Park, Ventura County, CUP 2112 Modification No. 4, Project No. 470-001-1.

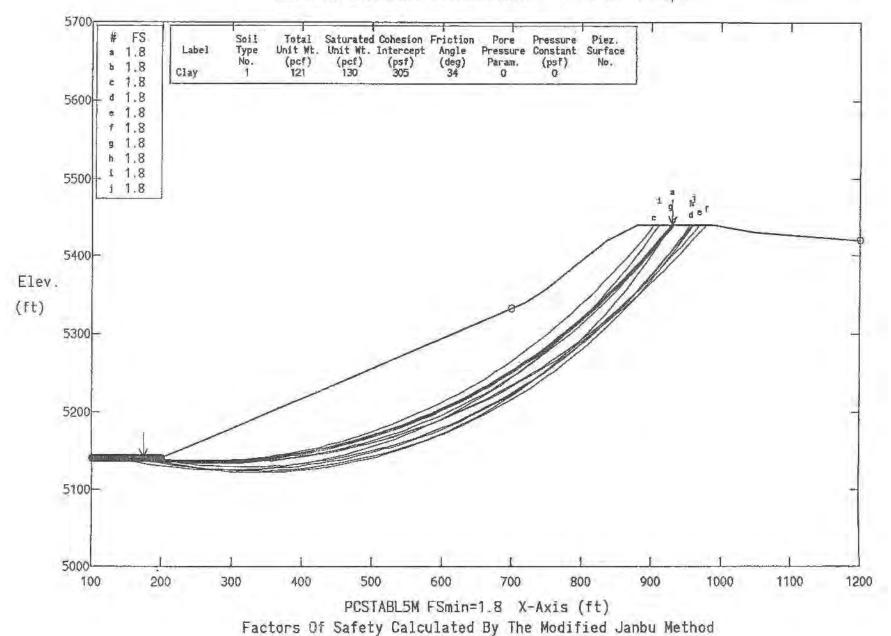
TXI, April 30, 2003, Martin, P. L., Life-of-Mine Plan and Ore Reserve Estimate for the Ridgelight Expanded Lightweight Clay Mine, Frazier Park, California.

University of California, Department of Engineering, Los Angeles, California, November 5, 1965, Ali, M.A., The properties of Some California Clays Used for the Manufacturing of Lightweight Aggregates, Service to Industries Project No. 391, Report No. SI 65-52.

Pacific Custom Materials, Inc., Undated with last Revision dated August 8, 2005, Frazier Park Plant Life of Mine Plan, 2005 to 2041, Frazier Park, CA, Scale: 1' = 300'.

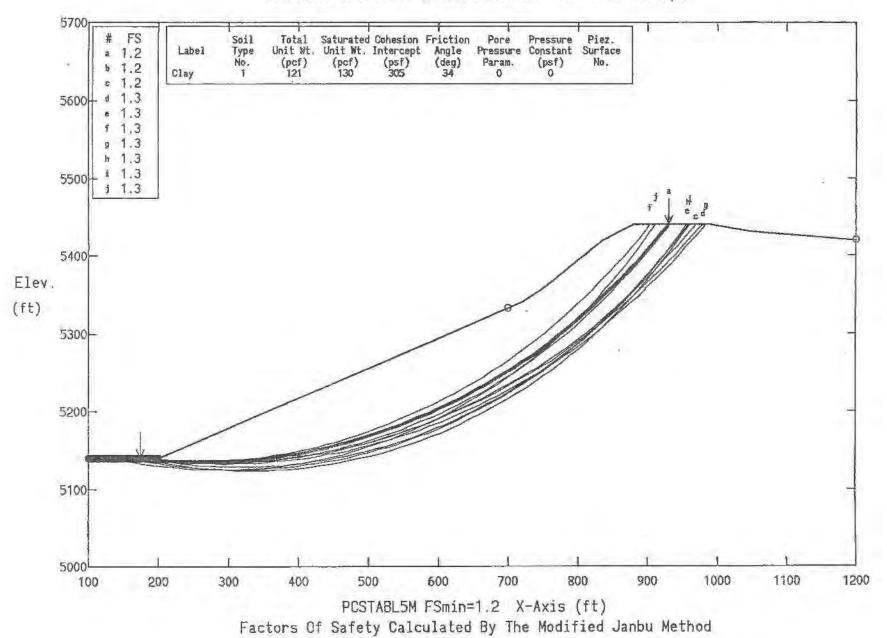
APPENDIX C

Frazier Park, Pro # 526-A05.1, H=200 & Overall 2.6:1, Average Strength, Static
Ten Most Critical. C:526A05H.PLT 11-11-05 2:52pm

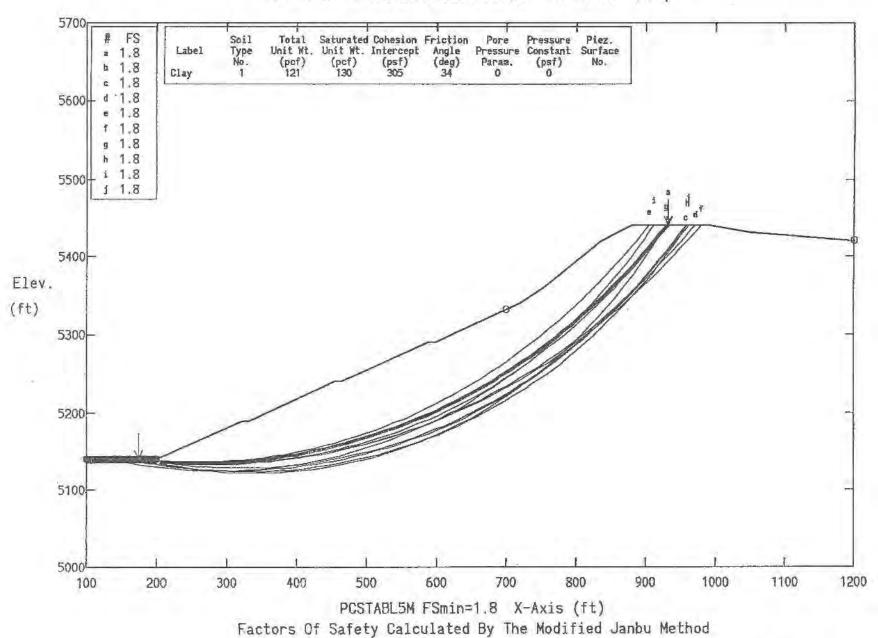


Frazier Park, Pro # 526-A05.1, H=200 & Overall 2.6:1, Average Strength, 0.15g

Ten Most Critical, C:526A05HS.PLT 11-11-05 3:32pm

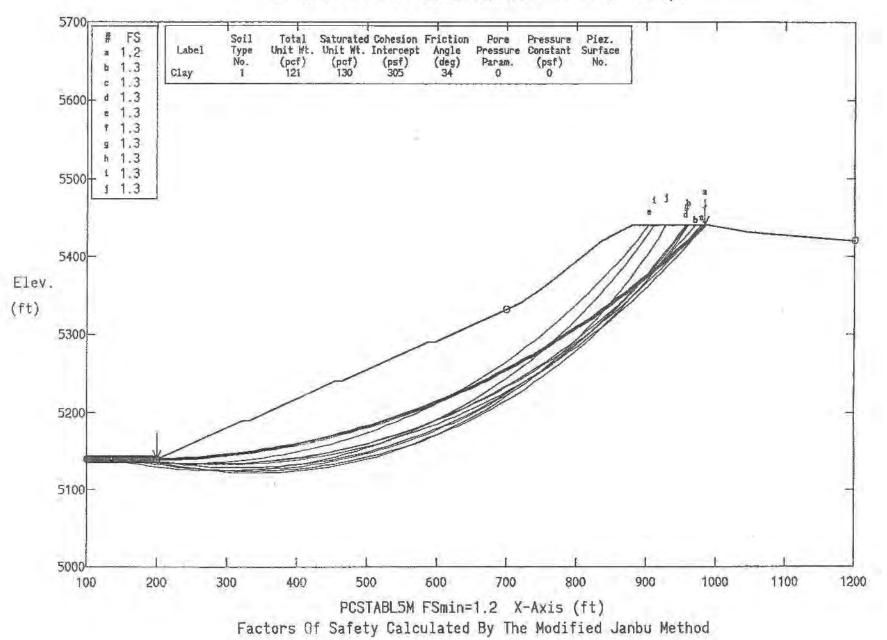


Frazier Park, Pro # 526-A05.1, H=200 & Overall 2.6:1, Average Strength, Static
Ten Most Critical. C:526A05I.PLT 11-11-05 3:18pm

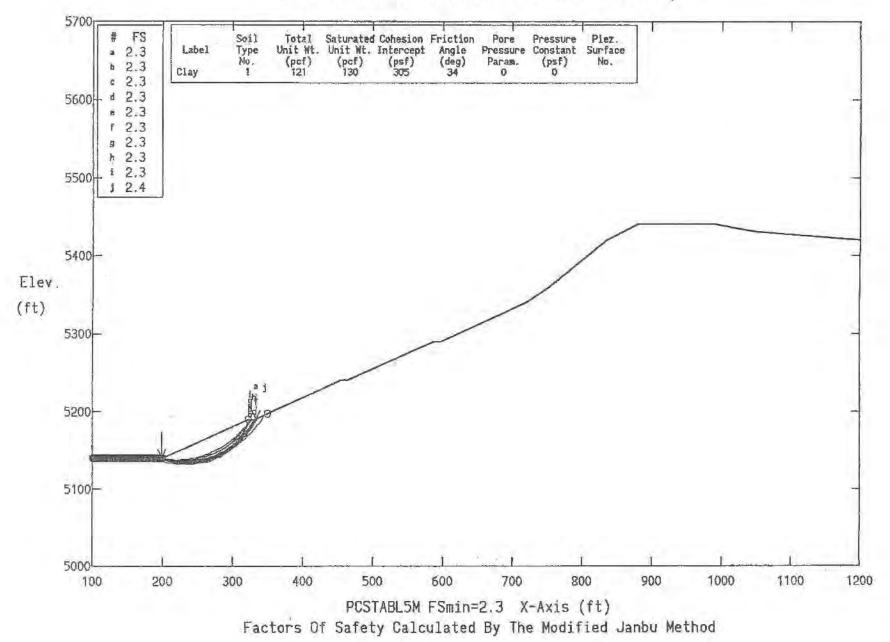


Frazier Park, Pro # 526-A05.1, H=200 & Overall 2.6:1, Average Strength, 0.15g

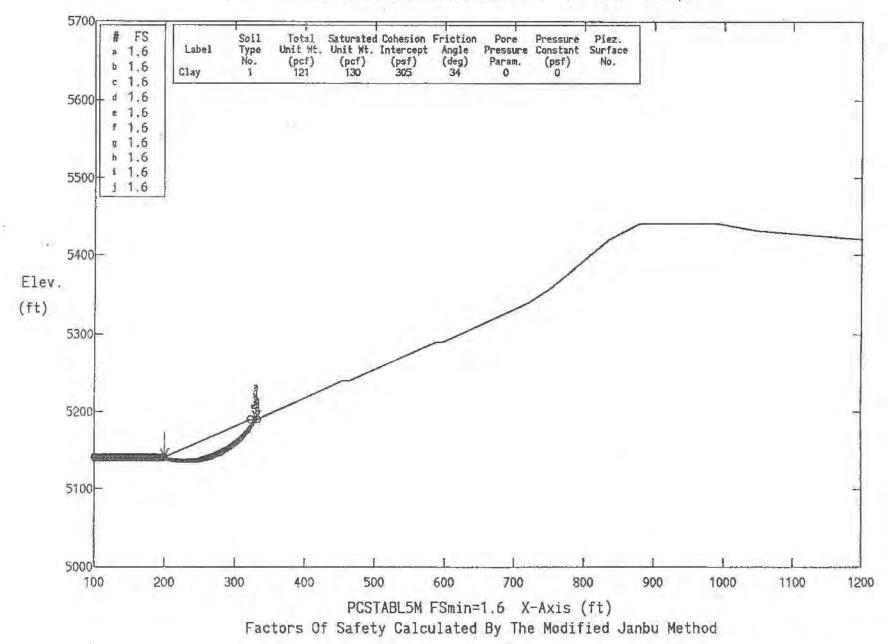
Ten Most Critical. C:526A05IS.PLT 11-11-05 3:16pm



Frazier Park, Pro # 526-A05.1, H=200 & Intermediate 2.45:1, Ave. Str, Static
Ten Most Critical. C:526A05J.PLT 11-11-05 3:31pm



Frazier Park, Pro # 526-A05.1, H=200 & Intermediate 2.45:1, Ave. Str., 0.15g
Ten Most Critical. C:526A05JS.PLT 11-11-05 3:30pm



ATTACHMENT 4

Letter Report prepared by Bumgardner Biological Consulting dated July 2005

Bumgardner Biological Consulting

July 12, 2005

John Hecht West Coast Environmental & Engineering 1838 Eastman Avenue, Suite 200 Ventura, CA 93003

Dear Mr. Hecht:

The following letter report presents the results of a one-day reconnaissance-level biological survey of the lands within and immediately adjacent to the existing Pacific Custom Materials (PCM) Inc. clay mine site and TXI plant facilities in the Lockwood Valley (Ventura County, California). The survey was conducted on May 4, 2005 for the purpose of evaluating whether any special-status species of wildlife have potential to occur within the proposed expansion area of the mine. Furthermore, the survey was conducted to describe the existing plant communities that are located both adjacent to the existing active mining area and within the proposed expansion area. The results of this latter evaluation were then used to develop recommendations that may be considered during development of the reclamation plan for the existing active mining area.

A review of the California Natural Diversity Data Base (CNDDB) was conducted for the United States Geological Survey 7.5-minute quadrangle within which the mine is located (i.e., Cuddy Valley) as well as the eight immediate surrounding quadrangles. None of the special-status species of wildlife that have been reported to the CNDDB from these quadrangles are considered to have any potential to occur within the proposed expansion area of the mine (due to a lack of suitable habitat for the species or the range of the species is well documented and does not include the project site). The only special-status species of wildlife that was considered to have any potential to occur within the proposed expansion area of the mine is San Diego horned lizard (*Phrynosoma coronatum blainvillii*). This taxon has not been documented from the project vicinity in the CNDDB. However, a single individual of this taxon was subsequently found within the proposed expansion area of the mine. A complete list of all wildlife species recorded on and immediately adjacent to the mine during the May 4, 2005 survey is provided in Attachment A.

The evaluation of the plant communities adjacent to the existing active mining area and within the proposed expansion area found that the area supports mixed stands of the singleleaf pinyon series and California juniper series (Sawyer and Keeler-Wolf 1995). The singleleaf pinyon series is characterized by singleleaf pinyon (Pinus monophylla) as the dominant tree in an open canopy. Other woody species that occur in this series include California juniper (Juniperus californica), big sagebrush (Artemisia tridentata), rubber rabbitbrush (Chrysothamnus nauseosus), California desert tea (Ephedra californica), California scrub oak (Quercus dumosa), and canyon live oak (Quercus chrysolepis). The understory is sparse and grassy.

The California juniper series is characterized by California juniper as the dominant tree in an intermittent or open canopy. Other shrub and tree species that occur in this series include singleleaf pinyon, big sagebrush, California desert tea, chaparral yucca (Yucca whipplei), and desert scrub oak (Quercus turbinella). The understory is again sparse and grassy. Given the difficulties in determining where the two series end and begin (due to the extensive overlap in associated species), the plant communities on and adjacent to the project site should be characterized as a single community (i.e., pinyon-juniper woodland) for the purpose of reclamation.

It should be noted that plant density and diversity varies throughout the pinyon-juniper woodland within the project vicinity and is likely affected by aspect, slope, depth of soil, and presence or absence of an associated drainage. Therefore, it is recommended that a representative sampling methodology be conducted to describe the full range of plant density and diversity that occurs within this vegetation community. The collected data would then be utilized to characterize the plant palette that would be used during reclamation, plant diversity and density objectives for reclamation (i.e., performance objectives), and whether different performance objectives are warranted for areas with different aspect, slope, depth of soil, and presence of an associated drainage. No other recommendations are identified for this vegetation community at this time.

There are areas located immediately adjacent to the active mining area that do not support pinyon-juniper woodland, but support some of the smaller shrubby species associated with pinyon-juniper woodland (e.g., big sagebrush or rubber rabbitbrush). It is unclear if this vegetation represents an entirely natural vegetation series (e.g., big sagebrush series or bitterbrush series) or represents the early successional stages of pinyon-juniper woodland after disturbance or clearing. Therefore, it is recommended that a search be conducted for historical aerial photographs that would depict the original natural plant community in these areas. photographs be found and show that these areas supported pinyon-juniper woodland it would be prudent to establish the same performance objectives for reclamation in these areas that have been established for other portions of the active mining area. However, if the photographs show that the big sagebrush or bitterbrush series occurred in these areas, it is recommended that that a representative sampling methodology be conducted to describe the full range of plant density and diversity that occurs within this vegetation community. This information would then

ultimately be used to establish the environmental baseline for reclamation for the areas containing this vegetation community. No other recommendations are identified for this vegetation community at this time.

The mine site also contains an approximately 2.5 acre (surface area) pond that receives and retains stormwater runoff from the site. This pond supports disturbed stands of willow (Salix spp.) and saltbush (Atriplex sp.) at scattered locations around the perimeter and shoreline of the pond. The cattail series occurs within the pond and is characterized by broadleaf cattail (Typha latifolia) as the dominant species. This vegetation community is highly disturbed due to regularly changing water levels and siltation within the pond. The pond may also be subject to occasional dredging to maintain its capacity. However, this vegetation community would not occur on the site if not for the creation of the pond as part of the site's processing facilities. Therefore, there should be no reclamation objectives for this vegetation community upon cessation of mining activities at the site.

Should you need additional information or clarification in regards to this letter report please do not hesitate to contact me (916-638-7368).

Sincerely,

Michael Bumgardner

White Summanher

ATTACHMENT 6

Hydrology and Hydraulic Calculations prepared by WREA dated December 2005

TXI PACIFIC CUSTOM MATERIALS RIDGELITE MINE FRAZIER PARK, CA CUP #212

Hydrology and Hydraulic Calculations Expansion of Ore Reserve Area

BACKGROUND

The Ridgelite Mine, Life of Mine Update Project (CUP #212), located on Lockwood Valley Road in the northwestern section of Ventura County just west of Frazier Park, is proposing to expand the ore reserve area. The following hydrologic analysis addresses the requirements for the main drainage channel that carries runoff from the quarry and upstream areas to the existing Lower Pond. The watershed that affects the drainage channel design includes approximately 131 acres; 58 upstream and 73 within the quarry area. The drainage area is outlined on the attached exhibit based on the mine expansion project description (assuming 5370'± elevation for highwall start as quarry extent).

The system was modeled based on a 50-year/24 hour storm intensity using the SCS hydrologic analysis methodologies. Drainage channel and culvert hydraulic calculations were completed utilizing the Flowmaster, Haestad Methods software, Version 7.0, 2005.

HYDROLOGY

Developed Conditions:

Estimated Drainage Area

= Approximately 131 acres

-58 acres upstream -73 acres quarry area

Slopes = Steep (> 8%)

Curve #: Upstream:

Veg. Cover = Narrow Leaf Chaparral

Hydrologic Conditions = Fair Hydrologic Soil Group = D

CN = 86 (SCS EFM Exhibit CAL-2-11)

Quarry Area:

Veg. Cover = Bare/Dirt

Hydrologic Conditions = Poor Hydrologic Soil Group = D

CN = 91 (SCS EFM Exhibit CAL-2-11)

Weighted Curve # $(58*86)/131 + (73*91)/131 = 88.8 \approx 89$

Standard Dwg ES 1026 Sheet 38 = 435 cfs (SCS Discharge Curve #85) Standard Dwg ES 1026 Sheet 39 = 500 cfs (SCS Discharge Curve #90) Interpolating for CN 89 discharge yields 487 CFS

Specific Discharge:

487 CFS

= 3.72 CFS/Acre

Steep Slopes are defined as watershed slopes greater than 8%

Type I Storm curves will be used in this instance. Design criteria is applicable as the Type I storms are more intense than Type IA.

HYDRAULICS

Culvert sizing calculations were performed for the proposed channel crossing areas using assumed standard Caltrans concrete box culvert structure (Manning's N=0.015 for concrete). The culverts and drainage channel were sized for capacity of the peak Q_{50} .

The Mine Drainage Site Plan and Channel Grading Exhibit shows the main channel at the side slopes required by the soils engineer as follows: slopes 60' or less designed at ratio of 1.6:1 (H:V) and slopes with effective heights greater than 60' designed at ratio 1.8:1. Cross sections at various areas along the channel (every 500'±) are provided for reference only and do not show proposed slope bench/access road (no excavation volume calculations were completed).

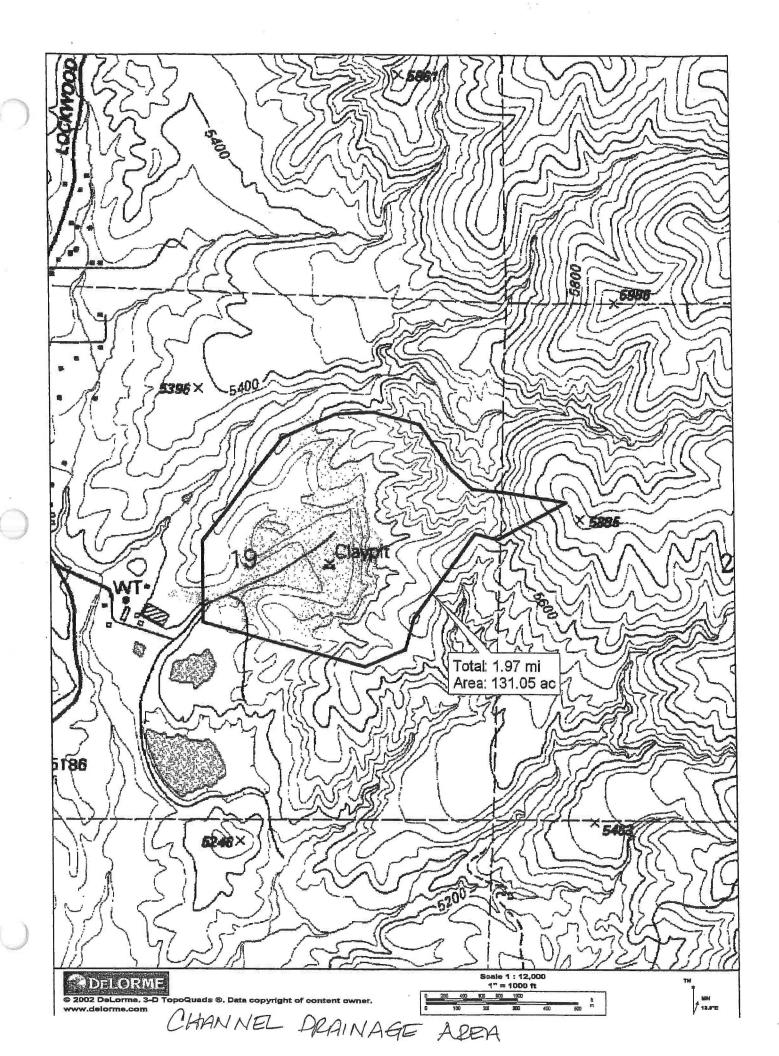
Culvert cross sections are provided with the required size criteria on Sheet 2 of the plan set. Culvert section plans are shown for general information purposes only; size, slope, crossing location, etc. and are not to be used for construction purposes. As design progresses, a detailed construction drawing set should be completed that indicates standard box culvert concrete mixture (ultimate and compressive strength) design criteria, reinforcement standards, backfill procedures, headwall design, etc. Soils engineer should review final culvert design at crossings to determine compaction and slope stability requirements.

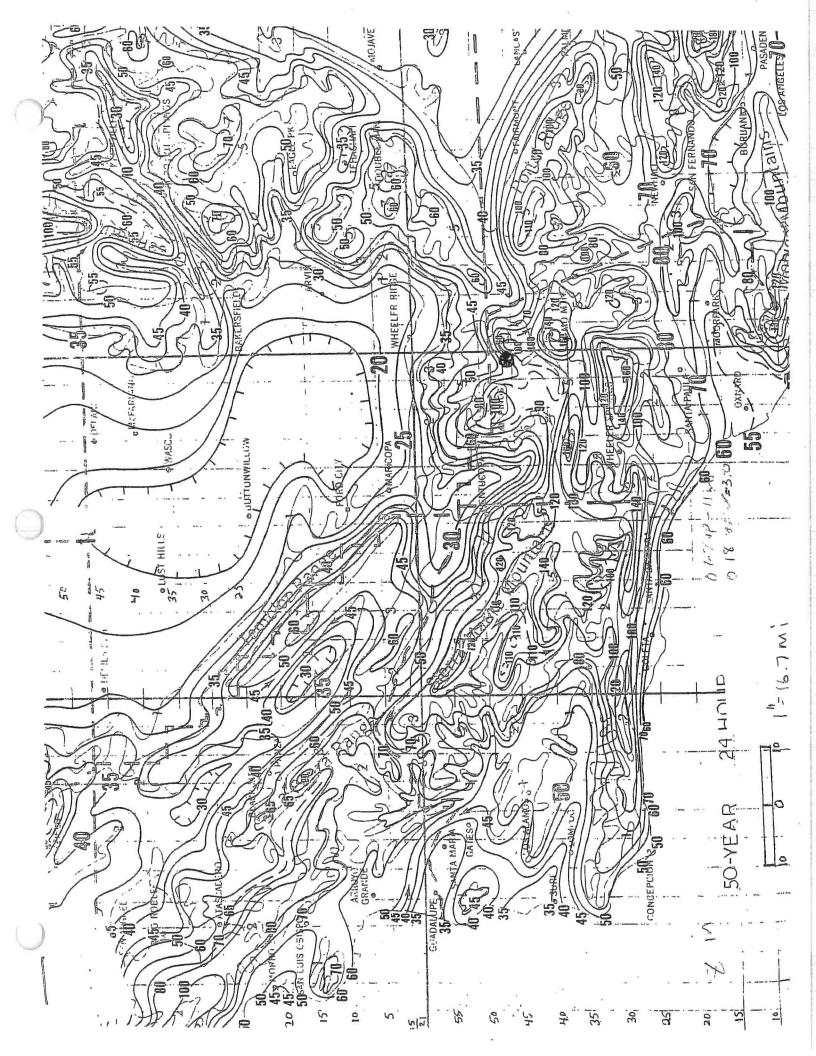
Prepared by:



WATER RESOURCE ENGINEERING ASSOCIATES
2300 Alessandro Drive, Suite 215, Ventura, CA
(805) 653-7900 800-25-WATER Fax (805) 653-0610
12/05/05







PEAK RATES OF DISCHARGE FOR SMALL WATERSHEDS TYPE I STORM DISTRIBUTION

SLOPES - STEEP

CURVE NUMBER - 85

24 HOUR RAINFALL FROM US WB TP-43, TP-47, & (Revised) TP-40

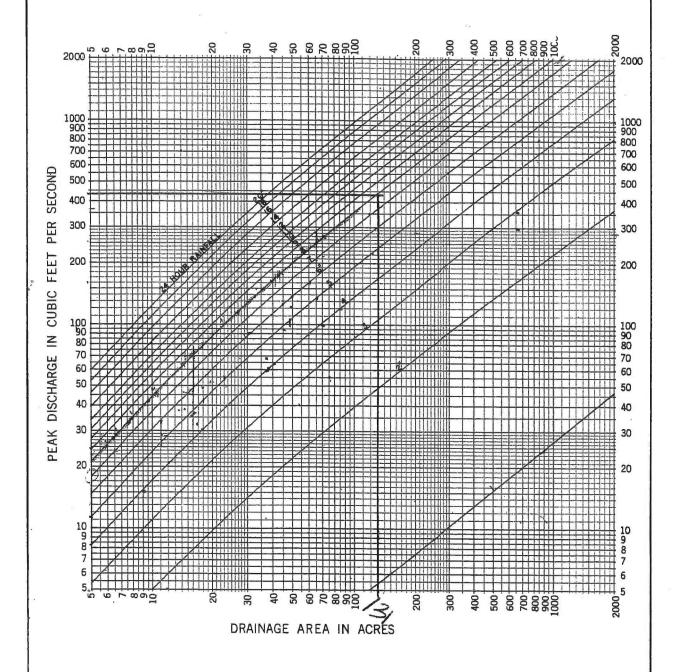


Exhibit 2-11

REFERENCE

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
ENGINEERING DIVISION - HYDROLOGY BRANCH

DATE 6-1-71

PEAK RATES OF DISCHARGE FOR SMALL WATERSHEDS TYPE I STORM DISTRIBUTION

SLOPES - STEEP CURVE NUMBER - 90

24 HOUR RAINFALL FROM US WB TP-43, TP-47, & (Revised) TP-40

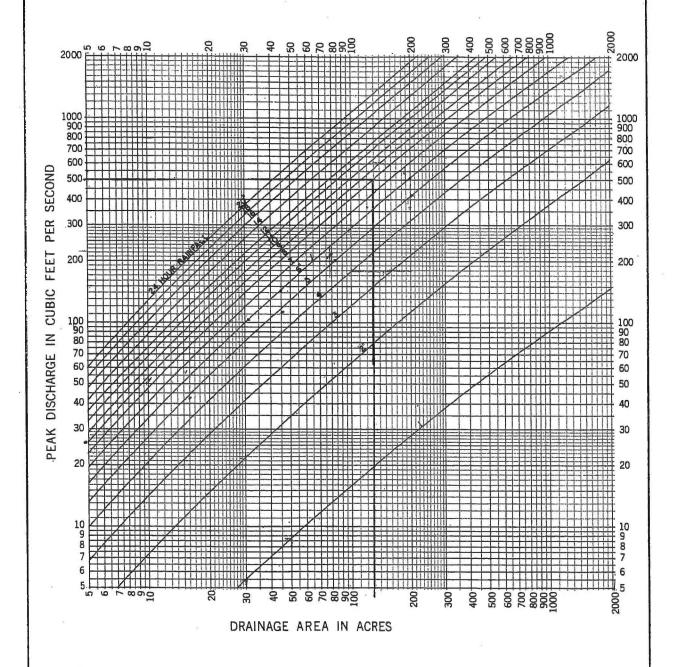


Exhibit 2-11

REFERENCE

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
ENGINEERING DIVISION - HYDROLOGY BRANCH

DATE __6-1-71 _____

Worksheet Worksheet for Rectangular Channel

Worksheet Box Cultiflow Element Rectang Method Manning Solve For Channel Input Data	ular Ch 's Forn
Method Manning Solve For Channel Input Data	's Form
Solve For Channel Input Data	
Input Data	Depth
Mannings Coeffic 0.015	
Channel Slope 010000 ft/ft	
Bottom Width 6.00 ft	
Discharge 487.00 cfs	
District of the state of the st	
Results	
Depth 5.31 ft	
Flow Area 31.9 ft ²	
Wetted Perim: 16.62 ft	
Top Width 6.00 ft	
Critical Depth 5.89 ft	
Critical Slope 0.007730 ft/	t
Velocity 15.29 ft/s	Š
Velocity Head 3.63 ft	
Specific Energ 8.94 ft	
Froude Numb 1.17	

Supercritical

Flow Type

Worksheet **Worksheet for Trapezoidal Channel**

Worksheet	Main Drainage (minimum size
Flow Element	Trapezoidal Channel
Method	Manning's Formula
Solve For	Channel Depth
Input Data	
Manninga Coeffic	0.030

Input Data		
Mannings Coeffic	0.030	
Channel Slope	010000	ft/ft
Left Side Slope	1.60	H:V
Right Side Slope	1.60	H:V
Bottom Width	5.00	ft
Discharge	487.00	cfs

Results		
Depth	4.44	ft
Flow Area	53.8	ft²
Wetted Perima	21.76	ft
Top Width	19.22	ft
Critical Depth	4.34	ft
Critical Slope	0.011049	ft/ft
Velocity	9.05	ft/s
Velocity Head	1.27	ft
Specific Energ	5.72	ft
Froude Numb	0.95	
Flow Type	Subcritical	

ATTACHMENT 7

REVEGETATION PLAN

Project KKGB Revegetation Plan Frazier Park Plant January 2007 Project KKGB Revegetation Maintenance Manual August 2006

COUNTY OF VENTURA
PLANNING DIVISION

APPROVED
Date AFRIC 6, 2010

Permit No. LY06-0045

IPlanner Authorizing

REVEGETATION PLAN

Prepared for:

Pacific Custom Materials, Inc.

JANUARY 2006

Prepared by:





Table of Contents

1.0 Introduction		3
2.0 Existing Cor	nditions	5
3.0 Revegetation	on Plan	6
3	5.1 Design Overview	6
3	2.2 Pinon Pine and Juniper Seed Collection	7
3	i.3 Vegetation Removal and Soil Salvage	7
3	6.4 Revegetation Test Plots	9
3	Existing Conditions Revegetation Plan 3.1 Design Overview 3.2 Pinon Pine and Juniper Seed Collection 3.3 Vegetation Removal and Soil Salvage 3.4 Revegetation Test Plots 3.5 Planting Procedures 3.5.1 Timing 3.5.2 Site Grading and Planting Preparation 3.5.2.1 Mine Drainage Channel 3.5.2.2 Processing Area Revegetation 3.5.3 Soil Testing and Respreading 3.5.4 Erosion Control 3.5.5 Plant Materials and Procedures 3.5.5.1 Broadcast Seeding 3.5.5.2 Hydroseeding	
	3.5.1 Timing	
	3.5.2 Site Grading and Planting Preparation	12
	3.5.2.1 Mine Drainage Channel	12
	3.5.2.2 Processing Area Revegetation	13
	3.5.3 Soil Testing and Respreading	13
	3.5.4 Erosion Control	14
	3.5.5 Plant Materials and Procedures	15
	3.5.5.1 Broadcast Seeding	15
	3.5.5.2 Hydroseeding	15
4.0 Maintenance	17	
5.0 Monitoring		19
Tables		
Table 2: Test Plot	t Timeline	
Table 3: Seed Lis	t for Pacific Custom Materials, Inc	16
Table 4: Performa	ance Standards	20



1.0 Introduction

This Revegetation Plan has been developed to prescribe restoration of native vegetation and open space within mined and otherwise disturbed areas of a surface mining site. The raw materials mined at the Pacific Custom Materials site are part of an extensive sedimentary clay unit. The project site is located at 17410 E. Lockwood Valley Road, approximately 5 miles west of the town of Frazier Park, California, in the eastern corner of Ventura County. The project encompasses 260 acres. The operator proposes to remove approximately 4.6 million bank cubic yards over a period of approximately 36 years.

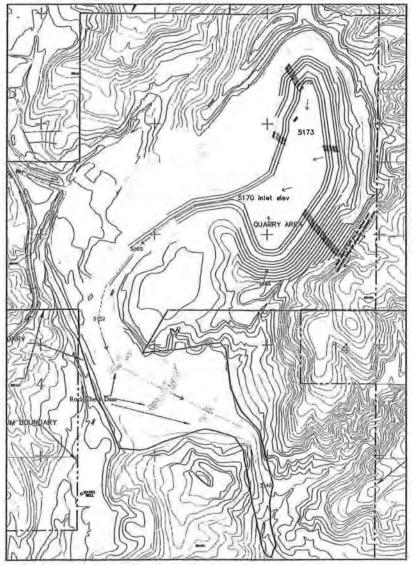


Fig. 1. Pacific Custom Materials Location Map. Map shows proposed mine reclamation, with the "No Pond" Alternative.



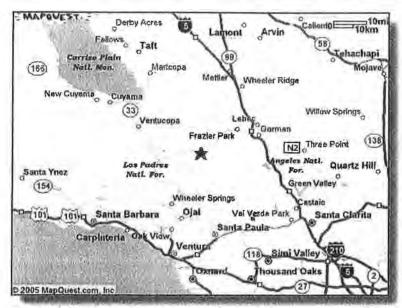


Fig. 1a. Pacific Custom Materials Vicinity Map

The California Surface Mining and Reclamation Act of 1975, as amended (SMARA), requires that the lead agency approve a Reclamation Plan for each surface mine. Requirements are listed in Article 9, Reclamation Standards (&3700).

The proposed expansion will deepen these areas and expand into the South area. Mining must be performed in all three areas as the expansion proceeds. This is required to meet logistical, moisture, and quality requirements for the clay. In addition, positive drainage out of the quarry into the Lower Pond must be maintained. This will be accomplished by progressive deepening of the Stormwater Channel. The channel will be lowered as the floors of all three areas are lowered.

The purpose of this Revegetation Plan is to encourage re-establishment of native flora following proposed mining operations, thereby increasing wildlife habitat and open space aesthetic value within the disturbed site. Since topographical alterations to the site after pit-mining will be permanent, the aim of this Plan is to revegetate the newly created slopes, pit bottoms and all other disturbed areas.

The Site Manager for Pacific Custom Materials, Inc. or other site owner at the time of reclamation, will make all final decisions regarding the implementation of this Revegetation Plan. The Revegetation Consultant will provide guidance and advice to the Site Manager, following the design and criteria established in this Revegetation Plan.



2.0 Existing Conditions

Baseline vegetation and native soil conditions were evaluated by Fruit Growers Laboratory, Inc. (1998). A biological survey of the lands within and immediately adjacent to the existing mine facilities was conducted by Bumgardner Biological Consulting, (2005). A discussion of the potential for occurrence of rare species are contained in that document. These reports are summarized below.



Fig. 2. Close up photo of calcareous heavy clay soil, cracked and shrunk during the dry season.

The on site soils consist of deep, poorly drained, calcareous heavy clay. These soils exhibit a high shrink/swell potential. They become wet and sticky during the winter rainy season, and they will shrink and crack during the dry season. The soil porosity and drainage is very poor due to the high clay content. Poor drainage contributes to the accumulation of salts and other toxic elements. It is the poor physical structure of these soils that represent the limiting factor

in good plant growth. Detailed soil analysis results are contained in the Fruit Growers Laboratory report, which is attached, See Appendix A.

The native vegetation within the mining site consists of two overlapping plant communities:

1) The single leaf pinyon series is dominated by single leaf pinon, (*Pinus monophylla*). Other woody species that occur in this



Fig. 3. Pinon Pine-California Juniper woodland in foreground.

community include California juniper, (Juniperus californica), big sagebrush, (Artemisia tridentata), rubber rabbitbrush, (Chrysothamnus nauseosus), California desert tea, (Ephedra californica), California scrub oak, (Quercus dumosa), and canyon live oak, (Quercus chrysolepis). Understory plants are sparse and consist of native grasses and herbs and forbs.



2) The California juniper series is dominated by California juniper, (*Juniperus californica*). Other trees and shrubs that occur in this community include single leaf pinon, big sagebrush, California desert tea, chaparral yucca, (*Jucca whipplei*), and desert scrub oak, (*Quercus turbinella*). Understory plants here are sparse as well.

Due to the overlapping nature of the plant communities and their associated plant species, on and adjacent to the project site, a single plant community, the pinon-juniper woodland, should form the basis for all revegetation efforts.

A detailed survey of native vegetation coverage and species composition was performed by Fruit Growers Laboratory (1998), see Appendix A. Transect observations revealed a percent vegetative coverage range from 30% - 60%. This baseline information will be useful to determine the qualitative and quantitative plant material necessary for the revegetation.

3.0 Revegetation Plan

The goals of the revegetation plan are:

- · collect seeds from on site pinon pine and juniper trees as back up for future restoration
- · salvage existing topsoil and sand prior to extraction/grading operations
- establish a revegetation test plot(s)
- · provide erosion control following extraction
- increase habitat and aesthetic value by revegetating with native seed species.
- meet or exceed the requirements set forth in the California Surface Mining and Reclamation Act of 1975, as amended (SMARA), Article 9, Reclamation Standards (&3700).

3.1 Design Overview

Seed from the Pinon-Juniper Woodlands Plant Community will be collected and stored to serve as back-up propagation material for revegetation. Seeds will be stored at an institution specializing in seed preservation, i.e., Santa Ana Botanic Garden, In Claremont, CA, or S&S Seeds, in Carpinteria, CA. All existing vegetation, topsoil and subsoil will be salvaged and stored on site. No additional topsoil will be imported. Topsoil stockpiles will be seeded with native seed materials to prevent erosion and maintain native seed viability. All access roads, haul routes and other traffic related areas will be stripped of any roadbase materials and will be revegetated.

The soils will be amended with organic matter to improve its structure. Salvaged topsoil



will be re-introduced into the mined area. A test-plot will enable the refinement of the revegetation concept, if necessary. A monitoring program, with performance criteria, will be implemented to determine the success or failure of the revegetation program.

Contingency measures are suggested in the event that revegetation goals are not met. The proposed contingency measures include re-seeding or adjustments to maintenance practices as determined by the Biological Monitor.

Estimation of the project life span is approximately 36 years. Due to the length of time between the formulation and the implementation of this Revegetation Plan, techniques outlined in this report may be altered as the knowledge and practice of mine restoration increases.

3.2 Pinon Pine and Juniper Seed Collection

Seed from pinon pine and juniper trees will be collected on site by a qualified native seed collection firm two years prior to final extraction of clay material. Seed quality will vary from year to year and from location to location. Seed will therefore be collected

over two seasons, to assure that seed is gathered in sufficient quantities to allow for long-term storage as well as a limited amount of destructive sampling. Seed will be maintained by an organization experienced in long - term seed storage such as Santa Ana Botanic Garden or S&S Seed. Seed will be stored at 50 degrees Fahrenheit or less, with less than 50% humidity. Seed will be tested periodically to assure that viability is maintained. Most wild seeds are collected by hand because the desired species usually do not grow in pure stands and the site's topography often limits the use of mechanical equipment.

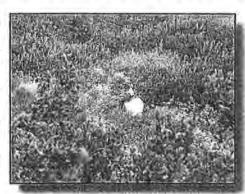


Fig. 4. Hand collecting native seed.

Collecting seeds at the correct time is crucial for propagation to be successful. The seed collecting company shall be familiar with the approximate flowering and fruiting dates and then be able to recognize mature fruit or seeds. When seeds are mature, collecting should begin. Seeds shall be collected just before, or, as the pod or capsule turns brown and dries, and before it dehisces.

3.3 Vegetation Removal and Soil Salvage

Both topsoil and overburden will be salvaged and stored for reclamation purposes during the active mining operation.

Topsoil is best collected in the dry season. All topsoil, along with all vegetation, (except



mature trees), will be crushed in place with a dozer prior to mining. A scraper will then pick up the material to deliver it to an appropriately sized, and identified, Topsoil Storage Area. Additional topsoil will not be imported. Salvaged topsoil contains all the beneficial microorganisms, soil animals, seeds of native plants and physical components that contribute to soil heterogeneity, and successful revegetation later on.

Salvaged topsoil shall be stockpiled in the area designated on the plan. Excessive height of the topsoil stockpile will be avoided since it may cause the internal temperature of the pile to increase, thereby "cooking" any native seed and microbial material contained in the stock pile. The stockpile shall be maintained free of exotic, invasive weeds at all times. Other, native, plant material will be encouraged to grow and establish. If necessary, the stockpile will be overseeded with native seed material as listed in Table 1. To prevent compaction, no equipment shall be allowed to travel over, or park on, the stockpile under any circumstances. Silt fencing shall be installed around the stockpile to prevent erosion, and as a barrier to preclude any unauthorized access.

Topsoil is defined as the top 6" of undisturbed ground. In addition, considerable amounts of non-clay overburden are estimated to be removed. At present, the estimated amounts generated by mining to the revised contours are approximately 21,000 cubic yards of topsoil and 273,000 cubic yards of overburden.

Estimates of topsoil and overburden required were made with the following assumptions: a) all mined areas would need some topsoil/ overburden addition, and b) other disturbed but non-mined areas are likely to have sufficient topsoil remaining. Figure 5 illustrates these areas. The area requiring topsoil/ overburden covers approximately 55 acres. The area not requiring topsoil/ overburden covers approximately 52 acres.

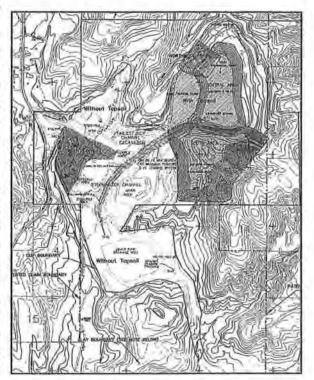


Fig. 5. Topsoil and Overburden areas.

Topsoil will be stored in a pile that would have ultimate dimensions, if all 21,000 cubic yards are salvaged, of 110,000 square feet, 5 feet high, with 2:1 (H:V) slopes.

Overburden will be stored in two piles. Each would have ultimate dimensions, if all 273,000



cubic yards are salvaged, of approximately 100,000 square feet, 60 feet high, with 2:1 (H:V) slopes.

Each of these storage piles is identified on Figure 6.

3.4 Revegetation Test Plots

Test-plots, composed of five 40x80 foot areas, will be initiated and planted during the most favorable time of year for plant establishment, per guidelines contained SMARA [\$3705(h)]. The plots will be located within the northern portion of the mining area, (Fig 5). The purpose of testing will be to ensure that the proposed seed mixture composition and quantities are adequate to meet the

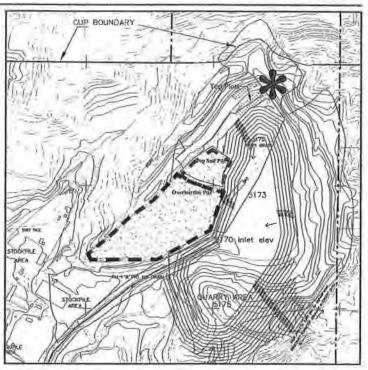


Fig. 6. General location of proposed test plots.

Specific location of salvaged Top Soil

Specific location of Overburden

required criteria for success. Adjustments in the specifications can then be made prior to the final, large scale revegetation effort. The test plot composition is summarized in Table 1.

To simulate restoration conditions, the specified amount of soil amendment and 2-4 inches of salvaged topsoil, shall be spread over the site. The site shall then be cross ripped to a depth of 10-12 inches, integrating and blending the on site soil with the salvaged top soil and soil amendments. Additional top soil will not be imported. A native plant seed mixture, see Table 2, will be hand broadcast over one test plot, and hydroseeded over the other. Results will determine which method to use during final reclamation. If alterations to the individual methods are needed, additional testing will be undertaken.

Supplemental irrigation of the test plots is not recommended at this time. However, if test results indicate that supplemental irrigation may be necessary, then a low volume, spray rotor system will be employed to favor establishment and coverage of the native plant material.



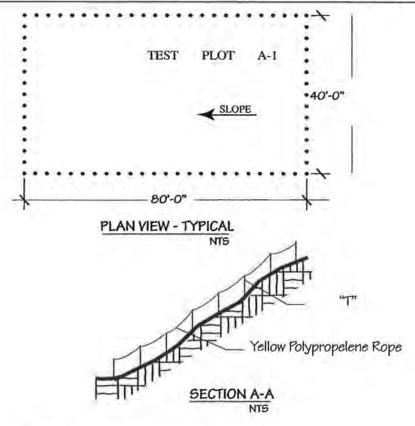


Fig. 7. Typical test plot layout.

Per the SMARA \$3705(m) requirements, results of the test plots will be matched against native vegetation baseline information previously gathered from a representative, undisturbed reference area, see Fruit Growers Laboratory, Inc. (1998). Density, cover and diversity of the representative site shall be measured. If necessary, monitoring criteria (Section 5.0) or the seed palette shall be altered to conform to the naturally occurring species composition and distribution.

The test plots will be permanently marked and identified with T-stakes and yellow polypropelene rope to ensure their long term viability. Four of the five test plots will be located on a slope, similar to the final grade of the extraction pit, the fifth test plot will located on flat ground. A test plot time line is provided in Table 2.

The test plot program is designed to determine the effectiveness of the proposed seeding methods and species composition and seeding rates. The test plots will re-



veal the germination rate of the proposed seed palette, the ultimate vegetative cover of native plants, weeds that may emerge, as well as provide a clue as to the overall performance of the revegetation plan.

Test Plots in Years 6-10 will use the results from Years 1-5 to modify approaches to improve results.

Table 1
Test Plot Summary

Test Plot No. Years		Soil Amendment	Seeding	Topsoil added	Irrigated	Seed Applica- tion Rate	% Sloped Area
A-1 1-5 Yes			Hand broad- cast	Yes	No	As recom- mended	100
A-2	1-5	Yes	Hydro seeded	No	No	As recom- mended	100
B-1	1-5	Yes	Hydro seeded	Yes	No	As recom- mended	100
B-2	1-5	Yes	Hand broad- cast	No	No	As recom- mended	100
C-1	1-5	No	Hand broad- cast	No	No	As recom- mended	0

Table 2
Test Plot Timeline

Activity		20	07			20	08	u-		20	09			20	010			20	211			20	12			20	213	
Quarter	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Seed Collection		x	x			x	x			x	x			x	x			x	x			х	X					
Site Prep			Ē				χ																					
Seeding		Ε			H			X										-4	1					(+		- 7		
Monitoring & Evaluation								x	x	x	x	x	x	x	x	x	x	x	x	×	X	x	X	x	X	x	x	X
Reseed as necessary																x								x				Х

3.5 Planting Procedures

3.5.1 Timing

Seeding shall coincide with the winter rainy season. October-November is typically a good time to plant, although the final decision should be based on the climatic



conditions at the time of planting. It is best to wait until just after a storm event, and to seed when the ground is soaked to a minimum depth of 1/2 inch, although timing seeding to coincide with storms is often difficult.

3.5.2 Site Grading and Planting Preparation

As material is extracted from the mine, how the graded surface is left is of critical importance to the revegetation effort. An important consideration in reapplying the topsoil is the angle of the slope (steep slopes do not accept water as readily and the erosion potential increases), and the condition of the surface, which shall be left "rough". The specified amount of soil amendments and salvaged top soil shall be cross ripped to a depth of 10-12".

Soil Amendments (per 1000 SF)

- 200 lbs of Grow-Power Plus w/12% Sulfur w/M (Mycorrhiza)*
 - * Gro-Power contains live material, propagules of mycorrhiza fungi. It acts as a soil conditioner, and starter nutrient source. It must come into close contact with the soil surface to effectively inoculate the seed roots.
- · 200 lbs of agricultural gypsum
- · 4 cu.yds. Greenways Best Soil Conditioner
- salvaged topsoil

"Trackwalking" the slope with a dozer, perpendicular to the slope, is highly recommended. This will help bind the re-applied topsoil to the subsoil.

Prior to seeding, all debris and any introduced weeds that have invaded the site shall be removed prior to planting. Any introduced weeds shall be removed prior to seeding. This can be accomplished either by hand, or if the problem is severe, by applying a short duration, broad spectrum, glyphosate based, contact herbicide, following the manufacturer's recommendations.

3.5.2.1 Mine Drainage Channel

The steep 2.6:1 side slopes will require bio-engineering slope stabilization measures. Slopes should be track walked after grading, seeded with the appropriate mixture of native plants, and then protected with a bonded fiber matrix (BFM). BFM's can be combined with gypsum plaster, thereby supplying nutrients in the form of calcium and sulfur to the soil. Gypsum acts to improve the structure of heavy clay soils and also buffers the soil pH. It prevents water and wind erosion, enhances germination by protecting seed, returns moisture to soil, is totally biodegradable and is harmless to fish, birds, plants, and animals. BFM's



are cost effective because they are applied with conventional hydraulic seeding equipment which is more economical than blankets or erosion control netting. It also contains water holding ingredients for improved retention of moisture from rainwater to allow quick and effective germination of plant cover. A recommended application rate for a 2.6:1 slope is 4,000 lbs/acre. The material can be mixed at 50lbs per 60 gallons of water.

The Mine Drainage Channel invert will also be stabilized with Coir Rolls in order to reduce excess channel velocities and scour. Sediment will naturally be deposited on the upstream side of the rolls, providing an ideal growing medium for emergent aquatic and riparian vegetation, i.e., tules, sedges and eventually willows.

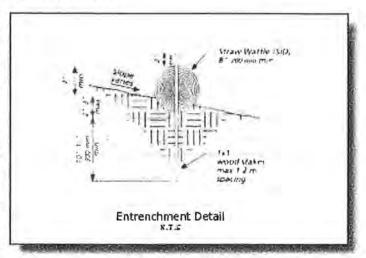


Fig. 9. Coir (Coconut Fiber/Straw Wattle) rolls will be used to reduce in-channel velocities and provide stable areas where riparian vegetation can eventually become established.

3.5.2.2 Processing Area Revegetation

A Phase I Environmental Assessment will be conducted at the processing area to test for contaminants after removal of buildings and equipment and prior to revegetation. The area shall be cleared and grubbed to provide an unobstructed space for subsequent fine grading and revegetation purposes.

Revegetation of the processing area will require cross ripping the ground, to a minimum depth of 24 inches, and fine grading to prepare the area for seeding. Soils tests, and the Environmental Assessment results, should determine what, if any, soil amendments might be necessary to help in the revegetation effort.

3.5.3 Soil Testing and Respreading

Following final excavation, salvaged topsoil, mixed with overburden, will be spread out over excavated areas where needed. Any native vegetation established on the stockpile can be spread along with the soil. The broken branches of plants growing on the stockpiles will



act as a mulch after soil respreading and will provide partial shade to emerging seedlings. In addition, viable seed will be transported in the seed bank, and additional ripe seed may be carried along with the vegetation.

The depth of the respread topsoil will be the maximum based on availability. Topsoil shall be incorporated into the native soil by cross ripping with a dozer, and after cross ripping shall be "trackwalked" with the dozer tracks perpendicular to the slope. The "ridges" and "valleys" created by trackwalking will provide an excellent environment for seed germination.

Respread soils will be tested for nutrient components prior to seeding or planting. Site samples will be compared to soil test-results taken from adjacent, undisturbed areas. Respread soils will be augmented if growth-inhibiting deficiencies in essential elements are noted.

3.5.4 Erosion Control

Straw wattling shall be used for erosion control on slopes and in areas graded for drainage,

or as determined by post grading monitoring. They are virtually weed free, and do not have to be removed. as they naturally decompose. Dig small trenches across the slope on contour, to place rolls in. The trench should be deep enough to accommodate half the thickness of the roll. It is critical that rolls are installed perpendicular to water movement, parallel to the slope contour. Start building trenches and install rolls from the bottom of the slope and work up. Construct trenches at typical contour intervals of 10 feet, depending on the steepness of slope. The steeper the slope, the closer together the trenches. Lay the roll along the trenches fitting it snugly against the soil. Make sure no gaps exist between the soil and the straw wattle. Use a straight bar to drive holes through the wattle and into the

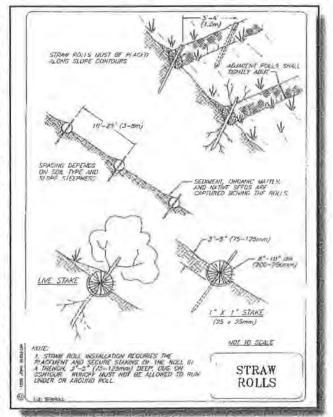


Fig. 10. Typical Rice Straw Wattle installation details.



soil with willow or wooden stakes. Drive the stake through prepared hole into soil. Leave only 1 or 2 inches (25 or 51 mm) of stake exposed above roll. Install stakes at least every 4 feet (1.2 m) apart through the wattle. Additional stakes may be driven on the downslope side of the trenches on highly erosive or very steep slopes. See the diagrams in Figure 10 for a typical straw wattle installation.

3.5.5 Plant Materials and Procedures

Most plant species specified in the Revegetation Plan were chosen based on their occurrence within the project area. Seed shall be locally collected or purchased. If seed is to be purchased, alternate native species may be substituted. Plants not occurring within the project area were chosen for their tolerance to the project area solls, and may only persist for a little while. But even if they do not persist, they will be performing a valuable service, because as they die, their root system decomposes in the soil, adding invaluable organic matter. Table 3 lists the seed mix for all disturbed areas. Application rates and guidelines for minimum purity and germination are also given. These rates are given to help judge the actual amount of pure, live seed required per unit weight. Any decrease in the expected germination rate or purity can be compensated for by applying a heavier rate.

Depending on test plot results, either broadcast seeding or hydroseeding will be used for the site overall.

3.5.5.1 Broadcast seeding

Following the site preparation, and erosion control measure installation, the project site shall be broadcast seeded. All seed shall be premixed, and shall then be broadcast by hand over the site. One half of the seed material shall be applied in one direction, i.e., north-south, the other half shall be applied in an east-west direction. This will ensure a more even distribution of the seed material.

After broadcasting the seed, the site shall be lightly harrowed, or raked, in order to provide closer seed to soil contact.

3.5.5.2 Hydroseeding

Following the site preparation, and erosion control measure installation, the project site shall be hydroseeded. At the time of hydroseeding, all hydroseeding mixing shall be performed in a clean tank (thoroughly rinsed a minimum of three times in the presence of the Biological Monitor), with a built in, continuous agitation and recirculation system of sufficient operating capacity to produce



a homogeneous slurry, and a discharge system that will apply the slurry to designated areas at a continuous and uniform rate.

The slurry preparation shall take place at the project site and shall begin by adding water to the tank when the engine is at half throttle. Good recirculation shall be established when the water level has reached the height of the agitator shaft; at this time, seed shall be added; the mulch shall be added when the tank is at least 30 percent filled with water. The Revegetation Contractor shall commence spraying once the tank is full.

The Revegetation Contractor shall spray designated areas with the slurry in a sweeping motion and in an arched stream until a uniform coat is achieved with no slumping or shadowing and the material is spread at the required rate per acre. Overspray of hydroseed onto existing plant material shall be avoided.

TABLE 3
SEED (BROADCAST AND/OR HYDROSEED) LIST FOR PACIFIC CUSTOM MATERIALS, INC.

BOTANIC NAME/COMMON NAME	LBS/Acre	MINIMUM % PURITY/GERMINATION				
Pinus monophylla/Pinon Pine	4	NA				
Juniperus californica/California Juniper	4	95/40				
Artemesia tridentata/Great Basin Sage	2	10/65				
Quercus dumosa/Scrub Oak	1	NA				
Elymus glaucus/Blue Wildrye	4	90/85				
Bromus carinatus/California Brome	6	95/80				
Ephedra viridis/Mormon Tea	3	90/80				
Sitanion jubatum/Squirreltail	6	90/80				
Ceanothus cordulatus/Whitethorn	1	98/70				
Arctostaphylos patula/Manzanita	1	95/70				
Erlogonum fasciculatum/California Buckwheat	6	50/10				
Chrysothamnus nauseosus/Rabbitbrush	3	20/50				
Eschscholzia californica/California Poppy	1	98/80				
Encelia californica/Bush Daisey	1	40/60				
Elymus triticoides/Creeping Wild Rye	4	90/80				
Lasthenia californica/Goldfields	2	70/50				
Layia platyglossa/Tidy Tips	1	70/70				
Eriophyllum confertiflorum/Golden Yarrow	1	30/70				
Hordeum brachyantherum/Meadow Barley	6	90/80				



Any slurry mixture that has not been applied by the Revegetation Contractor within one hour after mixing shall be rejected and replaced at the Revegetation Contractors expense. In addition, all costs incurred for repair or replacement of bare, sparse, or damaged areas, shall be the sole responsibility of the Revegetation Contractor. Following application, all activity on the mulch layer must be kept to a minimum.

The standard hydroseeding technique shall be employed, using a two stage application as follows:

Seed shall be hydroseed as follows: (a TWO-STEP process is required)

Materials:

- · Specified Seed per Acre
- Fertilizer per acre
 Grolife 1,000 lbs
 Gro-Power Controlled Release 200 lbs of 12-8-8
- Fiber per acre (any) 1,500 lbs

Note: GroLife contains live material, propagules of mycorrhiza fungi. It acts as a soil conditioner, and starter nutrient source. It must come into close contact with the soil surface to effectively inoculate the seed roots, therefore a two step hydroseeding process is required. The first step applies the seed and inoculum and a small amount of fiber; the second step applies the fiber and fertilizer.

4.0 Maintenance

Maintenance shall include any activities required to meet the performance standards set for this revegetation program. Maintenance of all revegetation areas shall include, at minimum, the following aspects:

Maintenance Staff Training. Prior to the commencement of maintenance activities, the Maintenance Contractor shall attend a training session that shall be conducted on site by the Project Biologist/Revegetation Specialist, to familiarize the maintenance staff with the project (i.e., the boundaries of the site, the general requirements of the different habitats, and identification of native and non-native species). This training will include an overview of a maintenance manual prepared by the Project Biologist/Revegetation Specialist, which shall be distributed to the Maintenance Contractor during the training.

Weed Control. During the maintenance period, all weeds present in the revegetation areas shall be removed if more than 25 percent of any 20 square foot of the area is occupied by



weeds greater than six inches in height. These weeds are to be removed before they produce seed or reach a height of six inches, whichever comes first.

Methods of Weed Removal. With the exception of those weeds that cannot be eradicated through manual removal (Bermuda grass, tree tobacco, cardoon, etc.), All weeds present in the revegetation areas shall be removed manually or mechanically; no herbicide treatment shall be permitted without specific, written authorization from the Project Biologist/Revegetation Specialist.

Herbicide Treatment Guidelines. Spraying shall be conducted only when weather conditions are conducive to effective uptake of the herbicide by the targeted species (e.g., sunny, dry, and when plants are actively growing), and when wind conditions are such that herbicide drift is non-existent (five mph or less). During herbicide application, protection for non-targeted species (e.g., native vegetation) is required.

Pruning and Leaf Litter. No pruning or leaf litter removal shall take place within the revegetation sites. All dead branches shall be left on the shrubs and trees, and no leaf litter or fallen branches shall be cleared away from the plantings.

Replacement of Dead or Diseased Plant Materials. The Maintenance Contractor shall be responsible for meeting the performance standards outlined below:

Seeded areas shall be assessed annually for a five year period. If it is determined by the Project Biologist/Revegetation Specialist at the time of assessment that supplemental seeding is needed to meet the performance standards, this additional seeding shall be undertaken by the Maintenance Contractor. If the Project Biologist/Revegetation Specialist determines that reseeding is required, timing of the seeding is subject to the discretion of the Project Biologist/Revegetation Specialist. Plantings that die shall be replaced at the first suitable growing season in accordance with the performance standards included in the revegetation program.

Performance Standards. The following performance standards and all the above specifications shall be met by the Maintenance Contractor throughout the contracted maintenance period. The performance of the revegetation areas will be assessed just prior to the end of each year to determine whether the performance specifications are met. The performance standards are as follows:

- No more than 25 percent non-native species shall occur in any 20 square foot area at any given time during the maintenance period.
- Non-native species shall not exceed six inches in height or go to seed in any given area during the maintenance period.
- · Percent Cover Standards are shown in Table 2.

Though weeds are not expected to persist after the native plants have become establish-



ment, their initial presence within the seeded areas will decrease the establishment of native vegetation.

In addition to weed concerns, low germination and/or low establishment may occur for a variety of reasons including wildlife browsing, lack of water, poor seed quality, or poor planting techniques. Replanting the site after the initial effort may therefore be necessary.

5.0 Monitoring

To properly monitor the success of the revegetation, and to weigh the need for weeding and replanting, performance standards are presented in Table 4. The performance standards reflect the native vegetation baseline information previously gathered from a representative, undisturbed reference area, see Fruit Growers Laboratory, Inc. (1998). Establishment of vegetation after five years will be considered successful if the percentage of vegetation cover and plant species diversity in the restoration area is equivalent to (or within ten percent of) the percentage of vegetative cover and plant species diversity in existing, high quality Pinon Pine-Juniper Woodland habitats found in the general vicinity. Based on prior surveys of native vegetation, (Fruit Growers Laboratory, 1998 and Bumgardner Biological Consulting, 2005), a vegetative cover of 30% can be expected for the trees and larger shrubs. For smaller shrubs and grasses a 60% vegetative cover can be expected. (Please note that a total of 90% coverage is not feasible, as the trees and larger shrubs form an "overstory" layer, distinct from the smaller shrubs and grasses, which form the "understory" layer.)

Monitoring shall be conducted by an independent consultant. Monitoring will be conducted semi-annually, in the spring and fall. Test plots shall be subject to the same performance standards, and monitoring criteria, as spelled out in the revegetation plan.

Monitoring shall consist of the Line-Intercept Method where a 50 meter measuring tape is stretched between two points. The intercept distance is recorded for each plant/species that intercepts the line. The accumulated length for any species divided by the length of the transect multiplied by 100 is expressed as percent cover for that species. Photographic Monitoring shall also be used. Permanent locations, photo points, will be marked. Identical, general view photos, are taken over time, during the same season every year, to portray dominant vegetation and site conditions. Typically a wide angle lens is used. Photographs are an effective tool to visually synthesize site information, especially when coupled with quantitative measurements.

The monitor will evaluate the need for weeding and erosion control as well as plant establishment. Annual reports and recommendations shall be submitted by Pacific Custom Materials, Inc., to the County of Ventura and the California Department of Conservation. Follow-up monitoring may be needed to assure recommendations have been carried out. Monitoring will continue for at least five years, and will not cease until all performance criteria have been met for two consecutive years without irrigation, weeding or other special maintenance.

Success rates falling under the stated minimum may signal the need for a second or third



revegetation effort. These performance values may be modified if restoration experience and knowledge gained during the project life span present more realistic goals. The standards take into account that younger shrubs will show lower cover values and higher density values than those seen in a more established habitat.

Traditional success criteria include survival rate of container plants and final vegetative cover. However, success can also be measured by assessing the fundamental characteristic of a functional ecosystem: sustainability, resistance to invasive species, nutrient retention and biotic interactions. Reliable signs of functional ecosystems are the presence of certain target "indicator" species: animals, insects and/or plants typically found in that ecosystem.

TABLE 4
PERFORMANCE STANDARDS

Criteria	1st Year	2nd Year	3rd Year	4th Year	5th Year
Trees & Large Shrubs Cover					
5% 1st Year	- 1		100		
15% 2nd Year					إياعوا
25% 3rd Year					
30% 5th Year					إيلانا
Smaller Shrubs & Grasses					
10% 1st Year					
25% 2nd Year					
40% 3rd Year					
60% 5th Year	18				
Erosion	- 11				
Plant regeneration					
Resistance to Invasion by non-natives		121			

REVEGETATION MAINTENANCE MANUAL

APPENDIX A

August 2006

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REVEGETATION MAINTENANCE MANUAL

INTRODUCTION

This manual is intended to be used as a guide and basic training for any landscape maintenance personnel involved in the establishment and long term maintenance of the test plots and final revegetation areas as outlined in the Revegetation Plan for Pacific Custom Materials, Inc., dated January 2006.

The Pacific Custom Materials, inc. mining site, see Figure 1, is designated to be revegetated with an indigenous native plant community that is self-sustaining and supporting without any additional human input past the plant establishment period. During the initial plant establishment period of three to five years, a certain amount of maintenance is required. Maintenance will include weeding, mulching, repairing erosion problems, controlling pests, replacing dead plant material, and trash removal.

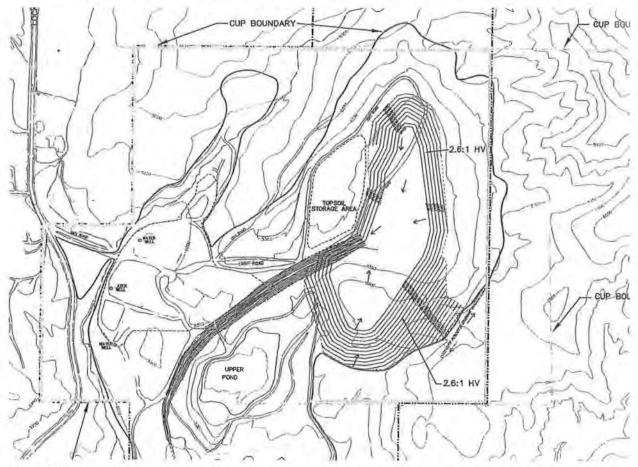


Fig. 1. Partial revegetation area outlined in green.



Plant Communities

A self-sustaining plant community refers to a group of plants that exhibit the same general characteristics, i.e., they all thrive on a hot, south facing slope, in sandy loam soil, in an area that receives 10-15" of rainfall per year. A native plant community exhibits an ability to survive without supplemental watering, weeding, or other human input. The time necessary for a plant community to become self-sustaining, or established, depends directly on the quality and care it receives during the initial plant establishment period. It is anticipated that the time required to maintain the revegetation areas is approximately three to five years. Applying proper horticultural plant establishment methods will naturally result in the satisfactory establishment of a self-sustaining plant community.

The plant community within the mining revegetation site consists of two overlapping plant communities:

1) The single leaf pinyon series is dominated by single leaf pinon, (Pinus monophylla). Other woody species that occur in this community include California juniper; (Juniperus californica), big sagebrush, (Artemisia tridentata), rubber rabbitbrush, (Chrysothamnus nauseosus), California desert tea, (Ephedra californica), California scrub oak, (Quercus dumosa), and canyon live oak, (Quercus chrysolepis). Understory plants are sparse and consist of native grasses and herbs and forbs.

2) The California juniper series is dominated by California juniper, (Juniperus californica). Other trees and shrubs that occur in this community include single leaf pinon, big sagebrush, California desert tea, chaparral yucca, (Jucca whipplei), and desert scrub oak, (Quercus turbinella). Understory plants here are sparse as well.

Due to the overlapping nature of the plant communities and their associated plant species, on and adjacent to the project site, a single plant community, the pinon-juniper woodland, will form the basis for all revegetation establishment and maintenance efforts.

A detailed survey of native vegetation coverage and species composition was performed by Fruit Growers Laboratory (1998). Transect observations revealed a percent vegetative coverage range from 30% - 60%. This baseline information will be used to determine the "success" of the revegetation plan.

Survival Requirements

Requirements for all plant survival includes adequate water, minerals (nutrients), temperature and light. The actual amount

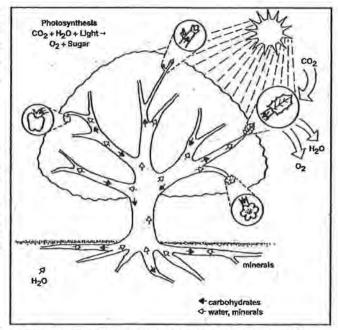


Fig. 2. Diagram shows the key elements of a plant's survival requirements: photosynthesis, water and nutrient transport and transpiration.



of water nutrients, temperature and light required differs from plant species to plant species, but many species show some degree of latitude in their tolerance or intolerance for their survival requirements.

Water

Water is essential to plants. Water is taken up by the roots from the soil, and is transported throughout the plant to the plant tissues, where it used in photosynthesis. It is lost by evaporation through the leaves. Water in the plant is used to maintain the plant cell turgidity, which gives the plant its shape when full of water. When a plant looses its characteristic shape, i.e., leaves begin wilting, that becomes a sign that the plant is lacking water.

Nutrients

Nutrients (elements) are needed by plants to carry out their life processes. Nutrients are not plant "food". Nutrients can enter the plant through the roots or through the foliage. Nutrients, once inside the plant, are transported to where they are needed. Plants can survive with some nutrient deficiency. Nutrients are replenished in the soil by decomposing plant litter.

Temperature

Plant growth is regulated by temperature. Certain plants will go dormant, i.e., cease to grow, when it becomes too cold. Other plants can go dormant when it becomes too hot. Temperature has a bearing on a plants ability to absorb water, nutrients, and herbicide.

Light

Sun light is essential for photosynthesis to occur. Photosynthesis is the reaction of the suns energy on green chlorophyll in leaves which converts raw materials from soil and air into plant "food". If a plant looses it leaves, it is likely to "starve".

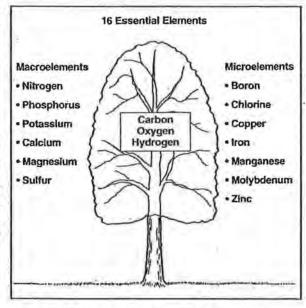


Fig 3. Most plants require 16 essential elements for healthy growth.

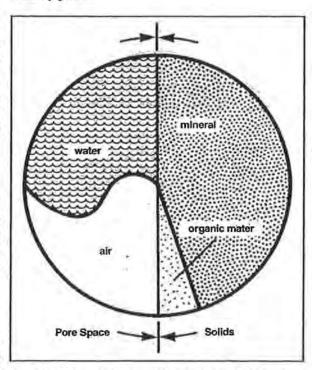


Fig 4. An ideal soil consists of 50% solids and 50% pore space, which contains water and air, for optimal growth.



Soil

Soil sustains plants. Plants depend on soil for support, water and nutrients. How well soil sustains plants depends on texture (compacted or open), water-holding capacity, readiness with which it releases needed nutrient elements to the plant, and its population of beneficial soil organisms, mainly bacteria.

Water movement in soil

Water moves down through the soil by progressively wetting soil particles. Once a particle has acquired its clinging film of water, each additional drop becomes "free" water - free to move and wet other particles. Water moves mainly downward, but it can also move laterally (to a much lesser extent), especially in clay soils. This lateral movement allows for the wetting of as much as a 12 to 18 inch diameter of soil with one drip emitter. A small watering basin around a tree or shrub is therefore likely to encourage the roots to remain within the small diameter spread. Realizing that water moves mostly downward should affect the amount of irrigation: taking soil type into account, apply enough water to percolate down into the root zone.

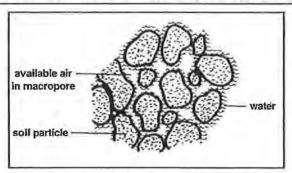


Fig 5. Ideally there is air and water in the soil (see Fig 3). Macro-pores tend to hold the air, while water remains in the micropores. Evidently, overwatering will drive the air from the soil and roots, and consequently the plant will suffer.

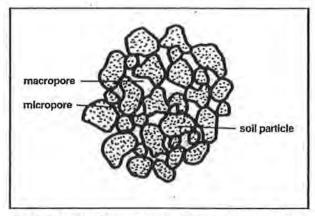


Fig 6. The areas between soil particles are pore spaces. Fine textured soils have more and smaller pore spaces than coarse textured soils. Consequently, fine textured soils, such as clay, require less frequent irrigation.

Underground Water

In some locations where the water table may be close to the soil surface, water will move upward and be readily available to those plants that can tolerate to get their "feet" wet. Plants that are intolerant of such conditions will likely not survive. Most roots are adapted to require air and water, and without one or the other they will die. However, there are plants that can tolerate complete flooding.

Root movement in soil

Roots draw water, air and nutrients through root hairs as they grow both downward and laterally in the soil. Root hairs are concentrated at the outermost edge of the root system, generally in the top soil layers. In dense soils, such as clay, the roots will be closer to the surface, than in a looser, sandier soil.



Plant Adaptations to their Environments

The most limiting factor to good plant growth in Southern California is the availability of water. Plants of different communities have different physical adaptations to the lack of water, including leaf structure, dormancy, and the ability to tap the water table. Lack of supplemental water may certainly be a limiting factor during the plant establishment of this plant community due to the lack of an irrigation system. However, the plant community has an inate ability to become "self-sustaining", and therefore supplemental watering may not be necessary.

Physical structure

The leaves of certain plants express drought adaptations, including size reduction, thick waxy leaves, and silver or white color to reflect the sun. All of these characteristics are designed to help the plant survive the hot sun without loosing too much water to evapo-transpiration. The ultimate leaf adaptation to drought is the cactus thorn, which is actually a leaf.

Dormancy

Some plants are deciduous, losing their leaves in the winter as an adaptation to cold. This is winter dormancy. On the other hand, most california native plants go dormant in the summer as an adaptation to heat and drought. During their dormancy, these plant species stop growing, and some even drop their leaves. They appear to be brown and dying, but if you scrape the stem, the tissue under the bark is still green, still alive. This semi-dormant state of some native species allows them to take quick advantage of any unexpected rainfall.

Water Table

Some california native plants may not go dormant during the summer. These plants are able to survive the hot and dry summers by tapping into the wet soils surrounding the water table which may be 30 feet below the soil surface. However, in extreme drought conditions, or when young plants have not had the time to establish roots that reach the water table, they also have the ability to go semi-dormant and may drop their leaves.

ESTABLISHMENT PROGRAM - (3 to 5 years)

The pinon-juniper woodland plant community needs to become established and self-sustaining within three to five years. To that end the plantings will have to be extensively cared for, nourished and monitored. The success of this planting program is directly related to how the plant community is cared for while the plants are becoming established, coupled with the amount and frequency of naturally occurring rainfall.

The basic needs of all plants are adequate water, nutrients, and light. The plants in this community will tolerate the temperature variations of the site. The establishment program will be responsible for seeing that these needs are met by providing timely and appropriate erosion, pest and disease control, mulching and weeding. Maintenance items, such as checking on insects and diseases will be performed on an initially, weekly basis, or more frequently, as field conditions may dictate. Monitoring the progress of the plant establishment, and being aware of changing environmental conditions and corrective requirements, are also crucial to the plant establishment success. Monitoring the plant establishment on a weekly basis, or more frequently, as field conditions dictate, is also strongly recommended.



WEEDING

Weeds are a major problem in any native planting because they compete with the desirable plants for water, nutrients and light. Weeds can grow very rapidly. If allowed to flower, weeds can disperse millions of seeds that quickly grow and become an overwhelming problem for the generally slower growing native plants, not to mention the maintenance personnel. Therefore, it is important to keep the weeds to a minimum by weeding regularly and removing any flowerheads the instant they are noticed. The key here is to remove all flowering weeds, at once, not a patch here, and maybe a week later another patch, there.

Preventative measures

The best prevention for weeds is a healthy, actively growing crop of desirable plants. Preventing weed seed germination, is very important, because it reduces the growth of a new crop of weeds. Weed seed germination can be prevented by mowing or weed whipping the seed heads off the undesirable plants, in the spring, before they set seed. Certain annuals may have to be mowed, or whipped, repeatedly, as they may continue to flower. Certain pre-emergent herbicides may be used for specific types of weeds, after desirable plant seed has germinated. A Pest Control Advisor should be consulted before using any pre-emergents.

Weed identification

Photographs of predominant weeds found, or that are expected to be found, on the site are included in Appendix 1. These weeds identified in the photographs are species that are non-native, exotic, and considered to be invasive. These species have the ability to reproduce rapidly and out-compete the native species. They should be removed before they reach six inches in height. These photographs should be used as a guide for the field personnel. This guide is intended to be a living document, and as such, any new weed species, identified in the field, it, and its photograph, should also be included in the Appendix.

Weed life cycles

Along with knowing what a weed looks like, it is important to know about the weed life cycles. Annuals, as the name implies will begin and end their life cycles within a twelve month period. Summer annuals, typically germinate in the spring, achieve their full gowth in the summer, and will set seed and die in the fall. Common summer annuals include crabgrass, goosegrass, mustards and marestail. Winter annuals will germinate in the fall, and will become mature by spring, and die come summer. Common winter annual weeds include chickweed and henbit.

Perennials, on the other hand can persist for several years under good growing conditions. These plants depend on storage structures, to survive over the years, such as deep taproots (artichoke thistle), bulbs or nutlets (nutsedge), rhizomes or stolons (bermudagrass). Control of weeds is highly dependent on understanding their lifecycles and specific biology within each life cycle group.

Desirable Plant identification

The desirable plants, have also been photographically identified, and are included in this guide under Appendix B. The establishment and maintenance personnel must be thoroughly familiar with both desirable plants and weed species appearance and life cycle characteristics.



Weeding techniques

Weeding techniques include mechanical, chemical and manual methods. Mechanical weeding methods, i.e., mowing and weed whipping, may be fast, but because of its speed, can also be inaccurate. The operator can fall into a weed whipping "trance" and whip desirable plants along with the weeds. The same holds true for chemical weed control. Manual weed control certainly is slow, and very labor intensive, but giving the operator proper training, this method can be very accurate in sensitive native habitat type plantings.

WEED CONTROL, WEED CONTROL WEED CONTROL!

Native perennial plants typically grow very slowly in the first year. Weed competition, especially competition for sunlight during the seedling stage, is probably the most important reason why seeded projects fail.

It is important to note that any agricultural chemicals applied to the site, must be recommended in writing by a licensed Pest Control Advisor and applied under the supervision of a licensed Pest Control Applicator.

First 2-3 months

Broadleaf weed control: Mustards, fillaree, prickly lettuce, etc.

Control with selective broadleaf herbicideis (still possible): when weeds are small, and the grasses are at the 3 leaf stage

Annual grasses: cereals, annual ryegrass, rip gut brome, etc.

Control: Not much can be done when the annual grasses are still seedlings.

Critical: Prevent annual grasses from setting seed via hand removal, weedwhipping, and/or mowing.

Note: It is critical that mowing and/or weed whipping be accomplished at a height where the weed seed heads are removed, without destroying the desirable native plants in the process. Typically that height is 8"-10".

First Spring

Broadleaf weed control:

Selective herbicides Mowing (weed whip)

Manual (hand) removal

Annual weed grass control:

Mowing (weed whip)



Wick application of herbicides Manual (hand) removal

First Fall

Non-selective broadleaf herbicides

Winter/Spring Second Year

Non-selective broadleaf herbicides - only if serious infestation of invasive species Hand removal

Spring/Summer Second Year

Non-selective broadleaf herbicides - only if serious infestation of invasive species

Third Fall and beyond

Combination of any of the management techniques described.

HERBICIDES AND THE WEEDS THEY CONTROL

It is again important to note that any agricultural chemicals applied to the site, must be recommended in writing by a licensed Pest Control Advisor and applied under the supervision of a licensed Pest Control Applicator. With that in mind, herbicides can be broken down into several classifications: non-selective (kills everything), selective (kills only specific weeds), i.e., kills only certain broadleaf weeds, to non-selective and selective pre-emergent and post-emergent herbicides. Chemicals containing 'glyphosate' are highly recommended because they do not persist in the environment. The portions not absorbed by plants, which falls onto the ground, is immediately neutralized.

Annual broadleaf weeds can be controlled with a pre or post-emergent herbicide. Care must be taken with pre-emergent herbicides, as they do not distinguish between a weed seed and a desirable seed. Post-emergent control of annual broadleaf weeds is generally more effective, and works best when the broadleafs are young and before they flower.

INSECTS AND DISEASES

The landscape manager, or monitor, shall be the responsible person to check the site conditions on each monitoring visit to determine if any plant damaging insect pest, plant pathogenic disease problem or potential cultural problems exist. Any insect or disease, as well as host plants shall be identified. A licensed Pest Control Advisor shall be consulted for the proper control agent, which may be chemical, biological or cultural. A licensed applicator shall be familiar with the label provided for the selected product prior to application. If natural insect or disease predators of the affected plants are present in sufficient numbers, no additional control methods may be necessary.

A general Diagnostic Guide for landscape plants exhibiting nonspecific symptoms is provided in Appendix 2.



On each inspection visit, the monitor shall observe the growing tips, tops, and underside of leaves, stems, trunks, and the bases of plants. If any problems are observed, the source must be determined immediately. Is the problem due to an imbalance of environmental conditions, i.e., sun, soil, and water, or is it due to plant pests such as fungi, bacteria, viruses, insects, birds, rodents or people? Have there been unusual changes in the weather? Is the problem evident on just a few plants, or on many?

Only the most beneficial, and least destructive pest management method shall be used to protect the environment, the other plants, the natural pest predators and the affected plants. The method chosen may range from monitoring only, to the use of chemical or mechanical control, to the extreme of removing any affected plants, to construct enclosures to keep vertebrate pests out. Evaluate the effect of any method chosen in controlling the targeted pest. Look for any long term harmful symptoms in the environment, the planting, natural plant pest predators, beneficial organisms, groundwater and people.

FERTILIZATION

Fertilize only as needed to correct a deficiency, identified through foliar and soil analysis. The generic approach of blanket fertilizing with a 20-20-20 should no longer be used. The objective for fertilizing is to supply nutrients that the plant truly needs in order to achieve a clearly defined objective. Is the plant being fertilized for increased growth? That would be a good objective for young plants, but is it necessary for mature specimen? Fertilizing can cause many problems: insects may become attracted to the higher nutrient content in the leaves, nutrient excess may be detrimental to soil micro-organisms. To determine the type of fertilizer necessary, it is worth the time and effort to have the soil tested for existing fertility levels at a soil testing laboratory, prior to fertilizing. Fertilizing should follow the soil testing labs recommendations.

Sometimes the best fertilizer may be organic matter added to the soil. Soils with a higher organic matter content have the bacteria and other soil micro-organisms important for fixing nitrogen, producing plant growth regulators and deterring root diseases.

When fertilizing follow the directions on the labels carefully. Plants can die from an over-application of the product. Also be aware of weed-and-feed products which can harm roots. The same herbicide that kills broadleaf weeds can be picked up by roots of other plants and can harm or kill broadleaf plants, especially young ones, if applied incorrectly.

REPLACEMENT PLANT MATERIAL AND RESEEDING

Seeded species

Seeded revegetation areas will be assessed on an annual basis, in late summer. If it is determined that supplemental seeding is required, seeding will take place in the fall. Substitute seed shall not be installed unless previously authorized by the Landscape Manager.

TRASH CLEANUP

Trash shall be removed immediately so that it does not become a physical problem, i.e., building up and smothering plants, and also that it does not become an aesthetic, i.e., visual problem.



MONITORING

The purpose of monitoring is to document that the desired plant species are being or have been established, and to identify any shortcomings, or problems, so that timely and appropriate corrective action can be taken. Monitoring will include plant health, presence of invasive, exotic weeds, incidents of insect attacks, outbreak of diseases, growth (height) or the lack thereof, erosion, animal browsing, and vandalism. Monitoring results will be forwarded to the Landscape Manager for action.

Monitoring frequency will be weekly for the first two years, and quarterly thereafter.

At each monitoring point, the general condition of the plantings will be noted. The quality of maintenance, weeding, erosion control, trash pickup and vandalism will also be noted. The monitor will meet with the Landscape Manager, landscape contractor supervisor or foreman, during each visit to review the conditions of the site. A checklist of issues to address before the next site visit will be generated and submitted to the landscape manager for appropriate action. In addition to evaluating the establishment and maintenance factors discussed previously, photographs will be taken from permanently established photo points, to provide a visual record of the establishment progress.

SUPERVISION

An on-going, mandatory, hands-on training program for all maintenance staff, and/or landscape contractors, shall be established. Topics of discussion shall be based on "The Guide". The Guide should be thought of as a living document, it can be added to, or changed as necessary, as experience dictates.

Record keeping

Record keeping is a very valuable tool. It improves the skill of recognizing the relationship of pest, disease, and weed growth to the overall climate in this region, and to the individual micro-climates specific to the site. An unusually cold winter often means fewer pests in the spring. If the onset of a spider mite infestation is recorded, for example, in the next year around that date, the landscape manager should be ready to take the appropriate steps to manage the infestation. The same holds true for herbicide applications. Weather (especially rain), should also be recorded, in order to make appropriate adjustments in the erosion control inspection schedule.

LONG TERM MAINTENANCE - (5 years plus)

If the plant establishment period has been successful, then the plantings will be well on their way to being: "Self-sustaining". At that point, the landscape management focus can shift from one of "establishment" and "nurturing" to actual "maintenance". Maintenance will become routine, and will require a less intensive program. However, all of the above will still apply to a great extent. Landscape maintenance can never be put on "auto-pilot" because a landscape is forever growing and dynamic, subject to the vagaries of climate, from drought to flooding, and insects and diseases, and is impacted, for better or worse, by our management practices.



ADDITIONAL SECTIONS:

SECTION A - Exotic and Invasive Weeds to be removed

SECTION B - Project Plant Identification

SECTION C - Diagnostic Guide for Landscape Plants

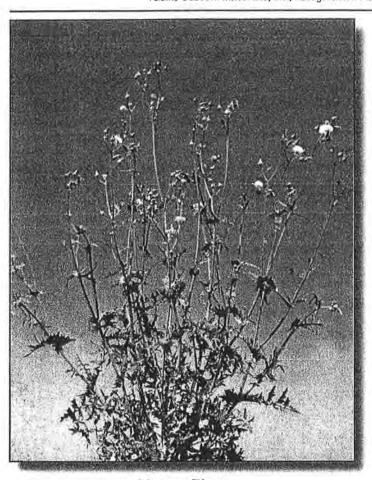
SECTION D - Plant Establishment and Maintenance Monitoring Checklist



SECTION A

EXOTIC AND INVASIVE WEEDS TO BE REMOVED

PLEASE NOTE: THIS LIST OF WEEDS IS INCOMPLETE, AND WEEDS CAN BE ADDED TO, OR REMOVED FROM, THIS LIST AT ANY TIME, AS NEW WEEDS ARE IDENTIFIED OR CERTAIN WEEDS ARE ERADICATED.



Mature Plant

Common Name: Annual Sow Thistle

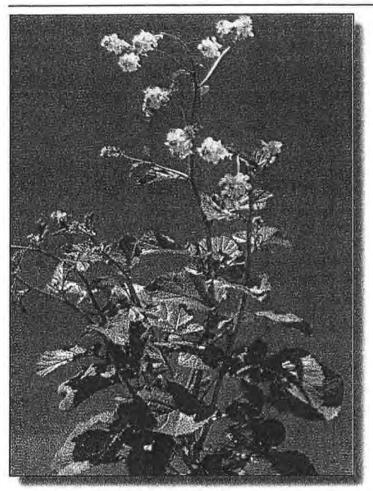
Botanic Name: Sonchus oleraceus

Description: Annual herb, most obvious in summer, can grow three to six feet

tall, milky juice will flow from stem or leaves if cut

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground



Mature Plant

Common Name: Black Mustard

Botanic Name: Brassica nigra

Description: Annual herb, most obvious in spring and summer, can grow two to

six feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground





Mature Plant

Common Name: Cockle Bur

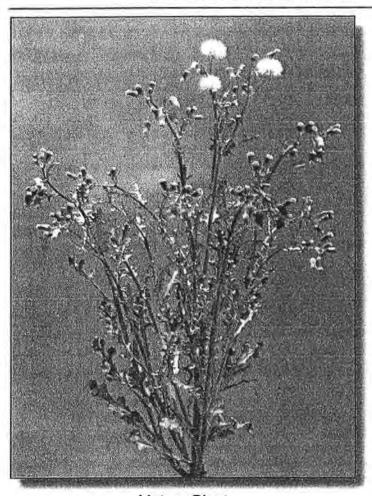
Botanic Name: Xanthium strumarium

Description: Annual herb, invades moist areas, seedling and seed is poisonous,

can grow two to five feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground



Mature Plant

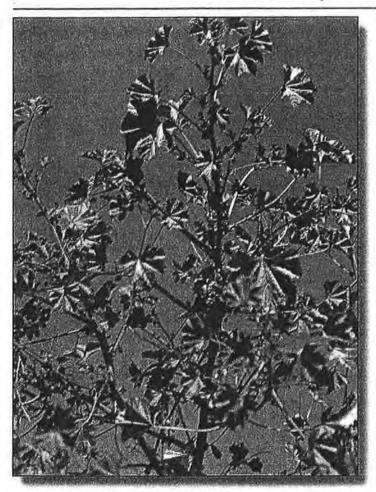
Common Name: Common Groundsel

Botanic Name: Senecio vulgaris

Description: Annual herb, most obvious in winter, can grow to two feet tall

Control: remove before flowering, Broadleaf herbicide, cut root

with spade min. 8" below ground - deep tap root



Mature Plant

Common Name: Little Mallowl, Cheeseweed

Botanic Name: Malva parviflora

Description: Bushy annual, most obvious in summer, but can also persist through

a mild winter, can grow to five feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground





Mature Plant

Common Name: Prickly Lettuce

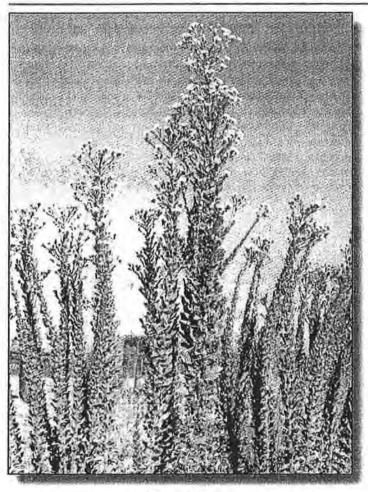
Botanic Name: Lactuca serriola

Description: Annual herb, most obvious in summer, can grow to six feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground





Mature Plant

Common Name: Telegraph Weed

Botanic Name: Heterotheca grandiflora

Description: Annual herb, native to California, most obvious in summer, can grow

to six feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground, very strong tap root

Notes: invasive depending on location, do not allow to go to seed in

ornamental areas, can be tolerated in native areas

project kkgb

Pacific Custom Materials, Inc., Revegetation Plan, Maintenance Manual, January 2006

SECTION B

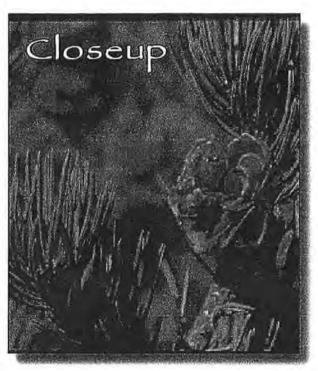
PROJECT PLANT IDENTIFICATION

Page 21



Pinus monophylla Pinon Pine





Design Intent: Very large shrub, small tree

Description: Evergreen shrub, small tree, great character in dry and rocky places.

Cones contain edible seed. Needles 3/4" - 1 1/2", grey green, stiff,carried singly, though "single" needle is two needles pressed

together. Cones: 2", round, brown.

Growth: Very slow, up to 15 ft, with equal spread, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water. Possible Disease Problems: pinon pitch borer, ips, spindle gall midge, black stain root disease,

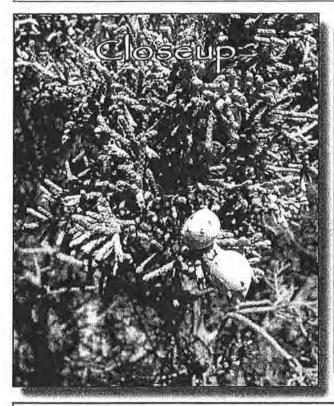
mistletoe.

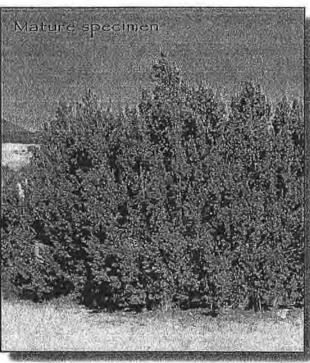
Pruning: Very little, if any, is required. Let adjacent plants

touch, to form one big grouping.



Juniperus californica California Juniper





Design Intent: Very large shrub, small tree

Description: Evergreen shrub, small tree, native to dry climate regions.

Dark green foliage is comprised of scale-like leaves, colorful fruit is

blue-grey in early spring and matures to red-brown

Growth: Slow, mounding to 15 ft, with equal spread, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water. Possible Disease Problems:

juniper aphid, - scale, - shoot borer, - - moth, - webber moth,

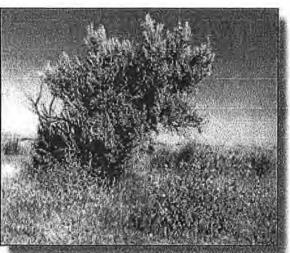
- webworm.

Pruning: Very little, if any, is required.



Artemesia tridentata Great Basin Sage





Mature specimen

Design Intent: Large shrub

Description: Evergreen shrub, native to dry climate regions.

Grey-green foliage is comprised of scale-like leaves,

Growth: Slow, mounding to 5-8 ft, with equal spread, needs full sun.

Provide good drainage, doesn't like standing in water and Maintenance:

soggy soil. Little to moderate water. Very drought tolerant.



Quercus dumosa Scrub Oak



Design Intent: Very large shrub, small tree.

Description: Evergreen shrub, small tree. Typically multi-trunked.

Growth: Very slow, mounding to 9 ft, with equal spread, needs full sun.

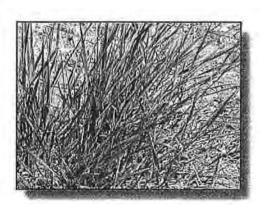
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Elymus glaucus Blue Wildrye





Design Intent: Perennial native grass.

Description: Common in the foothills and lower mountain slopes. Blue-green

coloration.

Growth: Spikes to 2', becoming very stemmy.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, Drought tolerant.



Bromus carinatus California Brome





Design Intent: Native grass groundcover.

Description: Short lived perennial, native, grass.

Growth: Up to three feet, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

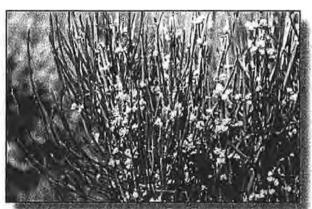
soggy soil. Little to moderate water, very drought tolerant. Good

Short lived perennial, native, grass mycorrhizal host.



Ephedra viridis Mormon Tea





Design Intent: Shrub.

Description: Erect, with numerous bright green or yellowish green broom-like

slender branches.

Growth: One to three feet high, needs full sun. Adapted to desert mountain

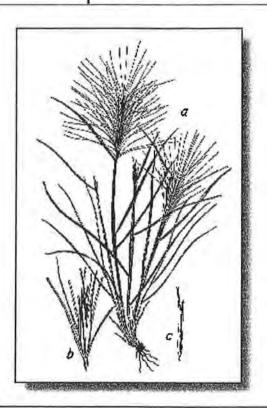
slopes.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Sitanion jubatum Squirreltail



Design Intent: Native grass, groundcover.

Description: Densely tufted perennial, native, grass.

Growth: Up to 18", needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Ceanothus cordulatus Whitethorn





Design Intent: Large Shrub, groundcover.

Description: Much branched, spinescent, with glaucous leaves, which gives the

which gives the plant its grey appearance plant its grey appearance.

Flowers white, in spring, .

Growth: Two to three feet high, up to twelve feet in diameter, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Artostaphylos patula Greenleaf Manzanita



Design Intent: Large Shrub, groundcover.

Description: Erect shrub. Bark reddish brown, leaves bright to yellow green and

glabrous. Flowers pink, in spring.

Growth: Three to seven feet high, needs full sun.

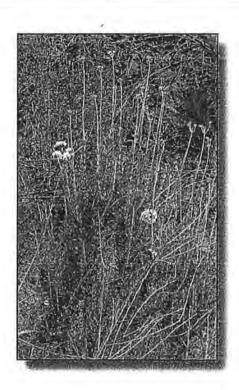
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Eriogonum fasciculatum California Buckwheat





Design Intent: Small Shrub, groundcover.

Description: Semi-erect, evergreen, shrub. Bark reddish brown, leaves bright to

yellow green and glabrous. Flowers pink-white, throughout summer.

Growth: One to three feet high, two to four feet wide, needs full sun.

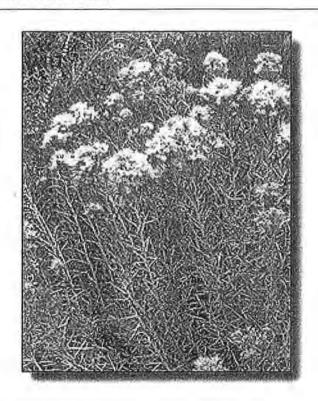
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Chrysothamnus nauseosus Rabbitbrush





Design Intent: Small Shrub, groundcover.

Description: Erect, evergreen, shrub. Stems erect from base, leaves nearly linear.

Brilliant golden-yellow flowers.

Growth: One to seven feet high, needs full sun.

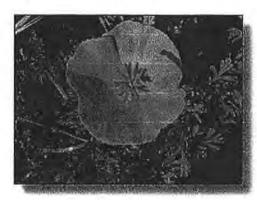
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Eschscholzia californica California Poppy





Design Intent: Small Shrub, groundcover.

Description: Annual, maybe perennial in warmer climate zones. Feathery, highly

dissected leaves, 1-2 foot high stems with golden orange or yellow

flowers. Flowers late spring into fall.

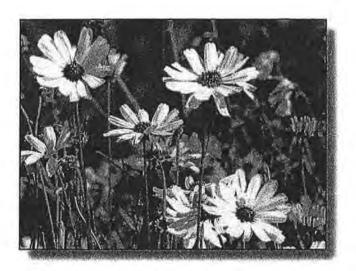
Growth: One to two feet high, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Encelia californica Bush Daisey





Design Intent: Small Shrub, groundcover.

Description: Much branched bushy perennial. Stems woody only at the base.

Common on hillsides and in canyons. Flowers yellow, in spring

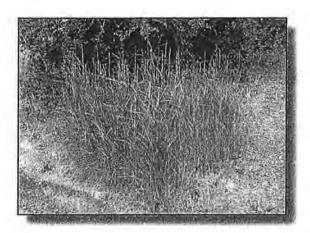
Growth: Two to four feet high, needs full sun.

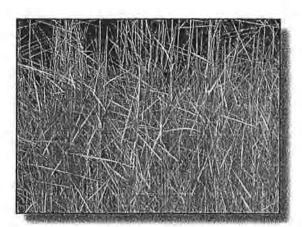
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Elymus triticoides Creeping Wildrye





Design Intent: Native grass, groundcover.

Description: Perennial, by extensive creeping rhizomes. Valuable soil binder.

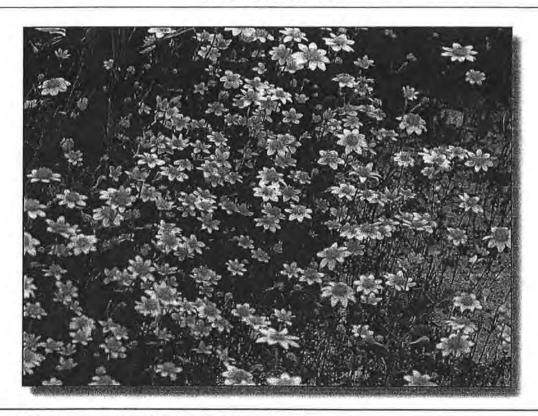
Growth: Up to four feet high, needs full sun. Can form dense stands.

Maintenance: Provide good drainage, will tolerate moisture and

soggy soil. Can survive drought.



Lasthenia californica Goldfields



Design Intent: Small sub-shrub, groundcover.

Description: Annual. Can be self seeding. Erect, evergreen, shrub. Stems erect

from base, leaves nearly linear. Brilliant golden-yellow flowers

in spring.

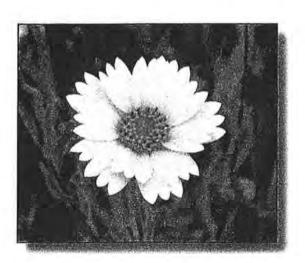
Growth: Six inches high, needs full sun.

Maintenance: Provide good drainage. In moister soil may reach one foot in height.

Drought tolerant.



Layia californica Goldfields





Design Intent: Small Sub-shrub, groundcover.

Description: Tender annual. Flowers yellow and white, spring to early summer.

Growth: Up to twelve inches high, with sprawling, branched stems. Needs full

sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.

Pruning: None.



Eriophyllum confertiflorum Golden Yarrow





Design Intent: Small Sub-shrub, groundcover.

Description: Tender perennial. Herbacious stems from a woody base, leaves and

stems covered in wooly fuzz. Golden flowers, in mid-summer.

Growth: One to two feet high, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

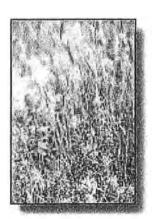
soggy soil. Little to moderate water, very drought tolerant.

Pruning: None.



Hordeum brachyantherum Meadow Barley





Design Intent: Native grass, groundcover.

Description: Tufted perennial grass.

Growth: Up to 18 inches high, needs full sun.

Maintenance: Prefers moist soils, but doesn't like standing in water and

soggy soil.

Pruning: None.



SECTION C

DIAGNOSTIC GUIDE FOR LANDSCAPE PLANTS



SYMPTOMS	POSSIBLE CAUSES
Brown or scorched leaves; progressive dieback or branches.	 A) Poor root health rom poor drainage, excessive soil dryness, excessive fertilizer, compaction and poor water penetration into soils or girdling roots. B) Specific nutrient toxicities or imbalances. C) Excessive heat or light reflected onto leaves from driveway or buildings. D) Pesticide or mechanical injury. E) Air pollution. F) Winter drying. G) Vascular fungal or bacterial infection.
Leaf spots, blotches, blemishes, blisters or scabby spots.	A) Excessive soil dryness coupled with high temperatures. B) Frost injury. C) Chemical spray injury. D) Fungal or bacterial infections. E) Herbicide injury. F) Insect damage.
3. Foliage yellow-green.	A) Insufficient fertilizer or nutrient imbalance. B) Poor root health due to compacted soil, poor drainage or girdling roots. C) Winter drying. D) Root or crown injury. E) Air pollution. F) Soil pH lower than 5.0 or higher than 8.0. G) Herbiclde injury H) Mites or scale.
4. Foliage of one branch dying.	A) Fungal canker. B) Injury. C) Insect damage. D) Winter damage. E) Chemical spray injury.
5. Leaf drop.	A) Poor root health from poor drainage, excessive dryness, excessive fertilizer, compacted soil or girdling roots. B) Heat and drought stress. C) Insect infestation. D) Herbicide injury.
6. Wilting or drooping of foliage.	A) Poor root health from poor drainage, excessive dryness, excessive fertilizer or other soluble salts in the soil, compacted soil, or overwatering. B) Toxic chemical poured into soil. C) Fungal or bacterial infection of vascular system D) Fungal cankers. E) Insect infestation.
7. Leaves with tiny yellow speckling or yellow banding of needles	A) Mite infestation. B) Air pollution. C) Insect infestation. D) Fungal or bacterial infection.
8. Deformed or misshapen leaves.	A) Herbicide injury. B) Late frost or freeze. C) Insect Infestation. D) Anthracnose. E) Spray Injury.



SECTION D

ESTABLISHMENT AND MAINTENANCE MONITORING CHECKLIST

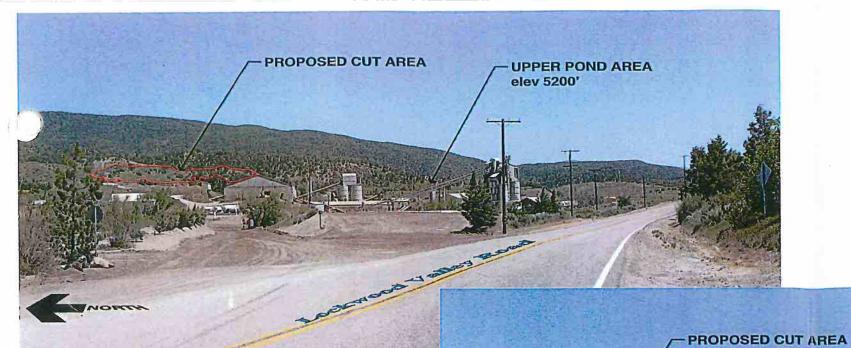


PACIFIC CUSTOM MATERIALS, INC REVEGETATION ESTABLISHMENT AND MAINTENANCE MONITORING CHECKLIST

DATE:	TIME:	WEATHER:	
GERMINANT S	PECIES OBSERVED:		
MATURE SPEC	CIES OBSERVED:		
WEEDS OBSE	RVED:		
ш		-	
INSECTS:			
DISEASE:			
EROCION:			
EROSION:			_
MULCH:	1.		_
WIGECI II			
HERBICIDE US	SED/RECOMMENDED:		
	- L		
			- 1
REPLACEMENT	T.PLANTS/SEED (ESTIM	IATE):	
	F		
TRASH:			
OBSERVED BY	Y:		

ATTACHMENT 8

Visual Renderings



Existing Condition



Post-Mining with Structures Intact



Post-Mining with Full Growth Mitigation

UPPER POND AREA elev 5200'

NEGATIVE DECLARATION (ND) ADDENDUM FOR ARCOSA FRAZIER PARK RECLAMATION PLAN AMENDMENT CASE NO. PL23-0039, CA MINE ID# 91-56-0001

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

- **1. Entitlement:** Reclamation Plan Amendment (RPA) for Conditional Use Permit (CUP) 212
- 2. Applicant/Property Owner: Arcosa LWFP, LLC.
- 3. Location: 17410 East Lockwood Valley Road, Frazier Park, California, 93225
- **4. Tax Assessor's Parcel Numbers:** 004-0-030-220, 004-0-030-180, 004-0-190-140, and 004-0-030-200
- 5. Lot Size: 357.7 acres
- 6. General Plan Land Use Designation: Open Space
- **7. Zoning Designation:** OS-160 ac (Open Space, 160-acre minimum lot size)
- **8. Project Description:** The applicant requests that a Reclamation Plan Amendment (RPA) be approved to authorize changes in the final reclaimed configuration of the Arcosa Mine.

The current approved Reclamation Plan for the Arcosa Mine is comprised of the 2010 Reclamation Plan (Exhibit 8) and CUP 212 (Exhibit 9). The proposed RPA (Exhibit 3) would allow the mining pit to be deepened by approximately 60 vertical feet from 5170 feet above mean sea level (amsl) to 5110 amsl; the existing mine footprint and disturbance area will not change. The change in the mining pit bottom would also eliminate positive drainage offsite, allowing stormwater to be captured within the mining pit that would naturally evaporate over time. The volume of additional material to be extracted is estimated to be 700,000 bank cubic yards, or approximately 1.1 to 1.3 million tons of material (assuming an average density of 1.6 to 1.9 tons/cubic yard). Mined materials will continue to be processed at the on-site plant; no changes to the existing processing facility are proposed. End of mine date to remain January 18, 2045.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On August 18, 1953, the County Planning Commission granted CUP 212. The original project approval was prior to the enactment of California Environmental Quality Act (CEQA) and therefore, the project did not undergo CEQA review. In 2006, the Ventura County Planning Director approved LU06-0045, an amendment to the Reclamation Plan, and adopted a Negative Declaration (ND) for the project. The ND analyzed the environmental impacts of a 21-acre expansion to the mine footprint and a change in mining depth from 70 vertical feet below ground level to approximately 110 vertical feet below ground level.

County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 4 - Addendum to Negative Declaration

ND Addendum Case No. PL23-0039 July 31, 2025 Page 2 of 3

The Initial Study included a review of potential impacts on the environment in the issue areas of biological resources, water resources, scenic resources, air quality, and community character. The finding was made that the 21-acre expansion of the mine would not have a significant effect on the environment. Therefore, the ND was the appropriate CEQA document.

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may adopt an addendum to an adopted ND if: (1) only minor technical changes or additions are necessary; and (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent Environmental Impact Report (EIR) or negative declaration have occurred.

The conditions described in Section 15162 of the CEQA Guidelines which require the preparation of an EIR or subsequent negative declaration, are provided below, along with a discussion as to why an EIR or subsequent negative declaration is not required:

1. Substantial changes are proposed in the project which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [Section 15162(a)(1)].

There are no substantial changes to the RPA that would require major revisions to the previously adopted ND. The project only involves the deepening of the mining pit bottom by approximately 60 feet. The only change to the current ND is the removal of the requirement to maintain offsite drainage after reclamation. A thorough biological assessment was conducted to confirm that the removal of offsite drainage would not have a significant effect on the environment (Exhibit 3 to the July 31, 2025, staff report for PL23-0039).

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [Section 15162(a)(2)].

The circumstances under which the potential impacts to the environment were evaluated have not substantially changed such that the proposed RPA will require major revisions to the ND. New potentially significant environmental effects have not been identified that would result from the proposed project. The proposed RPA will not create any new impacts that were not previously analyzed in the ND. Thus, major revisions of the previous ND are not required.

- 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Planning Director adopted the previous ND, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous ND [Section 15162(a)(3)(A)].

No new information that was unknown and could not have been known has become available that provides evidence of an environmental impact that is not discussed in the previous ND. The environmental conditions that currently exist on site are substantially the same as those that existed at the time at which the ND was adopted. Therefore, the deepening of the mine pit bottom by approximately 60 feet will not create any significant effects that were not discussed in the previous ND.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent ND. The decision-making body shall consider this addendum to the adopted ND prior to making a decision on the project.

C. PUBLIC REVIEW:

Pursuant to the CEQA Guidelines [Section 15164(c)], this addendum to the ND does not need to be circulated for public review, and shall be included in, or attached to, the adopted ND.

Prepared by:

Thomas Chaffee

Thomas Chaffee, Case Planner Commercial/Industrial Permits Section Ventura County Planning Division Reviewed by:

John Novi, Manager Commercial/Industrial Permits Section Ventura County Planning Division

Permittee: Arcosa LWFP, LLC. Location: 17410 E. Lockwood Valley Rd. Page 1 of 3

EXHIBIT 5

CONSISTENCY WITH THE GENERAL PLAN FOR ARCOSA FRAZIER PARK RECLAMATION PLAN AMENDMENT (RPA), CASE NO. PL23-0039

The Ventura County General Plan Goals, Policies and Programs (2020, page 1-1) states:

All area plans, specific plans subdivision, public works projects, and zoning decisions must be consistent with the direction provided in the County's General Plan.

Furthermore, the Ventura County Non-Coastal Zoning Ordinance (NCZO) Section 8111-1.2.1.1a.a. states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

The proposed project is for a Reclamation Plan Amendment (RPA) to authorize changes in the final reclaimed configuration of the Arcosa Frazier Park Mine.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs*.

1. LU-16.1 Community Character and Quality of Life: The County shall encourage discretionary development to be designed to maintain the distinctive character of unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses.

<u>Staff Analysis</u>: The proposed RPA will not result to any changes in the current mining activities on site and only changes the final reclaimed configuration of the site once mining activities come to an end. The character of the surrounding community will remain unchanged and is compatible with the neighboring uses. Additionally, completion of reclamation pursuant to the amended Reclamation Plan would revegetate the site and stabilize slopes to return the mine site back to open space.

Based on the discussion above, the proposed project is consistent with General Plan Policy LU-16.1.

2. COS-1.1 Protection of Sensitive Biological Resources: The County shall ensure that discretionary development that could potentially impact sensitive biological resources be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures that fully account for the impacted resource. When feasible, mitigation measures should adhere to the following priority: avoid impacts, minimize impacts, and compensate for impacts. If the

County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 5 – General Plan Consistency Analysis

General Plan Consistency for RPA PL23-0039
Date of Public Hearing: July 31, 2025
Date of Approval:

impacts cannot be reduced to a less than significant level, findings of overriding considerations must be made by the decision-making authority.

Permittee: Arcosa LWFP, LLC.

Page 2 of 3

Location: 17410 E. Lockwood Valley Rd.

<u>Staff Analysis</u>: The proposed RPA involves allowing the deepening of the mining pit and eliminating the drainage from the pit once reclaimed. The proposed project has been evaluated by a qualified biologist to assess any impacts that may occur with the elimination of the drainage (Exhibit 3). After review of the RPA by the qualified biologist, it has been determined that no adverse impacts would occur with the elimination of the drainage and allowing any water to evaporate and percolate naturally.

Based on the discussion above, the proposed project is consistent with General Plan Policy COS-1.1.

3. COS-1.6 Discretionary Development on Hillsides and Slopes: The County shall require discretionary development on hillsides and slopes, which have an average natural slope of 20 percent or greater in the area where the proposed development would occur, to be sited and designed in a manner that will minimize grading, alteration of natural land forms, and vegetation removal to avoid significant impacts to sensitive biological resources to the extent feasible.

<u>Staff Analysis</u>: Implementation of the proposed RPA will not result in development on hillsides and slopes. The RPA constitutes a plan for reclaiming the lands disturbed by authorized mining activities to revegetate the site and stabilize slopes to return the mine site back to open space. No new adverse effect on biological resources has been identified that would result from RPA implementation.

Based on the discussion above, the proposed project is consistent with General Plan Policy COS-1.6.

- **4. COS-3.1 Scenic Roadways:** The County shall protect the visual character of scenic resources visible from state or County designated scenic roadways.
 - COS-3.6 Open Space Character: The County shall require discretionary development outside of Existing Communities be planned and designed to maintain the scenic open space character of the surrounding area, including view corridors from highways. Discretionary development should integrate design, construction, and maintenance techniques that minimize the visibility of structures from public viewing locations within scenic vistas.

<u>Staff Analysis</u>: The proposed RPA is for a mining site located outside of an Existing Community and the implementation of the project will maintain the scenic open space character of the area. The project is for amending the approved Reclamation Plan to allow for a deepening of the existing mine pit and no portion of the

General Plan Consistency for RPA PL23-0039 Date of Public Hearing: July 31, 2025 Date of Approval:

deepened mine pit is visible from offsite viewpoints. The existing mining operations on site will remain unchanged.

Permittee: Arcosa LWFP, LLC.

Page 3 of 3

Location: 17410 E. Lockwood Valley Rd.

Based on the discussion above, the proposed project is consistent with General Plan Policy COS-3.6.

5. COS-6.1 Balanced Mineral Resource Production and Conservation: The County shall balance the development and conservation of mineral resources with economic, health, safety, and social and environmental protection values.

<u>Staff Analysis</u>: The proposed RPA will allow the deepening of the mine for the extraction of additional mineral resources without expanding the existing mining use or infrastructure. The deepening of the mining pit will not require any additional equipment and will not have an adverse impact on economic, health, safety, or social and environmental protection values.

Based on the discussion above, the proposed project is consistent with General Plan Policy COS-6.1.

- 6. WR-2.1 Identify and Eliminate of Sources of Water Pollution: The County shall cooperate with Federal, State and local agencies in identifying and eliminating or minimizing all sources of existing and potential point and non-point sources of pollution to ground and surface waters, including leaking fuel tanks, discharges from storm drains, dump sites, sanitary waste systems, parking lots, roadways, and mining operations.
 - WR-2.2 Water Quality Protection for Discretionary Development: The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste, and other contaminants into surface runoff, drainage systems, surface water bodies, and groundwater. In addition, the County shall evaluate the potential for discretionary development to limit or otherwise impair later reuse or reclamation of wastewater or stormwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm water treatment, runoff reduction measures, best management practices, and low impact development.

<u>Staff Analysis</u>: The proposed RPA does not involve an increase in water demand. The RPA will allow for the deepening the existing mine pit by approximately 60 feet and eliminate the offsite drainage from the mine pit. The project has been reviewed and conditioned by Public Works and determined not to have an adverse impact on wastewater or stormwater.

Based on the discussion above, the proposed project is consistent with General Plan Policy WR-2.1 and WR-2.2.

Permittee: Arcosa LWFP, LLC.
Location: 17410 E. Lockwood Valley Road
Page 1 of 4

EXHIBIT 6

CONSISTENCY WITH THE VENTURA COUNTY NON-COASTAL ZONING ORDINANCE SPECIAL USE STANDARDS FOR ARCOSA FRAZIER PARK RECLAMATION PLAN AMENDMENT, CASE NO. PL23-0039

Pursuant to the requirements of Section 8105-4 of the Ventura County Non-Coastal Zoning Ordinance (NCZO), the proposed project is subject to the Special Use Standards of the Mineral Resource Development pursuant to Section 8107-9 of the NCZO.

The conformance of the proposed project with the applicable guidelines and standards is evaluated in the table below.

Special Use Standard	In conformance?
Section 8107-9.5.1: All mining and reclamation shall be consistent with the County General Plan, the Ventura County Water Management Plan, and the state Surface Mining and Reclamation Act of 1975 (SMARA), as amended, and State policy adopted pursuant to SMARA.	Yes. As discussed in Exhibit 5 of the staff report, the proposed RPA is consistent with the relevant policies of the General Plan. Refer to Section E of the Staff Report regarding the conformance of the RPA with Surface Mining and Reclamation Act (SMARA). According to the California Division of Mine Reclamation (DMR) and the County Planning Division, the RPA has been prepared in accordance with SMARA and the State Mining and Geology Board (SMGB) reclamation regulations.
Section 8107-9.5.4: All surface mining activities shall strike a reasonable balance with other resource priorities such as water, farmland, fish and wildlife and their habitat, groundwater recharge, sediment for replenishment of beaches and the protection of public and private structures and facilities.	Yes. With the granting of Conditional Use Permit 212, the Board of Supervisors balanced the operation of the Arcosa Frazier Park Mine with the economic, health, safety and social and environmental protection values. Approval and implementation of the proposed RPA will not exacerbate the adverse effects of the ongoing surface mining activities authorized at the subject facility. The proposed RPA would result in the entirety of the mined lands to be subject to current mine reclamation standards set forth in SMARA and the State Mining and Geology Board reclamation regulations.
Section 8107-9.5.7: Appropriate and reasonable monitoring and enforcement measures shall be imposed on each mining operation which will ensure that all permit conditions, guidelines and standards are fulfilled.	Yes. The subject mining operation will be subject to mandatory annual site inspections for SMARA compliance and periodic condition compliance review.
Section 8107-9.5.8: Reclamation of a site shall include the removal of equipment and facilities and the restoration of the site so that it is readily adaptable for alternate land use(s) which is consistent with the approved reclamation plan as well as the existing and proposed uses in the general area. Reclamation shall be conducted in phases on an ongoing basis, where feasible.	Yes. The proposed amended Reclamation Plan includes the removal of equipment and facilities, and reclamation of the site consistent with SMARA standards. The proposed Reclamation Plan Amendment includes phased reclamation of the site.

County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 6 – Non-Coastal Zoning Ordinance Special Use Standards

Location: 17410 E. Lockwood Valley Road Date of Public Hearing: July 31, 2025 Page 2 of 4

Permittee: Arcosa LWFP, LLC.

Special Use Standard	In conformance?
Section 8107-9.6.1: Projects shall be located, designed, operated and reclaimed so as to minimize their adverse impact on the physical and social environment, and on natural resources. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts, traffic impacts and other factors of nuisance and annoyance, erosion, and flooding shall be minimized or eliminated through the best accepted mining and reclamation practices, applicable to local conditions, which are consistent with contemporary principles and knowledge of resource management, storm water quality, groundwater quality and quantity, flood control engineering and flood plain management.	Issues involving traffic, aesthetics, dust, noise, lighting, groundwater, and flood control are addressed in the proposed amended Reclamation Plan (Exhibit 3) and in conditions of approval (Condition Nos. 2, 15, 16 and 21) The proposed Reclamation Plan Amendment has been found by County and State staff to meet SMARA performance standards for slope stability, revegetation, erosion control and restoration of wildlife habitat.
Section 8107-9.6.3: Mining operations and their accessory uses, access roads, facilities, stockpiling of mineral resources and related mining activities shall be consistent with current engineering and public works standards and in no case shall obstruct, divert, or otherwise affect the flow of natural drainage and flood waters so as to cause significant adverse impacts, except as authorized by the Public Works Agency.	Yes. The engineering practices utilized as part of the existing mining operation will not change with implementation of the proposed RPA. As indicated in the proposed Reclamation Plan Amendment, the site will be reclaimed in accordance with the performance standards for drainage, erosion control and slope stability established in the SMGB reclamation regulations.
Section 8107-9.6.4: Contaminants, water run-off and siltation shall be controlled and generally contained on the project site so as to minimize adverse off-site impacts.	Yes. Pursuant to Condition No. 19, the mine operator is required to comply with NPDES and State stormwater regulations. As indicated in the proposed Reclamation Plan Amendment, the site will be reclaimed in accordance with the performance standards for drainage, erosion control and slope stability established in the SMGB reclamation regulations.
Section 8107-9.6.9: No mining permit shall be approved without an approved reclamation plan, unless it is exempted from said reclamation plan by the State Department of Conservation. Where reclamation plans are not processed concurrently with a discretionary land use entitlement, at least one noticed public hearing on the reclamation plan must be held prior to its approval. Such reclamation plans are subject to all rights of appeal associated with permit approval. All reclamation plans	Yes. The RPA has been reviewed by staff of the County Planning Division and by the California Department of Conservation, Division of Mine Reclamation. These agencies have found the RPA to be in conformance with the Ventura County Non-Coastal Zoning Ordinance, SMARA, and the State Mining and Geology Board reclamation regulations. The proposed RPA is compatible with the existing geological and topographic features the area. The

RPA PL23-0039 Location: 17410 E. Lockwood Valley Road Date of Public Hearing: July 31, 2025 Page 3 of 4

Special Use Standard

must be found to be consistent with and approved in accordance with: the Ventura County Zoning Ordinance, as amended; the provisions of SMARA (Public Resource Code (PRC) Section 2710 et seq.), PRC Section 2207, and State regulation Title 14 California Code of Regulations (CCR) Section 3500 et seq., as amended; the regulations, guidelines and other measures adopted by the State Mining and Geology Board; Ventura County Public Works Agency standards; any and all locally adopted resource management goals and policies; and compatible with the existing geological and topographical features of the area. Additional considerations, such as the following, shall also be addressed in the reclamation plan and permit:

- a. The creation of safe, stable slopes and the prevention of subsidence;
- b. Control of water run-off and erosion;
- c. Views of the site from surrounding areas;
- d. Availability of backfill material;
- e. Proposed subsequent use of the land which will be consistent with the General Plan and existing and proposed uses in the general area;
- f. Removal or reuse of all structures and equipment:
- g. The time frame for completing the reclamation;
- h. The costs of reclamation if the County will need to contract to have it performed;
- i. Revegetation of the site;
- j. Phased reclamation of the project area;
- k. Provisions of an appropriate financial assurance mechanism to ensure complete implementation of the approved reclamation plan.

In conformance?

technical reports included in the RPA document that the proposed final slope configuration will be stable.

Permittee: Arcosa LWFP, LLC.

Each of the specific additional considerations listed in NCZO Section 8107-9.6.9 (items a. through k) are addressed in the proposed RPA (Exhibit 3).

Section 8107-9.6.10: All equipment, except that which is required to complete the reclamation plan, and all facilities and structures on the project site, except those approved for retention in support of the authorized "end use", shall be removed from the site in accordance with the reclamation plan, within 180 days after the termination of the use, unless a time extension is approved by the Planning Director.

Yes

Removal of mining equipment is incorporated into the proposed Reclamation Plan Amendment. The timing of removal is consistent with this standard.

RPA PL23-0039 Location: 17410 E. Lockwood Valley Road Date of Public Hearing: July 31, 2025 Page 4 of 4

In conformance?

Special Use Standard

Yes

Section 8107-9.6.17: Monitoring of the permit or aspects of it may be required as often as necessary to ensure compliance with the permit conditions. In any case, the permit and site shall be reviewed and inspected by the Planning Division or its contractors at least once a year. The purpose of said review is to ascertain whether the permittee is in compliance with all conditions of the permit and current SMARA requirements and whether there been significant changes environmental conditions, land use or mining technology, or if there is other good cause which would warrant the Planning Director's filing of an application for modification of the conditions of the permit.

Annual inspections of the site are ongoing and mandated by SMARA and the SMGB Regulations. Thus, the site will be monitored for compliance with the approved Reclamation Plan. The Planning Director has the authority to increase the frequency of inspections if warranted by conditions observed on the site.

Permittee: Arcosa LWFP, LLC.

Section 8107-9.6.20: Performance bonds or other securities may be imposed on any permit to ensure compliance with certain specific tasks or aspects of the permit. The amount of the security shall be based upon the actual anticipated costs for completing the subject task if the County were forced to complete it rather than the permittee. The performance security may be posted in phases as tasks are undertaken or required to be completed.

Yes.

The mine operator is required to post a Financial Assurance with the State and County to assure reclamation of the site in conformance with the applicable approved Reclamation Plan. The required Financial Assurance is subject to annual review and adjustment by the County.

Section 8107-9.6.21: The permittee shall maintain, for the life of the permit, liability insurance of not less than \$500,000 for one person and \$1,000,000 for all persons, and \$2,000,000 for property damage, unless the Ventura County Risk Management Agency deems higher limits are necessary. This requirement does not preclude the permittee from being self-insured.

Yes.

Insurance requirements consistent with this standard are maintained by the operator.

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 1 of 11

EXHIBIT 7

DRAFT CONDITIONS OF APPROVAL FOR ARCOSA FRAZIER PARK, RECLAMATION PLAN AMENDMENT PL23-0039

Please note the following abbreviations are used throughout this document: Ventura County Non-Coastal Zoning Ordinance – NCZO Reclamation Plan Amendment – RPA California Environmental Quality Act – CEQA

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

I. Planning Division Conditions

1. Project Description

This RPA is based on and limited to compliance with the project description stated in this condition below, Exhibits 2-10 of the Planning Director hearing July 31, 2025, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

The proposed amendment to the existing Reclamation Plan will deepen the existing mining pit by approximately 60 vertical feet. Arcosa proposed to change the permitted pit bottom from 5170 feet about mean sea level (AMSL) to 5110 AMSL; the existing mine footprint and disturbance area will not change. The change in the mining pit bottom would also eliminate positive drainage offsite, allowing stormwater to be captured within the mining pit that would naturally evaporate over time. The volume of additional material to be extracted is estimated to be 700,000 bank cubic yards, or approximately 1.1 to 1.3 million tons of material (assuming an average density of 1.6 to 1.9 tons/cubic yard). Mined minerals will continue to be processed at the on-site plant; no changes to the existing processing facility are proposed.

The Amendment would be implemented concurrently with ongoing mining operations and would not extend the currently approved mine life, which is permitted through 2046. Additionally, this amendment does not proposed any changes to the existing processing facilities, CUP, reclamation methods, or end use of the mine.

County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 7 – Conditions of Approval

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 2 of 11

2. Site Maintenance

Purpose: To ensure that during reclamation that the Project site is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside of the Project site.

Requirement: During reclamation the Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout reclamation of the mine.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the NCZO.

3. RPA Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in the Reclamation Plan or these conditions, the Permittee shall first contact the Planning Director to determine if the proposed activity requires a modification of this RPA. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the proposed activity in order to determine if RPA modification is required. If RPA modification is required, the modification shall be subject to:

- The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Sections 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387), as amended from time to time.

4. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this RPA and/or commencement of reclamation under this RPA shall constitute the Permittee's formal agreement to comply with all conditions of this

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 3 of 11

RPA. Failure to abide by and comply with any condition of this RPA shall constitute grounds for enforcement action provided in the NCZO (Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the RPA conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Forfeiture of the financial assurance for the mine.

The Permittee is responsible for being aware of and complying with the RPA conditions and all applicable federal, state, and local laws and regulations.

5. Time Limits

The approval decision for this RPA becomes effective upon the expiration of the 10-day appeal period following the approval date on which the Planning Director, or when any appeals of the decision are finally resolved.

6. <u>Documentation Verifying Compliance with Other Agencies' Requirements Related to</u> this RPA

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this RPA.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this RPA) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

Documentation: The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

Timing: The documentation shall be submitted to the Planning Division.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

Conditions for RPA PL23-0039 Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001)

Date of Public Hearing: July 31, 2025

Date of Approval: Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001)

Location: 17410 E. Lockwood Valley Road, Frazier Park

Page 4 of 11

7. <u>Financial Responsibility for Compliance Monitoring and Enforcement</u>

- a. Cost Responsibilities: The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the NCZO (Section 8114-3) related to this RPA. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. Pursuant to the requirements of CUP 212, the Resource Management Agency created Condition Compliance Case No. CC06-0274 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP 212. The Planning Division will continue to use Condition Compliance Case No. CC06-0274 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 7.a (above), and any duly-imposed civil administrative penalties regarding this RPA.

Within 10 calendar days of the effective date of the final decision approving this RPA, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC06-0274, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

c. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or forfeiture of the financial assurance for the mine. The Permittee shall have the right to challenge any charge or penalty prior to payment.

8. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 5 of 11

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this RPA, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 7 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

9. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this RPA. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this RPA, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 6 of 11

shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

d. Neither the issuance of this RPA, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this RPA serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

10. Invalidation of Condition(s)

If any of the conditions or limitations of this RPA are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining RPA conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this RPA, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This RPA shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this RPA, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this RPA may be further modified and may include forfeiture of the financial assurance for the mine.

11. Relationship of RPA Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any RPA condition contained herein is in conflict with any other RPA condition contained herein, when principles of law do not provide to the contrary, the RPA condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this RPA for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this RPA, nor

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 7 of 11

compliance with the conditions of this RPA, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

12. Change of Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of Permittee.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this RPA.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of Section 8114-3 of the NCZO.

13. Archaeological and Paleontological Resources

In the event that archaeological or paleontological remains or artifacts are encountered during reclamation activities expressly described in these conditions or applicable exhibits, the Operator shall implement the following procedures:

- a. If any archaeological or historical artifacts are uncovered, the Operator shall:
 - Cease operations and assure the preservation of the area in which the discovery was made;
 - (2) Notify the Planning Director in writing, within three days of the discovery;

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 8 of 11

- (3) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site; and,
- (4) Obtain the Planning Director's written concurrence of the recommended disposition before resuming those reclamation activities.
- b. If any human burial remains are encountered, the Operator shall:
 - (1) Cease operations and assure the preservation of the area in which the discovery was made;
 - (2) Immediately notify the Sheriff and the Planning Director;
 - (3) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site; and,
 - (4) Obtain the Planning Director's written concurrence of the recommended disposition before resuming those reclamation activities.
- c. If any paleontological remains are uncovered, the Operator shall:
 - Cease operations and assure the preservation of the area in which the discovery was made;
 - (2) Notify the Planning Director in writing, within three days of the discovery;
 - (3) Obtain the services of a County-approved paleontologist who shall assess the find and provide recommendations on the proper disposition of the site; and,
 - (4) Obtain the Planning Director's written concurrence of the recommended disposition before resuming those reclamation activities.

14. Minimizing Nuisance Impacts and Setbacks from Agricultural Uses:

The Operator shall take whatever reasonable steps are necessary, as determined by the Planning Director, to prevent significant nuisance impacts from occurring outside the Reclamation Plan area during the reclamation phase.

Significant nuisance impacts include, but are not limited to, noise, dust, odors, lighting, and glare. In order to determine the significance of the nuisance, the Planning Director may consider the number and types of neighbor complaints, and conduct inspections of

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 9 of 11

the site and surrounding areas. Any questions about what constitutes significant off-site nuisance levels shall be resolved by the Planning Director or other public agency (e.g., the Air Pollution Control District) as the Planning Director may designate.

Environmental Health Division (EHD) Conditions

15. <u>Hazardous Materials/Waste Management (CUPA Permit Required)</u>

Purpose: To comply with the California Code of Regulations Title 22, Division 4.5, California Health and Safety Code chapter 6.95; and Ventura County Ordinance Code, and to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste.

Requirement: The Permittee shall submit a Hazardous Materials Business Plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid). If hazardous wastes are generated, an EPA ID number issued by the California Department of Toxic Substances Control must be obtained and maintained in active status. Wastes identified as "non-hazardous" may require waste determination analysis to confirm if wastes are listed hazardous wastes, exhibits a hazardous characteristic through testing, or application of general knowledge.

Documentation: A completed HMBP must be submitted to the Ventura CUPA electronically through the California Environmental Reporting System (CERS). Maintain all records of hazardous waste determination testing and disposal and make available for review by this Ventura CUPA staff upon request.

Timing: HMBP must be submitted through CERS annually, and whenever there is a change to the type, quantity, or location of the hazardous materials. EPA ID number must be renewed annually.

Monitoring and Reporting: Verification of hazardous materials inventory as well as ongoing compliance with requirements shall be accomplished through field inspection by Ventura CUPA staff. Additional information on the storage and handling requirements for hazardous materials and wastes may be found on the Ventura County Environmental Health Division/Certified Unified Program Agency website: https://vcrma.org/cupa

16. General Vector Control – Mosquito Breeding

Purpose: To ensure site does not contribute to the harborage and/or breeding of potential vectors of disease or create a public nuisance.

Requirement: Manage standing water onsite so it will not create mosquito breeding sources.

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001)
Location: 17410 E. Lockwood Valley Road, Frazier Park
Page 10 of 11

Timing: The Permittee shall maintain the Project site so as not to contribute to the harborage and/or breeding of mosquitos, nor the creation of a public nuisance throughout the life of the Project.

Monitoring: Ventura County Environmental Health Division (EHD) staff respond to, and maintain records of, any complaints received which relate to mosquito breeding at the site.

17. Existing OWTS General Notice

Purpose: To demonstrate compliance with State and local regulations related to the design and installation of an onsite wastewater treatment system (OWTS). Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance may be discharged into the on-site sewage disposal system.

Requirement: Permittee shall maintain all OWTS components in good working order to prevent system failure and creation of a public nuisance. Permittee is required to obtain the approval of the Ventura County Environmental Health Division (EHD) prior to changing and/or modifying the OWTS, repairing components of the OWTS, expanding the footprint of a structure, adding plumbing fixtures, or adding a new structure.

Ongoing Maintenance: Once the OWTS has been installed and finalized by EHD, it is the owner's responsibility to properly maintain the system to prevent OWTS failure or an unauthorized sewage release, and from creating a public nuisance, health concern, or impact the environment. The septic tank shall be serviced, as needed, by a septic pumper truck registered and permitted by Ventura County EHD, and all pumping activities shall be reported to EHD. All septage wastes must be disposed of in an approved manner. EHD staff will also receive and respond to any complaints related to OWTS and/or unauthorized sewage releases.

PUBLIC WORKS AGENCY (PWA)

Watershed Protection District (WPD) Conditions

Groundwater Program Section

18. Abandoned Well

Purpose: To comply with Ventura County Ordinance 4468, Section 4819 Destruction of Abandoned Wells and Ventura County General Plan Policies WR-2.2, WR-2.3, WR-4.2, and WR-4.5 to verify that the project shall not significantly impact the quantity or quality of water resources.

Requirement: Pursuant to Ventura County Ordinance 4468, Section 4819, the Permittee shall obtain a well destruction permit from the Ventura County Public Works Agency and destroy State Well Number 08N20W19L01S, if found, located or encountered. If the Permittee does not wish to destroy the abandoned well, the well can be returned to active status per Section 4820 of the Ordinance.

Permittee: Arcosa LWFP, LLC. (Mine ID 91-56-0001) Location: 17410 E. Lockwood Valley Road, Frazier Park Page 11 of 11

Timing: The Permittee shall obtain a well destruction permit and destroy the well or return the abandoned well to active status.

Monitoring and Reporting: The Ventura County Public Works Agency shall observe destruction and sealing of the well and prepare a well seal inspection report, which shall be provided to the Case Planner and maintained on file by the Ventura County Public Works Agency. If the well is to be returned to active status, a well inspection report must be prepared and submitted by a registered well inspector as required by Section 4817.

19. NPDES Permit

The applicant must provide proof of filing for the Waste Discharge Requirements for Discharges of Stormwater Associated with Industrial Activities Excluding Construction Activities, NPDES Permit No. CAS 000001 (General Industrial Stormwater Permit). Applicant shall provide the Water Quality Section with a copy of the Notice of Intent (NOI) for coverage under such NPDES permit.

20. Groundwater Level Determinations

The maximum depth of any excavations must maintain at least 10 feet of clearance above historical high groundwater levels. Applicant shall provide geological cross sections, exploratory soil borings to adequate depths and/or site contour maps for review and approval prepared by a California Licensed Professional Geologist or Engineer to show where these groundwater levels are in relation to the deepest planned excavation elevations.

Ventura County Air Pollution Control District (APCD) Conditions

21. All project construction and site preparation operations shall be conducted in compliance with all applicable Ventura County APCD Rules and Regulations with an emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), and will as Rule 10 (Permits Required).

ATTACHMENT 1 RECLAMATION PLAN FIGURES

Figure 1 – Vicinity Map

Figures 2a and 2b - Ventura County Assessors Parcel Maps (to be prepared by Ventura County Assessor's Office)

Figure 2c – PCM Reclamation Plan Parcels

Figure 3 – PCM Reclamation Plan Map Post Mining Design

Figure 4 - PCM Reclamation Plan Map Current Conditions

County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 8 - 2010 Reclamation Plan

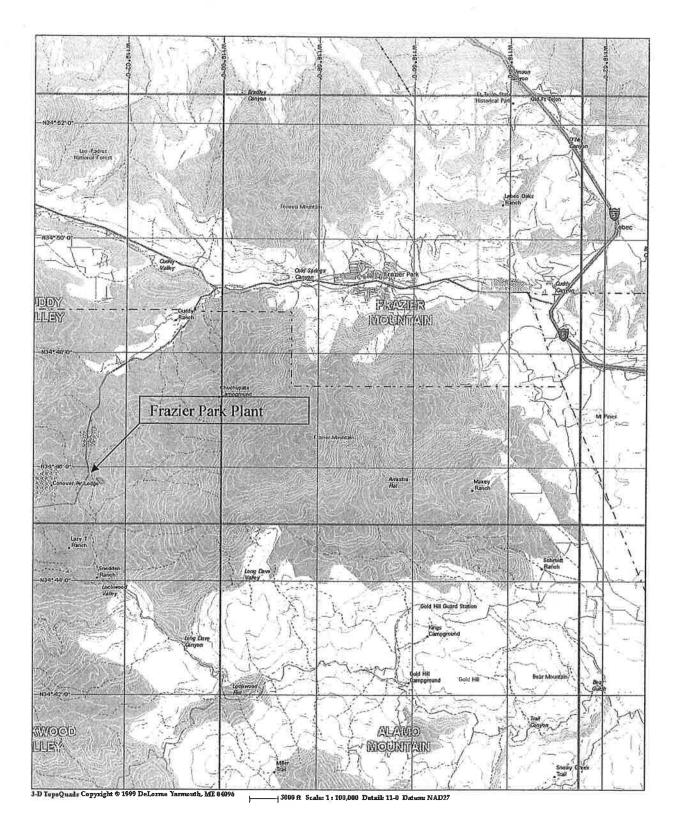
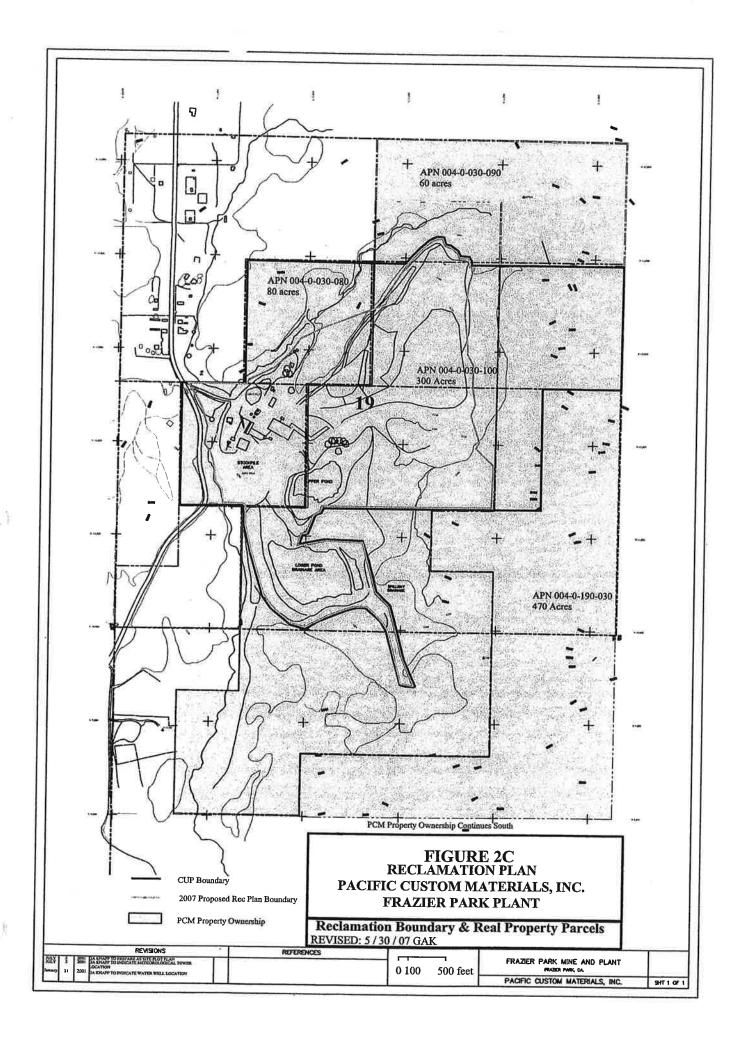
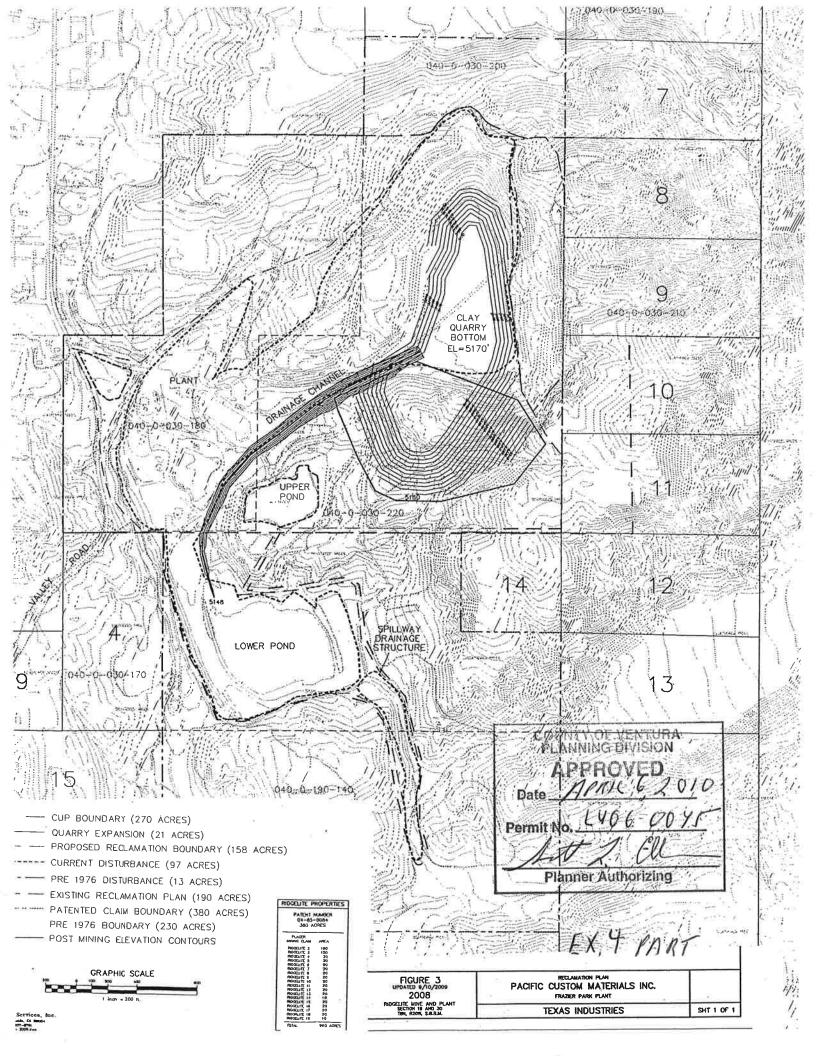
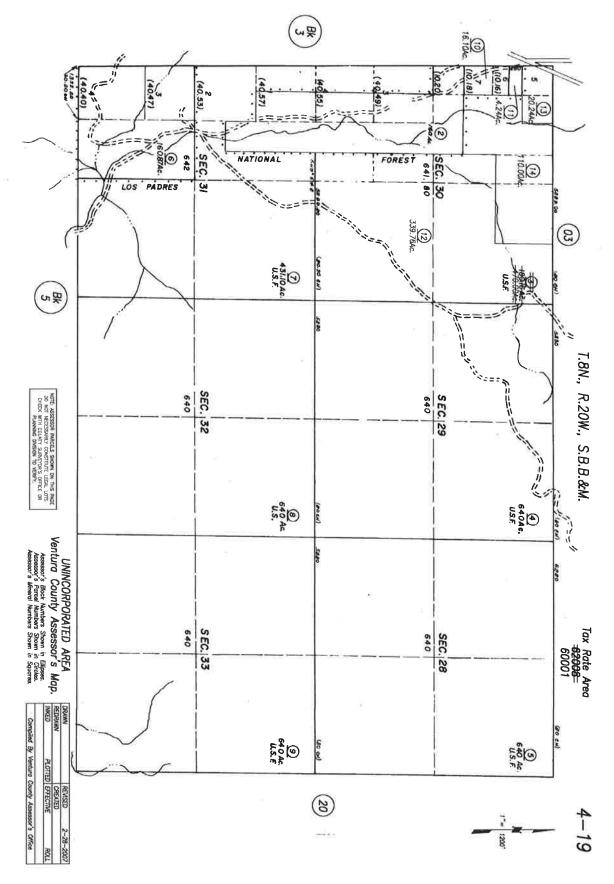


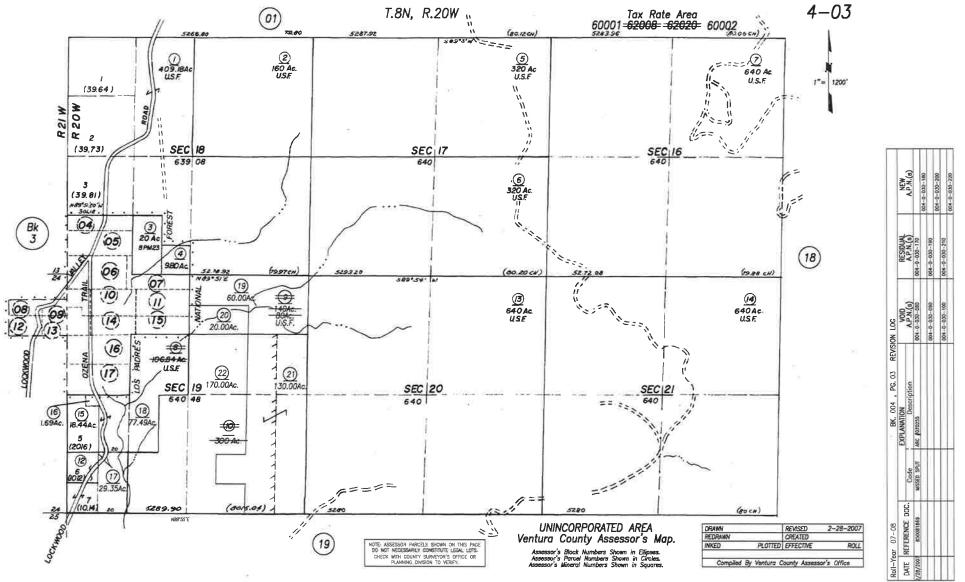
Figure 1
Frazier Park Plant Vicinity Map
Scale: 1" = 10,000 feet







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ATTACHMENT 7

REVEGETATION PLAN

Project KKGB Revegetation Plan Frazier Park Plant January 2007 Project KKGB Revegetation Maintenance Manual August 2006

COUNTY OF VENTURA
PLANNING DIVISION

APPROVED

Date APRIC 6, 2010

Permit No. LY06-0045

Planner Authorizing

REVEGETATION PLAN

Prepared for:

Pacific Custom Materials, Inc.

JANUARY 2006

Prepared by:





Table of Contents

1.0 Introducti	on		3								
2.0 Existing (Conditions		5								
3.0 Revegeta	tion Plan		6								
¥	3.1 Design Overview										
	3.2 Pinon Pine	and Juniper Seed Collection	7								
196	3.3 Vegetation	n Removal and Soil Salvage	7								
	3.4 Revegetation Test Plots										
	3.5.1 1		11								
	3.5.2	Site Grading and Planting Preparation	12								
9		3.5.2.1 Mine Drainage Channel	12								
		3.5.2.2 Processing Area Revegetation	13								
	3.5.3	Soil Testing and Respreading	13								
	3.5.4	Erosion Control	14								
	3.5.5	Plant Materials and Procedures	15								
	ř.	3.5.5.1 Broadcast Seeding	15								
		3.5.5.2 Hydroseeding	15								
4.0 Maintena	nce		17								
5.0 Monitorin	g		19								
Tables											
Table 1: Test l	Plot Summary	e	11								
Table 2: Test f	Plot Timeline		11								
Table 3: Seed	List for Pacific (Custom Materials, Inc	16								
Table 4: Perfor	mance Standai	rds	20								



1.0 Introduction

This Revegetation Plan has been developed to prescribe restoration of native vegetation and open space within mined and otherwise disturbed areas of a surface mining site. The raw materials mined at the Pacific Custom Materials site are part of an extensive sedimentary clay unit. The project site is located at 17410 E. Lockwood Valley Road, approximately 5 miles west of the town of Frazier Park, California, in the eastern corner of Ventura County. The project encompasses 260 acres. The operator proposes to remove approximately 4.6 million bank cubic yards over a period of approximately 36 years.

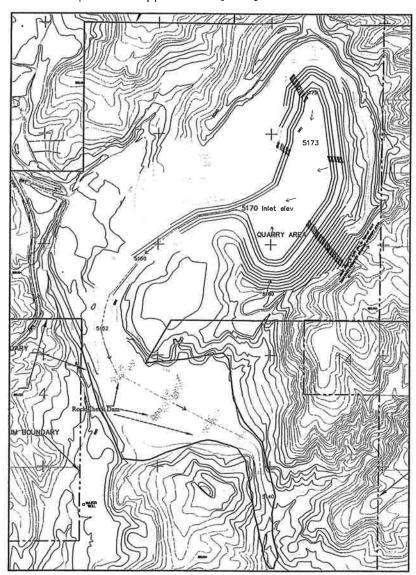


Fig. 1. Pacific Custom Materials Location Map. Map shows proposed mine reclamation, with the "No Pond" Alternative.



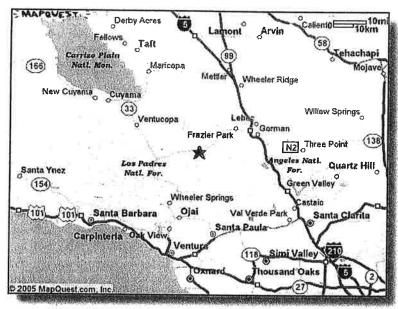


Fig. 1a. Pacific Custom Materials Vicinity Map

The California Surface Mining and Reclamation Act of 1975, as amended (SMARA), requires that the lead agency approve a Reclamation Plan for each surface mine. Requirements are listed in Article 9, Reclamation Standards (&3700).

The proposed expansion will deepen these areas and expand into the South area. Mining must be performed in all three areas as the expansion proceeds. This is required to meet logistical, moisture, and quality requirements for the clay. In addition, positive drainage out of the quarry into the Lower Pond must be maintained. This will be accomplished by progressive deepening of the Stormwater Channel. The channel will be lowered as the floors of all three areas are lowered.

The purpose of this Revegetation Plan is to encourage re-establishment of native flora following proposed mining operations, thereby increasing wildlife habitat and open space aesthetic value within the disturbed site. Since topographical alterations to the site after pit-mining will be permanent, the aim of this Plan is to revegetate the newly created slopes, pit bottoms and all other disturbed areas.

The Site Manager for Pacific Custom Materials, Inc. or other site owner at the time of reclamation, will make all final decisions regarding the implementation of this Revegetation Plan. The Revegetation Consultant will provide guidance and advice to the Site Manager, following the design and criteria established in this Revegetation Plan.



2.0 Existing Conditions

Baseline vegetation and native soil conditions were evaluated by Fruit Growers Laboratory, Inc. (1998). A biological survey of the lands within and immediately adjacent to the existing mine facilities was conducted by Bumgardner Biological Consulting, (2005). A discussion of the potential for occurrence of rare species are contained in that document. These reports are summarized below.

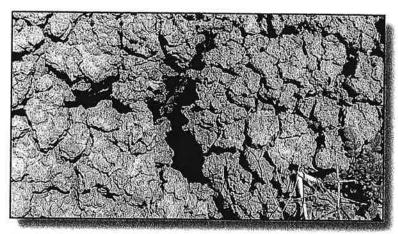


Fig. 2. Close up photo of calcareous heavy clay soil, cracked and shrunk during the dry season.

The on site soils consist of deep, poorly drained, calcareous heavy clay. These soils exhibit a high shrink/swell potential. They become wet and sticky during the winter rainy season, and they will shrink and crack during the dry season. The soil porosity and drainage is very poor due to the high clay content. Poor drainage contributes to the accumulation of salts and other toxic elements. It is the poor physical structure of these soils that represent the limiting factor

in good plant growth. Detailed soil analysis results are contained in the Fruit Growers Laboratory report, which is attached, See Appendix A.

The native vegetation within the mining site consists of two overlapping plant communities:

1) The single leaf pinyon series is dominated by single leaf pinon, (*Pinus monophylla*). Other woody species that occur in this

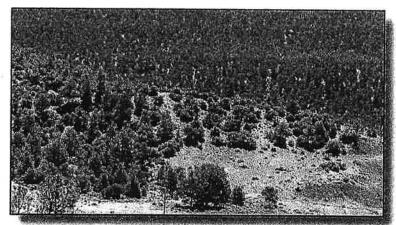


Fig. 3. Pinon Pine-California Juniper woodland in foreground.

community include California juniper, (Juniperus californica), big sagebrush, (Artemisia tridentata), rubber rabbitbrush, (Chrysothamnus nauseosus), California desert tea, (Ephedra californica), California scrub oak, (Quercus dumosa), and canyon live oak, (Quercus chrysolepis). Understory plants are sparse and consist of native grasses and herbs and forbs.



2) The California juniper series is dominated by California juniper, (*Juniperus californica*). Other trees and shrubs that occur in this community include single leaf pinon, big sagebrush, California desert tea, chaparral yucca, (*Jucca whipplei*), and desert scrub oak, (*Quercus turbinella*). Understory plants here are sparse as well.

Due to the overlapping nature of the plant communities and their associated plant species, on and adjacent to the project site, a single plant community, the pinon-juniper woodland, should form the basis for all revegetation efforts.

A detailed survey of native vegetation coverage and species composition was performed by Fruit Growers Laboratory (1998), see Appendix A. Transect observations revealed a percent vegetative coverage range from 30% - 60%. This baseline information will be useful to determine the qualitative and quantitative plant material necessary for the revegetation.

3.0 Revegetation Plan

The goals of the revegetation plan are:

- collect seeds from on site pinon pine and juniper trees as back up for future restoration
- salvage existing topsoil and sand prior to extraction/grading operations
- establish a revegetation test plot(s)
- provide erosion control following extraction
- increase habitat and aesthetic value by revegetating with native seed species.
- meet or exceed the requirements set forth in the California Surface Mining and Reclamation Act of 1975, as amended (SMARA), Article 9, Reclamation Standards (&3700).

3.1 Design Overview

Seed from the Pinon-Juniper Woodlands Plant Community will be collected and stored to serve as back-up propagation material for revegetation. Seeds will be stored at an institution specializing in seed preservation, i.e., Santa Ana Botanic Garden, In Claremont, CA, or S&S Seeds, in Carpinteria, CA. All existing vegetation, topsoil and subsoil will be salvaged and stored on site. No additional topsoil will be imported. Topsoil stockpiles will be seeded with native seed materials to prevent erosion and maintain native seed viability. All access roads, hauf routes and other traffic related areas will be stripped of any roadbase materials and will be revegetated.

The soils will be amended with organic matter to improve its structure. Salvaged topsoil



will be re-introduced into the mined area. A test-plot will enable the refinement of the revegetation concept, if necessary. A monitoring program, with performance criteria, will be implemented to determine the success or failure of the revegetation program.

Contingency measures are suggested in the event that revegetation goals are not met. The proposed contingency measures include re-seeding or adjustments to maintenance practices as determined by the Biological Monitor.

Estimation of the project life span is approximately 36 years. Due to the length of time between the formulation and the implementation of this Revegetation Plan, techniques outlined in this report may be altered as the knowledge and practice of mine restoration increases.

3.2 Pinon Pine and Juniper Seed Collection

Seed from pinon pine and juniper trees will be collected on site by a qualified native seed collection firm two years prior to final extraction of clay material. Seed quality will vary from year to year and from location to location. Seed will therefore be collected

over two seasons, to assure that seed is gathered in sufficient quantities to allow for long-term storage as well as a limited amount of destructive sampling. Seed will be maintained by an organization experienced in long - term seed storage such as Santa Ana Botanic Garden or S&S Seed. Seed will be stored at 50 degrees Fahrenheit or less, with less than 50% humidity. Seed will be tested periodically to assure that viability is maintained. Most wild seeds are collected by hand because the desired species usually do not grow in pure stands and the site's topography often limits the use of mechanical equipment.

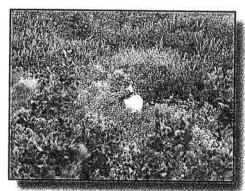


Fig. 4. Hand collecting native seed.

Collecting seeds at the correct time is crucial for propagation to be successful. The seed collecting company shall be familiar with the approximate flowering and fruiting dates and then be able to recognize mature fruit or seeds. When seeds are mature, collecting should begin. Seeds shall be collected just before, or, as the pod or capsule turns brown and dries, and before it dehisces.

3.3 Vegetation Removal and Soil Salvage

Both topsoil and overburden will be salvaged and stored for reclamation purposes during the active mining operation.

Topsoil is best collected in the dry season. All topsoil, along with all vegetation, (except



mature trees), will be crushed in place with a dozer prior to mining. A scraper will then pick up the material to deliver it to an appropriately sized, and identified, Topsoil Storage Area. Additional topsoil will not be imported. Salvaged topsoil contains all the beneficial microorganisms, soil animals, seeds of native plants and physical components that contribute to soil heterogeneity, and successful revegetation later on.

Salvaged topsoil shall be stockpiled in the area designated on the plan. Excessive height of the topsoil stockpile will be avoided since it may cause the internal temperature of the pile to increase, thereby "cooking" any native seed and microbial material contained in the stock pile. The stockpile shall be maintained free of exotic, invasive weeds at all times. Other, native, plant material will be encouraged to grow and establish. If necessary, the stockpile will be overseeded with native seed material as listed in Table 1. To prevent compaction, no equipment shall be allowed to travel over, or park on, the stockpile under any circumstances. Silt fencing shall be installed around the stockpile to prevent erosion, and as a barrier to preclude any unauthorized access.

Topsoil is defined as the top 6" of undisturbed ground. In addition, considerable amounts of non-clay overburden are estimated to be removed. At present, the estimated amounts generated by mining to the revised contours are approximately 21,000 cubic yards of topsoil and 273,000 cubic yards of overburden.

Estimates of topsoil and overburden required were made with the following assumptions: a) all mined areas would need some topsoil/ overburden addition, and b) other disturbed but non-mined areas are likely to have sufficient topsoil remaining. Figure 5 illustrates these areas. The area requiring topsoil/ overburden covers approximately 55 acres. The area not requiring topsoil/ overburden covers approximately 52 acres.

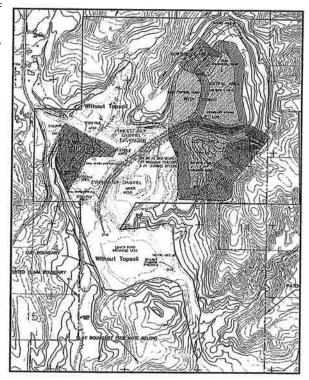


Fig. 5. Topsoil and Overburden areas.

Topsoil will be stored in a pile that would have ultimate dimensions, if all 21,000 cubic yards are salvaged, of 110,000 square feet, 5 feet high, with 2:1 (H:V) slopes.

Overburden will be stored in two piles. Each would have ultimate dimensions, if all 273,000



cubic yards are salvaged, of approximately 100,000 square feet, 60 feet high, with 2:1 (H:V) slopes.

Each of these storage piles is identified on Figure 6.

3.4 Revegetation Test Plots

Test-plots, composed of five 40x80 foot areas, will be initiated and planted during the most favorable time of year for plant establishment, per auidelines contained SMARA [93705(h)]. The plots will be located within the northern portion of the mining area, (Fig 5). The purpose of testing will be to ensure that the proposed seed composition and quantities are adequate to meet the

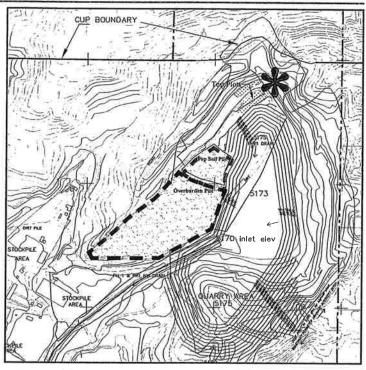


Fig. 6. General location of proposed test plots.

Specific location of salvaged Top Soil

Specific location of Overburden

required criteria for success. Adjustments in the specifications can then be made prior to the final, large scale revegetation effort. The test plot composition is summarized in Table 1.

To simulate restoration conditions, the specified amount of soil amendment and 2-4 inches of salvaged topsoil, shall be spread over the site. The site shall then be cross ripped to a depth of 10-12 inches, integrating and blending the on site soil with the salvaged top soil and soil amendments. Additional top soil will not be imported. A native plant seed mixture, see Table 2, will be hand broadcast over one test plot, and hydroseeded over the other. Results will determine which method to use during final reclamation. If alterations to the individual methods are needed, additional testing will be undertaken.

Supplemental irrigation of the test plots is not recommended at this time. However, if test results indicate that supplemental irrigation may be necessary, then a low volume, spray rotor system will be employed to favor establishment and coverage of the native plant material.



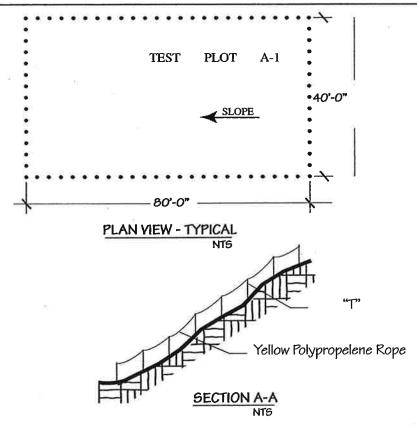


Fig. 7. Typical test plot layout.

Per the SMARA §3705(m) requirements, results of the test plots will be matched against native vegetation baseline information previously gathered from a representative, undisturbed reference area, see Fruit Growers Laboratory, Inc. (1998). Density, cover and diversity of the representative site shall be measured. If necessary, monitoring criteria (Section 5.0) or the seed palette shall be altered to conform to the naturally occurring species composition and distribution.

The test plots will be permanently marked and identified with T-stakes and yellow polypropelene rope to ensure their long term viability. Four of the five test plots will be located on a slope, similar to the final grade of the extraction pit, the fifth test plot will located on flat ground. A test plot time line is provided in Table 2.

The test plot program is designed to determine the effectiveness of the proposed seeding methods and species composition and seeding rates. The test plots will re-



veal the germination rate of the proposed seed palette, the ultimate vegetative cover of native plants, weeds that may emerge, as well as provide a clue as to the overall performance of the revegetation plan.

Test Plots in Years 6-10 will use the results from Years 1-5 to modify approaches to improve results.

Table 1 Test Plot Summary

1007 Flor Calliniary												
Test Plot No.	Years	Soil Amendment	Seeding	Topsoil added	Irrigated	Seed Applica- tion Rate	% Sloped Area					
A-1	1-5	Yes	Hand broad- cast	Yes	No	As recom- mended	100					
A-2	1-5	Yes	Hydro seeded	No	No	As recom- mended	100					
В-1	1-5	Yes	Hydro seeded	Yes	No	As recom- mended	100					
B-2	1-5	Yes	Hand broad- cast	No	No	As recom- mended	100					
C-1	1-5	No	Hand broad- cast	No	No	As recom- mended	0					

Table 2
Test Plot Timeline

Activity		20	07			20	08			20	09			20	10			20	211			20)12			20)13	
Quarter	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Seed Collection		х	х			х	х			х	х			х	х			х	х			х	х					
Site Prep							Χ																					
Seeding								Х																				
Monitoring & Evaluation								х	Х	х	х	х	х	х	х	х	х	х	х	х	х	х	х	х	Х	х	х	X
Reseed as necessary																х								Х				Х

3.5 Planting Procedures

3.5.1 Timing

Seeding shall coincide with the winter rainy season. October-November is typically a good time to plant, although the final decision should be based on the climatic



conditions at the time of planting. It is best to wait until just after a storm event, and to seed when the ground is soaked to a minimum depth of 1/2 inch, although timing seeding to coincide with storms is often difficult.

3.5.2 Site Grading and Planting Preparation

As material is extracted from the mine, how the graded surface is left is of critical importance to the revegetation effort. An important consideration in reapplying the topsoil is the angle of the slope (steep slopes do not accept water as readily and the erosion potential increases), and the condition of the surface, which shall be left "rough". The specified amount of soil amendments and salvaged top soil shall be cross ripped to a depth of 10-12".

Soil Amendments (per 1000 SF)

- 200 lbs of Grow-Power Plus w/12% Sulfur w/M (Mycorrhiza)*
 - * Gro-Power contains live material, propagules of mycorrhiza fungi. It acts as a soil conditioner, and starter nutrient source. It must come into close contact with the soil surface to effectively inoculate the seed roots.
- 200 lbs of agricultural gypsum
- 4 cu.yds. Greenways Best Soil Conditioner
- salvaged topsoil

"Trackwalking" the slope with a dozer, perpendicular to the slope, is highly recommended. This will help bind the re-applied topsoil to the subsoil.

Prior to seeding, all debris and any introduced weeds that have invaded the site shall be removed prior to planting. Any introduced weeds shall be removed prior to seeding. This can be accomplished either by hand, or if the problem is severe, by applying a short duration, broad spectrum, glyphosate based, contact herbicide, following the manufacturer's recommendations.

3.5.2.1 Mine Drainage Channel

The steep 2.6:1 side slopes will require bio-engineering slope stabilization measures. Slopes should be track walked after grading, seeded with the appropriate mixture of native plants, and then protected with a bonded fiber matrix (BFM). BFM's can be combined with gypsum plaster, thereby supplying nutrients in the form of calcium and sulfur to the soil. Gypsum acts to improve the structure of heavy clay soils and also buffers the soil pH. It prevents water and wind erosion, enhances germination by protecting seed, returns moisture to soil, is totally biodegradable and is harmless to fish, birds, plants, and animals. BFM's



are cost effective because they are applied with conventional hydraulic seeding equipment which is more economical than blankets or erosion control netting. It also contains water holding ingredients for improved retention of moisture from rainwater to allow quick and effective germination of plant cover. A recommended application rate for a 2.6.1 slope is 4,000 lbs/acre. The material can be mixed at 50lbs per 60 gallons of water.

The Mine Drainage Channel invert will also be stabilized with Coir Rolls in order to reduce excess channel velocities and scour. Sediment will naturally be deposited on the upstream side of the rolls, providing an ideal growing medium for emergent aquatic and riparian vegetation, i.e., tules, sedges and eventually willows.

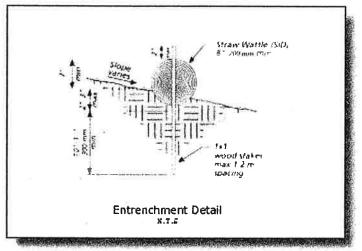


Fig. 9. Coir (Coconut Fiber/Straw Wattle) rolls will be used to reduce in-channel velocities and provide stable areas where riparian vegetation can eventually become established.

3.5.2.2 Processing Area Revegetation

A Phase I Environmental Assessment will be conducted at the processing area to test for contaminants after removal of buildings and equipment and prior to revegetation. The area shall be cleared and grubbed to provide an unobstructed space for subsequent fine grading and revegetation purposes.

Revegetation of the processing area will require cross ripping the ground, to a minimum depth of 24 inches, and fine grading to prepare the area for seeding. Soils tests, and the Environmental Assessment results, should determine what, if any, soil amendments might be necessary to help in the revegetation effort.

3.5.3 Soil Testing and Respreading

Following final excavation, salvaged topsoil, mixed with overburden, will be spread out over excavated areas where needed. Any native vegetation established on the stockpile can be spread along with the soil. The broken branches of plants growing on the stockpiles will



act as a mulch after soil respreading and will provide partial shade to emerging seedlings. In addition, viable seed will be transported in the seed bank, and additional ripe seed may be carried along with the vegetation.

The depth of the respread topsoil will be the maximum based on availability. Topsoil shall be incorporated into the native soil by cross ripping with a dozer, and after cross ripping shall be "trackwalked" with the dozer tracks perpendicular to the slope. The "ridges" and "valleys" created by trackwalking will provide an excellent environment for seed germination.

Respread soils will be tested for nutrient components prior to seeding or planting. Site samples will be compared to soil test-results taken from adjacent, undisturbed areas. Respread soils will be augmented if growth-inhibiting deficiencies in essential elements are noted.

3.5.4 Erosion Control

Straw wattling shall be used for erosion control on slopes and in areas graded for drainage,

or as determined by post grading monitoring. They are virtually weed free, and do not have to be removed, as they naturally decompose. Dig small trenches across the slope on contour, to place rolls in. The trench should be deep enough to accommodate half the thickness of the roll. It is critical that rolls are installed perpendicular to water movement, parallel to the slope contour. Start building trenches and install rolls from the bottom of the slope and work up. Construct trenches at typical contour intervals of 10 feet, depending on the steepness of slope. The steeper the slope, the closer together the trenches. Lay the roll along the trenches fitting it snugly against the soil. Make sure no gaps exist between the soil and the straw wattle. Use a straight bar to drive holes through the wattle and into the

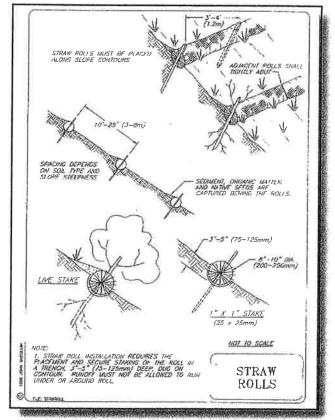


Fig. 10. Typical Rice Straw Wattle installation details.



soil with willow or wooden stakes. Drive the stake through prepared hole into soil. Leave only 1 or 2 inches (25 or 51 mm) of stake exposed above roll. Install stakes at least every 4 feet (1.2 m) apart through the wattle. Additional stakes may be driven on the downslope side of the trenches on highly erosive or very steep slopes. See the diagrams in Figure 10 for a typical straw wattle installation.

3.5.5 Plant Materials and Procedures

Most plant species specified in the Revegetation Plan were chosen based on their occurrence within the project area. Seed shall be locally collected or purchased. If seed is to be purchased, alternate native species may be substituted. Plants not occurring within the project area were chosen for their tolerance to the project area soils, and may only persist for a little while. But even if they do not persist, they will be performing a valuable service, because as they die, their root system decomposes in the soil, adding invaluable organic matter. Table 3 lists the seed mix for all disturbed areas. Application rates and guidelines for minimum purity and germination are also given. These rates are given to help judge the actual amount of pure, live seed required per unit weight. Any decrease in the expected germination rate or purity can be compensated for by applying a heavier rate.

Depending on test plot results, either broadcast seeding or hydroseeding will be used for the site overall.

3.5.5.1 Broadcast seeding

Following the site preparation, and erosion control measure installation, the project site shall be broadcast seeded. All seed shall be premixed, and shall then be broadcast by hand over the site. One half of the seed material shall be applied in one direction, i.e., north-south, the other half shall be applied in an east-west direction. This will ensure a more even distribution of the seed material.

After broadcasting the seed, the site shall be lightly harrowed, or raked, in order to provide closer seed to soil contact.

3.5.5.2 Hydroseeding

Following the site preparation, and erosion control measure installation, the project site shall be hydroseeded. At the time of hydroseeding, all hydroseeding mixing shall be performed in a clean tank (thoroughly rinsed a minimum of three times in the presence of the Biological Monitor), with a built in, continuous agitation and recirculation system of sufficient operating capacity to produce



a homogeneous slurry, and a discharge system that will apply the slurry to designated areas at a continuous and uniform rate.

The slurry preparation shall take place at the project site and shall begin by adding water to the tank when the engine is at half throttle. Good recirculation shall be established when the water level has reached the height of the agitator shaft; at this time, seed shall be added; the mulch shall be added when the tank is at least 30 percent filled with water. The Revegetation Contractor shall commence spraying once the tank is full.

The Revegetation Contractor shall spray designated areas with the slurry in a sweeping motion and in an arched stream until a uniform coat is achieved with no slumping or shadowing and the material is spread at the required rate per acre. Overspray of hydroseed onto existing plant material shall be avoided.

TABLE 3
SEED (BROADCAST AND/OR HYDROSEED) LIST FOR PACIFIC CUSTOM MATERIALS, INC.

BOTANIC NAME/COMMON NAME	LBS/Acre	MINIMUM % PURITY/GERMINATION				
Pinus monophylla/Pinon Pine	4	NA ·				
Juniperus californica/California Juniper	4	95/40				
Artemesia tridentata/Great Basin Sage	2	10/65				
Quercus dumosa/Scrub Oak	1	NA .				
Elymus glaucus/Blue Wildrye	4	90/85				
Bromus carinatus/California Brome	6	95/80				
Ephedra viridis/Mormon Tea	3	90/80				
Sitanion jubatum/Squirreltail	6	90/80				
Ceanothus cordulatus/Whitethorn	1	98/70				
Arctostaphylos patula/Manzanita	1	95/70				
Eriogonum fasciculatum/California Buckwheat	6	50/10				
Chrysothamnus nauseosus/Rabbitbrush	3	20/50				
Eschscholzia californica/California Poppy	1	98/80				
Encelia californica/Bush Daisey	1	40/60				
Elymus triticoides/Creeping Wild Rye	4	90/80				
Lasthenia californica/Goldfields	2	70/50				
Layia platyglossa/Tidy Tips	1	70/70				
Eriophyllum confertiflorum/Golden Yarrow	1	30/70				
Hordeum brachyantherum/Meadow Barley	6	90/80				



Any slurry mixture that has not been applied by the Revegetation Contractor within one hour after mixing shall be rejected and replaced at the Revegetation Contractors expense. In addition, all costs incurred for repair or replacement of bare, sparse, or damaged areas, shall be the sole responsibility of the Revegetation Contractor. Following application, all activity on the mulch layer must be kept to a minimum.

The standard hydroseeding technique shall be employed, using a two stage application as follows:

Seed shall be hydroseed as follows: (a TWO-STEP process is required)

Materials:

- Specified Seed per Acre
- Fertilizer per acre

 Grolife 1,000 lbs

 Gro-Power Controlled Release 200 lbs of 12-8-8
- Fiber per acre (any) 1,500 lbs

Note: GroLife contains live material, propagules of mycorrhiza fungi. It acts as a soil conditioner, and starter nutrient source. It must come into close contact with the soil surface to effectively inoculate the seed roots, therefore a two step hydroseeding process is required. The first step applies the seed and inoculum and a small amount of fiber; the second step applies the fiber and fertilizer.

4.0 Maintenance

Maintenance shall include any activities required to meet the performance standards set for this revegetation program. Maintenance of all revegetation areas shall include, at minimum, the following aspects:

Maintenance Staff Training. Prior to the commencement of maintenance activities, the Maintenance Contractor shall attend a training session that shall be conducted on site by the Project Biologist/Revegetation Specialist, to familiarize the maintenance staff with the project (i.e., the boundaries of the site, the general requirements of the different habitats, and identification of native and non-native species). This training will include an overview of a maintenance manual prepared by the Project Biologist/Revegetation Specialist, which shall be distributed to the Maintenance Contractor during the training.

Weed Control. During the maintenance period, all weeds present in the revegetation areas shall be removed if more than 25 percent of any 20 square foot of the area is occupied by



weeds greater than six inches in height. These weeds are to be removed before they produce seed or reach a height of six inches, whichever comes first.

Methods of Weed Removal. With the exception of those weeds that cannot be eradicated through manual removal (Bermuda grass, tree tobacco, cardoon, etc.), All weeds present in the revegetation areas shall be removed manually or mechanically; no herbicide treatment shall be permitted without specific, written authorization from the Project Biologist/Revegetation Specialist.

Herbicide Treatment Guidelines. Spraying shall be conducted only when weather conditions are conducive to effective uptake of the herbicide by the targeted species (e.g., sunny, dry, and when plants are actively growing), and when wind conditions are such that herbicide drift is non-existent (five mph or less). During herbicide application, protection for non-targeted species (e.g., native vegetation) is required.

Pruning and Leaf Litter. No pruning or leaf litter removal shall take place within the revegetation sites. All dead branches shall be left on the shrubs and trees, and no leaf litter or fallen branches shall be cleared away from the plantings.

Replacement of Dead or Diseased Plant Materials. The Maintenance Contractor shall be responsible for meeting the performance standards outlined below:

Seeded areas shall be assessed annually for a five year period. If it is determined by the Project Biologist/Revegetation Specialist at the time of assessment that supplemental seeding is needed to meet the performance standards, this additional seeding shall be undertaken by the Maintenance Contractor. If the Project Biologist/Revegetation Specialist determines that reseeding is required, timing of the seeding is subject to the discretion of the Project Biologist/Revegetation Specialist. Plantings that die shall be replaced at the first suitable growing season in accordance with the performance standards included in the revegetation program.

Performance Standards. The following performance standards and all the above specifications shall be met by the Maintenance Contractor throughout the contracted maintenance period. The performance of the revegetation areas will be assessed just prior to the end of each year to determine whether the performance specifications are met. The performance standards are as follows:

- No more than 25 percent non-native species shall occur in any 20 square foot area at any given time during the maintenance period.
- Non-native species shall not exceed six inches in height or go to seed in any given area during the maintenance period.
- Percent Cover Standards are shown in Table 2.

Though weeds are not expected to persist after the native plants have become establish-



ment, their initial presence within the seeded areas will decrease the establishment of native vegetation.

In addition to weed concerns, low germination and/or low establishment may occur for a variety of reasons including wildlife browsing, lack of water, poor seed quality, or poor planting techniques. Replanting the site after the initial effort may therefore be necessary.

5.0 Monitoring

To properly monitor the success of the revegetation, and to weigh the need for weeding and replanting, performance standards are presented in Table 4. The performance standards reflect the native vegetation baseline information previously gathered from a representative, undisturbed reference area, see Fruit Growers Laboratory, Inc. (1998). Establishment of vegetation after five years will be considered successful if the percentage of vegetation cover and plant species diversity in the restoration area is equivalent to (or within ten percent of) the percentage of vegetative cover and plant species diversity in existing, high quality Pinon Pine-Juniper Woodland habitats found in the general vicinity. Based on prior surveys of native vegetation, (Fruit Growers Laboratory, 1998 and Bumgardner Biological Consulting, 2005), a vegetative cover of 30% can be expected for the trees and larger shrubs. For smaller shrubs and grasses a 60% vegetative cover can be expected. (Please note that a total of 90% coverage is not feasible, as the trees and larger shrubs form an "overstory" layer, distinct from the smaller shrubs and grasses, which form the "understory" layer.)

Monitoring shall be conducted by an independent consultant. Monitoring will be conducted semi-annually, in the spring and fall. Test plots shall be subject to the same performance standards, and monitoring criteria, as spelled out in the revegetation plan.

Monitoring shall consist of the Line-Intercept Method where a 50 meter measuring tape is stretched between two points. The intercept distance is recorded for each plant/species that intercepts the line. The accumulated length for any species divided by the length of the transect multiplied by 100 is expressed as percent cover for that species. Photographic Monitoring shall also be used. Permanent locations, photo points, will be marked. Identical, general view photos, are taken over time, during the same season every year, to portray dominant vegetation and site conditions. Typically a wide angle lens is used. Photographs are an effective tool to visually synthesize site information, especially when coupled with quantitative measurements.

The monitor will evaluate the need for weeding and erosion control as well as plant establishment. Annual reports and recommendations shall be submitted by Pacific Custom Materials, Inc., to the County of Ventura and the California Department of Conservation. Follow-up monitoring may be needed to assure recommendations have been carried out. Monitoring will continue for at least five years, and will not cease until all performance criteria have been met for two consecutive years without irrigation, weeding or other special maintenance.

Success rates falling under the stated minimum may signal the need for a second or third



revegetation effort. These performance values may be modified if restoration experience and knowledge gained during the project life span present more realistic goals. The standards take into account that younger shrubs will show lower cover values and higher density values than those seen in a more established habitat.

Traditional success criteria include survival rate of container plants and final vegetative cover. However, success can also be measured by assessing the fundamental characteristic of a functional ecosystem: sustainability, resistance to invasive species, nutrient retention and biotic interactions. Reliable signs of functional ecosystems are the presence of certain target "indicator" species: animals, insects and/or plants typically found in that ecosystem.

TABLE 4
PERFORMANCE STANDARDS

Criteria	1st Year	2nd Year	3rd Year	4th Year	5th Year
Trees & Large Shrubs Cover					
5% 1st Year	(4)				
15% 2nd Year					
25% 3rd Year					
30% 5th Year					
Smaller Shrubs & Grasses				3.32	2002 C 385 B
10% 1st Year					
25% 2nd Year		2.5.5.3.1.1.1.1	200000000000000000000000000000000000000	ACC C 31/9 2805	V&-1 0 PC 32 122 3
40% 3rd Year					
60% 5th Year	9.				
Erosion					
Plant regeneration					3774
Resistance to Invasion by non-natives					

REVEGETATION MAINTENANCE MANUAL

APPENDIX A

August 2006

PREPARED FOR:

PACIFIC CUSTOM MATERIALS, INC.

Prepared by:



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REVEGETATION MAINTENANCE MANUAL

INTRODUCTION

This manual is intended to be used as a guide and basic training for any landscape maintenance personnel involved in the establishment and long term maintenance of the test plots and final revegetation areas as outlined in the Revegetation Plan for Pacific Custom Materials, Inc., dated January 2006.

The Pacific Custom Materials, inc. mining site, see Figure 1, is designated to be revegetated with an indigenous native plant community that is self-sustaining and supporting without any additional human input past the plant establishment period. During the initial plant establishment period of three to five years, a certain amount of maintenance is required. Maintenance will include weeding, mulching, repairing erosion problems, controlling pests, replacing dead plant material, and trash removal.

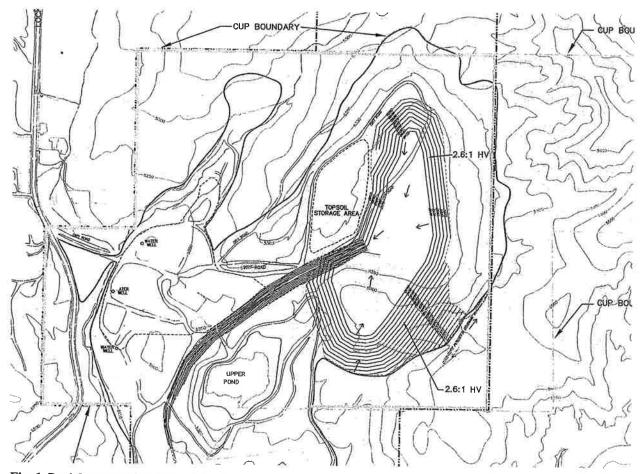


Fig. 1. Partial revegetation area outlined in green.



Plant Communities

A self-sustaining plant community refers to a group of plants that exhibit the same general characteristics, i.e., they all thrive on a hot, south facing slope, in sandy loam soil, in an area that receives 10-15" of rainfall per year. A native plant community exhibits an ability to survive without supplemental watering, weeding, or other human input. The time necessary for a plant community to become self-sustaining, or established, depends directly on the quality and care it receives during the initial plant establishment period. It is anticipated that the time required to maintain the revegetation areas is approximately three to five years. Applying proper horticultural plant establishment methods will naturally result in the satisfactory establishment of a self-sustaining plant community.

The plant community within the mining revegetation site consists of two overlapping plant communities:

- 1) The single leaf pinyon series is dominated by single leaf pinon, (Pinus monophylla). Other woody species that occur in this community include California Juniper, (Juniperus californica), big sagebrush, (Artemisia tridentata), rubber rabbitbrush, (Chrysothamnus nauseosus), California desert tea, (Ephedra californica), California scrub oak, (Quercus dumosa), and canyon live oak, (Quercus chrysolepis). Understory plants are sparse and consist of native grasses and herbs and forbs.
- 2) The California juniper series is dominated by California juniper, (Juniperus californica). Other trees and shrubs that occur in this community include single leaf pinon, big sagebrush, California desert tea, chaparral yucca, (Jucca whipplei), and desert scrub oak, (Quercus turbinella). Understory plants here are sparse as well.

Due to the overlapping nature of the plant communities and their associated plant species, on and adjacent to the project site, a single plant community, the pinon-juniper woodland, will form the basis for all revegetation establishment and maintenance efforts.

A detailed survey of native vegetation coverage and species composition was performed by Fruit Growers Laboratory (1998). Transect observations revealed a percent vegetative coverage range from 30% - 60%. This baseline information will be used to determine the "success" of the revegetation plan.

Survival Requirements

Requirements for all plant survival includes adequate water, minerals (nutrients), temperature and light. The actual amount

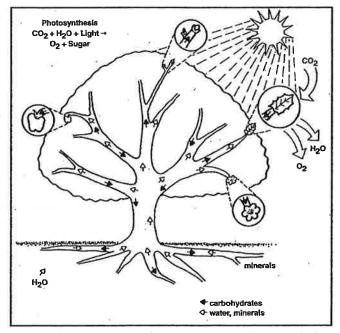


Fig. 2. Diagram shows the key elements of a plant's survival requirements: photosynthesis, water and nutrient transport and transpiration.



of water nutrients, temperature and light required differs from plant species to plant species, but many species show some degree of latitude in their tolerance or intolerance for their survival requirements.

Water

Water is essential to plants. Water is taken up by the roots from the soil, and is transported throughout the plant to the plant tissues, where it used in photosynthesis. It is lost by evaporation through the leaves. Water in the plant is used to maintain the plant cell turgidity, which gives the plant its shape when full of water. When a plant looses its characteristic shape, i.e., leaves begin wilting, that becomes a sign that the plant is lacking water.

Nutrients

Nutrients (elements) are needed by plants to carry out their life processes. Nutrients are not plant "food". Nutrients can enter the plant through the roots or through the foliage. Nutrients, once inside the plant, are transported to where they are needed. Plants can survive with some nutrient deficiency. Nutrients are replenished in the soil by decomposing plant litter.

Temperature

Plant growth is regulated by temperature. Certain plants will go dormant, i.e., cease to grow, when it becomes too cold. Other plants can go dormant when it becomes too hot. Temperature has a bearing on a plants ability to absorb water, nutrients, and herbicide.

Light

Sun light is essential for photosynthesis to occur. Photosynthesis is the reaction of the suns energy on green chlorophyll in leaves which converts raw materials from soil and air into plant "food". If a plant looses it leaves, it is likely to "starve".

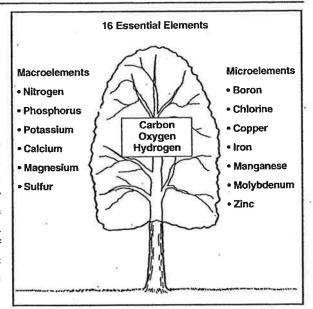


Fig 3. Most plants require 16 essential elements for healthy growth.

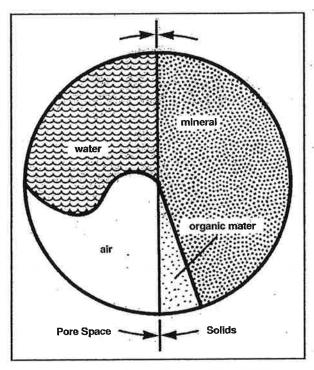


Fig 4. An ideal soil consists of 50% solids and 50% pore space, which contains water and air, for optimal growth.



Soil

Soil sustains plants. Plants depend on soil for support, water and nutrients. How well soil sustains plants depends on texture (compacted or open), water-holding capacity, readiness with which it releases needed nutrient elements to the plant, and its population of beneficial soil organisms, mainly bacteria.

Water movement in soil

Water moves down through the soil by progressively wetting soil particles. Once a particle has acquired its clinging film of water, each additional drop becomes "free" water - free to move and wet other particles. Water moves mainly downward, but it can also move laterally (to a much lesser extent), especially in clay soils. This lateral movement allows for the wetting of as much as a 12 to 18 inch diameter of soil with one drip emitter. A small watering basin around a tree or shrub is therefore likely to encourage the roots to remain within the small diameter spread. Realizing that water moves mostly downward should affect the amount of irrigation: taking soil type into account, apply enough water to percolate down into the root zone.

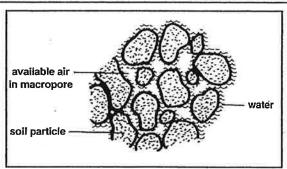


Fig 5. Ideally there is air and water in the soil (see Fig 3). Macro-pores tend to hold the air, while water remains in the micropores. Evidently, overwatering will drive the air from the soil and roots, and consequently the plant will suffer.

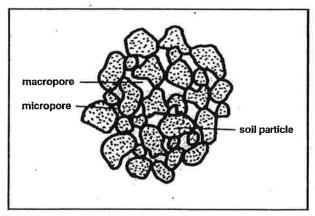


Fig 6. The areas between soil particles are pore spaces. Fine textured soils have more and smaller pore spaces than coarse textured soils. Consequently, fine textured soils, such as clay, require less frequent irrigation.

Underground Water

In some locations where the water table may be close to the soil surface, water will move upward and be readily available to those plants that can tolerate to get their "feet" wet. Plants that are intolerant of such conditions will likely not survive. Most roots are adapted to require air and water, and without one or the other they will die. However, there are plants that can tolerate complete flooding.

Root movement in soil

Roots draw water, air and nutrients through root hairs as they grow both downward and laterally in the soil. Root hairs are concentrated at the outermost edge of the root system, generally in the top soil layers. In dense soils, such as clay, the roots will be closer to the surface, than in a looser, sandier soil.



Plant Adaptations to their Environments

The most limiting factor to good plant growth in Southern California is the availability of water. Plants of different communities have different physical adaptations to the lack of water, including leaf structure, dormancy, and the ability to tap the water table. Lack of supplemental water may certainly be a limiting factor during the plant establishment of this plant community due to the lack of an irrigation system. However, the plant community has an inate ability to become "self-sustaining", and therefore supplemental watering may not be necessary.

Physical structure

The leaves of certain plants express drought adaptations, including size reduction, thick waxy leaves, and silver or white color to reflect the sun. All of these characteristics are designed to help the plant survive the hot sun without loosing too much water to evapo-transpiration. The ultimate leaf adaptation to drought is the cactus thorn, which is actually a leaf.

Dormancy

Some plants are deciduous, losing their leaves in the winter as an adaptation to cold. This is winter dormancy. On the other hand, most california native plants go dormant in the summer as an adaptation to heat and drought. During their dormancy, these plant species stop growing, and some even drop their leaves. They appear to be brown and dying, but if you scrape the stem, the tissue under the bark is still green, still alive. This semi-dormant state of some native species allows them to take quick advantage of any unexpected rainfall.

Water Table

Some california native plants may not go dormant during the summer. These plants are able to survive the hot and dry summers by tapping into the wet soils surrounding the water table which may be 30 feet below the soil surface. However, in extreme drought conditions, or when young plants have not had the time to establish roots that reach the water table, they also have the ability to go semi-dormant and may drop their leaves.

ESTABLISHMENT PROGRAM - (3 to 5 years)

The pinon-juniper woodland plant community needs to become established and self-sustaining within three to five years. To that end the plantings will have to be extensively cared for, nourished and monitored. The success of this planting program is directly related to how the plant community is cared for while the plants are becoming established, coupled with the amount and frequency of naturally occurring rainfall.

The basic needs of all plants are adequate water, nutrients, and light. The plants in this community will tolerate the temperature variations of the site. The establishment program will be responsible for seeing that these needs are met by providing timely and appropriate erosion, pest and disease control, mulching and weeding. Maintenance items, such as checking on insects and diseases will be performed on an initially, weekly basis, or more frequently, as field conditions may dictate. Monitoring the progress of the plant establishment, and being aware of changing environmental conditions and corrective requirements, are also crucial to the plant establishment success. Monitoring the plant establishment on a weekly basis, or more frequently, as field conditions dictate, is also strongly recommended.



WEEDING

Weeds are a major problem in any native planting because they compete with the desirable plants for water, nutrients and light. Weeds can grow very rapidly. If allowed to flower, weeds can disperse millions of seeds that quickly grow and become an overwhelming problem for the generally slower growing native plants, not to mention the maintenance personnel. Therefore, it is important to keep the weeds to a minimum by weeding regularly and removing any flowerheads the instant they are noticed. The key here is to remove all flowering weeds, at once, not a patch here, and maybe a week later another patch, there.

Preventative measures

The best prevention for weeds is a healthy, actively growing crop of desirable plants. Preventing weed seed germination, is very important, because it reduces the growth of a new crop of weeds. Weed seed germination can be prevented by mowing or weed whipping the seed heads off the undesirable plants, in the spring, before they set seed. Certain annuals may have to be mowed, or whipped, repeatedly, as they may continue to flower. Certain pre-emergent herbicides may be used for specific types of weeds, after desirable plant seed has germinated. A Pest Control Advisor should be consulted before using any pre-emergents.

Weed identification

Photographs of predominant weeds found, or that are expected to be found, on the site are included in Appendix 1. These weeds identified in the photographs are species that are non-native, exotic, and considered to be invasive. These species have the ability to reproduce rapidly and out-compete the native species. They should be removed before they reach six inches in height. These photographs should be used as a guide for the field personnel. This guide is intended to be a living document, and as such, any new weed species, identified in the field, it, and its photograph, should also be included in the Appendix.

Weed life cycles

Along with knowing what a weed looks like, it is important to know about the weed life cycles. Annuals, as the name implies will begin and end their life cycles within a twelve month period. Summer annuals, typically germinate in the spring, achieve their full gowth in the summer, and will set seed and die in the fall. Common summer annuals include crabgrass, goosegrass, mustards and marestail. Winter annuals will germinate in the fall, and will become mature by spring, and die come summer. Common winter annual weeds include chickweed and henbit.

Perennials, on the other hand can persist for several years under good growing conditions. These plants depend on storage structures, to survive over the years, such as deep taproots (artichoke thistle), bulbs or nutlets (nutsedge), rhizomes or stolons (bermudagrass). Control of weeds is highly dependent on understanding their lifecycles and specific biology within each life cycle group.

Desirable Plant identification

The desirable plants, have also been photographically identified, and are included in this guide under Appendix B. The establishment and maintenance personnel must be thoroughly familiar with both desirable plants and weed species appearance and life cycle characteristics.



Weeding techniques

Weeding techniques include mechanical, chemical and manual methods. Mechanical weeding methods, i.e., mowing and weed whipping, may be fast, but because of its speed, can also be inaccurate. The operator can fall into a weed whipping "trance" and whip desirable plants along with the weeds. The same holds true for chemical weed control. Manual weed control certainly is slow, and very labor intensive, but giving the operator proper training, this method can be very accurate in sensitive native habitat type plantings.

WEED CONTROL, WEED CONTROL!

Native perennial plants typically grow very slowly in the first year. Weed competition, especially competition for sunlight during the seedling stage, is probably the most important reason why seeded projects fail.

It is important to note that any agricultural chemicals applied to the site, must be recommended in writing by a licensed Pest Control Advisor and applied under the supervision of a licensed Pest Control Applicator.

First 2-3 months

Broadleaf weed control: Mustards, fillaree, prickly lettuce, etc.

Control with selective broadleaf herbicideis (still possible): when weeds are small, and the grasses are at the 3 leaf stage

Annual grasses: cereals, annual ryegrass, rip gut brome, etc.

Control: Not much can be done when the annual grasses are still seedlings.

Critical: Prevent annual grasses from setting seed via hand removal, weedwhipping, and/or mowing.

Note: It is critical that mowing and/or weed whipping be accomplished at a height where the weed seed heads are removed, without destroying the desirable native plants in the process. Typically that height is 8" - 10".

First Spring

Broadleaf weed control:

Selective herbicides

Mowing (weed whip)

Manual (hand) removal

Annual weed grass control:

Mowing (weed whip)



Wick application of herbicides Manual (hand) removal

First Fall

Non-selective broadleaf herbicides

Winter/Spring Second Year

Non-selective broadleaf herbicides - only if serious infestation of invasive species Hand removal

Spring/Summer Second Year

Non-selective broadleaf herbicides - only if serious infestation of invasive species

Third Fall and beyond

Combination of any of the management techniques described.

HERBICIDES AND THE WEEDS THEY CONTROL

It is again important to note that any agricultural chemicals applied to the site, must be recommended in writing by a licensed Pest Control Advisor and applied under the supervision of a licensed Pest Control Applicator. With that in mind, herbicides can be broken down into several classifications: non-selective (kills everything), selective (kills only specific weeds), i.e., kills only certain broadleaf weeds, to non-selective and selective pre-emergent and post-emergent herbicides. Chemicals containing 'glyphosate' are highly recommended because they do not persist in the environment. The portions not absorbed by plants, which falls onto the ground, is immediately neutralized.

Annual broadleaf weeds can be controlled with a pre or post-emergent herbicide. Care must be taken with pre-emergent herbicides, as they do not distinguish between a weed seed and a desirable seed. Post-emergent control of annual broadleaf weeds is generally more effective, and works best when the broadleafs are young and before they flower.

INSECTS AND DISEASES

The landscape manager, or monitor, shall be the responsible person to check the site conditions on each monitoring visit to determine if any plant damaging insect pest, plant pathogenic disease problem or potential cultural problems exist. Any insect or disease, as well as host plants shall be identified. A licensed Pest Control Advisor shall be consulted for the proper control agent, which may be chemical, biological or cultural. A licensed applicator shall be familiar with the label provided for the selected product prior to application. If natural insect or disease predators of the affected plants are present in sufficient numbers, no additional control methods may be necessary.

A general Diagnostic Guide for landscape plants exhibiting nonspecific symptoms is provided in Appendix 2.



On each inspection visit, the monitor shall observe the growing tips, tops, and underside of leaves, stems, trunks, and the bases of plants. If any problems are observed, the source must be determined immediately. Is the problem due to an imbalance of environmental conditions, i.e., sun, soil, and water, or is it due to plant pests such as fungi, bacteria, viruses, insects, birds, rodents or people? Have there been unusual changes in the weather? Is the problem evident on just a few plants, or on many?

Only the most beneficial, and least destructive pest management method shall be used to protect the environment, the other plants, the natural pest predators and the affected plants. The method chosen may range from monitoring only, to the use of chemical or mechanical control, to the extreme of removing any affected plants, to construct enclosures to keep vertebrate pests out. Evaluate the effect of any method chosen in controlling the targeted pest. Look for any long term harmful symptoms in the environment, the planting, natural plant pest predators, beneficial organisms, groundwater and people.

FERTILIZATION

Fertilize only as needed to correct a deficiency, identified through foliar and soil analysis. The generic approach of blanket fertilizing with a 20-20-20 should no longer be used. The objective for fertilizing is to supply nutrients that the plant truly needs in order to achieve a clearly defined objective. Is the plant being fertilized for increased growth? That would be a good objective for young plants, but is it necessary for mature specimen? Fertilizing can cause many problems: insects may become attracted to the higher nutrient content in the leaves, nutrient excess may be detrimental to soil micro-organisms. To determine the type of fertilizer necessary, it is worth the time and effort to have the soil tested for existing fertility levels at a soil testing laboratory, prior to fertilizing. Fertilizing should follow the soil testing labs recommendations.

Sometimes the best fertilizer may be organic matter added to the soil. Soils with a higher organic matter content have the bacteria and other soil micro-organisms important for fixing nitrogen, producing plant growth regulators and deterring root diseases.

When fertilizing follow the directions on the labels carefully. Plants can die from an over-application of the product. Also be aware of weed-and-feed products which can harm roots. The same herbicide that kills broadleaf weeds can be picked up by roots of other plants and can harm or kill broadleaf plants, especially young ones, if applied incorrectly.

REPLACEMENT PLANT MATERIAL AND RESEEDING

Seeded species

Seeded revegetation areas will be assessed on an annual basis, in late summer. If it is determined that supplemental seeding is required, seeding will take place in the fall. Substitute seed shall not be installed unless previously authorized by the Landscape Manager.

TRASH CLEANUP

Trash shall be removed immediately so that it does not become a physical problem, i.e., building up and smothering plants, and also that it does not become an aesthetic, i.e., visual problem.



MONITORING

The purpose of monitoring is to document that the desired plant species are being or have been established, and to identify any shortcomings, or problems, so that timely and appropriate corrective action can be taken. Monitoring will include plant health, presence of invasive, exotic weeds, incidents of insect attacks, outbreak of diseases, growth (height) or the lack thereof, erosion, animal browsing, and vandalism. Monitoring results will be forwarded to the Landscape Manager for action.

Monitoring frequency will be weekly for the first two years, and quarterly thereafter.

At each monitoring point, the general condition of the plantings will be noted. The quality of maintenance, weeding, erosion control, trash pickup and vandalism will also be noted. The monitor will meet with the Landscape Manager, landscape contractor supervisor or foreman, during each visit to review the conditions of the site. A checklist of issues to address before the next site visit will be generated and submitted to the landscape manager for appropriate action. In addition to evaluating the establishment and maintenance factors discussed previously, photographs will be taken from permanently established photo points, to provide a visual record of the establishment progress.

SUPERVISION

An on-going, mandatory, hands-on training program for all maintenance staff, and/or landscape contractors, shall be established. Topics of discussion shall be based on "The Guide". The Guide should be thought of as a living document, it can be added to, or changed as necessary, as experience dictates.

Record keeping

Record keeping is a very valuable tool. It improves the skill of recognizing the relationship of pest, disease, and weed growth to the overall climate in this region, and to the individual micro-climates specific to the site. An unusually cold winter often means fewer pests in the spring. If the onset of a spider mite infestation is recorded, for example, in the next year around that date, the landscape manager should be ready to take the appropriate steps to manage the infestation. The same holds true for herbicide applications. Weather (especially rain), should also be recorded, in order to make appropriate adjustments in the erosion control inspection schedule.

LONG TERM MAINTENANCE - (5 years plus)

If the plant establishment period has been successful, then the plantings will be well on their way to being: "Self-sustaining". At that point, the landscape management focus can shift from one of "establishment" and "nurturing" to actual "maintenance". Maintenance will become routine, and will require a less intensive program. However, all of the above will still apply to a great extent. Landscape maintenance can never be put on "auto-pilot" because a landscape is forever growing and dynamic, subject to the vagaries of climate, from drought to flooding, and insects and diseases, and is impacted, for better or worse, by our management practices.



ADDITIONAL SECTIONS:

SECTION A - Exotic and Invasive Weeds to be removed

SECTION B - Project Plant Identification

SECTION C - Diagnostic Guide for Landscape Plants

SECTION D - Plant Establishment and Maintenance Monitoring Checklist

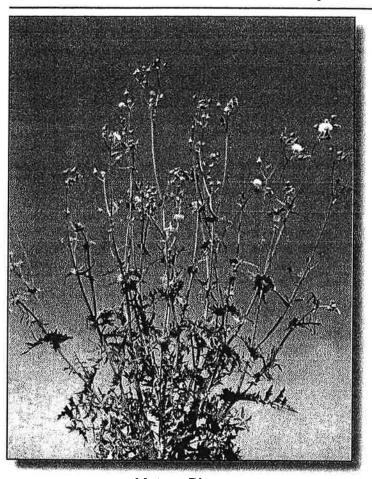


SECTION A

EXOTIC AND INVASIVE WEEDS TO BE REMOVED

PLEASE NOTE: THIS LIST OF WEEDS IS INCOMPLETE, AND WEEDS CAN BE ADDED TO, OR REMOVED FROM, THIS LIST AT ANY TIME, AS NEW WEEDS ARE IDENTIFIED OR CERTAIN WEEDS ARE ERADICATED.





Mature Plant

Common Name: Annual Sow Thistle

Botanic Name: Sonchus oleraceus

Description: Annual herb, most obvious in summer, can grow three to six feet

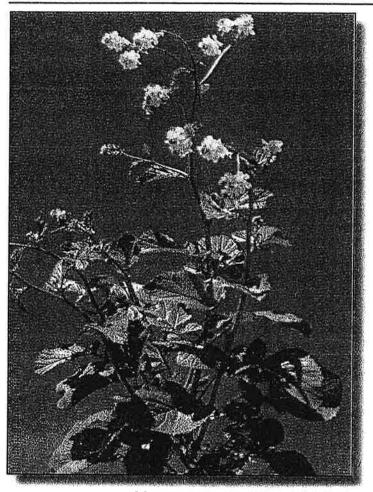
tall, milky juice will flow from stem or leaves if cut

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground

Notes: invasive, do not allow to go to seed





Mature Plant

Common Name: Black Mustard

Botanic Name: Brassica nigra

Description: Annual herb, most obvious in spring and summer, can grow two to

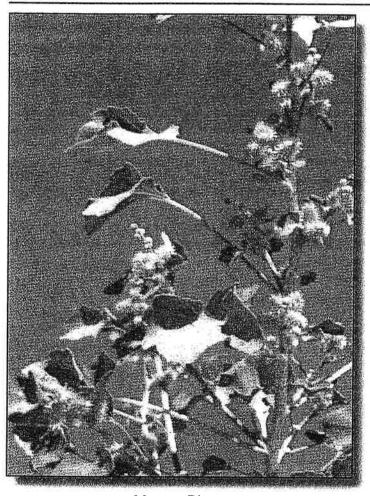
six feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground

Notes: invasive, do not allow to go to seed





Mature Plant

Common Name: Cockle Bur

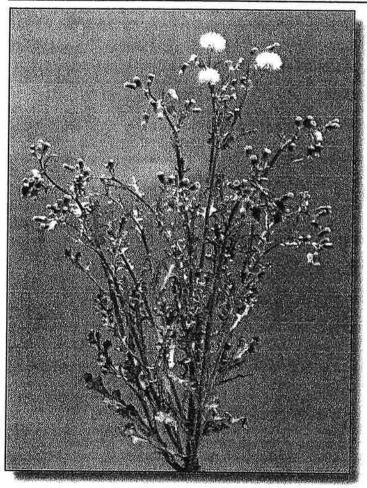
Botanic Name: Xanthium strumarium

Description: Annual herb, invades moist areas, seedling and seed is poisonous,

can grow two to five feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground



Mature Plant

Common Name: Common Groundsel

Botanic Name: Senecio vulgaris

Description: Annual herb, most obvious in winter, can grow to two feet tall

Control: remove before flowering, Broadleaf herbicide, cut root

with spade min. 8" below ground - deep tap root





Mature Plant

Common Name: Little Mallowl, Cheeseweed

Botanic Name: Malva parviflora

Description: Bushy annual, most obvious in summer, but can also persist through

a mild winter, can grow to five feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground





Mature Plant

Common Name: Prickly Lettuce

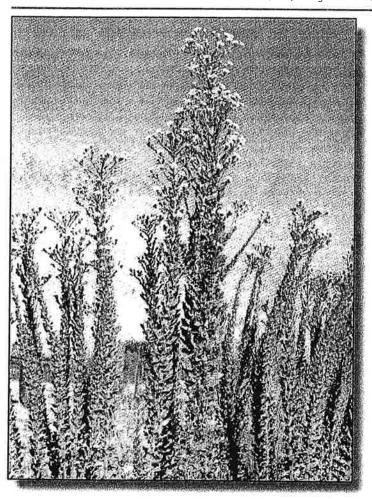
Botanic Name: Lactuca serriola

Description: Annual herb, most obvious in summer, can grow to six feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground





Mature Plant

Common Name: Telegraph Weed

Botanic Name: Heterotheca grandiflora

Description: Annual herb, native to California, most obvious in summer, can grow

to six feet tall

Control: remove before flowering, Broadleaf herbicide, cut root with

spade min. 8" below ground, very strong tap root

Notes: invasive depending on location, do not allow to go to seed in

ornamental areas, can be tolerated in native areas

project kkgb

Pacific Custom Materials, Inc., Revegetation Plan, Maintenance Manual, January 2006

SECTION B

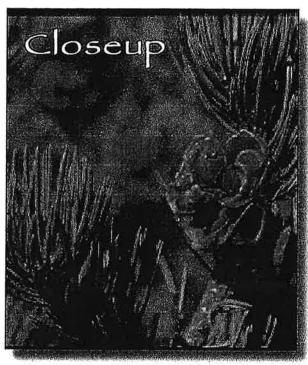
PROJECT PLANT IDENTIFICATION

Page 21



Pinus monophylla Pinon Pine





Design Intent: Very large shrub, small tree

Description: Evergreen shrub, small tree, great character in dry and rocky places.

Cones contain edible seed. Needles 3/4" - 1 1/2", grey green, stiff,carried singly, though "single" needle is two needles pressed

together. Cones: 2", round, brown.

Growth: Very slow, up to 15 ft, with equal spread, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water. Possible Disease Problems: pinon pitch borer, ips, spindle gall midge, black stain root disease,

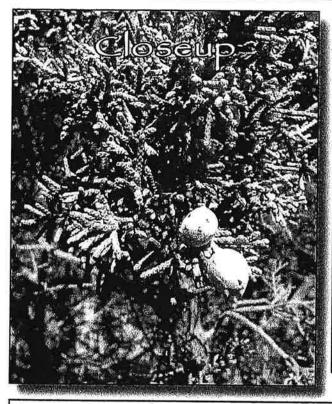
mistletoe.

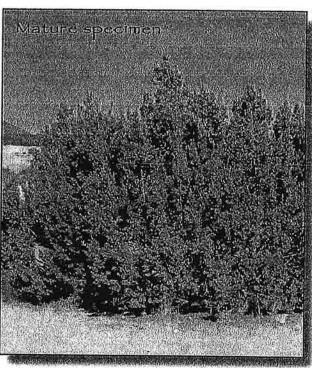
Pruning: Very little, if any, is required. Let adjacent plants

touch, to form one big grouping.



Juniperus californica California Juniper





Design Intent: Very large shrub, small tree

Description: Evergreen shrub, small tree, native to dry climate regions.

Dark green foliage is comprised of scale-like leaves, colorful fruit is

blue-grey in early spring and matures to red-brown

Growth: Slow, mounding to 15 ft, with equal spread, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water. Possible Disease Problems:

juniper aphid, - scale, - shoot borer, - - moth, - webber moth,

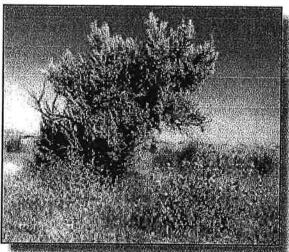
- webworm.

Pruning: Very little, if any, is required.



Artemesia tridentata Great Basin Sage





Mature specimen

Design Intent: Large shrub

Evergreen shrub, native to dry climate regions. Description:

Grey-green foliage is comprised of scale-like leaves,

Slow, mounding to 5-8 ft, with equal spread, needs full sun. Growth:

Provide good drainage, doesn't like standing in water and Maintenance:

soggy soil. Little to moderate water. Very drought tolerant.



Quercus dumosa Scrub Oak



Design Intent: Very large shrub, small tree.

Description: Evergreen shrub, small tree. Typically multi-trunked.

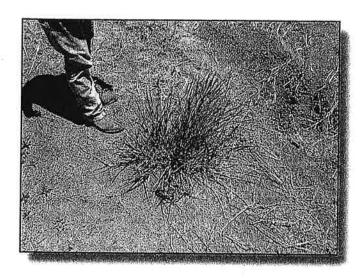
Growth: Very slow, mounding to 9 ft, with equal spread, needs full sun.

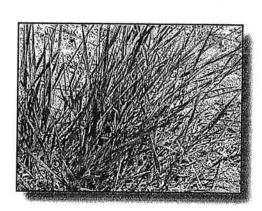
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Elymus glaucus Blue Wildrye





Design Intent: Perennial native grass.

Description: Common in the foothills and lower mountain slopes. Blue-green

coloration.

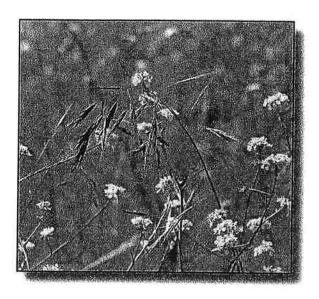
Growth: Spikes to 2', becoming very stemmy.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, Drought tolerant.



Bromus carinatus California Brome





Design Intent: Native grass groundcover.

Description: Short lived perennial, native, grass.

Growth: Up to three feet, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

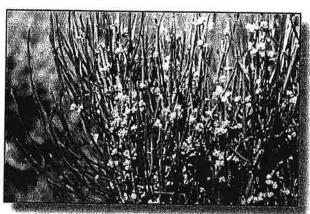
soggy soil. Little to moderate water, very drought tolerant. Good

Short lived perennial, native, grass mycorrhizal host.



Ephedra viridis Mormon Tea





Design Intent: Shrub.

Description: Erect, with numerous bright green or yellowish green broom-like

slender branches.

Growth: One to three feet high, needs full sun. Adapted to desert mountain

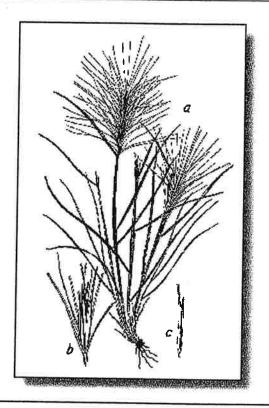
slopes.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Sitanion jubatum Squirreltail



Design Intent: Native grass, groundcover.

Description: Densely tufted perennial, native, grass.

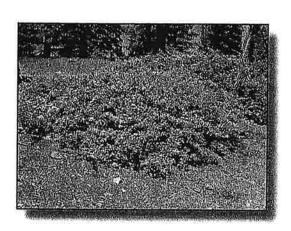
Growth: Up to 18", needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Ceanothus cordulatus Whitethorn





Design Intent: Large Shrub, groundcover.

Description: Much branched, spinescent, with glaucous leaves, which gives the

which gives the plant its grey appearance plant its grey appearance.

Flowers white, in spring, .

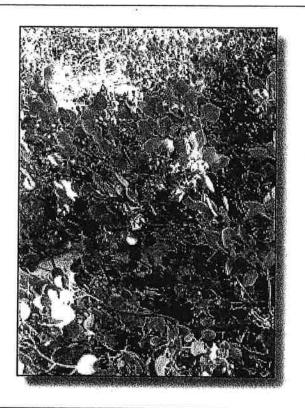
Growth: Two to three feet high, up to twelve feet in diameter, needs full sun.

Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Artostaphylos patula Greenleaf Manzanita



Design Intent: Large Shrub, groundcover.

Description: Erect shrub. Bark reddish brown, leaves bright to yellow green and

glabrous. Flowers pink, in spring.

Growth: Three to seven feet high, needs full sun.

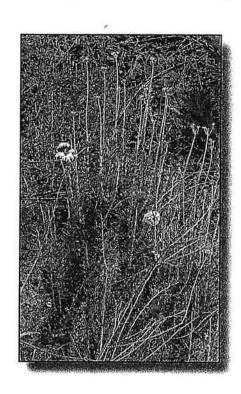
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Eriogonum fasciculatum California Buckwheat





Design Intent: Small Shrub, groundcover.

Description: Semi-erect, evergreen, shrub. Bark reddish brown, leaves bright to

yellow green and glabrous. Flowers pink-white, throughout summer.

Growth: One to three feet high, two to four feet wide, needs full sun.

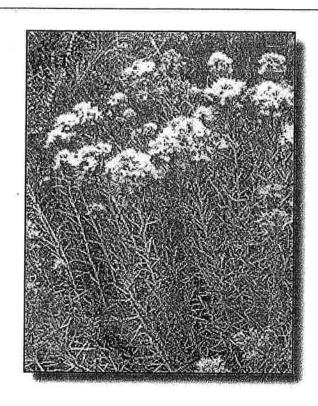
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Chrysothamnus nauseosus Rabbitbrush





Design Intent: Small Shrub, groundcover.

Description: Erect, evergreen, shrub. Stems erect from base, leaves nearly linear.

Brilliant golden-yellow flowers.

Growth: One to seven feet high, needs full sun.

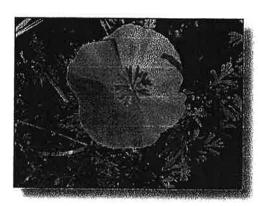
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Eschscholzia californica California Poppy





Design Intent: Small Shrub, groundcover.

Description: Annual, maybe perennial in warmer climate zones. Feathery, highly

dissected leaves, 1-2 foot high stems with golden orange or yellow

flowers. Flowers late spring into fall.

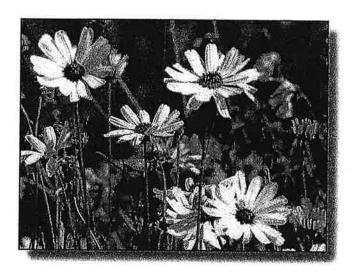
Growth: One to two feet high, needs full sun.

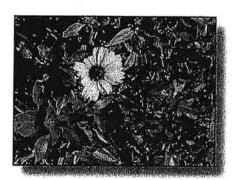
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Encelia californica Bush Daisey





Design Intent: Small Shrub, groundcover.

Much branched bushy perennial. Stems woody only at the base. Description:

Common on hillsides and in canyons. Flowers yellow, in spring

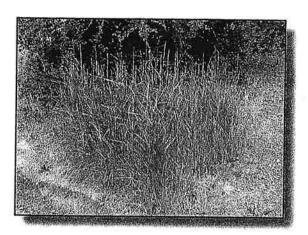
Two to four feet high, needs full sun. Growth:

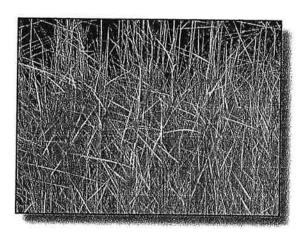
Provide good drainage, doesn't like standing in water and Maintenance:

soggy soil. Little to moderate water, very drought tolerant.



Elymus triticoides Creeping Wildrye





Design Intent: Native grass, groundcover.

Description: Perennial, by extensive creeping rhizomes. Valuable soil binder.

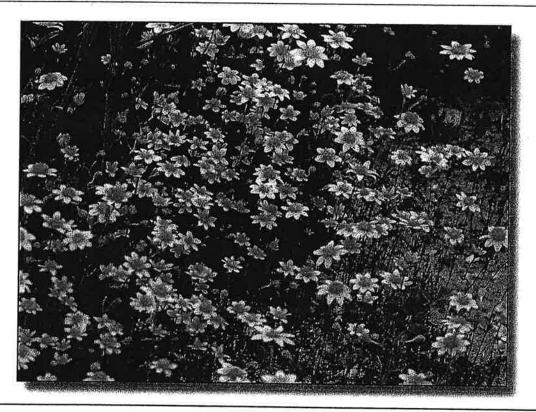
Growth: Up to four feet high, needs full sun. Can form dense stands.

Maintenance: Provide good drainage, will tolerate moisture and

soggy soil. Can survive drought.



Lasthenia californica Goldfields



Design Intent: Small sub-shrub, groundcover.

Description: Annual. Can be self seeding. Erect, evergreen, shrub. Stems erect

from base, leaves nearly linear. Brilliant golden-yellow flowers

in spring.

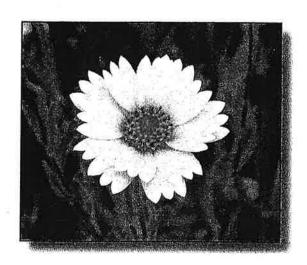
Growth: Six inches high, needs full sun.

Maintenance: Provide good drainage. In moister soil may reach one foot in height.

Drought tolerant.



Layia californica Goldfields





Design Intent: Small Sub-shrub, groundcover.

Description: Tender annual. Flowers yellow and white, spring to early summer.

Growth: Up to twelve inches high, with sprawling, branched stems. Needs full

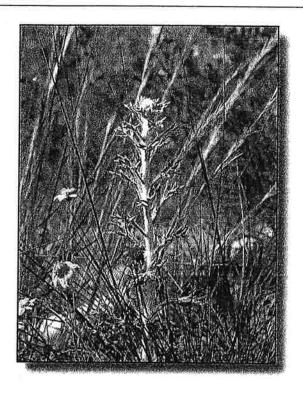
sun.

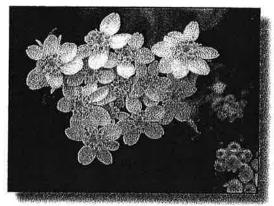
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Eriophyllum confertiflorum Golden Yarrow





Design Intent: Small Sub-shrub, groundcover.

Description: Tender perennial. Herbacious stems from a woody base, leaves and

stems covered in wooly fuzz. Golden flowers, in mid-summer.

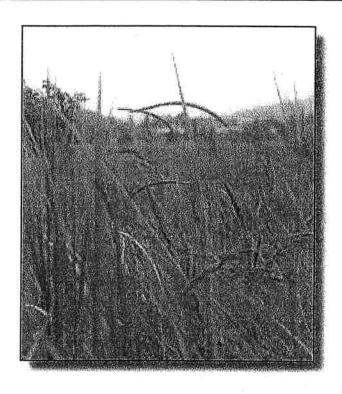
Growth: One to two feet high, needs full sun.

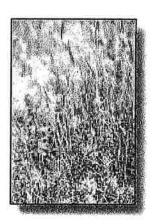
Maintenance: Provide good drainage, doesn't like standing in water and

soggy soil. Little to moderate water, very drought tolerant.



Hordeum brachyantherum Meadow Barley





Design Intent: Native grass, groundcover.

Description: Tufted perennial grass.

Growth: Up to 18 inches high, needs full sun.

Maintenance: Prefers moist soils, but doesn't like standing in water and

soggy soil.



SECTION C

DIAGNOSTIC GUIDE FOR LANDSCAPE PLANTS



	plants exhibiting nonspecific sympt	ioms
SYMPTOMS	POSSIBLE CAUSES	
Brown or scorched leaves; progressive dieback or branches.	 A) Poor root health rom poor drainage, excessidryness, excessive fertilizer, compaction and water penetration into soils or girdling roots. B) Specific nutrient toxicities or imbalances. C) Excessive heat or light reflected onto leaves driveway or buildings. D) Pesticide or mechanical injury. E) Air pollution. F) Winter drying. G) Vascular fungal or bacterial infection. 	d poor
2. Leaf spots, blotches, blemishes, blisters or scabby spots.	 A) Excessive soil dryness coupled with high temperatures. B) Frost injury. C) Chemical spray injury. D) Fungal or bacterial infections. E) Herbicide injury. F) Insect damage. 	
3. Foliage yellow-green.	 A) Insufficient fertilizer or nutrient imbalance. B) Poor root health due to compacted soil, poor drainage or girdling roots. C) Winter drying. D) Root or crown injury. E) Air pollution. F) Soil pH lower than 5.0 or higher than 8.0. G) Herbicide injury H) Mites or scale. 	
4. Foliage of one branch dying.	A) Fungal canker. B) Injury. C) Insect damage. D) Winter damage. E) Chemical spray injury.	3 c
5. Leaf drop.	 A) Poor root health from poor drainage, excessing dryness, excessive fertilizer, compacted soil girdling roots. B) Heat and drought stress. C) Insect infestation. D) Herbicide injury. 	ve or
6. Wilting or drooping of foliage.	A) Poor root health from poor drainage, excessing dryness, excessive fertilizer or other soluble at the soil, compacted soil, or overwatering. B) Toxic chemical poured into soil. C) Fungal or bacterial infection of vascular system. D) Fungal cankers. E) Insect infestation.	salts in
Leaves with tiny yellow speckling or yellow banding of needles	A) Mite infestation. B) Air pollution. C) Insect infestation. D) Fungal or bacterial infection.	
8. Deformed or misshapen leaves.	A) Herbicide injury. B) Late frost or freeze. C) Insect infestation. D) Anthracnose.	46



SECTION D

ESTABLISHMENT AND MAINTENANCE MONITORING CHECKLIST



PACIFIC CUSTOM MATERIALS, INC REVEGETATION ESTABLISHMENT AND MAINTENANCE MONITORING CHECKLIST

DATE:	TIME:	WEATHER:		
GERMINANT SPECIES OBSERVED:				
- 10				
MATURE SPECIES OB	SERVED:			
+ 2		12		
127				
WEEDS OBSERVED:				
N				
		2		
INSECTS:				
	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1			
	*			
DISEASE:		*		
X				
EROCION:	American Indiana de la companya della companya della companya de la companya della companya dell			
EROSION:				
MULCH:				
Wideen in				
	+			
HERBICIDE USED/RECOMMENDED:				
*				
REPLACEMENT PLANT	S/SEED (ESTIMATE):			
TRASH:	£ 22			
8				
OBSERVED BY:	eg.			

Op. .tor: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140 Page 1 of 11

Date of Approval: April 6, 2010

J

EXHIBIT 6 CONDITIONS OF APPROVAL FOR LU06-0045 (PCM) RECLAMATION PLAN FOR CONDITIONAL USE PERMIT (CUP) 212

Resource Management Agency Conditions

Planning Division

- 1. No Change to CUP 212: This approval only amends the 1979 Reclamation Plan for CUP 212 and does not change the conditions or exhibits for CUP 212.
- 2. <u>1979 Reclamation Plan Superseded</u>: All previous exhibits and conditions of the 1979 Reclamation Plan for CUP 212 are hereby superseded by these conditions and their exhibits.
- 3. <u>Permitted Land Uses</u>:

This approval is for the following uses:

- a. Implementation of the <u>Reclamation Plan Application Update Pacific</u>
 <u>Custom Materials Inc. Frazier Park Plant</u> dated June 2007 (Exhibit 4).
- b. At reclamation, the finish contours shall conform the contours as "post mining elevation contours" shown in Figure 3 of Exhibit 4.
- c. The reclaimed end use of the mining associated with CUP 212 is open space.
- d. The reclamation revegetation plan must be consistent with Exhibit 5 (Titled Attachment 7 Revegetation Plan).
- e. This Reclamation Plan shall expire when the County makes a finding that reclamation of CUP 212 has met the reclamation requirements of the Surface Mining and Reclamation Act (SMARA) and the reclamation requirements of the *Ventura County Non-Coastal Zoning Ordinance* (2009).

COUNTY OF VENTURA
PLANNING DIVISION

APPROVED

Date 1000

Permit No. (406.0045)

Planner Authorizing

O_L .tor: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Page 2 of 11

Date of Approval: April 6, 2010

4. <u>Acceptance of Conditions and Schedule of Enforcement Responses</u>: The Operator's acceptance of this Reclamation Plan and/or commencement of construction and/or operations under this Reclamation Plan shall be deemed to be acceptance by the Operator of all conditions of this Reclamation Plan.

Failure to abide by and faithfully comply with any conditions for the granting of this Reclamation Plan shall constitute grounds for the implementation of enforcement procedures as provided in the *Ventura County Non-Coastal Zoning Ordinance*, which include, but are not limited to, the following actions:

- Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- Modification of the Reclamation Plan conditions listed herein;
- Recordation of a "Notice of Noncompliance" with the deed to the subject property;
- The imposition of administrative civil penalties; and/or
- Revocation of this Reclamation Plan.

It is the Operator's or the Operator's successors in interest responsibility to be aware of, and to comply with, the Reclamation Plan conditions and the rules and regulations of all jurisdictions having authority over the uses described herein.

5. Time Limits:

a. <u>Effective Date and Fees:</u>

- (1) The decision on this Reclamation Plan becomes effective upon the expiration of the decision's appeal period, or when any administrative appeals filed regarding the decision on this Reclamation Plan are resolved.
- (2) Within 30 days of the date of this approval all fines, penalties, and sureties must be paid in full. Any subsequent charges must be paid within 30 days of the billing date or this Reclamation Plan is subject to revocation.
- b. Reclamation Period: The use granted by this Reclamation Plan will expire when the County makes a finding that reclamation of CUP 212 has met reclamation requirements of SMARA and the Ventura County Non-Coastal Zoning Ordinance. Failure of the County to provide additional notification to the Operator of the expiration date shall not constitute grounds for continuance of this Reclamation Plan after the expiration date.

Op. .tor: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Page 3 of 11

Date of Approval: April 6, 2010

6. Reclamation Plan Modification: Prior to undertaking any activities not expressly described in these conditions or applicable exhibits, the Operator shall contact the Planning Director to determine if the activity requires a modification of this Reclamation Plan. The Planning Director may, at the Planning Director's discretion, require that the Operator file a written and/or mapped description of the proposed activity prior to rendering a decision on whether a Reclamation Plan modification is required.

If a Reclamation Plan modification is required, the modification may be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
- b. Environmental review, as may be required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000-15387), as amended from time to time.
- 7. Notice of Reclamation Plan Requirements and Retention of Reclamation Plan Conditions On-Site: Unless otherwise required by the Planning Director, the Owner(s) of record, the contractors, and all other parties and vendors regularly dealing with the daily operation of the proposed activities shall be informed, in writing, by the Operator of the pertinent conditions of this Reclamation Plan.

A current set of Reclamation Plan conditions and exhibits shall be retained at the site; the Reclamation Plan conditions and exhibits shall be provided on-site and shall be maintained on-site until expiration of this Reclamation Plan.

The terms of this condition shall be met starting no later than 30 days after approval of this entitlement.

8. Recorded "Notice of Land Use Reclamation Plan": In accordance with the Ventura County Non-Coastal Zoning Ordinance (2009, §8111-8.3), the Operator and property owner of record shall sign, have notarized, and record with the Office of the County Recorder, a "Notice of Land Use Reclamation Plan" as required by SMARA §2772.7 for each legal parcel. A copy of the recorded "Notice of Land Use Reclamation Plan" shall be returned to the Planning Division to be filed with, and made part of, the case file. Said notice shall be recorded within 30 days of the approval date of this entitlement.

O_L Ator: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Date of Approval: April 6, 2010

Page 4 of 11

Condition Compliance, Enforcement, and Other Responsibilities:

As of the date of this approval a condition compliance and enforcement account (CC06-0274) for both the CUP and Reclamation Plan exists, and no additional condition compliance or enforcement accounts are required. The following requirements apply to CC06-0274:

- a. <u>Cost Responsibilities</u>: The Operator shall bear the full costs of all staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going Reclamation Plan compliance, and monitoring programs by establishing a revolving compliance account as described below in paragraph 9.b. Specifically, the Operator shall bear the full costs of the following:
 - (1) Condition Compliance is defined herein to include, but is not limited to, the staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing Reclamation Plan condition compliance review; and,
 - (2) Monitoring and enforcement costs, and any related fines or penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended. (Refer to paragraph 9.c, below.)
- b. <u>Billing Process</u>: The Operator shall pay any written requests to replenish the deposit made by the Planning Director or designee within 30 days of receipt of the request. If requested by the Operator, requests for payment shall be accompanied by an accounting of how the deposited funds have been spent. Failure to pay the required amount, or to maintain the required deposit, shall be grounds for suspension, modification, or revocation of this Reclamation Plan. The Operator shall have the right to challenge any charge or the reasonableness of any charge prior to payment.

Defense and Indemnity:

- As a condition of issuance and use of this Reclamation Plan, including adjustment, modification, or renewal of this Reclamation Plan, the Operator agrees to:
 - (1) Defend, at the Operator's sole expense, any action brought against the County by a third party challenging either its decision to issue this Reclamation Plan or the manner in which the County is interpreting or enforcing the conditions of this Reclamation Plan; and

O_L Ator: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Page 5 of 11

Date of Approval: April 6, 2010

(2) Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such action. Upon demand from the County, the Operator shall reimburse the County for any court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such action the Operator defended or had control of the defense of the suit. The County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the Operator of the Operator's obligations under this condition.

- b. Neither the issuance of this Reclamation Plan nor compliance with the conditions thereof shall relieve the Operator from any responsibility otherwise imposed by law for damage to persons or property, nor shall the issuance of this Reclamation Plan serve to impose any liability upon the County of Ventura, its officers, or employees for injury or damage to persons or property.
- c. Except with respect to the County's sole negligence or intentional misconduct, the Operator shall indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, demands, costs, and expenses, including attorney's fees, judgments, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 3 (Permitted Land Uses), as it may be subsequently modified pursuant to the conditions of this Reclamation Plan.
- 11. <u>Invalidation of Condition(s)</u>: If any of the conditions or limitations of this Reclamation Plan are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth. In the event that any condition contained herein is determined to be in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the project sponsors in an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by the Code of Civil Procedures, §1094.6, or other applicable law, this Reclamation Plan shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the Operator has, in the interim, fully complied with the fee, exaction, dedication, or other mitigation measure being challenged.

Page 6 of 11

Date of Approval: April 6, 2010

If any condition is invalidated by a court of law, and said invalidation would change the findings and/or the mitigation measures associated with the approval of this Reclamation Plan, the project may be reviewed, at the discretion of the Planning Director, by the Planning Commission and substitute feasible conditions/mitigation measures may be imposed to adequately address the subject matter of the invalidated condition.

The determination of adequacy shall be made by the Planning Commission. If the Planning Commission cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this Reclamation Plan may be revoked.

12. Consultant Review of Information and Consultant Work: The County and all other permitting agencies shall have the option of referring any and all special studies that may be required by these conditions to an independent and qualified consultant for review and evaluation of issues beyond the expertise or manpower of County staff.

The Operator may hire private consultants to conduct work required by the County, provided the consultant and the proposed scope-of-work are acceptable to the County. However, the County retains the right to hire its own consultants to evaluate any work undertaken by the operator or consultants under the contract to the operator.

13. Relationship of Reclamation Plan Conditions, Laws and Other Permits: The design, maintenance, and operation of the Reclamation Plan area and facilities thereon shall comply with all applicable requirements and enactments of Federal, State, and County authorities, as amended, and all such requirements and enactments shall by reference become conditions of this Reclamation Plan. In the event of conflicts between various requirements, the more restrictive requirements shall apply. In the event that any Reclamation Plan condition contained herein is determined to be in conflict with any other Reclamation Plan condition contained herein, then where principles of law do not provide to the contrary, the Reclamation Plan condition most protective of public health and safety and environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

No condition of this Reclamation Plan for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. Neither the issuance of this Reclamation Plan nor compliance with the conditions

O_k ator: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Page 7 of 11

Date of Approval: April 6, 2010

of this Reclamation Plan shall relieve the Operator from any responsibility otherwise imposed by law for damage to persons or property.

- 14. Contact Person: The Operator has provided the Planning Director with the contact information (e.g., name and/or position title, address, phone number, mailing and email addresses, and business and cell phone numbers) of the Operator's field agent and other representatives who receive all orders, notices, and communications regarding matters of condition and code compliance at the project site. There always shall be a contact person(s) designated by the Operator. If deemed necessary by the Planning Director, one contact person(s) shall be available via telecommunication, 24 hours a day, to respond to complaints by citizens and the County. If the address or phone number of the Operator's agent(s) should change, or the responsibility is assigned to another person or position, the Operators hall provide the Planning Director with the new information within three business days.
- 15. Resolution of Complaints: The following process shall be used to resolve complaints related to the project:
 - All complaints received by the County shall be directed to the Operator's contact person established pursuant to Condition <u>14 (Contact Person)</u>, or to the Operator if a contact person has not been designated.
 - b. As soon as possible, but no later than one day after receiving a written complaint from the County or a citizen, the Operator shall investigate the complaint.
 - c. The Operator shall report the Operator's findings to the complainant and the Planning Director as soon as possible, but no later than one day after receiving a complaint, unless otherwise agreed to by the parties in question.
 - d. If the investigation of a complaint by the Operator indicates a possible violation, the Operator shall take prompt action to correct the potential problem.
 - e. If the problem persists, the County Planning Division shall initiate complaint resolution actions as contained in the Ventura County Ordinance Code, as it may be amended.
 - f. If the complaint constitutes a violation of the Ventura County Ordinance Code or the Reclamation Plan conditions listed herein, and the Operator fails to correct the violation, enforcement actions shall be commenced by the County.

O_L tor: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Page 8 of 11

Date of Approval: April 6, 2010

16. Reporting of Major Incidents: The Operator shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the Reclamation Plan area. Upon request of any County agency, the Operator shall provide a written report of any incident within seven calendar days that shall include, but not be limited to, a description of the facts of the incident, the corrective measures used, and the steps taken to prevent a recurrence of the incident.

- 17. Correspondence from Other Agencies and Jurisdictions: Copies of all correspondence, reports, or information related to land use and environmental issues covered by this Reclamation Plan which are received by the Operator from, or sent by the Operator to, other State or local jurisdictions or agencies shall be provided to the Planning Division within five calendar days of their receipt/issuance.
- 18. Change of Ownership: At least 10 calendar days prior to the effective date of the change of property ownership, or of lessee(s) or operator(s) of the permitted uses, there shall be filed, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). A final statement that a transfer of ownership has occurred shall be provided to the Planning Director within 15 calendar days of the transfer. The statement shall include the following:
 - a. Any changes in name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and company officer(s) from the initial notice;
 - b. A letter from the new property owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this Reclamation Plan; and,
 - c. The effective date and time of the transfer.
- 19. <u>Archaeological and Paleontological Resources</u>: In the event that archaeological or paleontological remains or artifacts are encountered during reclamation activities expressly described in these conditions or applicable exhibits, the Operator shall implement the following procedures:
 - a. If any archaeological or historical artifacts are uncovered, the Operator shall:

O_L Ator: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Page 9 of 11

Date of Approval: April 6, 2010

- (1) Cease operations and assure the preservation of the area in which the discovery was made;
- (2) Notify the Planning Director in writing, within three days of the discovery;
- (3) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site; and,
- (4) Obtain the Planning Director's written concurrence of the recommended disposition before resuming those reclamation activities.
- b. If any human burial remains are encountered, the Operator shall:
 - (1) Cease operations and assure the preservation of the area in which the discovery was made;
 - (2) Immediately notify the Sheriff and the Planning Director;
 - (3) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site; and.
 - (4) Obtain the Planning Director's written concurrence of the recommended disposition before resuming those reclamation activities.
- c. If any paleontological remains are uncovered, the Operator shall:
 - (1) Cease operations and assure the preservation of the area in which the discovery was made;
 - (2) Notify the Planning Director in writing, within three days of the discovery;
 - (3) Obtain the services of a County-approved paleontologist who shall assess the find and provide recommendations on the proper disposition of the site; and,
 - (4) Obtain the Planning Director's written concurrence of the recommended disposition before resuming those reclamation

O_L ∡tor: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Page 10 of 11

Date of Approval: April 6, 2010

activities.

20. <u>Proprietary Information</u>: Proprietary information and/or trade secrets which are required to be submitted shall be so identified by the Operator, submitted separately from the other required materials, and confidentially maintained by the public agencies having access to it. Such information shall be requested on an as needed basis only by the applicable County agency or department head.

"Proprietary information" means information which the Operator or County determines would reveal such things as production, reserves, manufacturing processes and patented formulas, or rate of depletion of the operations of the Operator. Any information which is not proprietary is a matter of public record.

21. <u>Minimizing Nuisance Impacts and Setbacks from Agricultural Uses</u>: The Operator shall take whatever reasonable steps are necessary, as determined by the Planning Director, to prevent significant nuisance impacts from occurring outside the Reclamation Plan area during the reclamation phase of CUP 212.

Significant nuisance impacts include, but are not limited to, noise, dust, odors, lighting, and glare. In order to determine the significance of the nuisance, the Planning Director may consider the number and types of neighbor complaints, and conduct inspections of the site and surrounding areas. Any questions about what constitutes significant off-site nuisance levels shall be resolved by the Planning Director or other public agency (e.g., the Air Pollution Control District) as the Planning Director may designate.

Environmental Health Division Conditions

- 22. Regional Water Quality Control Board Approval: The Los Angeles Regional Water Quality Control Board adopted Order No. 01-031 to require general waste discharge requirements for commercial and multifamily sewage disposal systems. Wastewater generated by the project may be subject to waste discharge requirements. For more information regarding the Order and waste discharge requirements please contact the Los Angeles Regional Water Quality Control Board at (213) 576-6600.
- 23. <u>Waste Discharge Permit or Exemption</u>: Within 30 days of approval of this entitlement, the Operator shall apply for a Waste Discharge Report/determination of exemption for the sewage disposal system (septic system) from the Los Angeles Regional Water Quality Control Board or written authorization from the Los Angeles Regional Water Quality Control Board for the Ventura County Environmental Health Division to issue appropriate permits.

O_L _ ₄tor: Pacific Custom Materials Location/APN: 17410 E. Lockwood Valley Rd Frazier Park, 004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-140

Date of Approval: April 6, 2010

Page 11 of 11

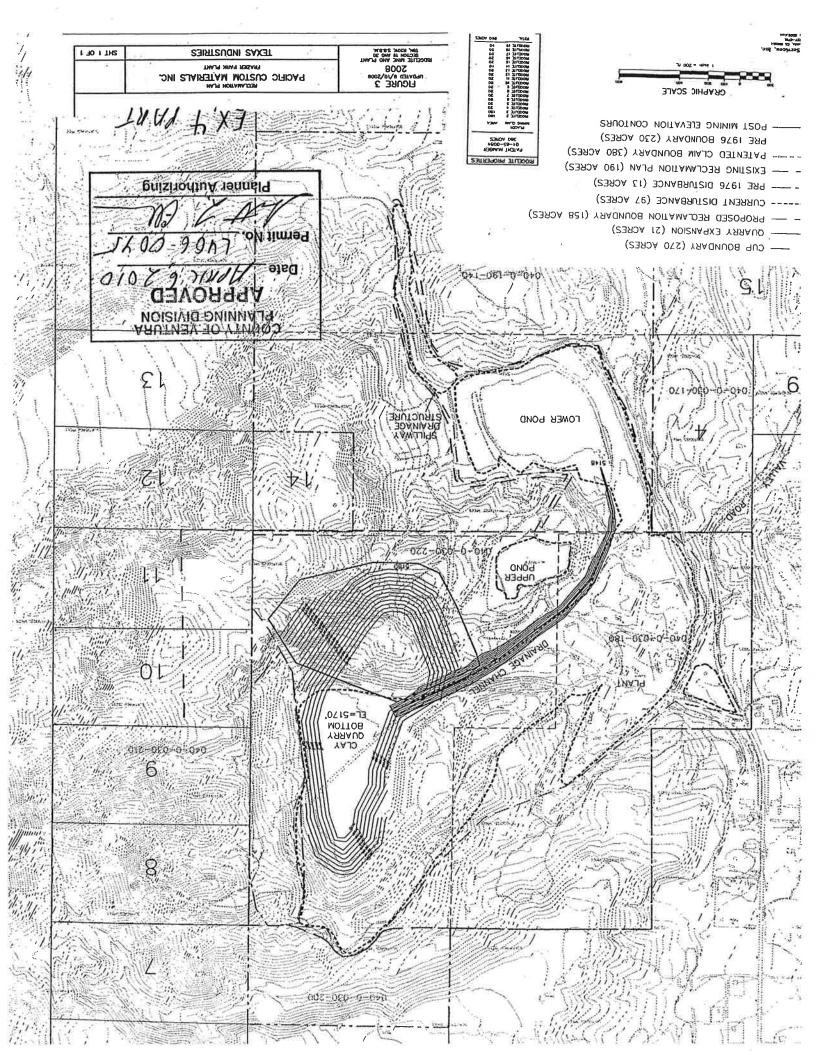
Air Pollution Control District (APCD) Conditions

24. All project construction and site preparation operations shall be conducted in compliance with all applicable Ventura County APCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10 (Permits Required).

Watershed Protection District

Groundwater Resources Section

- 25. <u>Decommissioning of Ponds</u>: At reclamation the onsite ponds shall be decommissioned so that they do not retain surface water and the site graded to provide continual long term drainage as shown in Figure 3 <u>Post Mining Design Reclamation Plan for the Pacific Custom Materials Inc. Frazier Park Plant</u> (as revised: 5/30/07).
- 26. Groundwater Level Determinations: The maximum depth of any excavations must maintain at least 10 feet of clearance above historical high groundwater levels. Applicant shall provide geological cross sections, exploratory soil borings to adequate depths and/or site contour maps for review and approval prepared by a California Licensed Professional Geologist or Engineer to show where these groundwater levels are in relation to the deepest planned excavation elevations. This information shall be provided by June 15, 2010.



BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA TUESDAY, AUGUST 18, 1953, AT 9:00 O'CLOCK A. M.

PRESENT: SUPERVISORS, L. A. PRICE, CHAIRMAN, PRESIDING A. C. AX, ROBERT W. LEFEVER, C. H. ANDREWS AND EDWIN L. CARTY L. E. HALLOWELL, CLERK; BY SHIRLEY WEEKS, DEPUTY

1.8.212

GRANTING SPECIAL USE PERMIT TO WHITERIDGE MINING COMPANY, UNDER PROVISIONS OF VENTURA COUNTY ORDINANCE CODE

WHEREAS, Whiteridge Mining Company, in accordance with the provisions of Division 8 of the Ventura County Ordinance Code, did on the 29th day of June 1, 1953, file its application in writing with the Ventura County Planning Commission for a Special Use Permit for production of anatural resource (clay), and manufacture of light weight aggregate on certain land located southwest of Frasier Mountain Park, California; and,

WHEREAS, proof is made to the satisfaction of this Board, and this Board finds, that notice of the hearing of said application and petition has been regularly given in accordance with the provisions of said Division 8 of the Ventura County Ordinance Code, and said application and petition having come on regularly for hearing before said Commission, and said Commission having announced its findings and made its decision after hearing the evidence presented at said hearing; and,

WHEREAS, the findings and decision of said Commission have been transmitted to this Board for its action thereon; and,

WHEREAS, the Board has considered the application and petition of the application and the findings and decision of said Commission thereon;

NOW, THEREFORE, upon motion of Supervisor Carty , seconded by SupervisorLefever , and duly carried,

IT IS ORDERED AND RESOLVED that said application and petition be approved and allowed, and that a Special Use Permit be, and it is hereby, issued to said applicant for the following purposes, to-wit:

Mining of montmorillinite clay and the firing and burning of said clay in a rotary kiln, for the purpose of producing a lightweight aggregate, in the manner and to the extent described in the application for this permit, together with buildings, equipment and other appurtenances accessory thereto,

SUBJECT, HOWEVER, to the following conditions, to-wit:

- 1. That the permit is issued for the $N_{\frac{1}{2}}$ of the $S_{\frac{1}{2}}$ and the $S_{\frac{1}{2}}$ of the $N_{\frac{1}{2}}$ of Section 19, T 8 N, R 20 W.
- 2. That the permit is limited to the duration of the operation by the Permittee of the mining of clay and firing of said clay in a rotary kiln in the manner and to the extent described in the application, and if the Permittee relinquishes operation for which this permit is issued the permit shall immediately expire. Provided, however, upon application to the Planning Commission, and after review by the Planning Commission, a transfer or change of Permittee, or the expansion or extension of the use may be authorized.
- 3. That the permit shall expire when the use for which this permit is granted is discontinued for a period of six months.
- 4. That the area around the mill site shall be completely cleared of trees, brush or other inflammable material for a distance of 100 feet.
- 5. That two fire hydrants be installed not closer than 50 feet to any building, to accommodate a standard $l\frac{1}{2}$ " fire hose, and said fire hoses, as well as

County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 9 - CUP 212

other suitable fire fighting equipment shall be maintained in a satisfactory condition on the premises at all times.

- 6. That any mill or quarry established within the area described shall be equipped with adequate controls for the elimination of dust, smoke, fumes or the discharge of other solid, liquid or gaseous materials.
- 7. That upon expiration of this permit or abandonment by the applicant, the premises shall be restored by said applicant to the conditions existing prior to the issuance of said permit as nearly as practicable so to do.
- 8. That suitable and adequate sanitary toilet and washing facilities shall be installed and maintained in a clean and sanitary condition at all times.

STATE OF CALIFORNIA) ss. I, L. E. HALLOWELL, County Clerk and ex-officio Clerk of the Board of Supervisors of the

County of Ventura, State of California, hereby certify the above and foregoing to be a true and correct copy of an excerpt from the minutes of said Board for the meeting of the date first above indicated. In witness whereof, I have hereunto set my hand and caused the seal of said Board to be affixed this 17th day of

L. E. HALLOWELL, Clerk; By July Deputy

COPIES

Waled 8/20/53

Plan. Com. (2)

Whiteridge Mining

File

Kimberly L. Prillhart Director

county of ventura

FINAL NEGATIVE DECLARATION APRIL 2010

- A. PROJECT DESCRIPTION: Amendment to the reclamation plan for Conditional Use Permit (CUP) 0212 (LU06-0045).
 - 1. <u>Entitlement</u>: LU06-0045 (Amendment to the Reclamation Plan for Conditional Use Permit 0212 (CUP 0212)
 - 2. Applicant: Pacific Custom Materials, Inc.
 - 3. <u>Location</u>: 17410 East Lockwood Valley Rd., Frazier Park, County of Ventura, CA 93225.
 - 4. Assessor Parcel No(s): 004-0-030-180; 004-0-030-220; 004-0-190-140
 - 5. Total of Parcel Sizes: 357.5 acres
 - 6. General Plan Designation: Open Space
 - 7. Existing Zoning: "O-S 160 ac min" (Open Space 160 acre minimum parcel size.
 - 8. Responsible and/or Trustee Agencies: California Department of Fish and Game
 - 9. Project Description: The proposed project is an amendment to the 1979 Reclamation Plan for a mine currently operated by Pacific Custom Materials, Inc. The mine produces lightweight aggregate under Conditional Use Permit (CUP) 0212 approved in 1953; the CUP expires in 2045. The proposed project would amend the 1979 reclamation plan to revise the finished contours to expand the quarry footprint by 21 acres and change the reclamation contours of the pit bottom from approximately 70 vertical feet below ground level to approximately 110 vertical feet below ground level. It also eliminates two ponds, and will be graded to allow all surface water to pass through the site and not be impounded.

B. <u>STATEMENT OF ENVIRONMENTAL FINDINGS</u>:

State law requires that an Initial Study (environmental analysis) be conducted to determine if this project could significantly affect the environment. Based on the findings contained in the attached Initial Study, it has been determined that this project will not have a significant effect on the environment, and a Negative Declaration has been prepared.

County of Ventura
Planning Director Hearing
Case No. PL23-0039
Exhibit 10 - Negative Declaration for
LU06-0045

Fax (805) 654-2509



C. PUBLIC REVIEW:

<u>Legal Notice Method</u>: Direct mailing to property owners within 5,300 feet of proposed project boundary, and a legal notice in a newspaper of general circulation.

Document Posting Period: January 18, 2010 to February 22, 2010.

<u>Public Review</u>: The Initial Study prepared for this proposed project has determined that the project will not have adverse environmental impacts. The Initial Study/Negative Declaration is available for public review on-line at www.ventura.org/planning (select "CEQA Environmental Review") or at the County of Ventura, Resource Management Agency, Planning Department, 800 South Victoria Avenue, Ventura, California from 8:00 am to 5:00 pm Monday through Friday.

<u>Comments</u>: The public is encouraged to submit written comments regarding this Negative Declaration no later than 5:00 p.m. on the last day of the above posting period to Case Planner, Scott Ellison, at the County of Ventura Resource Management Agency, Planning Department, 800 South Victoria Avenue L#1740, Ventura, CA 93009. The Planning Division's FAX number is (805) 654-2509. You may also e-mail the Case Planner at Scott.Ellison@ventura.org

D. CONSIDERATION AND APPROVAL OF THE NEGATIVE DECLARATION:

Prior to approving the project, the decision-making body of the Lead Agency must consider this Negative Declaration and all comments received during public review. That body shall approve the Negative Declaration if it finds that the project will not have a significant effect on the environment.

Prepared by:

Scott Ellison, Case Planner

(805) 654-2495

Reviewed for Release to the Public by:

Dan Klemann, Manager

Commercial and Industrial Permits Section

Recommended for Approval by Lead Agency by:

KIMBERLY L. RODRIGUEZ, Director

Kodikilu

Planning Division

SECTION A FINAL NEGATIVE DECLARATION LU06-0045 (Reclamation of CUP 0212)

PROJECT DESCRIPTION

PROJECT: LU06-0045 (Revised Reclaimation Plan for Conditional

Use Permit (CUP) 212)

APPLICANT/OWNER: Pacific Custom Materials, Inc./U.S. Forest Service

LOCATION: 17410 East Lockwood Valley Rd., Frazier Park, County of Ventura,

CA 93225.

Project Location:

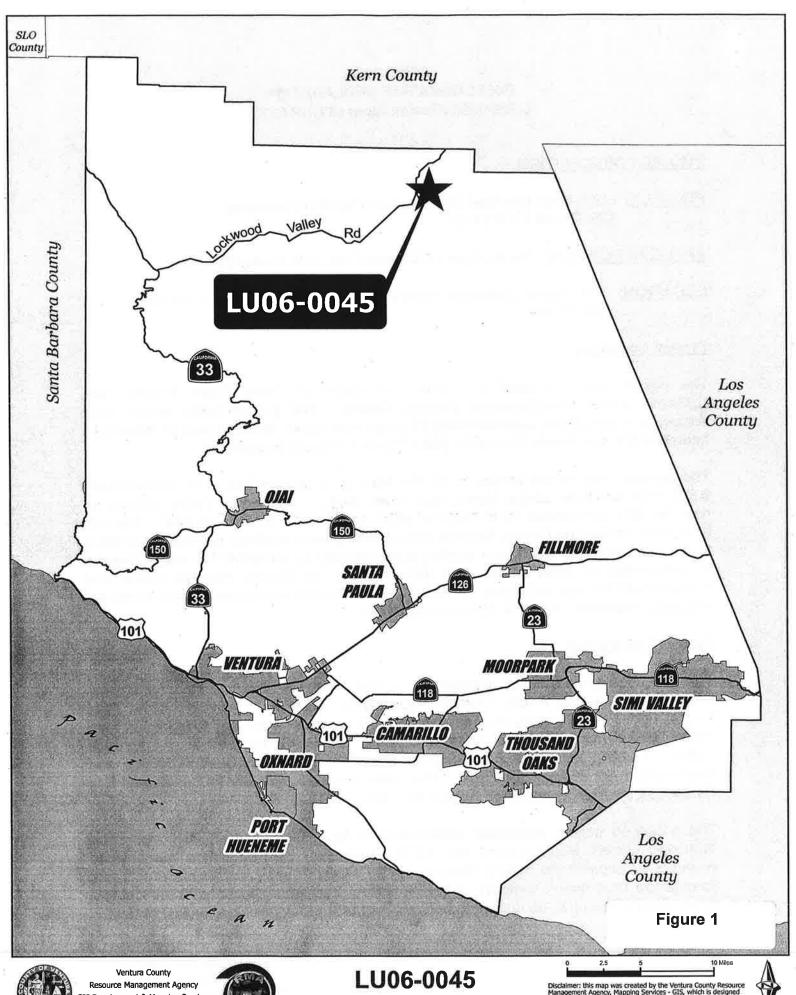
The project site is located at 17410 East Lockwood Valley Road, Frazier Park, California within unincorporated Ventura County. The project takes access from Lockwood Valley Road, approximately 21 miles from State Route 33 and 12 miles from Interstate 5 at the Frazier Park exit. (See Figure 1, Project Location).

The general area of the project is on the floor of Lockwood Valley at approximately 5,200 feet elevation above Mean Sea Level (MSL). Lockwood Valley consists of rounded hills surrounded by mountains which rise to over 8,500 feet MSL. The site itself is within the Los Padres National Forest, with private holdings located immediately to the northwest and south, and starting approximately 3,200 feet to the west. The site is surrounded by open space uses including the Los Padres National Forest and scattered residences and farms to the northwest. Additional residences and farms are located to the west. (Figure 2, Surrounding Area).

Project Description

The proposed project is an amendment to the 1979 Reclamation Plan for a mine currently operated by Pacific Custom Materials, Inc. (PCM). This mine is the PCM Frazier Park Plant, formerly the Ridgelite Mine; it produces lightweight aggregate from bentonite and montmorillonite clay mined in the Ventura County portion of Lockwood Valley. Current mining is conducted in compliance with the Surface Mining and Reclamation Act of 1975 (SMARA). The mine operates pursuant to Conditional Use Permit 212 (CUP 212) approved August 18, 1953.

The proposed project addresses reclamation of land mined under CUP 212. The proposed project would amend the 1979 reclamation plan to revise the finished contours to expand the mining footprint by 21 acres ("quarry expansion area") and change the reclamation contours of the pit bottom from approximately 70 vertical feet below ground level (i.e. no deeper than 5,210 feet MSL) to approximately 110 vertical





S Development & Mapping Services Map created on 12/15/2009



Project Location







Resource Management Agency GIS Development & Mapping Services Map created on 12/15/2009



LU06-0045 **Surrounding Area**



feet below ground level (no deeper than 5,170 feet MSL). Figure 3 shows the CUP boundary and the existing and proposed reclamation plan boundaries. Figure 4 shows the proposed reclamation contours.

Table 1 shows location, zoning and General Plan information regarding the site.

TABLE 1 PROJECT LOCATION AND ZONING/ GENERAL PLAN DESIGNATION

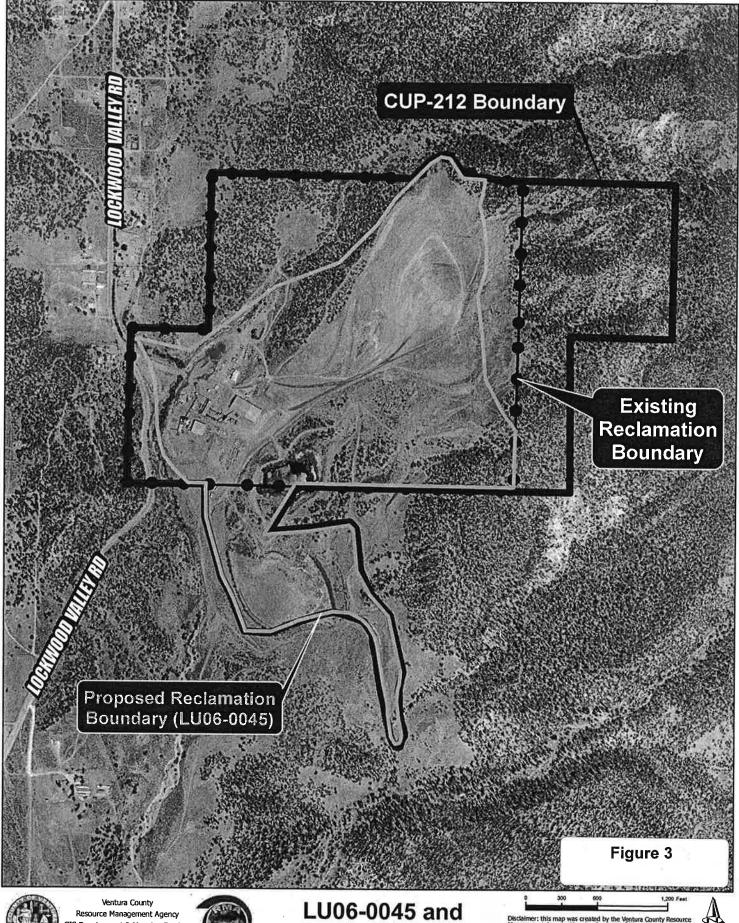
ASSESSOR'S	004-0-030-180; 004-0-030-200; 004-0-030-220; 004-0-190-
PARCELS	140 (Figure 5 LU06-0045 Assessor Parcel Numbers)
ZONING	OS - 160 ac (Open Space, 160 acre minimum) (Figure 6
	LU06-0045 Zoning Designation)
GENERAL PLAN	Open Space (Figure 7 LU06-0045 General Plan
DESIGNATION	Designations)
GEOGRAPHIC	Section: 19 Township 8N Range: 20W
LOCATION	Meridian: San Bernardino Baseline: San Bernardino

CUP 212 has been amended numerous times (Table 2). Because of its age, the original CUP had no expiration date, mining limits, mining depth limits, limits on production volumes, or limits on truck volumes. CUP 212 was approved prior to CEQA and had no formal environmental review. Although the 1953 approval had no expiration date, a 2006 permit modification established an expiration date of 2045 for mining and the CUP. No changes to CUP 212 are proposed -- the existing CUP boundaries encompassing 260 acres would not change, nor would the annual production rate, hours of operation, or number of truck trips.

It is important to note that the existing operation, specifically the existing mining, on-site transport of clay, process/drying of clay, loading of trucks, and the arrival/departure of trucks is already taking place prior to any action on the proposed Reclamation Plan. Under the California Environmental Quality Act (CEQA) such existing activities are part of the "existing environment", which by definition have no environmental impacts.

Under CEQA only the <u>changes</u> in the "existing environment" that are caused by the proposed project can be considered. As such, any impacts from existing operations, including traffic, air emissions, dust, glare or noise impacts are not evaluated as impacts of the proposed project as the proposed project would not change these elements of the "existing environment".

The original Reclamation Plan was adopted in 1979 as a result of the passage of SMARA in 1975. It established final reclamation contours and included a reclamation/revegetation plan. Figure 8 is the current approved Reclamation Plan map. The map is incomplete as it does not explicitly demarcate the limits of disturbance allowed under the plan and hence under SMARA.



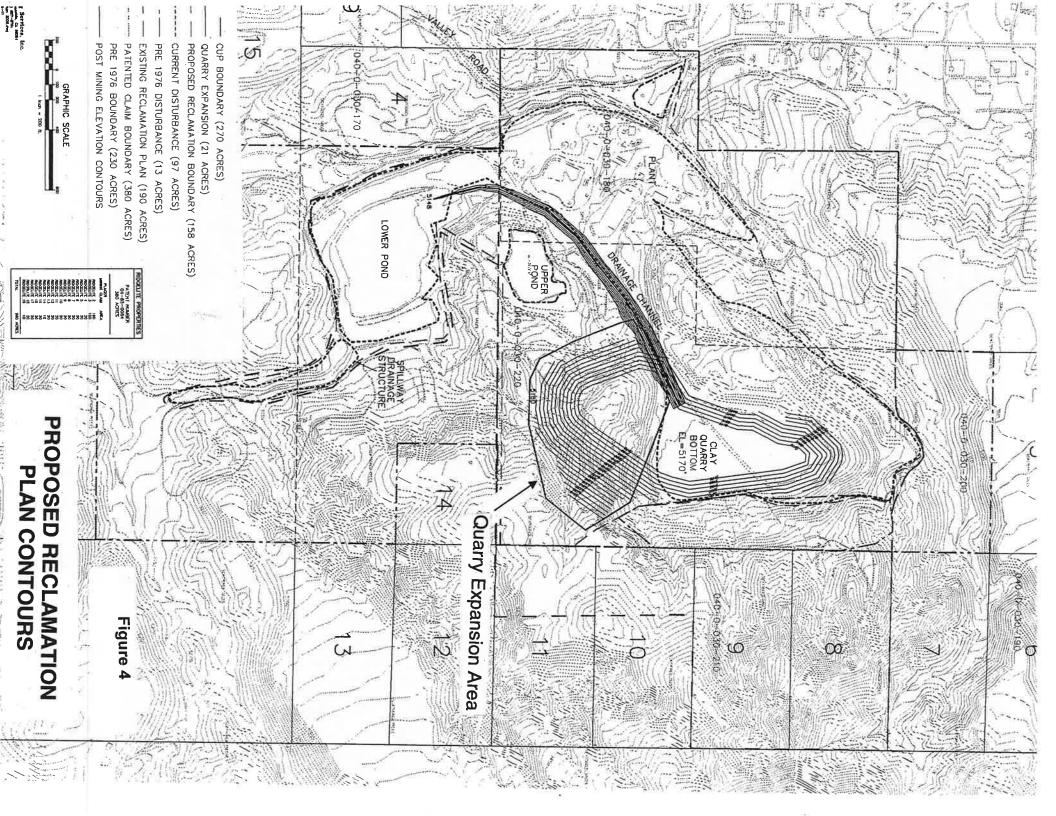


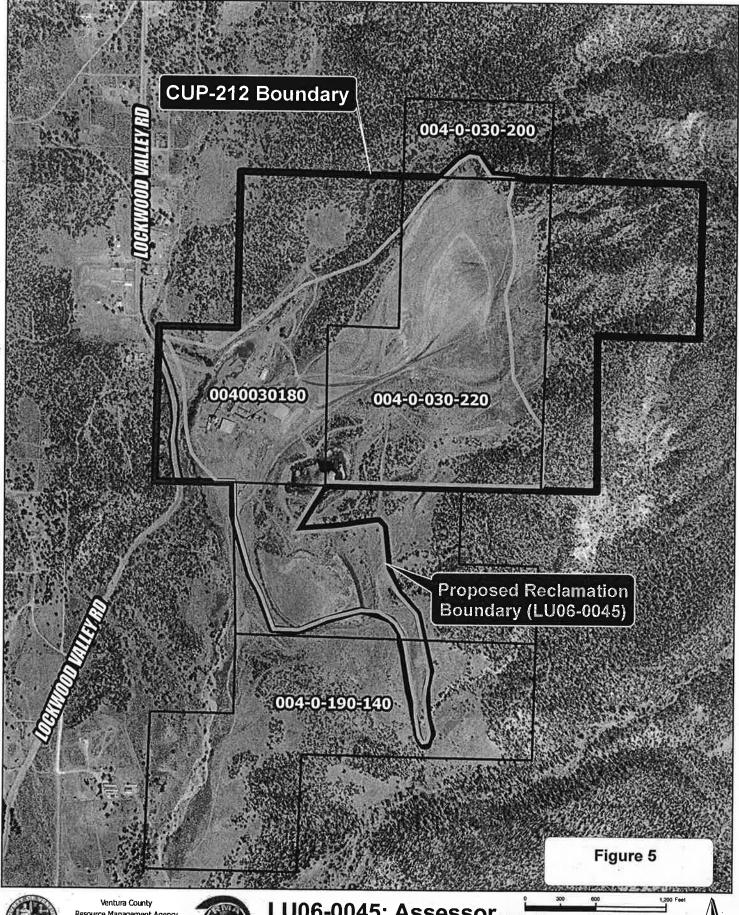
Resource Management Agency GIS Development & Mapping Services Map created on 12/15/2009



CUP-212 Boundaries









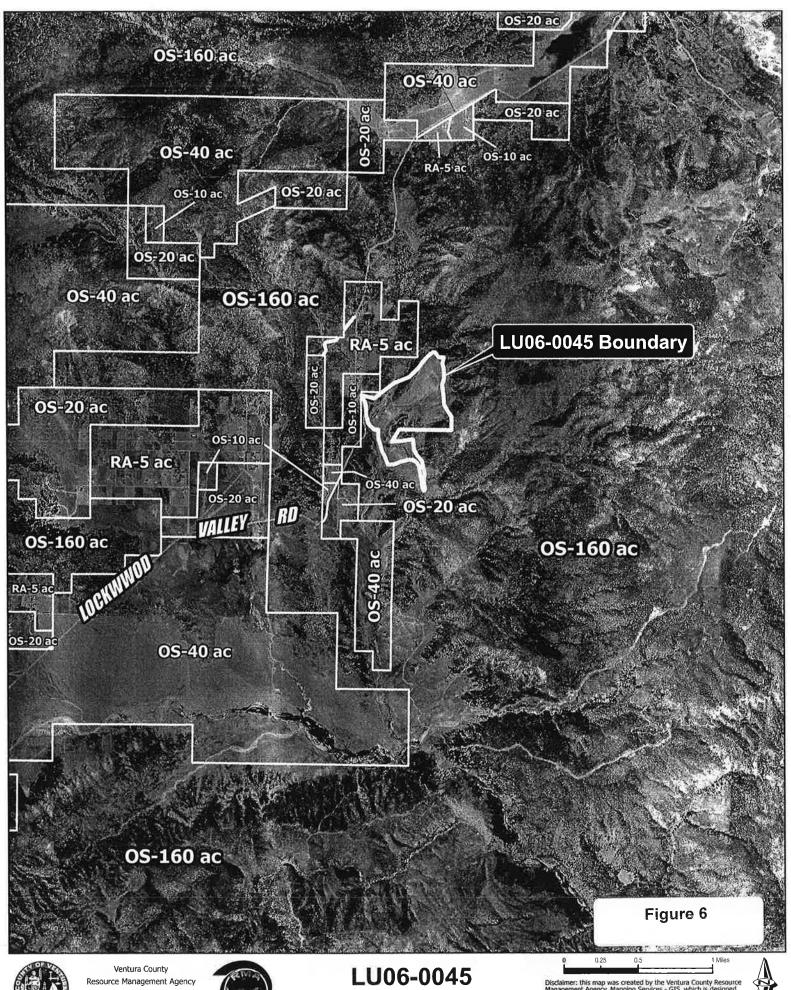
Resource Management Agency SIS Development & Mapping Services Map created on 12/15/2009



LU06-0045: Assessor Parcel Numbers

Disclaimer: this map was created by the Ventura County Resourc Management Agency, Mapping Services - GIS, which is designed and operated solely for the convenience of the County and relate post agencies. The County does not warrant the accuracy of the map and no decision involving a risk of economic loss or physical







S Development & Mapping Services Map created on 12/22/2009



Zoning Designation

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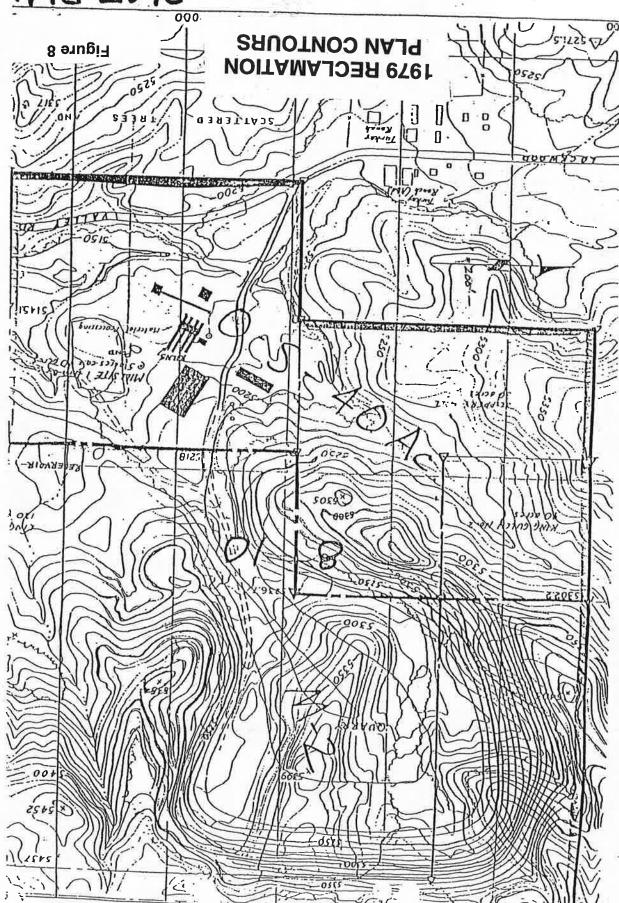
GIS Development & Mapping Services Map created on 12/22/2009



General Plan



.V. 177d 107d



F48 2 ,67

TABLE 2 HISTORY OF CUP 212

Original Approval: Approved August 18, 1953, no expiration date, no mining limits, no mining depth limits, no limits on production volumes or truck volumes.

Permit Adjustment: Approved November 8, 1979. The Planning Commission approved the initial Reclamation Plan. An expiration date in this Permit Adjustment was deleted by the Board of Supervisors on March 11, 1980.

Permit Adjustment: Approved February 11, 1997. Allowed: (1) construction of a 100 ft x 100 ft by 25 ft tall roof over product stockpiles to protect them from weather; and, (2) relocated fuel tanks onto a single concrete slab surrounded by walls to prevent spills from spreading.

Permit Adjustment: Approved February 2, 1998. Revised the design of above ground water storage tanks to include valves accessible to the Fire Department.

Permit Adjustment: Approved March 24, 1999. Approval of a 8 ft by 6 ft entry room to the existing office building.

Permit Adjustment: Approved June 24, 1999. Addition of a 600 sq. ft. addition and new septic system to the existing office building.

Permit Adjustment: Approved July 7, 2000. Abated Violation 95-155. Removed 26.2 acres from the eastern CUP boundary and expanded the northern boundary by 1.3 acres and the southern boundary by 24.9 acres to include areas that had been disturbed outside the CUP boundary. No mining is allowed in the expanded area to the south. No conditions were attached. Before and after this Permit Adjustment the CUP consisted of approximately 260 acres.

Permit Adjustment: Approved July 13, 2001. Addition of a 32.8 foot meteorology tower to assist APCD in weather monitoring.

Permit Adjustment: Approved January 27, 2006. Expiration date added to CUP 212. CUP now expires January 27, 2045. The Permit Adjustment allows 17 years of operation, then upon a successful review by the Planning Director another 17 years of operation, then with a second successful review an additional 5 years of operation. Also established operating hours for the office and hours during which truck loading could not occur.

The only impacts evaluated in this Initial Study/Negative Declaration are the changes between the 1979 Reclamation Plan and the proposed Reclamation Plan (LU06-0045). These changes are as follows:

1. Reclamation to occur concurrently with mining to 2045.

Deepen the mining pit bottom from 70 feet below ground level to 110 feet below ground level.

3. Expand the reclamation footprint by extending mining into 21 acres to the south.

4. Lessened (i.e. flatten) the reclaimed slope ratios from a maximum of 1.0 H:1.0V to 2.6H:1.0V.

5. Deepen the existing drainage channel to maintain positive drainage from the quarry into downstream areas.

6. Update the site's reclamation/revegetation requirements to conform to current SMARA and Ventura County mining standards.

7. Eliminate two ponds in order to restore the site drainage to what it was in its pre-mining condition.

While the entire area within CUP 212 (Figure 3) can be mined or disturbed under the conditions of the permit, such activities would be inconsistent with SMARA if they substantially deviate from the 1979 Reclamation Plan. If the proposed Reclamation Plan is approved, the actual disturbance and final contours would need to be consistent with Figure 4 to be consistent with SMARA.

The proposed Reclamation Plan would be implemented concurrently with ongoing mining operations through approximately 2045. The amendment contemplates the reclamation of the site to passive open space. Final reclamation will not prevent future resource recovery, although an extended CUP and Reclamation Plan would need to be approved prior to that time to allow for a continuation of mining operations. The revised Reclamation Plan includes a revegetation plan with placement of top soil and the revegetation of the flatter angled quarry slopes. The design and recommendations contained in the proposed reclamation plan are based on updated geotechnical, plant/wildlife biological, hydrological, visual, financial assurance, hazardous materials and archaeological evaluations.

The site currently contains two ponds. A lower 9-acre pond collects all on-site runoff then discharges it through an improved discharge structure at the rate of a 50-year storm. This pond typically dries up during the summer months. When available, water from this pond is pumped uphill to an 3-acre upper pond. The upper pond receives water from the lower pond as well as on-site wells and serves as a water source for project operations. Existing and projected water consumption is approximately 75 acrefeet/year. At reclamation, the upper pond will be filled in and a drainage channel cut through it as necessary; for the lower pond the existing man-made discharge structure will be removed which eliminates its ability to impound water.

These modifications will restore the original condition of the site whereby water will again pass through the site without being detained or retained by any ponds or other barriers.

Upon cessation of mining in 2045 the proposed project would reclaim the site as follows:

- 1. Conduct finish grading operations to conform to the proposed reclamation plan contours; these include filling in of the upper pond, removal of the drainage outlet at the lower pond, and cutting a channel through the site; these actions would prevent any large-scale surface water detention or retention.
- 2. Remove all facilities and buildings, including undertaking any remediation of the sites as needed.
- 3. Reseeding the site per the proposed revegetation plan to restore the site consistent with its original biological communities and species.
- 4. Monitor restoration of the site until such time as Ventura County Planning Division considers that the restoration has complied with the requirements of the reclamation plan and the Surface Mining and Reclamation Act (SMARA).
- 5. Restore the site to allow passive open space uses such as hiking or cattle grazing.

END SECTION A

SECTION B

Draft Negative Declaration

INITIAL STUDY CHECKLIST

PROJECT: LU06-0045 (Reclamation of Conditional Use Permit 212)

	ISSUE (RESPONSIBLE DEPARTMENT)	3	IM DEG	DJEC PACT REE (FECT)F	CUMULATIVE IMPACT DEGREE OF EFFECT*				
		N	LS	PS-	PS	N	LS	PS-	PS	
GENERAL:	1. GENERAL PLAN ENVIRONMENTAL GOALS AND POLICIES (PLNG.)		X				x	181		
E se	2. LAND USE (PLNG.):		26.4	- 4			(4)			
LAND USE:	A. COMMUNITY CHARACTER		x		-	3	x			
100 BH	B. HOUSING	X				X	^-			
* 9	C. GROWTH INDUCEMENT	X				X				
RESOURCES	3. AIR QUALITY (APCD): A. REGIONAL B. LOCAL	7	X				X		2	
2	4. WATER RESOURCES (PWA):			1.0		: 0				
	A. GROUNDWATER QUANTITY		Χ				X		2	
	B. GROUNDWATER QUALITY		Х		14		X			
e 6	C. SURFACE WATER QUANTITY		Х				X	2:		
120	D. SURFACE WATER QUALITY	X				Х				
	5. MINERAL RESOURCES (PLNG):									
	A. AGGREGATE		X				X		-	
	B. PETROLEUM		X				Χ		(4)	
2	6. BIOLOGICAL RESOURCES:		l éc	8				5		
	A. ENDANGERED THREATENED, OR RARE SPECIES	x			BS	x	2	-		
	B. WETLAND HABITAT	Х				Х				

		ISSUE (RESPONSIBLE DEPARTMENT)			OJEC PACT REE (FECT	OF	CUMULATIVE IMPACT DEGREE OF EFFECT*				
			N	LS	PS-	PS	Ņ	LS	PS-	PS	
		C. COASTAL HABITAT	X		31		X			F	
16		D. MIGRATION CORRIDORS	X				X				
		E. LOCALLY IMPORTANT SPECIES/COMMUNITIES	X				X				
9 9	7.	AGRICULTURAL RESOURCES	(AG.	DEP	Г.):				es		
		A. SOILS	X				X		11		
	P1	B. WATER	X				Х				
		C: AIR QUALITY/MICRO-		1	195 1	7, 1	1		7	_	
-		CLIMATE	X				Ιx				
	1	D. PESTS/DISEASES	X				X			-	
	2 / 67 	E. LAND USE IMCOMPATIBILITY	X				X			**	
5 £ 5	8.	VISUAL RESOURCES:		-	Tage					10	
	1	A. SCENIC HIGHWAY (PLNG.)	T	X	. 1			X		10	
		B. SCENIC AREA/ FEATURE		X	V _{ac}			$\hat{\mathbf{x}}$			
V 3	9.	PALEONTOLOGICAL RESOURCES		х		5		х			
	10.	CULTURAL RESOURCES	Si					12			
it it		A. ARCHAEOLOGICAL		X	+ 1			Х			
	7	B. HISTORICAL (PLNG.)		X		-		$\frac{x}{x}$	8		
		C. ETHNIC, SOCIAL OR RELIGIOUS	X				X				
	11.	ENERGY RESOURCES	X				X				
	12.	COASTAL BEACHES & SAND DUNES	X		Ÿ		X	7			
HAZARDS:	13.	SEISMIC HAZARDS (PWA):		ji ji		1					
9		A. FAULT RUPTURE	X			-	X				
		B. GROUND SHAKING	1	x		-	$\overline{}$	X			
V V		C. TSUNAMI	X	^+			X	^ +	-	3	

. 14	(1	ISSUE (RESPONSIBLE DEPARTMENT)		IM DEG	OJEC PACT REE (FECT) DF	CUMULATIVE IMPACT DEGREE OF EFFECT*				
			N	LS	PS-	PS	N	LS	PS-	PS	
8		E. LIQUEFACTION	X				X				
20	14.	GEOLOGIC HAZARDS (PWA A. SUBSIDENCE B. EXPANSIVE SOILS C. LANDSLIDES/ MUDSLIDES):	X		- (4	X	X			
	15.	HYDRAULIC HAZARDS (PWA A. EROSION/SILTATION	VWPD):				X				
	- 8	B. FLOODING		X				X			
	16.	AVIATION HAZARDS	X		100		X				
	17.	FIRE HAZARDS (FIRE)	X	v f	0.8	1	X				
	18.	HAZARDOUS MATERIALS/W A. ABOVE-GROUND	ASTE				1			ů.	
		HAZARDOUS MATERIALS (FIRE)	X		3E 32	-	Х				
		B. HAZARDOUS MATERIALS (EH)		X	- 5	5 3		X			
* = = = = = =	2040	C. HAZARDOUS WASTE (EH)		X	a.			х			
7	19.	NOISE AND VIBRATION	X		1.1		Х				
2.	20.	GLARE	X		7.4		X				
	21.	PUBLIC HEALTH (EH)		X			_	X			

	ISSUE (RESPONSIBLE DEPARTMENT)		IM DEG	OJEC PACT REE (oF	CUMULATIVE IMPACT DEGREE OF EFFECT*							
		N	LS	PS-	PS	N	LS	PS-	PS				
PUBLIC FACILITIES & SERVICES	22. TRANSPORTATION/CIRCULATION:												
FACILITIES	A. PUBLIC ROADS AND HIGHWAYS												
	(1) LEVEL OF SERVICE (PWA)	X				Х							
2	(2) SAFETY/DESIGN (PWA)	X				X							
	(3) TACTICAL ACCESS (FIRE)	X		,		Х	(t						
	B. PRIVATE ROADS AND DRIVE	WA)	/S (F	IRE):		70							
a a a	(1) SAFETY/DESIGN	X				Х			2.2				
20.	(2) TACTICAL ACCESS	X		•		Х							
	C. PEDESTRIAN/BICYCLE:								e in				
* .	(1) PUBLIC FACILITIES (PWA)	X			5.	Х							
	(2) PRIVATE FACILITIES	X		3		X							
6	D. PARKING (PLNG.)	X				X							
	E. BUS TRANSIT	X				X							
1	F. RAILROADS	X				X	-	_					
	G. AIRPORTS (AIRPORTS)	X			-	X							
-	H. HARBORS (HARBORS)	X				x		\dashv					
	I. PIPELINES	X				x							
	23. WATER SUPPLY:												
	A. QUALITY (EH)	X				X							
	B. QUANTITY (PWA)		X				x		\neg				
	C. FIRE FLOW (FIRE)	X			1	x							

. (ISSUE RESPONSIBLE DEPARTMENT)	PROJECT IMPACT DEGREE OF EFFECT*					CUMULATIVE IMPACT DEGREE OF EFFECT*					
		N	LS	PS-	PS	N	LS	PS-	PS			
24.	WASTE TREATMENT/DISPOSAL	:										
e.	A. INDIVIDUAL SEWAGE DISPOSAL	X		1		Х			<			
	B. SEWAGE	X				X						
	C. SOLID WASTE MGMT (PWA)		Х				Х					
	D. SOLID WASTE FACILITIES (EHD)	X	-1			Х		15				
	UTILITIES:				16:		10		>			
	A. ELECTRIC	X				X		7				
	B. GAS	X			==	Х	8),*				
	C. COMMUNICATION	X	Ť			Х						
26.	FLOOD CONTROL/DRAINAGE:		2	e #								
	A. WPD FACILITY (WPD)	X	×		#1	X		*				
	B. OTHER FACILITIES (PWA)	X				Х		- 14				
27.	LAW ENFORCEMENT/EMERGEN	CY	SVS.	(SHE	RIFF	`):	-					
	A. PERSONNEL/EQUIPMENT	X				X			Ti I			
	B. FACILITIES	Х				X						
28.	FIRE PROTECTION (FIRE):	×										
	A. DISTANCE/ RESPONSE TIME	X				Х						
242	B. PERSONNEL/EQPMT/ FACILITIES	X	ă _	4	-	Х						
29.	EDUCATION:				ic.							
	A. SCHOOLS	X				Х						

2 H m	ISSUE (RESPONSIBLE DEPARTMENT)			IM DEG	OJEC PACT REE (FECT) OF	CUMULATIVE IMPACT DEGREE OF EFFECT*				
ж К		- Algebrania a re	N	LS	PS-	PS	N	LS	PS-	PS	
		B. LIBRARIES (LIB. AGENCY)	X				Х				
14 81	30. RECREATION (GSA):										
		A. LOCAL PARKS/FACILITIES	X				X		. 15	-	
	44	B. REGIONAL PARKS/ FACILITIES	x				x				
N .		C. REGIONAL TRAILS/ CORRIDORS	x		=	(*)	X				

DEGREE OF EFFECT:

N = No Impact

LS = Less Than Significant

PS-M = Potentially Significant Impact Unless Mitigation Incorporated

PS = Potentially Significant Impact

AGENCIES

Ag. Dept. - Agricultural Department Airports - Department Of Airports APCD - Air Pollution Control District EH - Environmental Health Division Fire - Fire Protection District

GSA - General Services Agency
Lib. Agency - Library Services Agency
Plng. - Planning Division
PWA - Public Works Agency
Sheriff - Sheriff's Department
WPD - Watershed Protection District

END SECTION B

SECTION C DRAFT NEGATIVE DECLARATION INITIAL STUDY - DISCUSSION OF RESPONSES PROJECT: LU06-0045 (Reclamation of Conditional Use Permit 212)

GENERAL

1. GENERAL PLAN ENVIRONMENTAL GOALS AND POLICIES:

The Ventura County General Plan contains a large number of goals, policies and programs which are used to evaluate proposed projects within the unincorporated county. Many of these goals and policies do not apply to the proposed project either because of its location (i.e., it is outside the area considered by the General Plan goal or policy [coastal zone, dam inundation areas, etc.), or because the project is not a land use considered by the goal or policy. The General Plan programs are a coordinated set of measures to be implemented by County staff and other public agencies to carry out the goals and policies.

The project site has a General Plan designation of "Open Space". The following lists the six goals of the "Open Space" designation and analyzes the proposed project consistency with those goals:

Goal 1: "Preserve for the benefit of all the County's residents the continued wise use of the County's renewable and nonrenewable resources by limiting the encroachment into such areas of uses which would unduly and prematurely hamper or preclude the use or appreciation of such resources."

<u>Analysis</u>: By preserving the site as passive open space the proposed project does not propose land uses which hamper or preclude the use or appreciation of either the open space nature of the site and surrounding area, or any potential future use of the mineral resources on the property.

Goal 2: "Acknowledge the presence of certain hazardous features which urban development should avoid for public health and safety reasons, as well as for the possible loss of public improvements in these areas and the attendant financial costs to the public."

<u>Analysis:</u> This goal does not apply as there are no known hazardous features on the site. In addition, since the project does not propose urban development it is not putting future development at risk.

Goal 3: "Retain open space lands in a relatively undeveloped state so as to preserve the maximum number of future land use options."

Analysis: The proposed project is consistent with this goal as the proposed end use of passive open space maximizes future land use options by retaining the site in an

undeveloped state after the project buildings and facilities are removed and the site reclaimed to its natural state.

Goal 4: "Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands."

<u>Analysis</u>: Upon implementation of the proposed project the site will revert to passive open space as part of the Los Padres National Forest. As such, it is potentially available for outdoor recreational activities, parks, trails and as a scenic land. As such, the proposed project is considered consistent with this goal.

Goal 5: "Define urban areas by providing contrasting but complementary areas which should be left generally undeveloped."

Analysis: The passive open space of the site proposed by the project would serve as a contrast to the semi-rural nature of Frazier Park and the more rural/open space nature of Lockwood Valley. As such, it helps to define community boundaries and helps to separate communities from each other.

Goal 6: "Recognize the intrinsic value of open space lands and not regard such lands as 'areas waiting for urbanization."

<u>Analysis</u>: The site was passive open space prior to the start of mining and the project proposes to return it to passive open space at the conclusion of mining. As such, the proposed project and the mining process in general considers the intrinsic value of the site for open space and does not treat the land as an "area waiting for urbanization".

Based on the above, the proposed project is considered consistent with the "Open Space" designation goals of the General Plan.

A requirement for consistency with the General Plan is consistency with the appropriate Zoning Ordinance. In this case, the project is subject to the Non-Coastal Zoning Ordinance, which designates the site as "Open Space 160 acre minimum". As defined in Sec. 8104-1.1 of the Ordinance, the purpose of the "Open Space" Zone is as follows:

"The purpose of this zone is to provide for the conservation of renewable and nonrenewable natural resources, to preserve and enhance environmental quality and to provide for the retention of the maximum number of future land use options while allowing reasonable and compatible uses on open lands in the County which have not been altered to any great extent by human activities."

<u>Analysis</u>: The proposed project reclaims a mining site to passive open space upon the completion of mining. As stated in Section A (<u>Project Description</u>) the reclamation design and the open space end use do not preclude additional future mining although such mining would require an amendment of the reclamation plan. As such, the proposed project conserves non-renewable mineral resources for potential future uses.

By returning the site to its original condition, including its original hydrologic characteristic of passing all surface water through the site, the project enhances environmental quality by restoring the site to its original use and function. The passive open space nature of the site maximizes future options by not precluding any future uses. This end use is compatible with the surrounding open space, rural, semi-rural nature of the neighborhood and is compatible with all uses on the adjacent Las Padres National Forest. As such, the proposed project is considered to be consistent with the purpose of the "Open Space" zoning designation.

As the proposed project does not violate or hinder implementation of any of these goals and policies, the project is considered to be consistent with all the General Plan Environmental Goals and Policies.

As discussed in Section A (Project Description) the activity underlying the proposed project is the conversion of an active mining site to a reclaimed use of passive open space after CUP 212 expires in 2045. As such, the ongoing mining operations are not part of this project and the end use of passive open space is not inconsistent with any General Plan Goals or Policies. Using the project description of reclaiming an already operating mining site, the principles discussed above, and the environmental analyses contained in this Initial Study, the proposed project is consistent with the *Ventura County General Plan*.

LAND USE

2. LAND USE:

Item A - Community Character

The proposed project is located at the end of a valley at approximately 5,200 feet MSL containing low, rounded hills surrounded by mountains which rise to over 8,500 feet. Surrounding land uses consist mostly of open space with some scattered homes on large parcels to the west and northwest. The closest homes are approximately 2,000 feet from the proposed mining areas.

The proposed project will not change on-going processing or plant operations that have occurred since 1953. These on-going operations are part of the existing environment, therefore under CEQA simply allowing them to continue at current levels creates no environmental impacts. In addition, as discussed in this Initial Study the deepening and extension of the mining operations addressed by the proposed project result in no significant off-site impacts. Consequently the proposed project has a **less than significant** impact on community character.

Source Document: Ventura County Initial Study Assessment Guidelines of October 2008, Item 2.a Community Character.

Item B - Housing

The proposed project would not, individually or cumulatively, affect existing housing or create a demand for additional housing. The proposed project is not a residential project, nor would it remove any housing units. In addition the project will not increase employment and thus will not require additional housing resources. The project has **no impact** on this impact category.

Source Document: Ventura County Initial Study Assessment Guidelines of October 2008 Item 2.b. Housing.

Item C - Growth Inducement

The proposed project is located in an area which allows mineral resource extraction with issuance of a CUP. Public services are in place to service the subject property, and the project would not require an extension of those services and does not create additional jobs. In addition, for reasons stated in 2a and 2b above, the proposed project will neither induce nor deter future growth. Therefore, the project is expected to have **no impacts** on growth inducement.

Source Document: Ventura County Initial Study Assessment Guidelines of October 2008 Item 2.c.

RESOURCES

3. AIR QUALITY:

Item A - Regional Air Quality Impacts

Based on information provided by the applicant, air quality impacts will be below the 25 pounds per day threshold for reactive organic compounds and oxides of nitrogen as described in the Ventura County Air Quality Assessment Guidelines. Therefore, the project will have a **less than significant** impact on regional air quality.

Source Document: Ventura County Air Quality Assessment Guidelines, application materials provided by applicant and memo from Alicia Stratton, Ventura APCD, dated September 29, 2009.

Item B - Local Air Quality Impacts

Based on information in the project application, the proposed project will generate local air quality impacts due to operation of equipment used for reseeding and final grading but those impacts are likely to be **less than significant**.

Source Document: Ventura County Air Quality Assessment Guidelines, application

materials provided by applicant and memo from Alicia Stratton, Ventura APCD, dated September 29, 2009.

4. WATER RESOURCES:

Item A - Groundwater Quantity

The proposed project will consume less than 1 acre-foot per year for a few years as vegetation is established. Since the water basin in not in overdraft this impact is less than significant.

Source Document: Memo from the Public Works Agency, Watershed Protection District, Groundwater Section, dated December 16, 2009.

Item B - Groundwater Quality

The current operations have an Industrial Waste Discharge Permit with the State Water Resources Control Board and monitor the overflow of the lower pond for surface water quality during storm events. First Storm Event Sampling and Analysis Results Annual Report for 2005 and 2006 show that the lower pond discharge did not exceed Basin Parameters for pH, Total Suspended Solids, Specific Conductance, Oil & Grease and Iron. Currently the lower pond is dry and has not been monitored for the above constituents since the 2006 event.

A Hazardous Materials Business Plan is permitted for the storage of hazardous materials and chemicals. Staff had a recent phone conversation with the facility operator and noted two (2) vehicle maintenance areas with concrete pads and one of the areas is in an indoor covered building for the maintenance of the larger equipment.

Annual summary septic tank monitoring report is in compliance with the State for two onsite individual septic systems. One septic system is a 500-gallon septic tank that serves the plant office and discharges approximately 350 gallons per day (gpd) of wastewater. The second septic system is a 1,000-gallon septic tank located in the shop area and discharges approximately 800 gpd of wastewater.

The County Environmental Health Division permits the above ground fuel storage tank area and secondary waste oil containment area.

Operational controls and regulatory permits described above for the operational mine reduce existing project and cumulative impacts to less than significant levels. Potential groundwater quality impacts from the proposed project due to the passive open space uses of the mine at reclamation will be less than current operations. The proposed project will have **Less than Significant** impacts provided the site is graded to meet compliance with Figure 4 (the base map is the same as Application Figure 3 -- <u>Post Mining Design Reclamation Plan for the Pacific Custom Materials Inc. Frazier Park Plant</u> as revised on 5/30/07).

Source Document: Memo from the Public Works Agency, Watershed Protection District, Groundwater Section, dated December 16, 2009.

Item C - Surface Water Quantity

The <u>Hydrology and Hydraulic Calculations and Analysis</u> provided to the County, dated June 1, 2007 and prepared by WREA has been reviewed by the Watershed Protection District and has determined that the drainage plan proposed in the reclamation design will meet the District standards and that the project will have a **less than significant** impact.

Source Document: Memo from the Watershed Protection District, dated August 14, 2007.

Item D - Surface Water Quality

The project proposes no activity which would impact surface water quality. Therefore the proposed project has **no impact** on this impact category.

Source Document: Memo from the Watershed Protection District, dated May 26, 2006.

5. MINERAL RESOURCES:

Item A - Aggregate

Aggregate resources consist of sand, gravel, and crushed rock used in the construction industry. This project mines a specialized type of aggregate used to make light weight concrete. The <u>Ventura County Zoning Ordinance</u> includes Mineral Resource Protection (MRP) overlay zones for areas where important mineral resources are known to exist or may exist and the extraction of these resources may be a compatible land use; the project is not within a MRP overlay zone and is not subject to its requirements.

However, since aggregate is being mined, an evaluation of the project compared to the purposes of the MRP overlay zone was conducted:

The MRP overlay zone has the following purposes:

- a. To safeguard future access to an important resource.
- b. To facilitate a long term supply of mineral resources within the County.
- c. To minimize land use conflicts.
- d. To provide notice to landowners and the general public of the presence of the resource.
- e. The purpose is not to obligate the County to approve use permits for the development of the resources subject to the MRP Overlay Zone.

The purposes of the MRP zone are not primarily aimed at mining projects such as PCM, but rather are designed to provide guidance about protecting the aggregate resources from incompatible uses that could conflict with existing or future mining projects.

Purposes "a" and "c" are designed to ensure that non-mining uses proposed to be located on or near MRP-designated land would not create potential conflicts with mining operations. The open-space and rural residential uses surrounding the site are considered to be compatible with the site as historically they have co-existed with the mine and the reclamation plan would not generate any activities or uses that result in off-site impacts.

Purpose "b" is a general statement indicating that the overlay is designed to facilitate or protect designated local mineral resources. the project is considered to be consistent with purpose "b" since the aggregate is being mined in a systematic manner consistent with all governmental regulations and is used for useful, productive purposes. In addition, as noted in the project description, the design of the revised reclamation plan does not preclude additional mining of the aggregate resources, although a revision to the plan would be required.

Purpose "d" is simply indicating that the public should be aware of the intent and land use limitations associated with the overlay. This does not apply to the project site since the site is not actually subject to the overlay designation.

Purpose "e" clarifies that the overlay does not require the County to approve a proposed mining project within the overlay zone. If a mining project meets the other requirements of the Zoning Ordinance and is consistent with the General Plan, it is considered consistent with the MRP overlay zone.

Even though the project is not subject to the requirements of the MRP overlay zone, it is considered to be consistent with the purposes of the MRP overlay zone and is expected to have **less than significant impacts** on aggregate resources.

Source Document: Ventura County General Plan, Resources Appendix, Figure 1.4.6. Non-Coastal Zoning Ordinance Section 8104-7.2.

Item B - Petroleum

The project will have **less than significant impacts** on petroleum resources because no petroleum is produced by this project. Oil resources are considered a worldwide, national and statewide resource, which is beyond the scope of local governments to effectively manage or control.

Source Document: Ventura County General Plan, Resources Appendix Figure 1.4.6

6. BIOLOGICAL RESOURCES:

Source Documents: Biological surveys were prepared for the property by West Coast Environmental (WCE, August 2006), Bumgardner Biological Consulting (BBC, May 2005, September 2008), David Magney Environmental Consultants (DMEC, August 2008) and CalFlora Inc (CF, August 2008).

The ground disturbances within the area covered by the proposed project result in "no impacts", as they are already allowed under CUP 212 and thus are part of the existing environment. However reclamation regulations require that baseline biological studies be undertaken of on-site vegetation. The above studies attempted to do that. However, these biological studies were not adequate to document the biological resources within the 21-acre quarry expansion area. Consequently, although not part of the environmental analysis, the conditions of approval for the proposed project will require that prior to disturbance, an additional springtime survey of the quarry expansion area shown in Figure 4 be undertaken in order to establish a baseline for reclamation.

Table 3 lists the rare, threatened, or endangered species found within the areas proposed to be disturbed.

The above studies made the following findings:

Item A - Endangered, threatened, or rare species

Most studies occurred in the late summer. That time of year is not conducive to plant identification, consequently, a detailed inventory of plant species has not occurred. However, based on existing information and data bases, Magney (2008) estimates that approximately 42 Special Status plant species have a "high" probability of occurrence within the CUP boundary, with an unknown number located within the revised mining area.

Item B - Wetland Habitat

Policy 1.5.2.3 of the Ventura County General Plan requires that discretionary development proposed to be located within 300 feet of an intermittent stream or spring must be evaluated by a qualified biologist.

There are two features in the reclamation area that have potential wetland characteristics, the Upper and Lower Ponds. The Upper Pond was artificially constructed and is operated as a reservoir for the project; it is a man-made pond with no natural surface or groundwater inflow water sources. Water is pumped into the Upper Pond from the Lower Pond and from on-site wells. At the completion of mining activities and pumping, this pond is predicted to be completely dry. Consequently, the pond area will be filled and graded to match the surrounding topography. It will not retain any water.

TABLE 3 SPECIAL STATUS SPECIES FOUND WITHIN MINING AREA

Scientific Name	Common Name	Status
Acanthomintha obovatoa spp. cordata	Heartleaf Thornmint	CNPS 1B.2
Allium howellii var. clokeyi	Mount Pinos Onion	CNPS 1B.3
Layia heterotricha	Pale-yellow Layia	CNPS 1B.1
CNPS 1B.1 = Rare or Endange CNPS 1B.2 = Rare or Endange CNPS 1B.3 = Plants for which r	red in California but mor	e common elsewhere

Scientific Name	Notes
Acanthomintha obovatoa spp. cordata	Uplands, clay soils. Approx 5,000 on site, pop would be eliminated. Spring survey needed to determine PSI and CI impacts.
Allium howellii var. clokeyi	Uplands, heavy soils. 12 observed, up to thousands likely. Spring survey needed for PSI impacts. CI impact is significant. Transplant feasibility unknown.
Layia heterotricha	Upland, mud flats. On-site, but numbers unknown. Spring survey needed for PSI and CI impacts.
PSI = Project Specific Impacts CI = Cumulative Impacts Source: Magney, 2008	

The Lower Pond is also an artificial pond with a man-made spillway; it currently dries up during the summer due to water loss downstream, evaporation, and pumping of the pond to provide water for the Upper Pond. The Lower Pond receives precipitation runoff from the site, and may hold water during wet years. It will likely dry up during drought years. At the completion of mining the Lower Pond will be graded and the spillway removed such that no water will be retained on-site and all water will pass through to downstream areas.

The BBC (2008) study found that the Lower Pond functions as a wetland in the winter, but dries up in the summer, resulting in no wetland habitat value. The Upper Pond contains water year round and therefore functions as a perennial wetland. However, given the large fluctuations in the water levels that occur, and its small size, it is considered to have only limited value as wetlands habitat, even in the summer.

In addition, a small .3 acre Arroyo Willow habitat runs along the project drainage. This is a man-made channel, and a similar, low flow channel would continue as part of the

proposed reclamation plan.

The proposed Reclamation Plan would fill in the Upper Pond and remove the outlet structure of the Lower Pond, and construct a low flow channel through the ponds as necessary. This will eliminate the ability of these ponds to retain water or function as potential wetlands.

Item C - Coastal Habitat

The property is not located in a coastal zone or area.

Item D - Migration Corridors

No evidence was found that the proposed quarry expansion area, ponds or overall reclamation area are part of a migration corridor. The site by its nature is very open and the project is surrounded by open space which provides easy movement for animals.

Item E - Locally Important Species/Communities

Magney 2008 found the following locally Important Species/Communities on site which are not previously described in Section 6A:

TABLE 4 LOCALLY IMPORTANT PLANT SPECIES POTENTIALLY IMPACTED BY MINING

Scientific Name	Common Name	Status
Arceuthobitum divaricatum	Pinyon Dwarf Mistletoe	VCU
Eroigonum clavatum	Hoover Little Trumpet	VCU

Scientific Name	Notes
Arceuthobitum divaricatum	Uplands, parasitic on pine trees. One small pop. 470 feet from quarry expansion area. No PSI or CI impacts.
Eroigonum clavatum	Uplands, clay soils. Occurs on 89 acres on and around project, recolonizes disturbed areas well. No PSI or CI impacts.
PSI = Project Specific Impacts CI = Cumulative Impacts Source: Magney, 2008	

TABLE 5 LOCALLY IMPORTANT COMMUNITIES POTENTIALLY IMPACTED BY MINING

Plant Communities	Notes
Hoover Little Trumpet Series	Clay soil. "Quite restricted" in area and distribution in California. 42.1 acres on and around project. 15.4 acres in the quarry expansion area. Readily recolonizes disturbed areas. Mitigation of relocating top soil to suitable areas not being mined, allowing new colonies to reestablish when mining is done.
Great Basin Sagebrush-Hoover Little Trumpet Series	"Rare" Statewide and in Ventura County. 1.2 acres in the quarry expansion area.
Kennedy Buckwheat Series	"scattered sparingly" in northern Ventura County6 acres in the area, .1 acres in quarry expansion area.
Rabbitbrush-Hoover Little Trumpet Series	"sensitive" habitat type, "quite rare statewide". 28.2 acres in the area, 3.2 acres in the quarry expansion area.

Source: Magney, 2008

In addition, a single specimen of a special status reptile species, a San Diego horned lizard, was found within the quarry expansion area (West Coast, 2006).

Impact Analysis:

The existing mining pit is continually being disturbed and no significant biological resources are considered to occur within that area. However, the quarry expansion area is largely undisturbed, and has not been adequately documented for purposes of reclamation. As noted above, there are no impacts in this area, as any biological resources can be removed under CUP 212. Therefore biological resources are subject to **no impact** from the proposed Reclamation Plan. However, further baseline studies are needed to refine the proposed Reclamation Plan. As noted in the introduction to this section, such additional studies will be included in the proposed Reclamation Plan conditions of approval.

7. AGRICULTURAL RESOURCES:

Item A - Soils, Item B - Water, Item C - Air Quality/Micro-Climate, Item D - Pests/Diseases and Item E - Land Use Compatibility

The subject property and the Lockwood Valley in general is not considered a significant enough farming area to be covered by the California Department of Conservation Farmland Mapping and Monitoring Program, <u>Important Farmlands Maps</u>. In addition, there are no Land Conservation Act contracts or "Agricultural Exclusive" zoned properties for miles around the site. The only farming in the area is limited horse and cattle raising and small family orchards. As such, the project is considered to create **no impacts** to agricultural resources.

Source Document: California Department of Conservation Farmland Mapping and Monitoring Program, Important Farmland Maps and Ventura County Initial Study Assessment Guidelines of October 2008.

8. VISUAL RESOURCES:

Item A - Scenic Highway and Item B - Scenic Area/Feature

The Ventura County Zoning Ordinance includes Scenic Resource Protection (SRP) overlay zones for areas where important visual resources exist or may exist. The proposed project is not located in the SRP overlay zone, and is not located near any designated scenic highways or potentially designated scenic highway. A small portion of the quarry expansion area can be seen from Lockwood Valley Road, but the bulk of the mining area is not visible offsite. The only public view is a portion of the cut area that is seen at a distance. While a small portion of the disturbed area is visible from certain portions of Lockwood Valley Road, the disruption in the overall view is relatively small given the extensive open space views which will remain on the project site, in the project area, and through out Lockwood Valley.

While the results on the CUP 212 mining activity are partially visible from Lockwood Valley Road, the proposed reclamation project would mitigate any impacts by revegetating the site to native species, thereby allowing the closed CUP 212 mining area to blend into the surrounding terrain. As such the project is expected to have less than significant impacts on scenic highway visual resources.

Source Document: Ventura County General Plan Resources Appendix, Figure 1.7.2a and the Ventura County Initial Study Assessment Guidelines of October 2008.

9. PALEONTOLOGICAL RESOURCES:

The site is designated as "undetermined" for paleontological resources. However, the nature of the mined material, volcanic ash, is not conducive to containing paleontological resources, although some limited resources have been found in such material in other locations. Given the nature of the material mined and the low likelihood of the material containing paleontological resources, impacts to paleontological resources are due to reclamation are considered to be **less than significant.**

Source Documents: Ventura County Initial Study Assessment Guidelines of October 2008; Ventura County General Plan Section 1.8 – Paleontological and Cultural Resources & Unified Mapping System Maps; The Mineralogical Society of America website: minsocam.org.

10. <u>CULTURAL RESOURCES:</u>

Item A - Archaeological Resources and Item B - Historical Resources

An archaeological resources investigation of the site was conducted in 1998 by Robert A. Schiffman for the applicant. The site was found not to contain any unusual food, mineral or water sources which would likely be of interest to Native Americans.

Both a field search of the site and a literature search of the South Central Coastal Information Center were conducted. Four archaeological studies as well as Forest Service investigations have occurred within one mile of the project. These documented a number of archaeological sites. All the sites appear to be small, short-term seasonal use areas associated with hunting and foraging for acorns and pinyons. All the identified sites consist of small flake scatters or isolated artifacts.

Within the CUP boundary identified sites include:

<u>VEN 406</u>: An area within the project area which consisted of "a marginal flake scatter"; it has been destroyed by on-going project activities.

<u>VEN 407</u>: A very small site with the CUP boundary consisting of a chert knife and a basalt knife. It is outside the project area and is not impacted by it.

<u>VEN 724</u>: A small site consisting of a few chalcedony (quartz pieces) and basalt; it is just outside the proposed project area.

A knoll top within the project area: A 1.6 acre site on which two chert flakes were found. It was previously destroyed by on-going project activities.

None of these sites are considered to be significant and no other archaeological resources were found that could be potentially impacted by the project. In addition, no historical artifacts were noted in archeological study. As a result, the project is considered to result in **less than significant** impacts to archaeological or historic resources.

Source Documents: Ventura County Initial Study Assessment Guidelines of October 2008; Archaelogical Investigation for the Ridgelite Mine and Plant by Robert A. Schiffman 1998 (Attachment 11 of June 2007 Reclamation Plan).

Item C - Social or Religious Resources

No contemporary, ethnic or social establishments, cemeteries, churches, shrines, synagogues, or other religious institution or establishments are located within the project site or on the immediate adjacent parcels. In addition, the proposed project is consistent with the goals and policies in the *Ventura County General Plan Section 1.8 – Paleontological and Cultural Resources*. Therefore, **no impacts** to Social or Religious resources are expected as a result of this project.

Source Document: Ventura County General Plan Section 1.8 – Paleontological and Cultural Resources and the Ventura County Initial Study Assessment Guidelines of October 2008.

11. ENERGY RESOURCES:

The project alone and cumulatively will have no impact on the renewable resources of solar, wind, and hydraulic power. Therefore, there would be **no impact** as a result of this project.

Source Document: Ventura County General Plan and the Ventura County Initial Study Assessment Guidelines of October 2008.

12. COASTAL BEACHES & SAND DUNES:

This project is not located within the Coastal Zone of the County's Local Coastal Program. Therefore, this project will have **no impacts** on coastal beaches and sand dunes.

Source Document: Ventura County Local Coastal Plan.

HAZARDS

13. SEISMIC HAZARDS:

13A. Fault Rupture:

There are no known active or potentially active faults extending through the proposed mine based on State of California Earthquake Fault Zones, Cuddy Valley Quadrangle and Ventura County General Plan Hazards Appendix –Figure 2.2.3b. Therefore there is **no impact** from potential fault rupture hazard.

Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Public Works Development Services Depart. memo of Sept. 30, 2009.

13B. Ground Shaking:

The property will subject be to moderate to strong ground shaking from seismic events on local and regional fault systems. The project does not result in improvements which could be damaged by ground shaking.

The existing pond embankments may be adversely affected by moderate to strong groundshaking which may result in localized failure or a complete failure of the downstream pond embankment. Localized downstream flooding may result should strong groundshaking result in embankment failure while the pond(s) are at storage capacity. Upon completion of the mining activity the Upper Pond will be filled in and the spillway of the Lower Pond removed. These actions will eliminate any potential for failure of retention/detention features and subsequent flooding. Consequently the hazards associated with strong ground shaking for the pond embankments are considered to be less than significant. There are no developments or habitable structures immediately downstream of the existing ponds.

See also Impact 14C.

Source Document: Public Works Development Services Depart. memo of Sept. 30, 2009.

13C. Tsunami:

The site is not located within a tsunami inundation zone based on the Ventura County General Plan, Hazards Appendix Figure 2.6. There is **no impact** from potential hazards from tsunami.

Source Document: Public Works Development Services Depart. memo of Sept.30, 2009.

13D. Seiche:

The site contains two ponds that are considered a closed or restricted body of water based on aerial photograph review (photos dated January 2007). When these ponds contain water the surrounding land is subject to hazards from seiche. As the surrounding land is within the mining area and habitable structures are not located within 50 feet of the reservoirs, the hazard from seiche is considered to be **less than significant**. The water reservoirs will be free draining upon completion of the reclamation plan and the seiche hazard eliminated.

Source Document: Public Works Development Services Depart. memo of Sept. 30, 2009.

13E. Liquefaction:

The site is not located within a potential liquefaction zone based on the Ventura County General Plan Hazards Appendix – Figure 2.4b. This map is a compilation of the State of California Seismic Hazards Maps for the County of Ventura and is used as the basis for delineating the potential liquefaction hazards within the county. There is **no impact** from potential hazards from liquefaction.

Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Public Works Development Services Depart. memo of Sept. 30, 2009.

14. Geologic Hazards

14A. Subsidence:

The subject property is not within the probable subsidence hazard zone as delineated on the Ventura County General Plan Hazards Appendix Figure 2.8 (January 27, 2004) and the project is not engaged in oil, gas or groundwater withdrawal. Therefore the subsidence hazard is considered to result in **no impact** for the proposed project.

Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Public Works Development Services Depart. memo of Sept.30, 2009.

14B. Expansive Soils:

The proposed project does not include the construction of new structures therefore, the hazard associated with adverse effects of expansive soils is considered to have **no impact** .

Source Document: Public Works Development Services Depart. memo of Sept. 30, 2009.

14C. Landslides / Mudslides:

Landslides and mudslides are not presently mapped within the property, however, due to the slopes within the property, a landslide and mudslide potential is present. The location of the site has not been evaluated to date for earthquake induced landslides

by the State of California. Site specific geologic and geotechnical work conducted by Hilltop Geotechnical, report dated November 11, 2005 and addendum letters dated August 26, 2006, indicate the site is not underlain by a landslide. In addition, slope stability calculations included within the report, dated November 11, 2005, Appendix C and discussed on page 10 consider the stability and the effects of earthquake ground motion on slope stability and the concludes the proposed final slopes constructed at a gradient of 2.6:1 or less are considered stable under both static and dynamic (earthquake) conditions. Based on the conclusions of the report, the adverse effects of landslides and mudslides are considered to be **less than significant**.

Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Public Works Development Services Depart. memo of Sept. 30, 2009.

15. HYDRAULIC HAZARDS:

Item A - Erosion/Siltation

The proposed project will be subject to the requirements of SMARA. There are no structures proposed and according to the project drainage report there will be no increase in runoff from the project and the project will be revegetated upon completion. In this regard, there will be **no adverse impacts** relating to erosion/ siltation.

Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memo from Public Works Development Services Dept Sept 17, 2009.

Item B - Flooding

The project results in passive open space with shallow 2.6:1 slopes or less. In addition, no water will be retained on site as both ponds will be graded to prevent water retention. As a result the project will not increase peak runoff volumes beyond original runoff volumes and flooding impacts would be **less than significant**.

Source Document: Memo from the Public Works Agency Development & Inspection Services Division, dated August 29, 2007.

16. AVIATION HAZARDS:

Since the proposed project is not located within two miles of any public airport, there will be **no impacts**, alone and cumulatively, relative to air traffic safety.

Source Document: Ventura County General Plan and the Ventura County Initial Study Assessment Guidelines of October 2008.

17. FIRE HAZARDS:

The proposed project is located in a high fire hazard area. However, the project proposes no buildings or any improvements potentially vulnerable to fire. As such, the project has **no impact** on fire hazards. Any future construction will be required to comply with the 2006 International Fire Code as adopted and amended by VCFPD Ordinance #26 for Fire Hazard Abatement and also the Uniform Building Code for required building standards.

Source Document: Memo from the Ventura County Fire Protection District, dated November 2, 2009.

18. HAZARDOUS MATERIALS/WASTE:

Item A - Above-ground Hazardous Materials

The proposed project will have **no impact** regarding above ground hazardous materials as no such materials storage or disposal is proposed. Any future hazardous material storage will be required to comply with the 2006 International Fire Code, Article 27 as adopted and amended by the VCFPD Ordinance #26.

Source Document: Memo from the Ventura County Fire Protection District, dated November 2, 2009.

Item B - Below-ground Hazardous Materials

During the preparation of the site for final reclamation heavy earthmoving equipment will continue operating after mining is completed. This phase of the proposed project may include the use of hazardous materials such as diesel fuel and lubricants. Improper storage, handling, and disposal of these material(s) could result in the creation of adverse impacts to public health. Compliance with existing State regulations will reduce potential impacts to a level considered less than significant.

Source Document: Memo from the Environmental health, dated November 2, 2009. Item C - <u>Hazardous Waste</u>

During the preparation of the site for final reclamation heavy earthmoving equipment will continue operating after mining is completed. This phase of the proposed project may include generation of hazardous waste. Improper storage, handling, and disposal of these materials could result in the creation of adverse impacts from hazardous wastes. Compliance with existing State regulations will reduce potential impacts to a level considered less than significant.

Source Document: Memo from the Environmental health, dated November 2, 2009.

19. NOISE/VIBRATION:

The actual excavation and movement of the clay within the mining site was not found to be a significant noise source in a 1999 noise study conducted for Ventura County. The primary noise sources on the site are the 24-hour a day operation of the kilns, loading of trucks, and the arrival/departure of trucks; however, these activities are not part of the proposed project.

The proposed project consists of passive open spaces upon reclamation of the site after mining is complete. These uses do not result in noise, therefore the proposed project has **no impact** resulting from noise/vibration.

Source Documents: Ventura County General Plan Section 2.16 – Noise (Policy 2.16.2.1) and Ventura County Initial Study Assessment Guidelines, October 2008. Ridgeilte Plant Noise Survey by Morris Engineering Company, November 9, 1999.

20. **GLARE**:

Glare is defined as "a continuous or periodic intense light that may cause eye discomfort or be blinding to humans". There is not expected to be any impacts associated with glare since the project results in passive open spaces at reclamation. Although the kilns and trucking occur at night and potentially generate glare, these are part of the existing environment and are not a result of the proposed project. As such, the project is expected to have **no impacts** from glare generated on-site.

Source Document: Ventura County Initial Study Assessment Guidelines, October 2008 Item 20 Glare.

21. PUBLIC HEALTH:

The proposed project may have impacts to public health. Compliance with applicable state regulations enforced by the Environmental Health Division will reduce potential impacts to a level considered less than significant.

See Impacts 18B and 18C.

Source Document: Memo from the Environmental health, dated November 2, 2009.

PUBLIC FACILITIES/SERVICES

22. TRANSPORTATION/CIRCULATION:

Items A - Public Roads & Highways (1) Level of Service and (2) Safety / Design

The project results in passive open space uses upon reclamation. These uses generate little if any traffic. Therefore, the project as proposed will have **no impact** on County local roads relating to level of service and safety/design.

Source Document: Memo from the Public Works Agency, Traffic and Transportation Planning, dated May 25, 2006.

Item A - <u>Public Roads & Highways</u> (3) <u>Tactical Access</u> and Item B - <u>Private Roads & Driveways</u> (1) <u>Safety/Design</u> and (2) <u>Tactical Access</u>

Public roads are adequate for this project. Therefore the project results in **no impact** to public roads.

Source Document: Memo from the Ventura County Fire Protection District, dated November 2, 2009.

Item C - Pedestrian/ Bicycle (1) Public Facilities and (2) Private Facilities

The Transportation Department comments that the existing roads in the proximity of the proposed project site do not have adequate facilities pursuant to the County's Road Standards and the State Department of Transportation (CALTRANS). However, the proposed project does not generate any pedestrian and bicycle traffic. Therefore the project has **no impact** on this impact category.

Source Document: Memo from the Public Works Agency, Traffic and Transportation Planning, dated May 25, 2006.

Item D - Parking

The project does not generate a demand for parking. Therefore, the project will have **no impact** relating to parking. Based on these findings, the project is consistent with the goals and policies contained in *Ventura County General Plan Section 4.2 -- Traffic/Circulation*.

Source Document: Ventura County General Plan Section 4.2 - Traffic/Circulation.

Item E - Bus Transit, Item F - Railroads, Item G - Airports, and Item H - Harbors

The project will not have any impact upon existing bus, railway, airport, or harbor activities as no such facilities or activities occur in the area except school busses. The

proposed project consisting of passive open uses results in no traffic or demand for transportation services, therefore, the project will have **no impact** on these facilities or operations.

Source Document: Ventura County General Plan and the Ventura County Initial Study Assessment Guidelines, October 2008.

Item I - Pipelines

The County GIS Mapping System indicates that there are no existing pipelines that would affect or be affected by the proposed project. Therefore, the proposed project will have **no impacts** to pipelines.

Source Document: Ventura County GIS Mapping System.

23. WATER SUPPLY:

Item A - Quality

The proposed project will not require a local supply of domestic water. Therefore, the project will have **no impact** on the quality of water available to the project.

Source Document: Memo from the Environmental health, dated November 2, 2009.

Item B - Quantity

Water service is currently provided by three (3) onsite water wells, State Well Numbers (SWN) 08N20W19L02S, SWN: 08N20W19M01S, and SWN: 08N20W19M02S. Sewage disposal is provided via existing onsite septic systems and portable toilets.

Water supply quantity impacts are deemed **Less than Significant** because any water needs at reclamation will be provided by the onsite water wells. The aquifer is not in overdraft, and the wells are adequate to provide a permanent supply of water for purposes of passive open space uses.

Source Document: Memo from the Public Works Agency, Watershed Protection District, Groundwater Section, dated December 16, 2009.

Item C - Fire Flow

The proposed project has no requirement for fire flow as no combustible construction is proposed. Any future development will require a water supply and fire hydrants. Water supply for fire protection will be required to meet VCFPD Current Ordinance. Therefore the project has **no impact** on fire flow.

Source Document: Memo from the Ventura County Fire Protection District, dated November 2, 2009.

24. WASTE TREATMENT/DISPOSAL:

Item A - <u>Individual Sewage Disposal System</u> and Item B - <u>Sewage</u> <u>Collection/Treatment Facilities</u>

The proposed project will not require the use of an on-site sewage disposal system. Therefore, the project will result in **no impacts** in this impact category.

Source Document: Memo from the Environmental health, dated November 2, 2009 Item C - Solid Waste Management

According to the County thresholds of significance for impacts to solid waste facilities, any discretionary development project that could generate solid waste would have an impact on the demand for solid waste disposal capacity. However, unless the county has reason to believe that there is less than 15 years of disposal capacity available for the disposal of waste generated by in-county projects, no individual project of this type and magnitude would have a significant impact on the demand for solid waste disposal capacity.

The Countywide Siting Element, adopted in June of 2001, confirms that Ventura County has 15 plus years of disposal capacity available for waste generated by in-county projects. Accordingly, based on the current solid waste disposal capacity available to Ventura County, the waste generated by this project will fall below the County thresholds of significance, resulting in **less than significant** impacts to solid waste.

Furthermore, the project does not result in the generation of waste that would go to a landfill. As such, it results in **no impact** on solid waste management.

Source Document: Memo from the Environmental and Energy Resources Division May 11, 2006.

Item D - Solid Waste Facilities

The proposed project does not include a solid waste facility. Therefore, the project would have **no impacts** relating to solid waste facilities.

Source Document: Memo from the Environmental health, dated November 2, 2009.

25. UTILITIES:

Item A - Electric Item B - Gas and Item C - Communications

The project will not cause an increased need for any utilities. Therefore, the project will have **no impact** on these facilities.

Source Document: Ventura County Initial Study Assessment Guidelines, October 2008.

26. FLOOD CONTROL/DRAINAGE:

Item A - WPD Facility

There are no District facilities located on the property. Therefore, there would be no impacts relating to drainage.

Source Document: Memo from the Public Works Agency, Watershed Protection District, dated August 14, 2007.

Item B - Other Facilities

The proposed project will be subject to the requirements of SMARA. There are no structures proposed and according to the project drainage report there will be no increase in runoff from the project. In this regard, there will be **no adverse impacts** relating to drainage facilities not owned by the Watershed Protection District.

Therefore, there will be **no adverse impacts** relating to drainage facilities not owned by the Watershed Protection District.

Source Document: Memo from Public Works Development Services Dept Sept 17, 2009.

27. LAW ENFORCEMENT/EMERGENCY SERVICES:

Item A - Personnel/Equipment and Item B - Facilities

Due to the nature of the proposed project, there will be **no impact** on the functions of the Ventura County Sheriff's Department as it is not expected to result in an increase in service calls.

Source Document: Ventura County General Plan and Ventura County Initial Study Assessment Guidelines, October 2008.

28. FIRE PROTECTION:

Item A- Distance/Response Time and Item B- Personnel/Equipment/ Facilities

Distance from full-time, paid fire station is adequate. This project does not indicate that a new fire station or additional equipment is required. Consequently the project has **no impact** on fire services.

Source Document: Memo from the Ventura County Fire Protection District, dated November 2, 2009.

29. EDUCATION:

Item A – Schools and Item B - Libraries

The project will not generate additional workers or residents. Therefore, the project does not result in additional population growth and has **no impact** on local schools or libraries.

Source Document: Ventura County General Plan and Ventura County Initial Study Assessment Guidelines, October 2008.

30. RECREATION:

<u>Item A - Local Parks/Facilities, Item B - Regional Parks/Facilities, and Item C - Regional Trails/Corridors</u>

Based on the information presented in the project description, the proposed project is not expected to create any significant new or additional demands on recreational needs. Therefore, this project will have **no impact** on recreational opportunities.

Source Document: Ventura County General Plan and Ventura County Initial Study Assessment Guidelines, October 2008.

End Section C

SECTION D MANDATORY FINDINGS OF SIGNIFICANCE PROJECT: LU 06-0045 (Reclamation of CUP 0212)

D.	MANDATORY FINDINGS OF SIGNIFICANCE Based on the information contained within Sections B and C:	YES/ MAYBE	NO
	1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-		
	sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
41	2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).		X
180 R 27	3. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effect of other current projects, and the effect of probable future projects. (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts		X
	on the environment is significant). 4. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

SECTION E <u>DETERMINATION OF ENVIRONMENTAL DOCUMENT</u> PROJECT: LU06-0045 (Reclamation of CUP 0212)

E.	DETERMINATION OF ENVIRONMENTAL DOCUMENT
	On the basis of this initial evaluation:
	I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described in section C of the Initial Study will be applied to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
apr.	I find the proposed project, individually and/or cumulatively, MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.*
e e	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Dan Klemann, Supervising Planner

Signature of Person Responsible for Administering the Project



RESPONSES TO PUBLIC COMMENTS TO THE JANUARY 2010 NEGATIVE DECLARATION FOR LU 06-0045 (PACIFIC CUSTOM MATERIALS)

The public review for the California Environmental Quality Act (CEQA) Negative Declaration for LU 06-0045 (Pacific Custom Materials) extended from January 18, 2010 to February 22, 2010. During that time the Ventura County Planning Division received 9 comment letters. Below is a list of those letters. The actual letters and our responses are attached. In each case, the questions/comments are paraphrased, and then a response is provided. Any questions may be directed to the project case planner, Scott Ellison, at (805) 654-2495, or at scott.ellison@ventura.org.

Commenter Letters Received

- 1. Native American Heritage Commission, letter dated January 28, 2010
- 2. Kevin and Patti Kaiser, letter dated February 13, 2010
- 3. Grace Ingram, letter dated February 15, 2010
- 4. E. R. Gertner, letter dated February 18, 2010
- 5. Tri-Counties Watchdogs, letter dated February 21, 2010
- 6. California Department of Fish and Game, letter of February 22, 2010
- 7. Mr. T. Pesota, letter dated February 22, 2010
- 8. State CEQA Clearinghouse letter dated February 18, 2010
- 9. State CEQA Clearinghouse letter dated February 25, 2010

1-1

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364 SACRAMENTO, CA 95814 (916) 653-4082 (916) 657-5390 - Fax

January 28, 2010

Scott Ellison County of Ventura 800 S. Victoria Ave. Ventura, CA 93009

RE:

SCH#2010011031 LU06-0045 Revised SMARA Reclamation Plan for CUP 212 (Clay Mine, Lockwood Valley); Ventura County.

Dear Mr. Ellison:

The Native American Heritage Commission has reviewed the Notice of Completion (NOC) regarding the above referenced project. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

- Contact the appropriate Information Center for a record search to determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. Sacred Lands File check completed, no sites indicated
 - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the
 mitigation measures. Native American Contacts List attached
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez Program Analyst (916) 653-4040

CC:

State Clearinghouse

Native American Contact

Ventura County January 28, 2010

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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010011031 LU06-0045 REvised SMARA REclamation Plan for CUP 212 (Clay Mine, Lockwood Valley); Ventura County.

Ventura County January 28, 2010

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Chumash

Charles S. Parra P.O. Box 6612

Chumash

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Oxnard , CA 93031 (805) 340-3134 (Cell) (805) 488-0481 (Home)

Santa Ynez Tribal Elders Council Adelina Alva-Padilla, Chair Woman

P.O. Box 365

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ndnRandy@gmail.com (805) 905-1675 - cell Chumash Fernandeño Tataviam Shoshone Paiute

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Ventura County
January 28, 2010

Frank Arredondo PO Box 161 Santa Barbara Ca 93102 805-617-6884 ksen_sku_mu@yahoo.com

Chumash

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010011031 LU06-0045 REvised SMARA REclamation Plan for CUP 212 (Clay Mine, Lockwood Valley); Ventura County.

Commenter 1 Native American Heritage Commission, letter dated January 28, 2010

Comment 1:

The commenter references through its letter the requirements under the California Environmental Quality Act (CEQA). vis-à-vis projects that may cause substantial adverse changes in the significance of an historical resource, which includes archeological resources.

Response to Comment 1:

Comment noted. No additional response or work is necessary as extensive archeological surveys have been conducted on or adjacent to the site and the sacred land file check found that project would not impact identified sacred sites.

Mr. Scott Ellison
CEQA Environmental Review
ADDRESS

February 13th, 2010

Re: Pacific Custom Materials Inc.
Notice of Negative Declaration of Jan.14, 2010

Dear Mr. Ellison,

We received Notice of the proposed expansion by TXI of their operations, and amendment to their CUP on Jan. 17, 2010. I have reviewed the Negative Declaration Notice online. We live directly west of the plant, at 11s 312124 E by 3848700 N, approximately one half mile away. Our concerns, and those of the neighbors with whom I have discussed this, is the work TXI does between 10 pm to 6am, as well as the emissions from the plant.

All night long, we hear their machinery. The hum of the kiln and particularly the audible back up alarms, which are on all of the equipment they use as well as the trucks which move around their property throughout those hours, can clearly be heard by us and our neighbors during those hours.

According to OSHA, section 1926.602, backup alerts are required, but there are alternatives, including lights rather than audible alarms. I would suggest the County request TXI investigate that alternative to mitigate that concern.

Additionally, according to Ventura CEQA standards, noise levels between 10:00 pm and 6:00am should be no greater than 45 db (a), weighted. I believe we are close to that level, if not above it, from the sources we are able to hear every evening. Having been an Audio technician for many years, I will take some readings during these hours and present the results at the February meeting. Dependent on the results on those tests, more audio tests may be required by experts, to include all of the neighbors' properties who are in close proximity to the areas of TXI where they operate their equipment.

Also, I looked at the pollution levels list online and see that most everything which is currently being monitored falls below the Government standards for those substances. However, I would like to know who monitors that test equipment and how often it is calibrated. We see the steam and smoke everyday and would like to be reassured that all Government standards are being complied with. This is obviously a health and safety issue which must be carefully addressed.

I look forward to hearing from you and to meeting you at the meeting.

Very Truly Yours,

Kevin and Patti Kaiser

2-1

2-2

Commenter 2 Kevin and Patti Kaiser, letter dated February 13, 2010

Comment 1:

The commenter expresses concern regarding noise from nighttime mining operations, and offers suggestions for noise abatement.

Response to Comment 1:

The proposed Project is an amendment to the 1979 Reclamation Plan for PCM's mining operation. Only the 1979 Reclamation Plan, which only controls what happens after mining is complete, is being modified. Under Conditional Use Permit No. 212 (CUP 212), PCM has a vested right to mine within the CUP boundaries, subject only to the conditions of CUP 212, as adjusted. No change is being proposed to CUP 212; CUP 212 controls the location, depth and operations of the mining activities, including night-time processing. No discretionary operational permit is being sought, nor are any changes to PCM's entitlements under CUP 212 being sought. Therefore, the nature and scope of permitted mining or operational activities will not change as a result of the Reclamation Plan amendment. (Initial Study, pp. 1-13, 27.)

In regard to noise, the "actual excavation and movement of the clay within the mining site was not found to be a significant noise source in a 1999 noise study conducted for Ventura County." (Initial Study, p. 19.) The proposed project, however, is an amendment to the Reclamation Plan for an existing mining operation. The noise attributable to reclamation activities and the land use following reclamation (passive open space) cannot be deemed to be more significant than the noise generated by "actual excavation and [clay] movement" and which was deemed "not significant."

This letter has been forwarded to PCM which has informally advised that they expect that they can reduce nighttime noise, specifically back-up bells. However, there is no regulatory authority in either the proposed Project or CUP 212 that they do so.

Comment 2:

The commenter expresses concern regarding monitoring of "pollution levels," even though those levels are "below the Government standards for those substances."

Response to Comment 2:

Please refer to Response to Comment 1, above. This is a comment regarding airborne pollutants. CUP 212, as adjusted, requires that "any mill or quarry established within the [permit area] be equipped with adequate controls for the elimination of dust, smoke, fumes or the discharge of other solid, liquid, or gaseous materials (CUP 212, Condition 8). CUP 212 does not, however, include air pollutant monitoring requirements. That being said, PCM is required to adhere to requirements imposed by the Ventura Air Pollution Control District (APCD), which has determined that air quality impacts related to reclamation activities are likely to be "less than significant." (Initial Study, at pp. 23-24.)

COMMENTER 3 Poi Resource Management Age Planning Dept by # 1740 xcon weson In response to your notice dated an 12-2010 and your preposed meeting of Feb 25th 2010, below is a list of my conserses Com I May most urgent consum is the removal 3-1 Lockwood Valley depend on as our only sorce of water for our fire protection, a major consern for all of us tresidence was under the assumption that it was a requirement for TXI/ Pacific Custom Motorial Inc. to maintain the ponds, not only for there own use but also for vally sesidence fire protections as long as they are operating the quary after there operations and over in what ever - year couldn't the country or the forestry maintain a pronde Cach of us property owners up here have a some of that money stay in our area? The Day Fire in September of 2006 caused major damages to "our forest" But at least most of the homes were saved from extensive damage. Without the ponds, who knows what would have happened. I tell you those black tree trunks against the beautiful white snow is one ugly sight - Cleave keep at least I sond

against In beautiful with a now it one Point & The increasing of the depth to 110; en additional 40, from present day operations, 3-2 es another consern . Each of us properly owner. en this area are on our own private water wells Will the encreased depth have a negative effect on the quality or quantity of our water? foint 3. I understand that after all aparations at Cacific Custom Materials are complete, that the county authorities will supervise the reclamation of the accrage involved, including the plantin of trees, But Keep The Conde Point 4 In Trazier Jark at the park is a pond, which is fed by an underground stream, It has a 3-4 Concrete dam at the low end with and male area to allow drainage. Why contain local shorif take pecture of it and submit it for review Keep The Tond / I don't believe there are stream that would be endangered. Grace Ingram 17305 Jackesond Val Och Frazier Park Calif 23225 Water over flow area 661-245-1142 monto 6 losep 1 1 1 1 1 Concrete Orea

Commenter 3 Grace Ingram, letter dated February 15, 2010

Ingram Comment 1:

The commenter states an "urgent concern" that the Reclamation Plan be modified to retain at least one pond.

Response to Comment 1:

The proposed amended Reclamation Plan does not contemplate the site's upper or lower ponds being maintained after mining concludes, but no removal of the ponds would occur in the near future. Removal of the ponds was requested by the State Department of Conservation (DOC), not by PCM; The DOC has a policy of not allowing man-made unmaintained water impoundments to remain on a mining site after reclamation. The two ponds are artificial in that they were constructed and maintained by PCM and are necessary for the continued operation of the processing plant. The lower pond is fed by natural runoff at the site, while the upper pond is fed by water pumped from the lower pond and from well water. Without active pumping by PCM the upper pond would dry up; the lower pond already dries up in the summer since its only water source is natural surface water.

Any removal of the ponds would occur at the end of mining in approximately 2045. PCM has unofficially advised that they have no objection to allowing the ponds to remain after mining if the DOC and Ventura County have no objection, and a responsible agency or other entity agrees to assume responsibility for them.

Comment 2:

The commenter inquires as to whether approved mining depths will affect water quality or quantity.

Response to Comment 2:

Under CUP 212 PCM has a vested right to mine within the CUP boundaries, subject only to the conditions of CUP 212, as adjusted. CUP 212, as adjusted, contains no prohibitions on the depth of mining at the site. Groundwater was not encountered during geotechnical testing for the proposed project, and local wells only encounter water significantly below the proposed mining depth. As such, the mining operation is not expected to encounter groundwater and the project is considered to have a less than significant impact on groundwater quantity.

Comments 3 and 4:

The commenter requests that the Reclamation Plan be modified to retain at least one pond.

Response Comments 3 and 4:

Please refer to response to Comment 1, above.

MR ELLISON SUBJECT ; LU 06 -00 45 CUP 0217 E. R. GERTHER PARCEL 004-30-150 FROM 17395 LOCK WOOD VALLEY Rd FRAZIER PARK, OA 93225 MALL ADDRESS P.O BOX 667 MOOR PARK, CA 93020 Elissian frond withing compater. there since 1991. the Negative Declaration eoncerning PCM's and home several questions Insterial for how many years based on historical or current mining extraction lonels. Till 2045? Some? The Meratine Declaretion 4-1 indicates no limits on production although I believe they xick from price hearings at the Ventura Co. Am Recurrer Board Please clarify. (ie limits on natural for diest fuel and total from of product) Place clarify

In pololition the 2045 dota seems fairly orleitiony and not necessarily the start of neclamation. neclamation, Will the pends numeron till reclamation starts in 12045? They are on important ___ source of wohen for fine fighting. There ______ the form were close, just morth of me, since 1991 where the proximity of the pund water made a significant What % of PCM water use derines from the lower pand. Will its elimination (quarto 2015) to increased well purping and the oleplation of the local aguifer? Is the local aguifer being drown down or was a steady state condition? 4-3 Since 1991 & home planted 3000+ trasplus premierous leus her and flowers . 90% + are Celifornia natives that I inspete with a 1/2 west - foot per year (typ. June to sept) Most one shought tolerant but some insperion (deep und infrequent) ensure their health and survinal. Drawing olpson of the worker table by increased well pumping by Pen conceins me since I would need to obegen my well (unit 150' now) everich is en expensive proposition. I om refined and line a a fixed in cume.

the will you need to lad w HOS (MARIER PARK) BOTH (MODEL 323C (MODELHOR) na Belduessel con bee - my concerns and prompnet). Mering a puble Will there Can templated for such work? fruit fruit hund D ST 5 shoors to the find for Intun Relamation paying into perent seased Uto minimuse Dust formatchen? sur house from

Commenter 4 E. R. Gertner, letter dated February 18, 2010

Comment 1

What mining extraction rate is assumed for the expiration date of 2045? What are the APCD limits, and is 2045 an arbitrary date?

Response to Comment 1

The estimate of 2045 for completion of mining is based on a future long term average mining rate equal to current long term mining rates. These rates are 119,000 tons per year for a total of 4,600,000 tons by 2045. This is approximately what was been withdrawn in recent years.

This comment is correct that Air Pollution Control District (APCD) emission limits establish a maximum amount of material that can be processed (although APCD does not regulate how much can be mined and shipped out as unprocessed material). The APCD advises that PCM is permitted to process 218,280 tons of material per year. As a general rule, PCM does not ship out unprocessed material, although there is nothing in their permits that prohibits it.

The date of 2045 is not arbitrary, in the sense that the controlling permit, Conditional Use Permit (CUP) 212 expires on that date. Without a modification to the CUP 212, PCM does not have the authority to mine beyond that date.

Comment 2

Will the ponds remain until 2045?

Response to Comment 2

The ponds are a necessary water source for the processing of product. They were built by PCM to serve the project and there are no plans to remove them. As long as PCM continues to process product the ponds are planned to remain in place. However, there is no regulatory requirement for them to remain; the proposed project, which is only concerned about what happens after mining is complete, cannot be used to mandate the continued operation of the ponds. However, current thinking is that the ponds would remain until the end of mining in approximately 2045.

Comment 3

What percentage of PCM water is derived from the lower pond? Will PCM use more groundwater and result in impacts to the aquifer?

Response to Comment 3

The percentage split between surface water (i.e. the lower pond) and the well water was not considered in analyzing the proposed Project, as that issue has no bearing on Project environmental impacts. The proposed Project does not change the existing rights PCM has to pump well water, nor does it change any operational aspect of the mining operation or the annual amount of groundwater consumed by PCM. As noted on IS/ND page 24, the proposed Project would consume approximately 1 acre/foot/year for a few years while plants become established. Since the local aquifer is not in overdraft, the Project impact on groundwater is less than significant.

Comment 4

Are mining operations limited to the wet season in order to minimize dust impacts?

Response to Comment 4

Under CUP 212, which controls mining at the site, there is no season prohibition or limit regarding mining. However, any mining or other operations are subject to APCD rules and regulations regarding nuisance dust migrating beyond project limits. Since the proposed Project is only concerned with reclamation of the site once mining is complete, the Project has no impact on PCM dust generation from either mining or processing.

Comment 5

Is PCM paying into a trust fund for reclamation?

Response to Comment 5

A primary purpose of the Surface Mining and Reclamation Act (SMARA) of 1975 is to require miners to post financial assurances to pay for reclamation of mining sites upon cessation of operations. Typically these financial assurances are collected and updated annually by local counties under the supervision of the State Department of Conservation. Currently PCM has on file with the County of Ventura a financial assurance of over \$697,000 to pay for reclamation of the site. This changes every year depending on what facilities are on site and how many acres are disturbed.

Comment 6

A public hearing, preferably held in Frazier Park should be held on this project.

Response to Comment 6

A public hearing on this project has held February 25, 2010 after legal notices were published in the Mountain Enterprise and Ventura County Star. Legal notices were also sent to all property owners within one mile of the site. Your letter has been included as part of the Final Initial Study/Negative Declaration for the project.



TriCounty Watchdogs

...protecting mountain resources and communities in Kern, Los Angeles, and Ventura Counties.

Resource Management Agency County of Ventura

Date 2/21/10

TCW
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Frazier Park
California 93225
tcwdogs@frazmtn.com
www.tcwdogs.org

5-1

Thank you for insuring that we have received notice of the requested change in the mining plans for TXI (formerly Pacific Custom Materials, Inc.) located on 17140 East Lockwood Valley Rd. Ventura County. Following are the comments we wish to make in regards to the reclamation plan proposal that includes a change in land use.

Preface: Public input in regard to the contents of the document is greatly hampered because copies of neither the original CUP 0212 and SMARA -affected documents have been included. There is no explanation as to how legislative actions have affected and changed the original Conditional Use. Also missing: background information concerning the decision-making process that would allow the company to extend their operation to mine more land within the permit. Why is the company asking for the extension of the mining area? What are the direct financial benefits that would come to Ventura County, the Los Padres National Forest and the State of California? Are these dollar amounts an increase over past fees?

Questions and Comments to Reclamation Proposal as it stands:

After reviewing the document in its present form, these are some questions and opinions we have in regard to the proposal:

This reclamation proposal appears to be a case of putting the cart before the horse. It seems apparent a decision concerning an extension of the reclamation plan should not be made before more vital information is gathered and verified. Following are questions that we feel need to be answered:

- First: In Table 2, History of CUP 212 there is a record of Permit Adjustment approved July 7, 2000 to abate Violation 95-155 states that 'No mining is allowed in the expanded area to the south,' which appears to be precisely the area that LU06-0045 wants to extend mining operations. How is it that now you are considering expansion into that area? Second: The finding of no impact to Biological Resources in Section 6 of the Initial Study is inaccurate.
 - Why hasn't the information in regards to the following been gathered and verified before

TriCounty Watchdogs

...protecting mountain resources and communities in Kern, Los Angeles, and Ventura Counties.

this reclamation proposal is up for approval?

5-4

a. The Discussion of Responses attached to the Initial Study states that further surveys would be required in order to determine project specific impacts for three plant species known to occur on the site. Table 3 in this section also states that cumulative impacts to Allium howellii var. clokeyi would be significant.

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5-5
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b. Within the proposal there is a request to extend mining into a new large area within the permitted area. Please note: It has already been acknowledged that if mining is allowed in the requested area in question at least 42 special threatened plants are put at risk as is a horned lizard, a special status animal species. The plant count was made from a survey conducted in the fall rather than in the spring which obviously is the-

blooming time. It was also noted that a specimen of the San Diego horned lizard (*Phrynosomati coronatus* ss *blainvilli*) was found. This is a California Department of Fish and Game DFG:SSC California Species of Special Concern and USDA Forest Service USFS:S---Sensitive---Only the southern "blainvillii" population. This horned lizard has off and on estivation periods which needs to be taken in account for the timing of surveys also. Another item: under Endangered, threatened or rare species Magney (2008) estimates approximately 42 Special Status plant species have a "high" probability of occurrence within the CUP boundary, with an unknown number located within the revised mining area.

5-6

c. In the discussion of Item B - Wetland Habitat, the document's first statement reads 'Policy 1.5.2.3 of the Ventura County General Plan requires that discretionary development proposed to be located within 300 feet of an intermittent stream or spring must be evaluated by a qualified biologist." The two existing ponds are mentioned as features, but why is there no mention made of several blue-line streams shown on the Cuddy Valley 7.5' Quadrangle map that appear to be well within the 300-foot limit set by Ventura County and therefore requiring an evaluation?

5-7

- d. There are two man-made ponds whose waters have been used as part of the processing of the materials being mined. Questions. Why is there no complete description of the process used to treat the clay from beginning to end? What chemicals, if any, are used in the processing of clay? What effects may that process have on the quantity and quality of the water? There is a request to allow the mining pit to be deepened. How might that affect water supply and water quality? Shouldn't there be a full-scale review of water supply and usage and future impacts on water locally and in surrounding areas?
- 5-8
- e. As a part of the reclamation plan there is no analysis of what may happen to the sur-

TriCounty Watchdogs

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rounding areas when the presently dammed stream is opened allowing water to flow through the area and allowing the lakes to dry up. The reclamation document's only reference to the stream is "Conduct grading operations to the proposed reclamation plan contours; these include filling in of the upper pond, removal of the drainage outlet at the lower pond and cutting a channel through the site. These actions would prevent any large-scale surface water detention or retention. "Why is there no reference to such things as contour grading, stream bank restoration or analysis of impacts downstream, which are vital in restoring the stream to its natural flow? Also, as this is a clay area, have any surveys been done to ascertain if a vernal pool or pools exist in this area?

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- f. Why weren't the maps completed before this proposal was made public? Maps are admittedly inadequate; to quote "Fig 8 Reclamation Plan map "incomplete as it does not explicitly demarcate the limits of disturbance allowed under the plan and hence under SMARA". p 4,
- 5-10 Given the lack of considerable vital and verified information now we urge that a full EIR be required before approval is given to this Reclamation Proposal for TXI mining.

Thank you for your consideration of our concerns. Please inform us as to any and all actions taken in regard to decisions made about the proposed Reclamation Plan.

Sincerely yours,

Linda Mackay President

Commenter 5 Tri-Counties Watchdogs, letter dated February 21, 2010

Comment 1:

Public input in regard to the contents of the document is greatly hampered because copies of neither the original CUP 0212 nor the SMARA-affected documents have been included. There is no explanation as to how legislative actions have affected and changed the original Conditional Use. Also missing is background information concerning the decision-making process that would allow the company to extend their operation to mine more land within the permit. Why is the company asking for the extension of the mining area? What are the direct financial benefits that would come to Ventura County, the Los Padres National Forest and the State of California? Are these dollar amounts an increase over past fees?

Response to Comment 1:

The commenter's remarks and questions reflect an apparent misunderstanding of the nature of the proposed Project. Under Conditional Use Permit 212 (CUP 212), PCM has a vested right to mine within the CUP boundaries, subject only to the conditions of CUP 212, as adjusted. At the end of mining operations, PCM will reclaim the site in accordance with the Surface and Mining Reclamation Act of 1975 (SMARA); Reclamation will proceed according to an approved The proposed Project is an amendment to the 1979 reclamation plan. Reclamation Plan for PCM's mining operation. No discretionary operational permit is being sought, nor are any changes to PCM's entitlements under CUP 212 being sought. Therefore, the nature and scope of permitted mining activities will not change as a result of the Reclamation Plan amendment. explained in the Initial Study, the proposed Project only addresses reclamation of land mined pursuant to existing permits. Impacts from ongoing, permitted mining operations are elements of the "existing environment" and would be unaffected by the proposed Reclamation Plan. (See, e.g., Initial Study, pp. 1-13, 27.) As such, the Initial Study/Negative Declaration is properly limited to consideration of Reclamation Plan impacts only.

Furthermore, an Initial Study/Negative Declaration is not required to include underlying permits. (See CEQA Guidelines, § § 15063, subds. (c) and (d), 15071.) All that is required is a brief explanation of the data or evidence supporting the agency's conclusions. (CEQA Guidelines, App. G, "Evaluation of Environmental Impacts," item 1. Sources were properly referenced (CEQA Guidelines, App. G, "Evaluation of Environmental Impacts," item 7), but there is no requirement that the source documents be circulated with the Negative Declaration (*ibid.*; see also CEQA Guidelines, section 15073, subd. (c)).

In regard to fees, such considerations are beyond the scope of the environmental document, however, the only local fees would be property taxes, perhaps any business license fees, and annual emission fees paid to the Ventura County Air Pollution Control District. The County is not aware of any State or Federal agreements PCM may have.

TW Comment 2:

In Table 2, History of CUP 212 there is a record of Permit Adjustment approved July 7, 2000 to abate Violation 95-155 states that 'No mining is allowed in the expanded area to the south,' which appears to be precisely the area that LU06-0045 wants to extend mining operations. How is it that now you are considering expansion into that area?

Response to Comment 2:

The comment misstates the July 7, 2000 Permit Adjustment. Under that Permit Adjustment, "26.2 acres of undisturbed, currently approved mining areas" were "relocate[d]" as follows: 24.9 acres to include the lower pond and spillway areas to the south of the mining area, and 1.3 acres to include a northern area that was disturbed to alleviate erosion problems. The subject Permit Adjustment states that no mining shall occur in the 26.2 relocated acres, and no mining will occur in those areas as a result of the Proposed Project (i.e., the mining "expansion" to be covered by the amended Reclamation Plan that is with the existing CUP 212 but is not within the 26.2 acres referenced in the Permit Adjustment, although that area will be part of the amended Reclamation Plan).

Also, please refer to Response to Comment 1, above. The comments and questions concerning Table 2 continue to reflect an apparent misunderstanding of the nature of the proposed Project. The nature and scope of permitted mining activities will not change as a result of the proposed Project, which addresses reclamation of land after mining is complete. (See, e.g., Initial Study, pp. 1-13.) Impacts from permitted mining operations are elements of the "existing environment", and are not subject to modification by the proposed Reclamation Plan. (See, e.g., Initial Study, p. 27.) As such, the Initial Study/Negative Declaration is properly limited to consideration of Reclamation Plan impacts only.

TW Comment 3:

The finding of no impact to Biological Resources in Section 6 of the Initial Study is inaccurate. Why hasn't the information in regard to the following been gathered and verified before this reclamation proposal is up for approval?

Response to Comment 3:

Please refer to Responses to Comments 1 and 2, above. PCM already has the right to mine within the entire CUP boundary and to remove any habitat or biological resources within that boundary; the proposed Project is therefore limited to what happens on the site <u>after</u> mining is complete. CUP 212 will result in the loss of habitat; the proposed modified Reclamation Plan is method by which any loss will be mitigated, but it is not the cause of that loss.

As explained in the Initial Study/Negative Declaration, the Project does not affect the scope of mining activities under existing permits. The impacts of mining and related ground disturbance activities are part of the "existing environment" which under the California Environmental Quality Act (CEQA) by definition has no environmental impacts (Initial Study, p. 27). The Initial Study/Negative Declaration is properly limited to consideration of Reclamation Plan impacts only. Substantial evidence in the record demonstrates that the proposed Reclamation Plan will not result in any significant adverse impacts to biological resources. The "finding of no impact to Biological Resources" therefore is accurate.

Comment 4:

The Discussion of Responses attached to the Initial Study states that further surveys would be required in order to determine project specific impacts for three plant species known to occur on the site. Table 3 in this section also states that cumulative impacts to *Allium howellii* var. *clokeyi* would be significant.

Response to Comment 4:

Please refer to Responses to Comments 1, 2, and 3, above. The proposed Project relates to Reclamation Plan activities only. The ground disturbance and potential impacts (both project-specific and cumulative) referenced in Table 3 are associated with existing permitted mining activities, which are considered the existing environment and are not currently the subject of any proposed action. (See, e.g., Initial Study, p. 27.). The referenced spring surveys are designed to establish the data baseline needed to create an appropriate seed mix and planting plan to minimize any impacts resulting from the mining operation.

Comment 5:

Within the proposal there is a request to extend mining into a new large area within the permitted area. Please note: It has already been acknowledged that if mining is allowed in the requested area in question at least 42 special threatened plants are put at risk as is a horned lizard, a special status animal species. The plant count was made from a survey conducted in the fall rather than in the spring which obviously is the blooming time. It was also noted that a specimen of the San Diego horned lizard (*Phrynosomati coronatus* ss blainvilli) was found.

This is a California Department of Fish and Game DFG:SSC California Species of Special Concern and USDA Forest Service USFS:S---Sensitive---Only the southern "blainvillii" population. This horned lizard has off and on estivation periods which needs to be taken in account for the timing of surveys also. Another item: under Endangered, threatened or rare species Magney (2008) estimates approximately 42 Special Status plant species have a "high" probability of occurrence within the CUP boundary, with an unknown number located within the revised mining area.

Response to Comment 5:

Please refer to Responses to Comments 1, 2, 3, and 3a, above. To reiterate here, however, under CUP 212, PCM has a vested right to mine within the CUP boundaries, subject only to the conditions of CUP 212, as adjusted. (See CUP 212; see also Initial Study, pp. 1-11); the proposed Project is an amendment to the 1979 Reclamation Plan for PCM's mining operation. No discretionary operational permit is being sought, nor are any changes being sought to PCM's entitlements under CUP 212. Furthermore, the comment overlooks the thrust and objective of the Project: to restore the mining site's vegetation and habitat to as close to that which originally existed before the ground was disturbed. (See Initial Study, pp. 10-13 (the Project "contemplates the reclamation of the site to passive open space," and contemplates "open space uses such as hiking or cattle grazing"); pp. 20-22.)

Comment 6:

In the discussion of Item B - Wetland Habitat, the document's first statement reads "Policy 1.5.2.3 of the Ventura County General Plan requires that discretionary development proposed to be located within 300 feet of an intermittent stream or spring must be evaluated by a qualified biologist." The two existing ponds are mentioned as features, but why is there no mention made of several blue-line streams shown on the Cuddy Valley 7.5' Quadrangle map that appear to be well within the 300-foot limit set by Ventura County and therefore requiring an evaluation?

Response to Comment 6:

Please refer to Responses to TW Comments 1, 2, 3, and 3a-b, above, and also 3e below. The proposed Project is an amendment to the 1979 Reclamation Plan for PCM's mining operation. No discretionary operational permit is being sought, nor are any changes to PCM's entitlements under CUP 212 being sought. The proposed Reclamation Plan does address the planned deepening and southerly movement of PCM's mining operation. The Initial Study does, as the commenter notes, also address removal of two manmade ponds at the Project site. (Initial Study, pp. 11, 27-30.)

The thrust and objective of the Project are to restore the mining site's vegetation and habitat to as close to that which originally existed before the ground was disturbed. (See Initial Study, pp. 10-13 (the Project "contemplates the reclamation of the site to passive open space," and contemplates "open space uses such as hiking or cattle grazing"); pp. 20-22.) The Project is not the loss of biological communities, but rather is the effort to restore them once they are lost through mining under CUP 212. The purpose of the 2010 Spring survey is to thoroughly document existing biological communities so they can be restored as closely as possible.

Insofar as the comment references "Wetland Habitat" and suggests the two manmade ponds may be jurisdictional wetlands, it must be noted that the United States Army Corps of Engineers does not generally consider "[a]rtificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as . . . settling basins" to be "Waters of the United States." (51 Fed. Reg. 41206 (1986).) Moreover, the ponds are determined to have limited or no "wetland" value. (See Initial Study, pp. 27-30; see also December 18, 2008, letter by WREA to Ventura County, at Attachment D.)

Comment 7:

There are two man-made ponds whose waters have been used as part of the processing of the materials being mined. Questions: Why is there no complete description of the process used to treat the clay from beginning to end? What chemicals, if any, are used in the processing of clay? What effects may that process have on the quantity and quality of the water? There is a request to allow the mining pit to be deepened. How might that affect water supply and water quality? Shouldn't there be a full-scale review of water supply and usage and future impacts on water locally and in surrounding areas?

Response to Comment 7:

Please refer to responses to Comments 1 through 6, above.

Under CUP 212 PCM has a vested right to mine within the CUP boundaries, subject only to the conditions of CUP 212, as adjusted. As such, details of the operation of the existing operation are outside the scope of the proposed Project and therefore are not included in the Initial Study/Negative Declaration. CUP 212, as adjusted, contains no prohibitions on the depth of mining at the site. Groundwater was not encountered during geotechnical testing for the proposed project, and no groundwater is expected to be encountered. As noted in the Initial Study/Negative Declaration, the Groundwater Resources Section of the Ventura County Public Works Agency found that the proposed Project, consisting of the reclamation of the site, would have no significant adverse impacts on groundwater quality or quantity (pp. 40).

Comment 8:

As a part of the reclamation plan there is no analysis of what may happen to the surrounding areas when the presently dammed stream is opened allowing water to flow through the area and allowing the lakes to dry up. The reclamation document's only reference to the stream is "Conduct grading operations to the proposed reclamation plan contours; these include filling in of the upper pond, removal of the drainage outlet at the lower pond and cutting a channel through the site. These actions would prevent any large-scale surface water detention or retention." Why is there no reference to such things as contour grading, stream bank restoration or analysis of impacts downstream, which are vital in restoring the stream to its natural flow? Also, as this is a clay area, have any surveys been done to ascertain if a vernal pool or pools exist in this area?

Response to Comment 8:

Please refer to responses to Comments 1, 2, 3, and 3a-d, above. The "lakes" are manmade ponds that supply water for mining operation and are best management practices to control surface runoff from the mining operation. (Initial Study, pp. 11, 27-30.) They are necessary for the operation of the plant, and any removal would occur only when mining ends in approximately 2045. The lower pond is supplied only by natural surface flow and dries up in the summer. The upper pond is supplied by water pumped from the lower pond and well water. Once the well(s) have been legally abandoned, the only source of water to the lower pond will be storm runoff and the upper pond will dry up. Upon reclamation there will be no large scale discharge of stored water when the ponds are removed.

During reclamation, the lower pond bottom will be elevated, providing a gently sloping flow-line and a widened channel area with no remaining spillway structure; the spillway will be removed (including the rip rap portion of the spillway and channel), which will allow natural drainage from the lower pond base (lowest) elevation. Plans depicting post mine contours and re-establishing natural historic conditions are shown on Initial Study Figure 4. (Initial Study, pp. 27-30).

A major purpose of the proposed Project is to restore the hydrology of the site to its original condition. The original condition of the site did not include any water retention -- the existing limited water retention of the site due to the lower pond is artificial and not "natural". The proposed Project removes the outlet structure and grades the two ponds as needed to eliminate any water storage.

The finish grading on the site will largely mimic natural hills and slopes and the finished low flow channel through the site will consist only of on-site soil with no concrete or rock rip-rap proposed. The reclaimed grading and low flow channel

are designed not to be maintained, so along with the replanting plan based on local native species, the site will blend with the surrounding terrain once reclamation is complete. The Project proposes the type of final grading proposed by this comment.

Insofar as the comment references "vernal pools", none were found, as none were identified in the numerous biological surveys undertaken in and around the site. This comment suggests the two manmade ponds may be jurisdictional wetlands, it must be noted that the United States Army Corps of Engineers does not generally consider "[a]rtificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as . . . settling basins" to be "Waters of the United States." (51 Fed. Reg. 41206 (1986).) Moreover, the ponds are determined to have limited or no "wetland" value. (See Initial Study, pp. 27-30).

Comment 9:

Why weren't the maps completed before this proposal was made public? Maps are admittedly inadequate; to quote "Fig 8 Reclamation Plan map "incomplete as it does not explicitly demarcate the limits of disturbance allowed under the plan and hence under SMARA".

Response to Comment 9:

The maps provided in the Initial Study/Negative Declaration are complete representations of the existing permitted mining area, the 1979 Reclamation Plan, and the proposed Reclamation Plan. (Initial Study, Figures 3, 4, 5, 6, 7, and 8.) The commenter apparently misunderstands the purpose of Figure 8, which identifies the contours of the existing 1979 Reclamation Plan. (Initial Study, Figure 8.) The Figure is "incomplete" only in the sense that it does not show all the reclamation contours which would result from implementing the 1979 Reclamation Plan; for better or worse Figure 8 is the currently approved Reclamation Plan even though it does show all the contours. It is not appropriate to try "complete" or modify Figure 8 since it is an approved map. The proposed Project as summarized in the Initial Study and the proposed Project map, Figure 4, is complete in that it shows all reclaimed contours, unlike the 1979 Reclamation Plan (Figure 8).

Comment 10:

Given the lack of considerable vital and verified information now we urge that a full EIR be required before approval is given to this Reclamation Proposal for PCM mining.

Response to Comment 10:

Please refer to Responses to the Comments above. The Initial Study/Negative Declaration complies with CEQA by providing an investigation of the Project's potential environmental effects. (CEQA Guidelines, §§ 15070, 15071.) Substantial evidence in the record demonstrates that the Project will not result in any significant adverse environmental impacts. As such, a full EIR is not required. (CEQA Guidelines, § 15070, subd. (a).)



DEPARTMENT OF FISH AND GAME

JOHN I

South Coast Region 4949 Viewridge Avenue San Diego, CA 92123 (858) 467-4201 http://www.dfg.ca.gov

California Natural Resources:



FEB 2 5 2010

February 22, 2010

Mr. Scott Ellison County of Ventura Planning Division 800 South Victoria Avenue Ventura, Ca 93009 Fax # (805) 654-2509

Notice of Completion of a draft Negative Declaration for LU06-0045

Amendment to the Reclamation Plan for Conditional Use Permit 212,

SCH # 2010011031

Dear Mr. Ellison:

The Department of Fish and Game (Department) reviewed the Draft Negative Declaration (DND) for an amendment to the 1979 Reclamation Plan for a mine currently operated by Pacific Custom Materials under Conditional Use Permit (CUP) 212, which was issued in 1953. The 6-1 proposed project would amend the 1979 Reclamation Plan to revise the finished contours to expand the quarry footprint by 21 acres and change the reclamation contours of the pit bottom. from approximately 70 vertical feet below ground level to approximately 110 vertical feet below ground level. It also eliminates two man-made ponds, and will be graded to allow all surface water to pass through the site and not be impounded. The proposed reclamation plan would be implemented concurrently with mining operations through the year 2045.

The project has the potential to affect State Species of Concern: American badger (Taxidea taxus), coast horned lizard (Phrynosoma blainvillii), fringed myotis (Myotis thysanodes), Mount Pinos chipmunk (Neotamias speciosus callipeplus); CNPS List 1B Abrams' oxytheca 6-2 (Acanthoscyphus parishii var. abramsii), Baja navarretia (Navarretia peninsularis), late-flowered mariposa lily (Calochortus weedii var. vestus), Mount Pinos onion (Allium howellii var. clokevi). pale-yellow layia (Layia heterotricha), Palmer's mariposa lily (Calochortus palmeri var. palmeri). and Tehachapi monardella (Monardella linoides ssp. oblonga); CNPS List 2 salt spring checkerbloom (Sidalcea neomexicana); locally rare (identified as Ventura County Uncommon species) pinyon dwarf mistletoe (Arceuthobitum divaricatum) and Hoover little trumpet (Eroigonum clavatum); and locally important plant communities Hoover little trumpet series. great basin sagebrush-Hoover little trumpet series, Kennedy buckwheat series, and rabbitbrush-Hoover little trumpet series.

6-3 Mitigation for impacts to biological resources is not proposed within this negative declaration.

Department prepared the following statements and comments pursuant to authority as Trustee Agency with jurisdiction over natural resources affected by the project under the California Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

Environmental Setting

The DND states that biological studies occurred during the summer which "is not conducive to

Mr. Scott Ellison February 22, 2010 Page 2 of 3

plant identification, consequently a detailed inventory of plant species has not occurred" (pg. 27). Furthermore, the DND states that "although not part of the environmental analysis, the conditions of approval for the proposed project will require that, prior to disturbance, an additional springtime survey of the quarry expansion area will be undertaken in order to establish a baseline for reclamation" (pg. 27). The initial study used to support the finding of a Negative Declaration should contain an adequate identification of the environmental setting according to CEQA Guidelines section 15063(d)(2). As the DND states that this has not been completed, the Department recommends that surveys be conducted for sensitive plant species in order to establish an environmental baseline for the amended reclamation plan, which is identified as the proposed project for the purposes of CEQA and the DND under review.

The Department recommends surveys be conducted by qualified biologists for rare plants according to the "Department Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities" (attached). The Guidelines give clear instructions on how surveys for rare plants should be conducted. One of the instructions is to conduct surveys at the proper time of year when rare species are both evident and identifiable. Usually, this is when the plants are flowering.

Impacts to Biological Resources and Proposed Mitigation

Sensitive and special-status plants

The DND claims that biological resources may be removed within the CUP footprint granted in 1953. The DND also states that "further baseline studies are needed to refine the proposed reclamation plan" (pg. 30). The Department recommends the following measures for inclusion in the reclamation plan:

- Prior to clearance of vegetation, seed stock should be collected from onsite populations of sensitive (CNPS list and VUC) plant species,
- Topsoil should be collected and stored for reuse during reclamation,
- Species composition should mimic what existed prior to clearing. If this cannot be achieved onsite, the Department recommends enhancing areas adjacent to the reclamation site.
- An annual maintenance and monitoring program should be developed to ensure survivability of revegetated sites, and
- A weed management plan should be included in the program to prevent the introduction and spread of invasive and non-native species.

In addition, a California Endangered Species Act (CESA) incidental take permit is required, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project, pursuant to Fish and Game Code Section 2050 et seq. CESA permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. The project as proposed, if conducted during the LBV nesting season, has potential for take of a State listed endangered animal, and therefore a CESA permit would be required. The procedure for obtaining a CESA permit may be found at the Department's website at http://www.dfg.ca.gov/hcpb/ceqacesa/cesa/cesa.shtml.

Streambed Alteration Agreement

The DND states that two ponds exist on-site, an upper pond and a man-made lower pond, in addition to a 0.3 acre Arroyo Willow habitat running along the project drainage. The document does not specify whether the upper pond is man-made but that water is pumped from the lower pond into the upper pond and the upper pond "contains water year round and therefore functions as a perennial wetland" (pg. 28). The proposed reclamation plan would fill in the upper pond, remove the outlet of the lower pond, and construct a low-flow channel through the

6-6

Mr. Scott Ellison February 22, 2010 Page 3 of 3

ponds as necessary. As stated in the DND "at the completion of mining the lower pond will be graded and the spill-way removed such that no water will be retained on-site and all water will pass through to downstream areas" (pg. 28).

This component of the proposed reclamation plan would affect the Department's regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of a LSA Agreement may be a project that is subject to CEQA. To facilitate issuance of the LSA Agreement when CEQA applies, the Department as a responsible agency under CEQA may consider Lead Agency's document for the project.

The DND does not quantify the temporary and/or permanent impacts to DFG jurisdictional resources. To minimize additional requirements by the Department under CEQA the DND should fully identify the potential temporary and permanent impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. In addition, the Reclamation Plan should consider the total acres of DFG jurisdictional acreage and ensure that acreage and habitat type exists when the site is restored.

The Department emphasizes that in order to protect sensitive resources substantial revisions to the proposed project may be required in the LSA Agreement. The LSA Agreement may require additional conditions and/or increased mitigation and enhancement ratios than listed in the CEQA document. Notification forms and additional information can be found on the Department's website at: http://www.dfg.ca.gov/habcon/1600/. You may also contact the Department's South Coast Region at (858) 467-4201 for more information on streambed alteration agreements.

Thank you for this opportunity to provide comment. Please include the above concerns and comments into the final ND for the subject project. Please contact Mr. Sean Carlson, Staff Environmental Scientist at (909) 596-9120 for any questions and further coordination.

Sincerely,

Edmund Pert

Regional Manager South Coast Region

cc: Daniel Blankenship, Santa Clarita Helen Birss, Los Alamitos Betty Courtney, Santa Clarita

Jeff Humble, Ventura

Scott Morgan, State Clearinghouse, Sacramento

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities

State of California
CALIFORNIA NATURAL RESOURCES AGENCY
Department of Fish and Game
November 24, 2009¹

INTRODUCTION AND PURPOSE

The conservation of special status native plants and their habitats, as well as natural communities, is integral to maintaining biological diversity. The purpose of these protocols is to facilitate a consistent and systematic approach to the survey and assessment of special status native plants and natural communities so that reliable information is produced and the potential of locating a special status plant species or natural community is maximized. They may also help those who prepare and review environmental documents determine when a botanical survey is needed, how field surveys may be conducted, what information to include in a survey report, and what qualifications to consider for surveyors. The protocols may help avoid delays caused when inadequate biological information is provided during the environmental review process; assist lead, trustee and responsible reviewing agencies to make an informed decision regarding the direct, indirect, and cumulative effects of a proposed development, activity, or action on special status native plants and natural communities; meet California Environmental Quality Act (CEQA)² requirements for adequate disclosure of potential impacts; and conserve public trust resources.

DEPARTMENT OF FISH AND GAME TRUSTEE AND RESPONSIBLE AGENCY MISSION

The mission of the Department of Fish and Game (DFG) is to manage California's diverse wildlife and native plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. DFG has jurisdiction over the conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations (Fish and Game Code §1802). DFG, as trustee agency under CEQA §15386, provides expertise in reviewing and commenting on environmental documents and makes protocols regarding potential negative impacts to those resources held in trust for the people of California.

Certain species are in danger of extinction because their habitats have been severely reduced in acreage, are threatened with destruction or adverse modification, or because of a combination of these and other factors. The California Endangered Species Act (CESA) provides additional protections for such species, including take prohibitions (Fish and Game Code §2050 et seq.). As a responsible agency, DFG has the authority to issue permits for the take of species listed under CESA if the take is incidental to an otherwise lawful activity; DFG has determined that the impacts of the take have been minimized and fully mitigated; and, the take would not jeopardize the continued existence of the species (Fish and Game Code §2081). Surveys are one of the preliminary steps to detect a listed or special status plant species or natural community that may be impacted significantly by a project.

DEFINITIONS

Botanical surveys provide information used to determine the potential environmental effects of proposed projects on all special status plants and natural communities as required by law (i.e., CEQA, CESA, and Federal Endangered Species Act (ESA)). Some key terms in this document appear in **bold font** for assistance in use of the document.

For the purposes of this document, **special status plants** include all plant species that meet one or more of the following criteria³:

This document replaces the DFG document entitled "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened and Endangered Plants and Natural Communities."

http://ceres.ca.gov/ceqa/

Adapted from the East Alameda County Conservation Strategy available at http://www.fws.gov/sacramento/EACCS/Documents/080228 Species Evaluation EACCS.pdf

- Listed or proposed for listing as threatened or endangered under ESA or candidates for possible future listing as threatened or endangered under the ESA (50 CFR §17.12).
- Listed⁴ or candidates for listing by the State of California as threatened or endangered under CESA (Fish and Game Code §2050 et seq.). A species, subspecies, or variety of plant is endangered when the prospects of its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, disease, or other factors (Fish and Game Code §2062). A plant is threatened when it is likely to become endangered in the foreseeable future in the absence of special protection and management measures (Fish and Game Code §2067).
- Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 et seq.). A plant is rare when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens (Fish and Game Code §1901).
- Meet the definition of rare or endangered under CEQA §15380(b) and (d). Species that may meet the
 definition of rare or endangered include the following:
 - Species considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B and 2);
 - Species that may warrant consideration on the basis of local significance or recent biological information⁵;
 - Some species included on the California Natural Diversity Database's (CNDDB) Special Plants, Bryophytes, and Lichens List (California Department of Fish and Game 2008)⁶.
- Considered a locally significant species, that is, a species that is not rare from a statewide perspective
 but is rare or uncommon in a local context such as within a county or region (CEQA §15125 (c)) or is so
 designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Examples
 include a species at the outer limits of its known range or a species occurring on an uncommon soil type.

Special status natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status species or their habitat. The most current version of the Department's List of California Terrestrial Natural Communities⁷ indicates which natural communities are of special status given the current state of the California classification.

Most types of wetlands and riparian communities are considered special status natural communities due to their limited distribution in California. These natural communities often contain special status plants such as those described above. These protocols may be used in conjunction with protocols formulated by other agencies, for example, those developed by the U.S. Army Corps of Engineers to delineate jurisdictional wetlands or by the U.S. Fish and Wildlife Service to survey for the presence of special status plants.

Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

In general, CNPS List 3 plants (plants about which more information is needed) and List 4 plants (plants of limited distribution) may not warrant consideration under CEQA §15380. These plants may be included on special status plant lists such as those developed by counties where they would be addressed under CEQA §15380. List 3 plants may be analyzed under CEQA §15380 if sufficient information is available to assess potential impacts to such plants. Factors such as regional rarity vs. statewide rarity should be considered in determining whether cumulative impacts to a List 4 plant are significant even if individual project impacts are not. List 3 and 4 plants are also included in the California Natural Diversity Database's (CNDDB) Special Plants, Bryophytes, and Lichens List. [Refer to the current online published list available at: http://www.dfg.ca.gov/biogeodata.] Data on Lists 3 and 4 plants should be submitted to CNDDB. Such data aids in determining or revising priority ranking.

Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

http://www.dfg.ca.gov/biogeodata/vegcamp/pdfs/natcomlist.pdf. The rare natural communities are asterisked on this list.

http://www.wetlands.com/regs/tlpge02e.htm

U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

BOTANICAL SURVEYS

Conduct botanical surveys prior to the commencement of any activities that may modify vegetation, such as clearing, mowing, or ground-breaking activities. It is appropriate to conduct a botanical field survey when:

- Natural (or naturalized) vegetation occurs on the site, and it is unknown if special status plant species or natural communities occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- · Special status plants or natural communities have historically been identified on the project site; or
- Special status plants or natural communities occur on sites with similar physical and biological properties as the project site.

SURVEY OBJECTIVES

Conduct field surveys in a manner which maximizes the likelihood of locating special status plant species or special status natural communities that may be present. Surveys should be **floristic in nature**, meaning that every plant taxon that occurs on site is identified to the taxonomic level necessary to determine rarity and listing status. "Focused surveys" that are limited to habitats known to support special status species or are restricted to lists of likely potential species are not considered floristic in nature and are not adequate to identify all plant taxa on site to the level necessary to determine rarity and listing status. Include a list of plants and natural communities detected on the site for each botanical survey conducted. More than one field visit may be necessary to adequately capture the floristic diversity of a site. An indication of the prevalence (estimated total numbers, percent cover, density, etc.) of the species and communities on the site is also useful to assess the significance of a particular population.

SURVEY PREPARATION

Before field surveys are conducted, compile relevant botanical information in the general project area to provide a regional context for the investigators. Consult the CNDDB¹⁰ and BIOS¹¹ for known occurrences of special status plants and natural communities in the project area prior to field surveys. Generally, identify vegetation and habitat types potentially occurring in the project area based on biological and physical properties of the site and surrounding ecoregion¹², unless a larger assessment area is appropriate. Then, develop a list of special status plants with the potential to occur within these vegetation types. This list can serve as a tool for the investigators and facilitate the use of reference sites; however, special status plants on site might not be limited to those on the list. Field surveys and subsequent reporting should be comprehensive and floristic in nature and not restricted to or focused only on this list. Include in the survey report the list of potential special status species and natural communities, and the list of references used to compile the background botanical information for the site.

SURVEY EXTENT

Surveys should be comprehensive over the entire site, including areas that will be directly or indirectly impacted by the project. Adjoining properties should also be surveyed where direct or indirect project effects, such as those from fuel modification or herbicide application, could potentially extend offsite. Pre-project surveys restricted to known CNDDB rare plant locations may not identify all special status plants and communities present and do not provide a sufficient level of information to determine potential impacts.

FIELD SURVEY METHOD

Conduct surveys using systematic field techniques in all habitats of the site to ensure thorough coverage of potential impact areas. The level of effort required per given area and habitat is dependent upon the vegetation and its overall diversity and structural complexity, which determines the distance at which plants can be identified. Conduct surveys by walking over the entire site to ensure thorough coverage, noting all plant taxa

Available at http://www.dfg.ca.gov/biogeodata/cnddb

http://www.bios.dfg.ca.gov/

Ecological Subregions of California, available at http://www.fs.fed.us/r5/projects/ecoregions/toc.htm

observed. The level of effort should be sufficient to provide comprehensive reporting. For example, one person-hour per eight acres per survey date is needed for a comprehensive field survey in grassland with medium diversity and moderate terrain¹³, with additional time allocated for species identification.

TIMING AND NUMBER OF VISITS

Conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting. Space visits throughout the growing season to accurately determine what plants exist on site. Many times this may involve multiple visits to the same site (e.g. in early, mid, and late-season for flowering plants) to capture the floristic diversity at a level necessary to determine if special status plants are present. The timing and number of visits are determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which the surveys are conducted.

REFERENCE SITES

When special status plants are known to occur in the type(s) of habitat present in the project area, observe reference sites (nearby accessible occurrences of the plants) to determine whether those species are identifiable at the time of the survey and to obtain a visual image of the target species, associated habitat, and associated natural community.

USE OF EXISTING SURVEYS

For some sites, floristic inventories or special status plant surveys may already exist. Additional surveys may be necessary for the following reasons:

- Surveys are not current¹⁵; or
- Surveys were conducted in natural systems that commonly experience year to year fluctuations such as
 periods of drought or flooding (e.g. vernal pool habitats or riverine systems); or
- Surveys are not comprehensive in nature; or fire history, land use, physical conditions of the site, or climatic
 conditions have changed since the last survey was conducted ¹⁶; or
- Surveys were conducted in natural systems where special status plants may not be observed if an annual above ground phase is not visible (e.g. flowers from a bulb); or
- Changes in vegetation or species distribution may have occurred since the last survey was conducted, due to habitat alteration, fluctuations in species abundance and/or seed bank dynamics.

NEGATIVE SURVEYS

Adverse conditions may prevent investigators from determining the presence of, or accurately identifying, some species in potential habitat of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any given year. Discuss such conditions in the report.

The failure to locate a known special status plant occurrence during one field season does not constitute evidence that this plant occurrence no longer exists at this location, particularly if adverse conditions are present. For example, surveys over a number of years may be necessary if the species is an annual plant having a persistent, long-lived seed bank and is known not to germinate every year. Visits to the site in more

Adapted from U.S. Fish and Wildlife Service kit fox survey guidelines available at www.fws.gov/sacramento/es/documents/kitfox no protocol.pdf

U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

Habitats, such as grasslands or desert plant communities that have annual and short-lived perennial plants as major floristic components may require yearly surveys to accurately document baseline conditions for purposes of impact assessment. In forested areas, however, surveys at intervals of five years may adequately represent current conditions. For forested areas, refer to "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf

U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/docs/botanicalinventories.pdf

than one year increase the likelihood of detection of a special status plant especially if conditions change. To further substantiate negative findings for a known occurrence, a visit to a nearby reference site may ensure that the timing of the survey was appropriate.

REPORTING AND DATA COLLECTION

Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities¹⁷ and will guide the development of minimization and mitigation measures. The next section describes necessary information to assess impacts. For comprehensive, systematic surveys where no special status species or natural communities were found, reporting and data collection responsibilities for investigators remain as described below, excluding specific occurrence information.

SPECIAL STATUS PLANT OR NATURAL COMMUNITY OBSERVATIONS

Record the following information for locations of each special status plant or natural community detected during a field survey of a project site.

- A detailed map (1:24,000 or larger) showing locations and boundaries of each special status species
 occurrence or natural community found as related to the proposed project. Mark occurrences and
 boundaries as accurately as possible. Locations documented by use of global positioning system (GPS)
 coordinates must include the datum¹⁸ in which they were collected;
- The site-specific characteristics of occurrences, such as associated species, habitat and microhabitat, structure of vegetation, topographic features, soil type, texture, and soil parent material. If the species is associated with a wetland, provide a description of the direction of flow and integrity of surface or subsurface hydrology and adjacent off-site hydrological influences as appropriate;
- The number of individuals in each special status plant population as counted (if population is small) or estimated (if population is large);
- If applicable, information about the percentage of individuals in each life stage such as seedlings vs. reproductive individuals;
- The number of individuals of the species per unit area, identifying areas of relatively high, medium and low density of the species over the project site; and
- Digital images of the target species and representative habitats to support information and descriptions.

FIELD SURVEY FORMS

When a special status plant or natural community is located, complete and submit to the CNDDB a California Native Species (or Community) Field Survey Form¹⁹ or equivalent written report, accompanied by a copy of the relevant portion of a 7.5 minute topographic map with the occurrence mapped. Present locations documented by use of GPS coordinates in map and digital form. Data submitted in digital form must include the datum²⁰ in which it was collected. If a potentially undescribed special status natural community is found on the site, document it with a Rapid Assessment or Relevé form²¹ and submit it with the CNDDB form.

VOUCHER COLLECTION

Voucher specimens provide verifiable documentation of species presence and identification as well as a public record of conditions. This information is vital to all conservation efforts. Collection of voucher specimens should

Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata. For Timber Harvest Plans (THPs) please refer to the "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf

NAD83, NAD27 or WGS84

http://www.dfg.ca.gov/biogeodata

²⁰ NAD83, NAD27 or WGS84

http://www.dfg.ca.gov/biogeodata/vegcamp/veg_publications_protocols.asp

be conducted in a manner that is consistent with conservation ethics, and is in accordance with applicable state and federal permit requirements (e.g. incidental take permit, scientific collection permit). Voucher collections of special status species (or suspected special status species) should be made only when such actions would not jeopardize the continued existence of the population or species.

Deposit voucher specimens with an indexed regional herbarium²² no later than 60 days after the collections have been made. Digital imagery can be used to supplement plant identification and document habitat. Record all relevant permittee names and permit numbers on specimen labels. A collecting permit is required prior to the collection of State-listed plant species²³.

BOTANICAL SURVEY REPORTS

Include reports of botanical field surveys containing the following information with project environmental documents:

· Project and site description

- A description of the proposed project;
- A detailed map of the project location and study area that identifies topographic and landscape features and includes a north arrow and bar scale; and,
- A written description of the biological setting, including vegetation²⁴ and structure of the vegetation; geological and hydrological characteristics; and land use or management history.

Detailed description of survey methodology and results

- Dates of field surveys (indicating which areas were surveyed on which dates), name of field investigator(s), and total person-hours spent on field surveys;
- A discussion of how the timing of the surveys affects the comprehensiveness of the survey;
- A list of potential special status species or natural communities;
- A description of the area surveyed relative to the project area;
- References cited, persons contacted, and herbaria visited;
- Description of reference site(s), if visited, and phenological development of special status plant(s);
- A list of all taxa occurring on the project site. Identify plants to the taxonomic level necessary to determine whether or not they are a special status species;
- Any use of existing surveys and a discussion of applicability to this project;
- A discussion of the potential for a false negative survey;
- Provide detailed data and maps for all special plants detected. Information specified above under the headings "Special Status Plant or Natural Community Observations," and "Field Survey Forms," should be provided for locations of each special status plant detected;
- Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms should be sent to the CNDDB and included in the environmental document as an Appendix. It is not necessary to submit entire environmental documents to the CNDDB; and,
- The location of voucher specimens, if collected.

For a complete list of indexed herbaria, see: Holmgren, P., N. Holmgren and L. Barnett. 1990. Index Herbariorum, Part 1: Herbaria of the World. New York Botanic Garden, Bronx, New York. 693 pp. Or: http://www.nybg.org/bsci/ih/ih.html

Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

A vegetation map that uses the National Vegetation Classification System (http://biology.usgs.gov/npsveg/nvcs.html), for example A Manual of California Vegetation, and highlights any special status natural communities. If another vegetation classification system is used, the report should reference the system, provide the reason for its use, and provide a crosswalk to the National Vegetation Classification System.

Assessment of potential impacts

- A discussion of the significance of special status plant populations in the project area considering nearby populations and total species distribution;
- A discussion of the significance of special status natural communities in the project area considering nearby occurrences and natural community distribution;
- A discussion of direct, indirect, and cumulative impacts to the plants and natural communities;
- A discussion of threats, including those from invasive species, to the plants and natural communities;
- A discussion of the degree of impact, if any, of the proposed project on unoccupied, potential habitat of the species;
- A discussion of the immediacy of potential impacts; and,
- Recommended measures to avoid, minimize, or mitigate impacts.

QUALIFICATIONS

Botanical consultants should possess the following qualifications:

- Knowledge of plant taxonomy and natural community ecology;
- Familiarity with the plants of the area, including special status species;
- · Familiarity with natural communities of the area, including special status natural communities;
- Experience conducting floristic field surveys or experience with floristic surveys conducted under the direction of an experienced surveyor;
- Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- Experience with analyzing impacts of development on native plant species and natural communities.

SUGGESTED REFERENCES

- Barbour, M., T. Keeler-Wolf, and A. A. Schoenherr (eds.). 2007. Terrestrial vegetation of California (3rd Edition). University of California Press.
- Bonham, C.D. 1988. Measurements for terrestrial vegetation. John Wiley and Sons, Inc., New York, NY.
- California Native Plant Society. Most recent version. Inventory of rare and endangered plants (online edition). California Native Plant Society, Sacramento, CA. Online URL http://www.cnps.org/inventory.
- California Natural Diversity Database. Most recent version. Special vascular plants, bryophytes and lichens list. Updated quarterly. Available at www.dfg.ca.gov.
- Elzinga, C.L., D.W. Salzer, and J. Willoughby. 1998. Measuring and monitoring plant populations. BLM Technical Reference 1730-1. U.S. Dept. of the Interior, Bureau of Land Management, Denver, Colorado.
- Leppig, G. and J.W. White. 2006. Conservation of peripheral plant populations in California. Madrono 53:264-274.
- Mueller-Dombois, D. and H. Ellenberg. 1974. Aims and methods of vegetation ecology. John Wiley and Sons, Inc., New York, NY.
- U.S. Fish and Wildlife Service. 1996. Guidelines for conducting and reporting botanical inventories for federally listed plants on the Santa Rosa Plain. Sacramento, CA.
- U.S. Fish and Wildlife Service. 1996. Guidelines for conducting and reporting botanical inventories for federally listed, proposed and candidate plants. Sacramento, CA.
- Van der Maarel, E. 2005. Vegetation Ecology. Blackwell Science Ltd., Malden, MA.

Commenter 6. California Department of Fish and Game, letter of February 22, 2010

Comment 1:

The Department of Fish and Game (Department) reviewed the Draft Negative Declaration for an amendment to the 1979 Reclamation Plan for a mine currently operated by PCM under Conditional Use Permit (CUP) 212, which was issued in 1953. The proposed Project would amend the 1979 Reclamation Plan to revise the finished contours to expand the quarry footprint by 21 acres and change the reclamation contours of the pit bottom from approximately 70 vertical feet below ground level to approximately 110 vertical feet below ground level. It also eliminates two man-made ponds, and will be graded to allow all surface water to pass through the site and not be impounded. The proposed reclamation plan would be implemented concurrently with mining operations through the year 2045.

Response to Comment 1:

The commenter characterizes proposed Project activities and states that "the proposed Project would amend the 1979 Reclamation Plan to revise the finished contours to expand the quarry footprint by 21 acres and change the reclamation contours of the pit bottom. . . ." To be clear, however, the proposed Project does not involve any expansion in permitted mining operations.

The proposed Project is an amendment to the 1979 Reclamation Plan for PCM's mining operation. No discretionary operational permit is being sought, nor are any changes to PCM's entitlements under CUP 212 being sought. Therefore, the nature and scope of permitted mining activities will not change as a result of the Reclamation Plan amendment. The proposed project is only concerned about what happens after mining is complete in any given area. Thus, as explained in the Initial Study, the proposed Project addresses reclamation of land mined pursuant to existing permits. Impacts from permitted mining operations are elements of the California Environmental Quality Act (CEQA) "existing environment" and would be unaffected by the proposed Reclamation Plan. (See, e.g., Initial Study, pp. 1-13, 27.) As such, the Initial Study/Negative Declaration is properly limited to consideration of Reclamation Plan impacts only.

Comment 2:

The project has the potential to affect State Species of Concern: American badger (*Tesides taxus*), cost horned lizard (*Phrynosome blainvillii*), fringed myotis (*Myotis thysanodes*), Mount Pinos chipmunk (*Neotamias speciosus callipeplus*); CNPS List 1B Abrams' oxytheca(*Acanthoscyphus perishii var. abramsii*), Baja navaretia (*Navaretia peninsularis*), late-flowered mariposa lily (*Calochortus weedil var. vestus*), Mount Pinos onion (*Allium howellii var. clokeyl*),

pale-yellow layla (*Layia heterotricha*), Palmer's mariposa lilly (*Calochotus palmeri var. palmeri*), and Tehachapi monardella (*Monardella linoides ssp. Oblonga*); CNPS List 2 salt spring cherkerbloom (*Sidalcee neomexicana*); locally rare (identified as Ventura County Uncommon species) pinyon dwarf mistletoe (*Arceuthobitum divaricaturn*) and Hoover little trumpet (*Eroigonum clavatum*); and locally imported plant communities Hoover little trumpet series, great basin sagebrush-Hoover little trumpet series, Kennedy buckwheat series, and rabbitbrush Hoover little trumpet series.

Response to Comment 2:

Please refer to Response to Comment 1, above. As explained in the Initial Study/Negative Declaration, the Project does not affect the scope of mining activities under existing permits. The impacts of mining and related ground disturbance activities are part of the CEQA "existing environment". (Initial Study, p. 27) The Initial Study/Negative Declaration is properly limited to consideration of Reclamation Plan impacts only. However, the provisions of the Reclamation Plan ensure that revegetation and related activities will be conducted in an appropriate manner that will ensure survivability of revegetated sites. For example, the proposed Reclamation Plan includes a detailed revegetation plan that includes provisions for seed collection and preservation, topsoil salvage, and revegetation monitoring. Furthermore, the revegetation plant seed mix included in the proposed Reclamation Plan will be augmented, as necessary, in accordance with the results of a springtime survey to be conducted in 2010. (Initial Study, p. 27.)

The thrust and objective of the Project are to restore the mining site's vegetation and habitat to as close to that which originally existed before the ground was disturbed. (See Initial Study, pp. 10-13 (the Project "contemplates the reclamation of the site to passive open space," and contemplates "open space uses such as hiking or cattle grazing"); pp. 20-22.) The Project is not the loss of biological communities, but rather is the effort to restore them once they are lost through mining under CUP 212. The purpose of the 2010 Spring survey is to thoroughly document existing biological communities so they can be restored as closely as possible. Substantial evidence in the record demonstrates that the proposed Reclamation Plan will not result in any significant adverse impacts to the biological resources cited. The Negative Declaration's finding of no impact to Biological Resources therefore is accurate.

Comment 3:

Mitigation for impacts to biological resources is not proposed within this negative declaration.

Response to Comment 3:

Please refer to Responses to Comments 1, and 2, above. The proposed Project is concerned with the reclamation of the site <u>after</u> mining is complete in any given area. The thrust and objective of the Project are to restore the mining site's vegetation and habitat to as close to that which originally existed before the ground was disturbed. (See Initial Study, pp. 10-13 (the Project "contemplates the reclamation of the site to passive open space," and contemplates "open space uses such as hiking or cattle grazing"); pp. 20-22.) Substantial evidence in the record demonstrates that the proposed Reclamation Plan will not result in any significant adverse impacts to biological resources.

The actual mining itself is part of the CEQA "existing environment" which by definition has no environmental impact -- the proposed Project does not result in the loss of any habitat -- it is the vehicle by which the site is restored to as close to its original, natural state as feasible. The Negative Declaration's finding of no impact to Biological Resources therefore is accurate and no mitigation measures are required.

Comment 4:

The Department prepared the following statements and comments pursuant to authority as Trustee Agency with jurisdiction over natural resources affected by the project under the California Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq.) and Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

Response to Comment 4:

Please refer to Responses to DFG Comments 1, 2, and 3, above. The proposed Project is limited to revegetation and related reclamation activities <u>after mining is complete</u> that have no significant adverse environmental impacts, including no significant adverse effects on biological resources. (See, e.g., Initial Study, p. 27.) Because substantial evidence in the record demonstrates that the proposed Reclamation Plan will not result in any significant adverse impacts to biological resources, and such resources therefore are not affected by the Project, the Department is neither a responsible agency nor a trustee agency. (Pub. Resources Code, §§ 21069, 21070; CEQA Guidelines, §§ 15381, 15383.)

The Project is not the loss of biological communities, but rather is the effort to restore them once they are lost through mining under CUP 212. The purpose of the 2010 Spring survey is to thoroughly document existing biological communities so they can be restored as closely as possible; The survey is <u>not</u> needed to determine the impacts of the proposed Project. Substantial evidence

in the record demonstrates that the proposed Reclamation Plan will not result in any significant adverse impacts to the biological resources cited. The Negative Declaration's finding of no impact to Biological Resources therefore is accurate.

Comment 5:

The IS/ND states that biological studies occurred during the summer which "is not conducive to plant identification, consequently a detailed inventory of plant species has not occurred" (pg. 27). Furthermore, the IS/ND states that "although not part of the environmental analysis, the conditions of approval for the proposed project will require that, prior to disturbance, an additional springtime survey of the quarry expansion area will be undertaken in order to establish a baseline for reclamation" (pg. 27). The initial study used to support the finding of a Negative Declaration should contain an adequate identification of the environmental setting according to CEQA Guidelines section 15063(d)(2). As the IS/ND states that this has not been completed, the Department recommends that surveys be conducted for sensitive plant species in order to establish an environmental baseline for the amended reclamation plan, which is identified as the proposed project for the purposes of CEQA and the IS/ND under review.

The Department recommends surveys be conducted by qualified biologists for rare plants according to the "Department Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities" (attached). The Guidelines give clear instructions on how surveys for rare plants should be conducted. One of the instructions is to conduct surveys at the proper time of year when rare species are both evident and identifiable. Usually, this is when the plants are flowering.

Response to Comment 5:

Please refer to Responses to Comments 1, 2, 3, and 4, above. Under CEQA Guidelines section 15063, subdivision (d)(2), the contents of an initial study shall include, "in brief form," an "identification of the environmental setting." (CEQA Guidelines, § 15063, subd. (d)(2).) The IS/ND is not required to follow any particular format in providing this information, and fully complies with this requirement. (See, e.g., Initial Study, pp. 1-11 (Project Location and characteristics, including description of surrounding area); p. 22 (description of community character); pp. 27-30 (environmental setting in relation to biological resources).)

Furthermore, reclamation activities pertain to revegetation of the site and restoration of site drainage to its pre-mining condition. That is, the thrust and objective of the Project are to restore the mining site's vegetation and habitat to as close to that which originally existed before the ground was disturbed. (See Initial Study, pp. 10-13 (the Project "contemplates the reclamation of the site to passive open space," and contemplates "open space uses such as hiking or

cattle grazing"); 20-22.) As shown by the IS/ND and the supporting biological resources surveys and studies conducted by qualified biologists, reclamation activities will not adversely affect biological resources. (Initial Study, pp. 27-30.) The revegetation plant seed mix included in the proposed Reclamation Plan will be augmented, as necessary, in accordance with the results of a springtime survey to be conducted in 2010. (Initial Study, p. 27.) The environmental analysis demonstrates that the Project's impacts are less than significant.

Comment 6:

Impacts to Biological Resources and Proposed Mitigation

Sensitive and special-status plants

The IS/ND claims that biological resources may be removed within the CUP footprint granted in 1953. The IS/ND also states that "further baseline studies are needed to refine the proposed reclamation plan" (pg. 30). The Department recommends the following measures for inclusion in the reclamation plan:

- Prior to clearance of vegetation, seed stock should be collected from onsite populations of sensitive (CNPS list and VUC) plant species,
- Topsoil should be collected and stored for reuse during reclamation,
- Species composition should mimic what existed prior to clearing. If this
 cannot be achieved onsite, the Department recommends enhancing areas
 adjacent to the reclamation site,
- An annual maintenance and monitoring program should be developed to ensure survivability of revegetated sites, and
- A weed management plan should be included in the program to prevent the introduction and spread of invasive and non-native species.

In addition, a California Endangered Species Act (CESA) incidental take permit is required, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project, pursuant to Fish and Game Code Section 2050 et seq. CESA permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. The project as proposed, if conducted during the LBV nesting season, has potential for take of a State listed endangered animal, and therefore a CESA permit would be required. The procedure for obtaining a CESA permit may be found at the Department's website at http://www.dfg.ca.gov/hcpb/ceqacesa/cesa/cesa/shtml.

Response to Comment 6:

Please refer to Responses to Comments 1, 2, 3, 4, and 5, above. The provisions of the Reclamation Plan ensure that revegetation and related activities will be conducted in an appropriate manner that will ensure survivability of revegetated

sites. For example, each of the recommended measures for inclusion in the reclamation plan are present in the proposed Reclamation Plan: seed collection and preservation techniques, topsoil salvage, use of a Planning Director-approved revegetation seed mix, revegetation maintenance and monitoring program, and weed management. Moreover, the revegetation plant seed mix included in the proposed Reclamation Plan will be augmented, as necessary, in accordance with the results of a springtime survey to be conducted in 2010. (Initial Study, p. 27.)

The comment about the CESA is noted. The comment about a future need for any incidental take permit, however, is beyond the scope of the Project, and premature under present circumstances in any event. PCM is aware of all of its legal obligations relating to its mining and reclamation activities at Frazier Park, including its legal obligations under the CESA. If circumstances were to arise that implicated CESA, PCM would conduct itself accordingly under CESA and all other applicable laws.

As an aside, biological resource assessments of the upper pond and lower pond revealed no evidence of special-status species or important wildlife habitats at the lower pond, and no definitive evidence of special-status species at the upper pond. The ponds are determined to have limited or no "wetland" value. (See Initial Study, pp. 27-30)

Comment 7:

Streambed Alteration Agreement

The IS/ND states that two ponds exist on-site, an upper pond and a man-made lower pond, in addition to a 0.3 acre Arroyo Willow habitat running along the project drainage. The document does not specify whether the upper pond is man-made but that water is pumped from the lower pond into the upper pond and the upper pond "contains water year round and therefore functions as a perennial wetland" (pg. 28). The proposed reclamation plan would fill in the upper pond, remove the outlet of the lower pond, and construct a low-flow channel through the ponds as necessary. As stated in the IS/ND "at the completion of mining the lower pond will be graded and the spill-way removed such that no water will be retained on-site and all water will pass through to downstream areas" (pg. 28).

This component of the proposed reclamation plan would affect the Department's regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department then determines

whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of a LSA Agreement may be a project that is subject to CEQA. To facilitate issuance of the LSA Agreement when CEQA applies, the Department as a responsible agency under CEQA may consider Lead Agency's document for the project.

The IS/ND does not quantify the temporary and/or permanent impacts DFG jurisdictional resources. To minimize additional requirements by the Department under CEQA the IS/ND should fully identify the potential temporary and permanent impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. In addition, the Reclamation Plan should consider the total acres of DFG jurisdictional acreage and ensure that acreage and habitat type exists when the site is restored.

The Department emphasizes that in order to protect sensitive resources substantial revisions to the proposed project may be required in the LSA Agreement. The LSA Agreement may require additional conditions and/or increased mitigation and enhancement ratios than listed in the CEQA document. Notification forms and additional information can be found on the Department's website at: http://www.dfg.ca.gov/habcon/1600/. You may also contact the Department's South Coast Region at (858) 467-4201 for more information on streambed alteration agreements.

Response to Comment 7:

Please refer to Responses to Comments 1, 2, 3, 4, 5, and 6, above. The ponds are manmade and supply water for the mining operation and are best management practices to control surface runoff from the mining operation. (Initial Study, pp. 11, 27-30.) The lower pond is supplied only by surface water as a source. The upper pond is supplied by water pumped from the lower pond and wells -- it will be permanently dry once reclamation occurs. During reclamation, the lower pond bottom will be elevated, providing a gently sloping flow-line (as is currently along the pond bottom) and a widened channel area with no remaining spillway structure, which will be removed (including the rip rap portion of the spillway and channel); this will allow natural drainage from the lower pond base (lowest) elevation. Plans depicting post mine contours and reestablishing natural historic conditions are on file with Ventura County.

A biological resources assessment of the upper pond and lower pond revealed no evidence of special-status species or important wildlife habitats at the lower pond, and no definitive evidence of special-status species at the upper pond. (See Initial Study, pp. 27-30). The ponds are determined to have limited or no "wetland" value (See Initial Study, pp. 27-30). Furthermore, the United States Army Corps of Engineers does not generally consider "[a]rtificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and

which are used exclusively for such purposes as . . . settling basins" to be jurisdictional "Waters of the United States." (51 Fed. Reg. 41206 (1986).)

With respect to any potential future streambed alteration within DFG's jurisdiction, that aspect of the comment is beyond the scope of the Project, and premature under present circumstances in any event. When, however, the time arrives for PCM to reclaim the upper and lower ponds, PCM will undertake appropriate analysis relative to Fish and Game Code Section 1600 et seq., and comply with those laws as may be required.

Mr. T. Pesota

February 22, 2010

Mr. Scott Ellison, Case Planner <scott.ellison@ventura.org>

Ventura County Planning Dept.

Reference: TXI

REQUEST FOR PUBLIC HEARING IN FRAZIER PARK, CA 93225 IN OPPOSITION TO THE AMENDMENT TO RECLAMATION PLAN FOR CUP0212 (LU06-0045)

PROJECT DESCRIPTION: Amendment to the reclamation plan for Conditional Use Permit (CUP) 0212 (LU06-0045).

- 1. <u>Entitlement</u>: LU06-0045 (Amendment to the Reclamation Plan for Conditional Use Permit 0212 (CUP 0212)
- 2. Applicant: Pacific Custom Materials, Inc.
- 3. Location: 17410 East Lockwood Valley Rd., Frazier Park, County of Ventura, CA 93225.
- 4. Assessor Parcel No(s): 004-0-030-180; 004-0-030-220; 004-0-190-140
- 5. Total of Parcel Sizes: 357.5 acres
- 6. General Plan Designation: Open Space
- 7. Existing Zoning: "O-S 160 ac min" (Open Space 160 acre minimum parcel size.
- 8. Responsible and/or Trustee Agencies: California Department of Fish and Game
- Project Description: The proposed project is an amendment to the 1979 Reclamation Plan for a mine currently operated by Pacific Custom Materials, Inc. The mine produces lightweight aggregate under Conditional Use Permit (CUP) 0212 approved in 1953; the CUP expires in 2045. The proposed project would amend the 1979 reclamation plan to revise the finished contours to expand the quarry footprint by 21 acres and change the reclamation contours of the pit bottom from approximately 70 vertical feet below ground level to approximately 110 vertical feet below ground level. It also eliminates two ponds, and will be graded to allow all surface water to pass through the site and not be impounded.

<u>Legal Notice Method</u>: Direct mailing to property owners within 5,300 feet of proposed project boundary, and a legal notice in a newspaper of general circulation.

Document Posting Period: January 18, 2010 to February 22, 2010.

Public Review: The Initial Study prepared for this proposed project has determined that the project will not have adverse environmental impacts. The Initial Study/Negative Declaration is available for public review on-line at www.ventura.org/planning (select "CEQA Environmental Review") or at the County of Ventura, Resource Management Agency, Planning Department, 800 South Victoria Avenue, Ventura, California from 8:00 am to 5:00 pm Monday through Friday.

Comments: The public is encouraged to submit written comments regarding this Negative Declaration no later than 5:00 p.m. on the last day of the above posting period to Case Planner, Scott Ellison, at the County of Ventura Resource Management Agency, Planning Department, 800 South Victoria Avenue L#1740, Ventura, CA 93009. The Planning Division's FAX number is (805) 654-2509. You may also e-mail the Case Planner at Scott.Ellison@ventura.org

CONSIDERATION AND APPROVAL OF THE NEGATIVE DECLARATION:

Prior to approving the project, the decision-making body of the Lead Agency must consider this Negative Declaration and all comments received during public review. That body shall approve the Negative Declaration-if it finds that the project will not have a significant effect on the environment.

To Whom It May Concern: We shall make our comments brief:

- 7-1 1. We are not in favor of another "change" to a grandfathered CUP for any reason because:
- 7-2 Historically, the facility has been repeatedly cited for violations;
- 7-3 The usage of water from the two ponds were critical during the historic "Day Fire" and the facility refused access to 'their' water putting residents at risk;
- 7-4 The facility was 'forced' into compliance' over the last few years;
- 7-5 The facility has very little monitoring other than enforcements demanded by local residents through court and the U.S.E.P.A;
- 7-6 Many changes to the land area use have been made by the current owners, including the hours of operation and production quotas with no information ever provided to residents until demanded and restrictions implemented by the Cal Air Resources Board;
- Recently, TXI in Riverside was cited for a horrendous violation upon workers and residents while taking no responsibility for the "impacts to humans nor environment", therefore, how can we as residents assume, without the critical Environmental Review process, provisions implemented by the State of California and our protecting ourselves, any change is definitely without reasonable intent,

7-8 Ventura County had already agreed to holding any and all hearings on any subject changes held in our local community as travelling to Ventura County is reckless, intimidating and unfair to local community residents for all the mountain area;

7-9 • Our local paper indicated there were no 'changes', however, the above pasted Notice clearly states "proposed project" which, by definition, desires change.

I would like to be apprised of any other public comments that have been submitted during the Posting Period.

Thank you,

(Original copy signed and mailed by USPS)

Mr. T. Pesota Lockwood Valley resident

cc: Cal EPA

USEPA, Washington, DC Los Padres Forest Watch Dept. of Fish & Game (Los Angeles) & Los Padres Forest Service (Chuchapete)

Commenter 7 Mr. T. Pesota, letter dated February 22, 2010

Comment 1:

We are not in favor of another change to a grandfathered CUP for any reason.

Response to Comment 1:

The commenter's remarks and questions reflect an apparent misunderstanding of the nature of the proposed Project. Under Conditional Use Permit 212 (CUP 212), PCM has a vested right to mine within the CUP boundaries, subject only to the conditions of CUP 212, as adjusted. CUP 212 is not being amended; only the existing Reclamation Plan is being amended. The Reclamation Plan only concerns itself with what happens after mining is complete in a given area. Issues of how the site is mined or operational impacts are not part for the proposed Project and consequently are not part of the IS/ND analysis.

At the end of mining operations, PCM will reclaim the site in accordance with the Surface and Mining Reclamation Act of 1975 (SMARA); Reclamation will proceed according to an approved Reclamation Plan. Specifically the proposed Project is an amendment to the 1979 Reclamation Plan for PCM's mining operation. No discretionary operational permit is being sought, nor are any changes to PCM's entitlements under CUP 212 being sought. Therefore, the nature and scope of permitted mining activities will not change as a result of the Reclamation Plan amendment. The mining operation itself is not being revised or considered. Impacts from ongoing, permitted mining operations are elements of the "existing environment" and would be unaffected by the proposed Project. As noted above, the proposed Project is limited to the reclamation which occurs only after mining is complete in any given area.

Comments 2 through 7:

These comments raise issues regarding violations of the CUP, use of the existing ponds for fire fighting, and heath risks to workers and residents.

Responses to Comments 2 through 7:

See response to Comment 1. These are issues which are outside the scope of the proposed Project which is concerned only with what occurs <u>after mining</u> is complete in any given area. These comments relate to the existing CUP 212 which is not being modified, and which allows the mining to occur anywhere within the CUP boundaries with no depth restrictions. The existing Reclamation Plan and proposed Project are how the site will be treated after mining is done, but are not involved with how the mining is to occur.

Comment 8:

Ventura County previously agreed to hold all meetings of local interest in the Frazier Park/Lockwood Valley area. This was not done.

Response to Comment 8:

Consideration was given to holding a hearing in the Frazier Park/Lockwood Valley area, but given the limited scope of the proposed Project (see responses to Comments 1 through 8) and the contact which has occurred between local residents and the Ventura County Planning Division, the decision was made not to conduct a neighborhood hearing. The Planning Division received 9 letters on this subject (five from residents) and two residents spoke at the February 25 hearing. Given the limited nature of the proposed Project and limited interest expressed by the local residents, a neighborhood hearing was not warranted.

Comment 9:

Our local paper indicated there would be "no changes", however, the distributed Notice clearly states "proposed project" which by definition desires change.

Response to Comment 9:

See responses to Comments 1 through 8. As noted above, no change is being proposed to CUP 212 which controls the location, depth and operations of the mining activities. Only the 1979 Reclamation Plan, which only controls what happens <u>after</u> mining is complete, is being modified. There are no changes to the approved mining operation, which is what the paper was apparently addressing.



STATE OF CALIFORNIA

COMMENTER 8

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER GOVERNOR

February 18, 2010

CYNTHIA BRYANT DIRECTOR

Scott Ellison Ventura County 800 South Victoria Avenue Ventura, CA 93009

Subject: LU06-0045 Revised SMARA Reclamation Plan for CUP 212 (Clay Mine in Lockwood Valley)

SCH#: 2010011031

Dear Scott Ellison:

The State Clearinghouse submitted the above named Negative Declaration 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 February 17, 2010, 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 ten-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: oo: graadii ga allaared

Photogram 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

Scott Morgan

Acting Director, State Clearinghouse

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אסכעוווו טפנמוווו אפססת State Clearinghouse Data Bas

SCH# 2010011031

Project Title LU06-0045 Revised SMARA Reclamation Plan for CUP 212 (Clay Mine in Lockwood Valley)

Lead Agency Ventura County

Type Neg Negative Declaration

Description The proposed project is an amendment to the 1979 Reclamation Plan for a mine currently operated by

Pacific Custom Materials, Inc. The mine produces lightweight aggregate under Conditional Use Permit (CUP) 0212 approved in 1953; the CUP expires in 2045. The proposed project would amend the 1979 reclamation plan to revise the finished contours to expand the quarry footprint by 21 acres and change the reclamation contours of the pit bottom from ~70 vertical feet below ground level to ~110 vertical ft below ground level. It also eliminates two ponds, and will be graded to allow all surface water to pass

through the site and not be impounded.

Lead Agency Contact

Name Scott Ellison
Agency Ventura County

Phone 805-654-2495

email

Address 800 South Victoria Avenue

City Ventura

State CA Zip 93009

Fax

Project Location

County Ventura

City Region

Lat/Long

Cross Streets Lockwood Valley Rd/Delancy Trail

Parcel No. 004-030-18; 22; 004-030-14

Township 8N Range 20W Section 19 Base SBB&M

Proximity to:

Highways Airports Railways

Railways Waterways

Schools

Land Use PLU: Operating clay mine

Z: Open Space 160 ac minimum

GP: Open Space

Project Issues

Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources;

Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard;

Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Solid Waste; Toxic/Hazardous;

Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources;

California Highway Patrol; Caltrans, District 7; State Water Resources Control Board, Division of Water

Quality; State Water Resources Control Board, Division of Water Rights; Regional Water Quality

Control Board, Region 4; Native American Heritage Commission; State Lands Commission

Date Received

01/19/2010

Start of Review 01/19/2010

End of Review 02/17/2010

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

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364 SACRAMENTO, CA 95814 (916) 653-4082 (916) 657-5390 - Fax Clear RECEIVED FEB 0 1 2010

STATE CLEARING HOUSE

January 28, 2010

Scott Ellison County of Ventura 800 S. Victoria Ave. Ventura, CA 93009

RE: SCH#2010011031 LU06-0045 Revised SMARA Reclamation Plan for CUP 212 (Clay Mine, Lockwood Valley); Ventura County.

Dear Mr. Ellison:

The Native American Heritage Commission has reviewed the Notice of Completion (NOC) regarding the above referenced project. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

- Contact the appropriate Information Center for a record search to determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. Sacred Lands File check completed, no sites indicated
 - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

y Janelles

Sincerely,

Katy Sanchez Program Analyst (916) 653-4040

CC:

State Clearinghouse

Commenter 8 State CEQA Clearinghouse, letter dated February 18, 2010

This comment letter is a copy of the letter of January 28, 2010 from the Native American Heritage Commission (Commenter 1). See the responses to Commenter 1.



STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT DIRECTOR

ARNOLD SCHWARZENEGGER
GOVERNOR

February 25, 2010

Scott Ellison Ventura County 800 South Victoria Avenue Ventura, CA 93009

Subject: LU06-0045 Revised SMARA Reclamation Plan for CUP 212 (Clay Mine in Lockwood Valley) SCH#: 2010011031

11

Dear Scott Ellison:

The enclosed comment (s) on your Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on February 17, 2010. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2010011031) when contacting this office.

Sincerely

Scott Morgan

Acting Director, State Clearinghouse

Enclosures

cc: Resources Agency



9-1

California Natural Resources Agency

DEPARTMENT OF FISH AND GAME

JOHN MCCAMMAN, Director

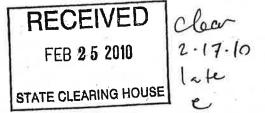
ARNOLD SCHWARZENEGGER, Governor



South Coast Region 4949 Viewridge Avenue San Diego, CA 92123 (858) 467-4201 http://www.dfg.ca.gov

February 22, 2010

Mr. Scott Ellison County of Ventura Planning Division 800 South Victoria Avenue Ventura, Ca 93009 Fax # (805) 654-2509



Subject: Notice of Completion of a draft Negative Declaration for LU06-0045

Amendment to the Reclamation Plan for Conditional Use Permit 212,

SCH # 2010011031

Dear Mr. Ellison:

The Department of Fish and Game (Department) reviewed the Draft Negative Declaration (DND) for an amendment to the 1979 Reclamation Plan for a mine currently operated by Pacific Custom Materials under Conditional Use Permit (CUP) 212, which was issued in 1953. The proposed project would amend the 1979 Reclamation Plan to revise the finished contours to expand the quarry footprint by 21 acres and change the reclamation contours of the pit bottom from approximately 70 vertical feet below ground level to approximately 110 vertical feet below ground level. It also eliminates two man-made ponds, and will be graded to allow all surface water to pass through the site and not be impounded. The proposed reclamation plan would be implemented concurrently with mining operations through the year 2045.

The project has the potential to affect State Species of Concern: American badger (Taxidea taxus), coast horned lizard (Phrynosoma blainvillii), fringed myotis (Myotis thysanodes), Mount Pinos chipmunk (Neotamias speciosus callipeplus); CNPS List 1B Abrams' oxytheca (Acanthoscyphus parishii var. abramsii), Baja navarretia (Navarretia peninsularis), late-flowered mariposa lily (Calochortus weedii var. vestus), Mount Pinos onion (Allium howellii var. clokeyi), pale-yellow layia (Layia heterotricha), Palmer's mariposa lily (Calochortus palmeri var. palmeri), and Tehachapi monardella (Monardella linoides ssp. oblonga); CNPS List 2 salt spring checkerbloom (Sidalcea neomexicana); locally rare (identified as Ventura County Uncommon species) pinyon dwarf mistletoe (Arceuthobitum divaricatum) and Hoover little trumpet (Eroigonum clavatum); and locally important plant communities Hoover little trumpet series, great basin sagebrush-Hoover little trumpet series, Kennedy buckwheat series, and rabbitbrush-Hoover little trumpet series.

Mitigation for impacts to biological resources is not proposed within this negative declaration.

Department prepared the following statements and comments pursuant to authority as Trustee Agency with jurisdiction over natural resources affected by the project under the California Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

Environmental Setting

The DND states that biological studies occurred during the summer which "is not conducive to

Mr. Scott Ellison February 22, 2010 Page 2 of 3

plant identification, consequently a detailed inventory of plant species has not occurred" (pg. 27). Furthermore, the DND states that "although not part of the environmental analysis, the conditions of approval for the proposed project will require that, prior to disturbance, an additional springtime survey of the quarry expansion area will be undertaken in order to establish a baseline for reclamation" (pg. 27). The initial study used to support the finding of a Negative Declaration should contain an adequate identification of the environmental setting according to CEQA Guidelines section 15063(d)(2). As the DND states that this has not been completed, the Department recommends that surveys be conducted for sensitive plant species in order to establish an environmental baseline for the amended reclamation plan, which is identified as the proposed project for the purposes of CEQA and the DND under review.

The Department recommends surveys be conducted by qualified biologists for rare plants according to the "Department Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities" (attached). The Guidelines give clear instructions on how surveys for rare plants should be conducted. One of the instructions is to conduct surveys at the proper time of year when rare species are both evident and identifiable. Usually, this is when the plants are flowering.

Impacts to Biological Resources and Proposed Mitigation

Sensitive and special-status plants

The DND claims that biological resources may be removed within the CUP footprint granted in 1953. The DND also states that "further baseline studies are needed to refine the proposed reclamation plan" (pg. 30). The Department recommends the following measures for inclusion in the reclamation plan:

- Prior to clearance of vegetation, seed stock should be collected from onsite populations of sensitive (CNPS list and VUC) plant species,
- Topsoil should be collected and stored for reuse during reclamation,
- Species composition should mimic what existed prior to clearing. If this cannot be achieved onsite, the Department recommends enhancing areas adjacent to the reclamation site,
- An annual maintenance and monitoring program should be developed to ensure survivability of revegetated sites, and
- A weed management plan should be included in the program to prevent the introduction and spread of invasive and non-native species.

In addition, a California Endangered Species Act (CESA) incidental take permit is required, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project, pursuant to Fish and Game Code Section 2050 et seq. CESA permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. The project as proposed, if conducted during the LBV nesting season, has potential for take of a State listed endangered animal, and therefore a CESA permit would be required. The procedure for obtaining a CESA permit may be found at the Department's website at http://www.dfg.ca.gov/hcpb/cegacesa/cesa/cesa/shtml.

Streambed Alteration Agreement

The DND states that two ponds exist on-site, an upper pond and a man-made lower pond, in addition to a 0.3 acre Arroyo Willow habitat running along the project drainage. The document does not specify whether the upper pond is man-made but that water is pumped from the lower pond into the upper pond and the upper pond "contains water year round and therefore functions as a perennial wetland" (pg. 28). The proposed reclamation plan would fill in the upper pond, remove the outlet of the lower pond, and construct a low-flow channel through the

Mr. Scott Ellison February 22, 2010 Page 3 of 3

ponds as necessary. As stated in the DND "at the completion of mining the lower pond will be graded and the spill-way removed such that no water will be retained on-site and all water will pass through to downstream areas" (pg. 28).

This component of the proposed reclamation plan would affect the Department's regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of a LSA Agreement may be a project that is subject to CEQA. To facilitate issuance of the LSA Agreement when CEQA applies, the Department as a responsible agency under CEQA may consider Lead Agency's document for the project.

The DND does not quantify the temporary and/or permanent impacts to DFG jurisdictional resources. To minimize additional requirements by the Department under CEQA the DND should fully identify the potential temporary and permanent impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. In addition, the Reclamation Plan should consider the total acres of DFG jurisdictional acreage and ensure that acreage and habitat type exists when the site is restored.

The Department emphasizes that in order to protect sensitive resources substantial revisions to the proposed project may be required in the LSA Agreement. The LSA Agreement may require additional conditions and/or increased mitigation and enhancement ratios than listed in the CEQA document. Notification forms and additional information can be found on the Department's website at: http://www.dfg.ca.gov/habcon/1600/. You may also contact the Department's South Coast Region at (858) 467-4201 for more information on streambed alteration agreements.

Thank you for this opportunity to provide comment. Please include the above concerns and comments into the final ND for the subject project. Please contact Mr. Sean Carlson, Staff Environmental Scientist at (909) 596-9120 for any questions and further coordination.

Sincerely,

Edmund Pert Regional Manager

South Coast Region

cc: Daniel Blankenship, Santa Clarita Helen Birss, Los Alamitos Betty Courtney, Santa Clarita Jeff Humble, Ventura

Scott Morgan, State Clearinghouse, Sacramento

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities

State of California CALIFORNIA NATURAL RESOURCES AGENCY Department of Fish and Game November 24, 20091

INTRODUCTION AND PURPOSE

The conservation of special status native plants and their habitats, as well as natural communities, is integral to maintaining biological diversity. The purpose of these protocols is to facilitate a consistent and systematic approach to the survey and assessment of special status native plants and natural communities so that reliable information is produced and the potential of locating a special status plant species or natural community is maximized. They may also help those who prepare and review environmental documents determine when a botanical survey is needed, how field surveys may be conducted, what information to include in a survey report, and what qualifications to consider for surveyors. The protocols may help avoid delays caused when inadequate biological information is provided during the environmental review process; assist lead, trustee and responsible reviewing agencies to make an informed decision regarding the direct, indirect, and cumulative effects of a proposed development, activity, or action on special status native plants and natural communities; meet California Environmental Quality Act (CEQA)2 requirements for adequate disclosure of potential impacts; and conserve public trust resources.

DEPARTMENT OF FISH AND GAME TRUSTEE AND RESPONSIBLE AGENCY MISSION

The mission of the Department of Fish and Game (DFG) is to manage California's diverse wildlife and native plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. DFG has jurisdiction over the conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations (Fish and Game Code §1802). DFG, as trustee agency under CEQA §15386, provides expertise in reviewing and commenting on environmental documents and makes protocols regarding potential negative impacts to those resources held in trust for the people of California.

Certain species are in danger of extinction because their habitats have been severely reduced in acreage, are threatened with destruction or adverse modification, or because of a combination of these and other factors. The California Endangered Species Act (CESA) provides additional protections for such species, including take prohibitions (Fish and Game Code §2050 et seq.). As a responsible agency, DFG has the authority to issue permits for the take of species listed under CESA if the take is incidental to an otherwise lawful activity; DFG has determined that the impacts of the take have been minimized and fully mitigated; and, the take would not jeopardize the continued existence of the species (Fish and Game Code §2081). Surveys are one of the preliminary steps to detect a listed or special status plant species or natural community that may be impacted significantly by a project.

DEFINITIONS

Botanical surveys provide information used to determine the potential environmental effects of proposed projects on all special status plants and natural communities as required by law (i.e., CEQA, CESA, and Federal Endangered Species Act (ESA)). Some key terms in this document appear in bold font for assistance in use of the document.

For the purposes of this document, special status plants include all plant species that meet one or more of the

This document replaces the DFG document entitled "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened and Endangered Plants and Natural Communities."

http://ceres.ca.gov/ceqa/

Adapted from the East Alameda County Conservation Strategy available at http://www.fws.gov/sacramento/EACCS/Documents/080228 Species Evaluation EACCS.pdf

- Listed or proposed for listing as threatened or endangered under ESA or candidates for possible future listing as threatened or endangered under the ESA (50 CFR §17.12).
- Listed⁴ or candidates for listing by the State of California as threatened or endangered under CESA (Fish and Game Code §2050 et seq.). A species, subspecies, or variety of plant is endangered when the prospects of its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, disease, or other factors (Fish and Game Code §2062). A plant is threatened when it is likely to become endangered in the foreseeable future in the absence of special protection and management measures (Fish and Game Code §2067).
- Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 et seq.). A
 plant is rare when, although not presently threatened with extinction, the species, subspecies, or variety is
 found in such small numbers throughout its range that it may be endangered if its environment worsens
 (Fish and Game Code §1901).
- Meet the definition of rare or endangered under CEQA §15380(b) and (d). Species that may meet the
 definition of rare or endangered include the following:
 - Species considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B and 2);
 - Species that may warrant consideration on the basis of local significance or recent biological information⁵:
 - Some species included on the California Natural Diversity Database's (CNDDB) Special Plants, Bryophytes, and Lichens List (California Department of Fish and Game 2008)⁶.
- Considered a locally significant species, that is, a species that is not rare from a statewide perspective
 but is rare or uncommon in a local context such as within a county or region (CEQA §15125 (c)) or is so
 designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Examples
 include a species at the outer limits of its known range or a species occurring on an uncommon soil type.

Special status natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status species or their habitat. The most current version of the Department's List of California Terrestrial Natural Communities⁷ indicates which natural communities are of special status given the current state of the California classification.

Most types of wetlands and riparian communities are considered special status natural communities due to their limited distribution in California. These natural communities often contain special status plants such as those described above. These protocols may be used in conjunction with protocols formulated by other agencies, for example, those developed by the U.S. Army Corps of Engineers to delineate jurisdictional wetlands or by the U.S. Fish and Wildlife Service to survey for the presence of special status plants.

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Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

In general, CNPS List 3 plants (plants about which more Information is needed) and List 4 plants (plants of limited distribution) may not warrant consideration under CEQA §15380. These plants may be included on special status plant lists such as those developed by counties where they would be addressed under CEQA §15380. List 3 plants may be analyzed under CEQA §15380 if sufficient information is available to assess potential impacts to such plants. Factors such as regional rarity vs. statewide rarity should be considered in determining whether cumulative impacts to a List 4 plant are significant even if individual project impacts are not. List 3 and 4 plants are also included in the California Natural Diversity Database's (CNDDB) Special Plants, Bryophytes, and Lichens List. [Refer to the current online published list available at: http://www.dfg.ca.gov/biogeodata.] Data on Lists 3 and 4 plants should be submitted to CNDDB. Such data aids in determining or revising priority ranking.

Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

http://www.dfg.ca.gov/biogeodata/vegcamp/pdfs/natcomlist.pdf. The rare natural communities are asterisked on this list.

http://www.wetlands.com/regs/tlpge02e.htm

U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

BOTANICAL SURVEYS

Conduct botanical surveys prior to the commencement of any activities that may modify vegetation, such as clearing, mowing, or ground-breaking activities. It is appropriate to conduct a botanical field survey when:

- Natural (or naturalized) vegetation occurs on the site, and it is unknown if special status plant species or natural communities occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- Special status plants or natural communities have historically been identified on the project site; or
- Special status plants or natural communities occur on sites with similar physical and biological properties as the project site.

SURVEY OBJECTIVES

Conduct field surveys in a manner which maximizes the likelihood of locating special status plant species or special status natural communities that may be present. Surveys should be **floristic in nature**, meaning that every plant taxon that occurs on site is identified to the taxonomic level necessary to determine rarity and listing status. "Focused surveys" that are limited to habitats known to support special status species or are restricted to lists of likely potential species are not considered floristic in nature and are not adequate to identify all plant taxa on site to the level necessary to determine rarity and listing status. Include a list of plants and natural communities detected on the site for each botanical survey conducted. More than one field visit may be necessary to adequately capture the floristic diversity of a site. An indication of the prevalence (estimated total numbers, percent cover, density, etc.) of the species and communities on the site is also useful to assess the significance of a particular population.

SURVEY PREPARATION

Before field surveys are conducted, compile relevant botanical information in the general project area to provide a regional context for the investigators. Consult the CNDDB¹⁰ and BIOS¹¹ for known occurrences of special status plants and natural communities in the project area prior to field surveys. Generally, identify vegetation and habitat types potentially occurring in the project area based on biological and physical properties of the site and surrounding ecoregion¹², unless a larger assessment area is appropriate. Then, develop a list of special status plants with the potential to occur within these vegetation types. This list can serve as a tool for the investigators and facilitate the use of reference sites; however, special status plants on site might not be limited to those on the list. Field surveys and subsequent reporting should be comprehensive and floristic in nature and not restricted to or focused only on this list. Include in the survey report the list of potential special status plants and natural communities, and the list of references used to compile the background botanical information for the site.

SURVEY EXTENT

Surveys should be comprehensive over the entire site, including areas that will be directly or indirectly impacted by the project. Adjoining properties should also be surveyed where direct or indirect project effects, such as those from fuel modification or herbicide application, could potentially extend offsite. Pre-project surveys restricted to known CNDDB rare plant locations may not identify all special status plants and communities present and do not provide a sufficient level of information to determine potential impacts.

FIELD SURVEY METHOD

Conduct surveys using systematic field techniques in all habitats of the site to ensure thorough coverage of potential impact areas. The level of effort required per given area and habitat is dependent upon the vegetation and its overall diversity and structural complexity, which determines the distance at which plants can be identified. Conduct surveys by walking over the entire site to ensure thorough coverage, noting all plant taxa

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Available at http://www.dfg.ca.gov/biogeodata/cnddb

http://www.bios.dfg.ca.gov/

Ecological Subregions of California, available at http://www.fs.fed.us/r5/projects/ecoregions/toc.htm

observed. The level of effort should be sufficient to provide comprehensive reporting. For example, one person-hour per eight acres per survey date is needed for a comprehensive field survey in grassland with medium diversity and moderate terrain¹³, with additional time allocated for species identification.

TIMING AND NUMBER OF VISITS

Conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting. Space visits throughout the growing season to accurately determine what plants exist on site. Many times this may involve multiple visits to the same site (e.g. in early, mid, and late-season for flowering plants) to capture the floristic diversity at a level necessary to determine if special status plants are present ¹⁴. The timing and number of visits are determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which the surveys are conducted.

REFERENCE SITES

When special status plants are known to occur in the type(s) of habitat present in the project area, observe reference sites (nearby accessible occurrences of the plants) to determine whether those species are identifiable at the time of the survey and to obtain a visual image of the target species, associated habitat, and associated natural community.

USE OF EXISTING SURVEYS

For some sites, floristic inventories or special status plant surveys may already exist. Additional surveys may be necessary for the following reasons:

- Surveys are not current¹⁵; or
- Surveys were conducted in natural systems that commonly experience year to year fluctuations such as periods of drought or flooding (e.g. vernal pool habitats or riverine systems); or
- Surveys are not comprehensive in nature; or fire history, land use, physical conditions of the site, or climatic conditions have changed since the last survey was conducted¹⁶; or
- Surveys were conducted in natural systems where special status plants may not be observed if an annual
 above ground phase is not visible (e.g. flowers from a bulb); or
- Changes in vegetation or species distribution may have occurred since the last survey was conducted, due
 to habitat alteration, fluctuations in species abundance and/or seed bank dynamics.

NEGATIVE SURVEYS

Adverse conditions may prevent investigators from determining the presence of, or accurately identifying, some species in potential habitat of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any given year. Discuss such conditions in the report.

The failure to locate a known special status plant occurrence during one field season does not constitute evidence that this plant occurrence no longer exists at this location, particularly if adverse conditions are present. For example, surveys over a number of years may be necessary if the species is an annual plant having a persistent, long-lived seed bank and is known not to germinate every year. Visits to the site in more

Adapted from U.S. Fish and Wildlife Service kit fox survey guidelines available at www.fws.gov/sacramento/es/documents/kitfox no protocol.pdf

¹⁴ U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

Habitats, such as grasslands or desert plant communities that have annual and short-lived perennial plants as major floristic components may require yearly surveys to accurately document baseline conditions for purposes of impact assessment. In forested areas, however, surveys at intervals of five years may adequately represent current conditions. For forested areas, refer to "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://ri.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf

U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/docs/botanicalinventories.pdf

than one year increase the likelihood of detection of a special status plant especially if conditions change. To further substantiate negative findings for a known occurrence, a visit to a nearby reference site may ensure that the timing of the survey was appropriate.

REPORTING AND DATA COLLECTION

Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities 17 and will guide the development of minimization and mitigation measures. The next section describes necessary information to assess impacts. For comprehensive, systematic surveys where no special status species or natural communities were found, reporting and data collection responsibilities for investigators remain as described below, excluding specific occurrence information.

SPECIAL STATUS PLANT OR NATURAL COMMUNITY OBSERVATIONS

Record the following information for locations of each special status plant or natural community detected during

- A detailed map (1:24,000 or larger) showing locations and boundaries of each special status species occurrence or natural community found as related to the proposed project. Mark occurrences and boundaries as accurately as possible. Locations documented by use of global positioning system (GPS) coordinates must include the datum18 in which they were collected;
- The site-specific characteristics of occurrences, such as associated species, habitat and microhabitat, structure of vegetation, topographic features, soil type, texture, and soil parent material. If the species is associated with a wetland, provide a description of the direction of flow and integrity of surface or subsurface hydrology and adjacent off-site hydrological influences as appropriate;
- The number of individuals in each special status plant population as counted (if population is small) or estimated (if population is large);
- If applicable, information about the percentage of individuals in each life stage such as seedlings vs. and the second of the company of the period of the property of the period of the perio
- The number of individuals of the species per unit area, identifying areas of relatively high, medium and low density of the species over the project site; and
- Digital images of the target species and representative habitats to support information and descriptions.

FIELD SURVEY FORMS

When a special status plant or natural community is located, complete and submit to the CNDDB a California Native Species (or Community) Field Survey Form 19 or equivalent written report, accompanied by a copy of the relevant portion of a 7.5 minute topographic map with the occurrence mapped. Present locations documented by use of GPS coordinates in map and digital form. Data submitted in digital form must include the datum²⁰ in which it was collected. If a potentially undescribed special status natural community is found on the site, document it with a Rapid Assessment or Relevé form²¹ and submit it with the CNDDB form

VOUCHER COLLECTION

Voucher specimens provide verifiable documentation of species presence and identification as well as a public record of conditions. This information is vital to all conservation efforts. Collection of voucher specimens should

Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata. For Timber Harvest Plans (THPs) please refer to the "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf NAD83, NAD27 or WGS84

NAD83, NAD27 or WGS84

http://www.dfg.ca.gov/biogeodata http://www.dfg.ca.gov/biogeodata/vegcamp/veg_publications_protocols.asp

be conducted in a manner that is consistent with conservation ethics, and is in accordance with applicable state and federal permit requirements (e.g. incidental take permit, scientific collection permit). Voucher collections of special status species (or suspected special status species) should be made only when such actions would not jeopardize the continued existence of the population or species.

Deposit voucher specimens with an indexed regional herbarium²² no later than 60 days after the collections have been made. Digital imagery can be used to supplement plant identification and document habitat. Record all relevant permittee names and permit numbers on specimen labels. A collecting permit is required prior to the collection of State-listed plant species²³.

BOTANICAL SURVEY REPORTS

Include reports of botanical field surveys containing the following information with project environmental documents:

Project and site description

- A description of the proposed project;
- A detailed map of the project location and study area that identifies topographic and landscape features and includes a north arrow and bar scale; and,
- A written description of the biological setting, including vegetation²⁴ and structure of the vegetation; geological and hydrological characteristics; and land use or management history.

Detailed description of survey methodology and results

- Dates of field surveys (indicating which areas were surveyed on which dates), name of field investigator(s), and total person-hours spent on field surveys;
- A discussion of how the timing of the surveys affects the comprehensiveness of the survey;
- A list of potential special status species or natural communities;
- A description of the area surveyed relative to the project area;
- References cited, persons contacted, and herbaria visited;
- Description of reference site(s), if visited, and phenological development of special status plant(s);
- A list of all taxa occurring on the project site. Identify plants to the taxonomic level necessary to determine whether or not they are a special status species;
- Any use of existing surveys and a discussion of applicability to this project;
- A discussion of the potential for a false negative survey;
- Provide detailed data and maps for all special plants detected. Information specified above under the headings "Special Status Plant or Natural Community Observations," and "Field Survey Forms," should be provided for locations of each special status plant detected;
- Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms should be sent to the CNDDB and included in the environmental document as an Appendix. It is not necessary to submit entire environmental documents to the CNDDB; and,
- The location of voucher specimens, if collected.

For a complete list of indexed herbaria, see: Holmgren, P., N. Holmgren and L. Barnett. 1990. Index Herbariorum, Part 1: Herbaria of the World. New York Botanic Garden, Bronx, New York. 693 pp. Or: http://www.nybg.org/bsci/ih/ih.html

Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

A vegetation map that uses the National Vegetation Classification System (http://biology.usgs.gov/npsveg/nvcs.html), for example A Manual of California Vegetation, and highlights any special status natural communities. If another vegetation classification system is used, the report should reference the system, provide the reason for its use, and provide a crosswalk to the National Vegetation Classification System.

Assessment of potential impacts

- A discussion of the significance of special status plant populations in the project area considering nearby populations and total species distribution;
- A discussion of the significance of special status natural communities in the project area considering nearby occurrences and natural community distribution;
- A discussion of direct, indirect, and cumulative impacts to the plants and natural communities;
- A discussion of threats, including those from invasive species, to the plants and natural communities;
- A discussion of the degree of impact, if any, of the proposed project on unoccupied, potential habitat of the species;
- A discussion of the immediacy of potential impacts; and,
- Recommended measures to avoid, minimize, or mitigate impacts.

QUALIFICATIONS

Botanical consultants should possess the following qualifications:

- Knowledge of plant taxonomy and natural community ecology;
- Familiarity with the plants of the area, including special status species;
- Familiarity with natural communities of the area, including special status natural communities;
- Experience conducting floristic field surveys or experience with floristic surveys conducted under the direction of an experienced surveyor;
- Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- Experience with analyzing impacts of development on native plant species and natural communities.

SUGGESTED REFERENCES

- Barbour, M., T. Keeler-Wolf, and A. A. Schoenherr (eds.). 2007. Terrestrial vegetation of California (3rd Edition). University of California Press.
- Bonham, C.D. 1988. Measurements for terrestrial vegetation. John Wiley and Sons, Inc., New York, NY.
- California Native Plant Society. Most recent version. Inventory of rare and endangered plants (online edition). California Native Plant Society, Sacramento, CA. Online URL http://www.cnps.org/inventory.
- California Natural Diversity Database. Most recent version. Special vascular plants, bryophytes and lichens list. Updated quarterly. Available at www.dfg.ca.gov.
- Elzinga, C.L., D.W. Salzer, and J. Willoughby. 1998. Measuring and monitoring plant populations. BLM Technical Reference 1730-1. U.S. Dept. of the Interior, Bureau of Land Management, Denver, Colorado.
- Leppig, G. and J.W. White. 2006. Conservation of peripheral plant populations in California. Madroño 53:264-274.
- Mueller-Dombois, D. and H. Ellenberg. 1974. Aims and methods of vegetation ecology. John Wiley and Sons, Inc., New York, NY.
- U.S. Fish and Wildlife Service. 1996. Guidelines for conducting and reporting botanical inventories for federally listed plants on the Santa Rosa Plain. Sacramento, CA.
- U.S. Fish and Wildlife Service. 1996. Guidelines for conducting and reporting botanical inventories for federally listed, proposed and candidate plants. Sacramento, CA.
- Van der Maarel, E. 2005. Vegetation Ecology. Blackwell Science Ltd., Malden, MA.

Commenter 9 State CEQA Clearinghouse, letter dated February 25, 2010

This comment letter is a copy of the letter of February 22, 2010 from the California Department of Fish and Game (Commenter 6). See the responses to Commenter 6.