

Hearing Officer Transmittal Checklist

Hearing Date
08/02/2011
Agenda Item No.
4

Project Number: 91109-(5)
Case(s): SMP 91109 (Periodic Review)
Planner: Anthony Curzi

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (EIR Addendum)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: Mark Curzi



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6461
PROJECT NUMBER 91109 – (5)
SURFACE MINING PERMIT NO. 91109

PUBLIC HEARING DATE
08/02/2011

AGENDA ITEM
4

RPC CONSENT DATE
N/A

CONTINUE TO
N/A

APPLICANT

Granite Construction Co.

OWNER

Granite Construction Co.

REPRESENTATIVE

William Taylor

PROJECT DESCRIPTION

As part of applicant's periodic review of the previously authorized Surface Mining Permit (SMP), applicant is requesting to amend four conditions of the permit: (1) modify surface water drainage improvement requirements onsite to more accurately reflect potential water flows from Big Creek Wash, (2) revise the Mining and Reclamation Plan to reflect the proposed surface water drainage information set forth in the revised hydrology study as approved by the Department of Public Works, (3) revise the 60-foot height expectation requirement as it is not consistent with typical native plants and not sustainable in the local climate, and (4) revise the approved mine plan allowing a 50-year extraction and processing period to start in 2010 and expire in 2060.

REQUIRED ENTITLEMENTS

No entitlements are requested as this is a standard periodic review of an already authorized SMP.

LOCATION/ADDRESS

155th Street East about 2.5 miles north of Pearblossom Highway (SR-138)

SITE DESCRIPTION

The site is presently undisturbed but has been approved for rock and mineral extraction as part of SMP 91109.

ACCESS

155th Street East about 2.5 miles north of Pearblossom Highway (SR-138)

ZONED DISTRICT

Antelope Valley East

ASSESSORS PARCEL NUMBER

3080-022-013

COMMUNITY

Pearblossom

SIZE

140 acres

COMMUNITY STANDARDS DISTRICT

None

EXISTING LAND USE

EXISTING ZONING

	EXISTING LAND USE	EXISTING ZONING
Project Site	Vacant land	A-2-5 (Heavy Agricultural - 5-acre minimum lot size)
North	Existing surface mine	M-2 (Heavy Manufacturing)
East	Vacant land	A-2
South	Vacant land	A-2
West	Vacant land	A-2

GENERAL PLAN/COMMUNITY PLAN

Antelope Valley Areawide General Plan

LAND USE DESIGNATION

N1 (Non-Urban 1)

MAXIMUM DENSITY

0.5 dwelling units per acre

ENVIRONMENTAL DETERMINATION

N/A

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON:		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor

STAFF ANALYSIS PERIODIC REVIEW OF SURFACE MINING PERMIT 91109

INTRODUCTION

On June 26, 1996 the Regional Planning Commission approved a Surface Mining Permit (SMP) 91109 to extract sand and gravel material over a 50-year period from the subject 140-acre property located on the west side of 155th Street East in the Pearblossom and Llano area. Due to market conditions, no mining activity has yet occurred. In the time since the permit was approved, changes have occurred in physical development near the mining site and there have been technological innovation in the field of reclamation that may improve the reclamation process. For these reasons the applicant requests the hearing officer review the permit and consider their request to amend two conditions and two mitigation measures of the permit. The two modified conditions are: (1) revise the Mining and Reclamation Plan to reflect the proposed surface water drainage information set forth in the revised hydrology study as approved by the Department of Public Works, (2) revise the approved mine plan allowing a 50-year extraction and processing period to start in 2010 and expire in 2060. The two modified mitigation measures are: (1) modify surface water drainage improvement requirements onsite to more accurately reflect potential water flows from Big Creek Wash, and (2) revise the 60-foot height expectation requirement as it is not consistent with typical native plants and not sustainable in the local climate.

LOCATION

The project site is located on 155th Street East, approximately 2.5 miles north of Pearblossom Highway (SR-138).

SITE DESCRIPTION

The subject property is a vacant, square-shaped, 140-acre parcel of land located in the Antelope Valley in the vicinity of the communities of Pearblossom and Llano. It is situated on the west side of 155th Street East, a paved local street, and one-half mile north of State Route 138 (Pearblossom Highway). The property slopes evenly downhill from south to north, the southerly property line being about 50 feet higher than the northerly property line.

REQUEST

Pursuant to the Los Angeles County Zoning Ordinance, Section 55.56.1440, the applicant request a periodic review the conditions of SMP 91109 and request modifications to those conditions based on financial, physical, technological, and/or environmental circumstances. Section 22.56.1440 provides in full:

The periodic review of conditions contained in surface mining permits and approved reclamation plans, as provided in Sections 22.56.1370 and 22.56.1420, respectively, shall be conducted by the hearing officer in accordance with the schedule adopted at the time such permits or plans were approved. The hearing officer, in his review, shall hold one or more public hearings pursuant to the procedure provided in Part 4 of this Chapter 22.60, and shall consider such new or changed circumstances as physical development near the mining site and improved technological innovations in the field of reclamation which may significantly improve the reclamation process.

Modified permits or reclamation plans shall be binding upon the operator and all successors, heirs, and assigns of the applicant.

Proposed Modified Conditions and Modified Mitigation Measures

As mentioned above, the applicant is requesting amending two conditions and two mitigation measures of the permit:

Request - Conditions

1. *Revise the Mining and Reclamation Plan to reflect the proposed surface water drainage information set forth by Joseph E. Bonadiman and as approved by the Los Angeles County Department of Public Works.*

Discussion

This amendment is necessary because the by-pass channel and other flood control structures identified in Mitigation Measures 1a – 1d, 2a – 2e, and 3 as part of the Reclamation Plan are no longer necessary. The applicant, therefore, proposes to update the Mining and Reclamation Plan, as allowed under the existing SMP 91109 approval and as consistent with the requirements set forth in Hydrology Study and Drainage Analysis.

2. *Revise the approved mine plan allowing a 50-year extraction and processing period to start in 2010 and expire in 2060.*

Discussion

The applicants original SMP contained a 50-year permit which allowed extraction to run until December 31, 2046. No mineral extraction has occurred to date and the applicant requests an extension.

Request – Mitigation Measures

1. *Modify surface water drainage improvement requirements onsite (Flood-Surface Water Mitigation Measures 1a – 1d; 2a – 2e, and 3) to more accurately reflect potential water flows from Big Creek Wash based on new hydrology information approved by the Los Angeles County Department of Public Works.*

Discussion

At the time of project approval, the Mining and Reclamation Plan and the Environmental Impact Report (EIR) included mitigation measures 1a – 1d, 2a – 2e, and 3, which required the construction of large flood berms to address surface water drainage and flooding. However, the Reclamation Plan allowed for revisions based on new hydrological data. Page 20 of the Mining and Reclamation Plan provides as follows:

If channelization of Big Rock Creek should occur during the life of the project, or if the County of Los Angeles should adopt different flow criteria than those currently in effect and used in the *Drainage Concept Study of Big Rock Creek*, a modification application to the Surface Mining and Reclamation Plan would be submitted to the County of Los Angeles by the mining operator.

The Mining and Reclamation Plan would be revised to reflect the changes, which may include removing the energy dissipation by-pass structure and mining the aggregate beneath it.

The applicant, Granite Construction, as part of its 2006 Mining and Reclamation Plan review, retained the services of Joseph E. Bonadiman & Associates to analyze the Big Rock Creek Wash. Joseph Bonadiman & Associates produced a report, *Hydrology Study and Drainage Analysis: Big Rock Wash Surface Mining and Reclamation Plan*, (Aug. 3, 2007). On March 5, 2010, an addendum to that report was prepared by Hydrologic Science Inc. and Manuel A. Delgado and Associates that answered specific questions from the County Department of Public Works and Caltrans (California Department of Transportation). The County Department of Public Works then approved the Hydrology Study and Drainage Analysis. Based on this new analysis, Mitigation Measures 1a – 1d, 2a – 2e, and 3 are no longer required.

2. *Revise the 60-foot height expectation requirement (Visual Quality Mitigation Measure 2) as it is not consistent with the typical native plants and not sustainable in the present climate.*

Discussion

The EIR contained a visual mitigation measure (Visual Quality Mitigation Measure 2) that provided the following:

A dense landscape screen will be planted along the eastern, southern, and western project boundaries to buffer the site from view. The landscape screen will be comprised of plants that filter out a minimum of 60 percent of the exposed frontage and attain a height of 20 feet within five years, and will grow to 60 feet in height at maturity.

Furthermore, the Conditions of Approval implement and regulate this measure as follows (Condition 8n):

The Phase 1 landscape screen shall be planted within one year of the date of this grant to the satisfaction of the Staff Biologist, Department of Regional Planning, and shall be continuously maintained thereafter. The permittee shall employ an individual to design and install the landscape screen and its irrigation system who, in the opinion of the Staff Biologist, Department of Regional Planning, is appropriately qualified by training and experience in the horticulture of the Antelope Valley to successfully carry out the required work. The permittee shall retain expert assistance to maintain the landscape screen including maintenance of the irrigation system, to assure that the irrigation system functions properly and that plant growth is maintained and plants are replaced as necessary.

As required by this condition, the applicant retained a firm to design and install the landscape screen. The taller trees, however, have not survived the climatic

conditions of the Antelope Valley and are no longer a viable option for the screen. As a result, broader and stouter trees are needed to maintain the integrity of the screen. While these trees, which are more adaptive to the local habitat and climate, will meet the 60 percent screening objective, but will not reach heights of 60 feet.

ENVIRONMENTAL DETERMINATION

An Addendum to the Final Environmental Impact Report (FEIR) has been prepared.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PREVIOUS CASES/ZONING HISTORY

Surface Mining Permit (SMP) 91109 was granted on 06/26/1996 for a period of fifty (50) years.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The Los Angeles County Department of Public Works (DPW) has reviewed the proposed condition modifications and concurs with them.

PUBLIC COMMENTS

One letter of support from the Antelope Valley Board of Trade was received.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the hearing officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends APPROVAL of Addendum to the FEIR and approval of changes under the periodic review of the SMP 99109 as defined in the attached conditions.

Prepared by Anthony Curzi,
Reviewed by Susan Tae, AICP, Supervising Regional Planner,

Attachments:
Draft conditions of approval
Draft findings

**DRAFT FINDINGS FROM PERIODIC REVIEW
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 91109-(5)
SMP PERMIT NO. 91109**

1. The applicant, Granite Construction, as part of a periodic review of its approved Surface Mining Permit, is requesting the modification of two conditions and two mitigation measures of its permit.
2. The Hearing Officer has held a hearing pursuant to Part 4 of Chapter 22.60 to consider new or changed circumstances at the mining site that may significantly improve the reclamation process.
3. The modified permit shall be binding upon the operator and all successors, heirs, and assigns of the applicant.
4. The subject site is located at 155th Street East, about 2.5 miles north of Pearblossom Highway.
5. The subject site's Assessor's Parcel Number is 3080-022-013.
6. Whereas the approved surface mine's Mining and Reclamation Plan provides that if channelization of Big Rock Creek should occur during the life of the project, or if a different flow criteria is adopted by the County, then the mining operator would submit a modification application to the County.
7. The submitted Hydrology and Drainage analysis approved by the County of Los Angeles substantiates that Mitigation Measures 1a – 1d, 2a – 2d, and 3 are no longer required.
8. Based on the new Hydrology Study and Drainage Analysis approved by the Los Angeles County Department of Public Works, the Mining and Reclamation Plan is allowed to be modified to reflect the new information in the afore-mentioned report.
9. The previously approved mitigation measure required a 60-foot height requirement for trees for a visual screen.
10. Despite efforts to provide trees that would grow to 60 feet, the habitat and climatic conditions of the Antelope Valley do not allow for the survival of trees that can grow that tall.
11. The planting of broader and stouter trees will still provide for the required 60 percent screening but will not reach 60 feet in height.
12. The original surface mining permit allowed for a 50-year extraction period to terminate in 2046.
13. No mineral extraction has yet commenced at the project site.
14. The applicant is requesting a 50-year permit with extraction to begin in 2010 and terminate in 2060.

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

SURFACE MINING PERMIT NO. 91109-(5)

COMMISSION HEARING DATES: November 29, 1995; January 31 and March 4, 1996.

SYNOPSIS

Granite Construction Company applied for a surface mining permit to excavate and process sand and gravel and to operate ancillary asphalt concrete and ready-mix concrete plants on land located one-half mile north of State Route 138 (Pearblossom Highway) on 155th Street East, near the communities of Pearblossom and Llano. Big Rock Creek, a major drainage course and a County designated significant ecological area, runs north-south to the east of the project site.

A draft environmental impact report for the project was circulated for public and agency review, beginning September 25, 1995.

The Commission visited the subject property and adjacent areas on August 16, 1995.

Two public hearing dates were initially noticed. These were November 29, 1995, in the Commission hearing room in Los Angeles, and January 31, 1996, at the Palmdale City Council Chambers.

PROCEDURE BEFORE THE COMMISSION

Hearing of November 29, 1995. Three persons, representing the applicant, explained the project and responded to questions from the Commission. The representatives projected that the mine, if approved, would be fully operational in 5 to 15 years, depending upon market conditions.

Ten persons, Antelope Valley residents and business persons, testified in favor of the request.

Hearing of January 31, 1996. Fourteen persons, area residents and representatives of community and resident groups, spoke in opposition to the project. The stated concerns included the appearance of the mine, both during and after operation, traffic hazard on State Route 138, noise and air quality impacts and water consumption.

Having afforded all persons present an opportunity to testify, the Commission continued the hearing to March 4, 1995, at the Commission hearing room, to receive rebuttal testimony from the applicant. The Commission also requested a report from staff on plans to widen State Route 138 in the project vicinity.

Hearing of March 4, 1996. Staff reported to the Commission on projected improvements to State Route 138 by a memo sent prior to the meeting.

Three persons, representing the applicant, spoke in rebuttal to opposition testimony and answered questions from the Commission. Three persons who had participated in the preparation of the project EIR also spoke. At the conclusion of testimony, the Commission closed the public hearing and, by a vote of 4-0, Commissioner Clark being absent, instructed staff to prepare a final EIR for the project. The Commission further instructed staff to return findings and conditions for approval.

FINDINGS

1. The subject property is a vacant, rectangular shaped, 140 acre parcel of land located in the Antelope Valley in the vicinity of the communities of Pearblossom and Llano. It is situated on the west side of 155th Street East, a paved local street, one-half mile north of State Route 138 (Pearblossom Highway). The property slopes evenly downhill from south to north, the southerly property line being about 50 feet higher in elevation than the north property line.
2. Big Rock Wash formerly flowed in a broad one and one-half mile wide plain through the vicinity of the subject property. The subject property is located in the west one third of this area. However, drainage structures constructed for Pearblossom Highway now serve to direct the main flow of Big Rock Wash to the east of 155th Street East (off the subject property).
3. The subject property is bounded on the north and south by transmission line rights-of-way of the Southern California Edison Company and the City of Los Angeles Department of Water and Power. To the north of the transmission lines bounding the north boundary of the subject property is an inactive sand and gravel mine owned by the Calmat Company. The balance of the immediately surrounding area is open desert. The nearest residences lie about one mile easterly along 165th Street East. Substantial residential development exists south of Pearblossom Highway along 165th Street East and in the vicinity of the Crystallaire Country Club and airport.

4. The applicant proposes to excavate a sand and gravel pit to a maximum depth of 160 feet in 110 acres located in the easterly portion of the subject property. A channel would be constructed along the west side of the property to allow drainage to flow south to north. Ancillary asphalt concrete and ready-mix concrete plants are also proposed.
5. The applicant indicates that an existing facility in Palmdale would be phased out following commencement of mining on the subject property. The applicant projects that mining would commence in 7 to 15 years, depending upon market conditions. The availability of construction work on State Route 138 may be a factor in determining when mining would commence.

Mining would take place in three phases over a period of 42 years. 36,500,000 net tons of aggregate would be produced.

6. Temporary cut slopes would be at an incline of 1:1 (horizontal:vertical) for the first 70 feet and increased, for stability, to 1.5:1 for the lower 70-90 feet of the excavation. The side slopes that would form the ultimate perimeter of the pit would be backfilled to a 2:1 incline, using the waste material removed in mining, and revegetated. This slope reclamation would begin following completion of Phase One of the excavation and continue in subsequent phases through completion of all excavation. The plant site would be moved as excavation progressed. All plant equipment would be removed at the completion of mining and the balance of the site would be cleared and revegetated.
7. Access to the property would be via 155th Street East to SR 138. The applicant would improve 155th Street East and also install safety improvements at SR 138 as required by Caltrans.
8. Sand and gravel mines are regulated by the State Surface Mining and Reclamation Act of 1975 (SMARA), which is administered on the State level by the Office of Mine Reclamation and the State Mining and Geology Board. SMARA provides that local entities (i.e., cities and counties) shall adopt and administer local regulations for permitting and reclaiming surface mines. Los Angeles County's regulations, which have been certified as acceptable by the State Mining and Geology Board, are incorporated into the County Zoning Ordinance.
9. Under SMARA, the State Mining and Geology Board may designate certain places to be areas which are known to contain or are likely to contain mineral resources of regional significance. Two such areas have been identified in the Los Angeles County portion of the Antelope Valley. These are in the Littlerock

and Big Rock Creek drainages. In addition, the Mescal Creek drainage, easterly of the subject property, is classified by the Board as within an area containing mineral deposits of significance.

10. The required burden of proof set forth in the County Zoning Ordinance for a surface mining permit is as follows:

- That the requested surface mining operation conducted at the location proposed will not adversely affect the health, safety or welfare of persons residing in the surrounding area or otherwise endanger or constitute a menace to the public health safety or general welfare;
- That adverse ecological effects resulting from surface mining operations will be prevented or minimized;
- That the proposed site is adequately served by streets or highways of sufficient width and improved as necessary to facilitate the kind and quantity of traffic surface mining operations will or could generate; and
- That the proposed site for surface mining operations is consistent with the General Plan for Los Angeles County.

Approval of a reclamation plan is also required. The following additional findings apply:

- That the reclamation plan conforms to the requirements of SMARA, the State regulations adopted pursuant to SMARA, and the County Zoning Ordinance; and
- That the mined lands will be reclaimed so that they are readily adaptable for uses consistent with the (County) general plan.

11. Should the Commission take any action with respect to a reclamation plan which is at variance with a recommendation or objection raised by the Office of Mine Reclamation, the Commission's findings shall address each specific comment or objection which was not accepted.

12. The subject property and environs are classified "Nonurban 1: on the Antelope Valley General Plan. This classification would allow agricultural and open space uses and dwellings at a density up to one unit per two acres. The applicant proposes to leave the pit that would remain after the conclusion of mining (circa 2046) as permanent open space.

Portions of Big Rock Wash lying east of 155th Street East are within a County designated Significant Ecological Area (SEA). No portion of the subject property is within the SEA.

13. A Draft Environmental Impact Report (DEIR) was prepared and circulated for agency and public review. The Commission received extensive comment on the DEIR from both the public and governmental agencies, including the County Department of Public Works, the Regional Water Quality Control Board, Caltrans, the Office of Mine Reclamation and other State and County agencies having responsibility for mine regulation and related facilities.

14. In summary, the DEIR considered potential geotechnical, flood, noise, water quality, air quality, biological resource, cultural resource, visual quality, traffic and access, utility, environmental safety and cumulative impacts for the proposed mine and ancillary plants. The DEIR concluded that the mining and plant operations would have adverse air quality and visual impacts that cannot be reduced to insignificance by available mitigations and therefore would be unavoidable impacts of the project.

Since the project would result in unavoidable, adverse environmental impacts, a finding of OVERRIDING SOCIAL AND/OR ECONOMIC CONSIDERATIONS must be made if the project is to be approved.

15. Following completion of the written comment period and public hearings on the DEIR, the Commission directed that a final environmental impact report (EIR) be prepared.

The EIR contains a detailed description of the project and documents the projects' potential impacts and the proposed measures which could be undertaken to mitigate such impacts. The findings of fact with respect to these impacts and mitigation measures, a monitoring and reporting program, and a statement of overriding considerations for those impacts of the project which cannot be reduced to insignificance, are appended hereto as Attachment "A" and are included in these findings by reference as if set forth in full herein.

16. Included within the EIR are specific responses to comments provided by the Office of Mine Reclamation and Caltrans in satisfaction of SMARA requirements. Recommendations of these agencies have been incorporated into the conditions of grant as appropriate.

17. The applicant has projected an extensive period of over 42 years of production at the subject mine. Consequently, circumstances may be greatly altered during such a period of time. As a result, the Conditions of Grant will require that the first review of the project take place 10 years after the date of grant. The conditions will further provide that further regular reviews, as required by SMARA and County ordinance, shall be conducted at 10 year intervals.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. The requested surface mining operation will not adversely affect the health, safety or welfare or persons residing in the surrounding area or otherwise endanger or constitute a menace to public health, safety or general welfare.
- B. Potential adverse ecological effects resulting from surface mining operations will be prevented or minimized.
- C. The site is adequately served by streets and highways of sufficient width and improved as necessary to facilitate the kind and quantity of traffic surface mining operations will generate.
- D. The site for surface mining operations is consistent with the General Plan for Los Angeles County.
- E. The submitted reclamation plan, as conditioned, conforms to the requirements of Sections 2772, 2773 and 2773.1 of the Public Resources Code, applicable provisions of Title 14 of the California Code of Regulations and Title 22 of the County Code.
- F. The land reclaimed in accord with the plan as conditioned would be readily adaptable for uses consistent with the general plan.

And, therefore, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a surface mining permit and a reclamation plan as set forth in Sections 22.56.1300 and 22.56.1410 of Title 22 of the Los Angeles County Code, the Zoning Ordinance.

COMMISSION ACTION:

The Regional Planning Commission:

- A. Approves the final environmental impact report prepared for the project and certifies that it has independently reviewed and considered the information contained therein; and
- B. Certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act, the State Guidelines, and the County Guidelines; and
- C. Determines that the conditions of approval and mitigation measures discussed in Attachment "A" are the only mitigation measures for this project which are feasible and that unavoidable significant effects of the project after adoption of the mitigation measures, are as described in Attachment "A".
- D. Determines that the remaining, unavoidable environmental effects of the project, as described in Attachment "A", have been reduced to an acceptable level and are outweighed by the specific social, economic and environmental benefits of the project as stated in said Attachment "A".

In view of the findings of fact presented above, Surface Mining Permit 91109-(5) is **GRANTED** and the submitted reclamation plan is **APPROVED** subject to the attached conditions and monitoring program.

VOTE:

Concurring; Toy, Clark, Wulliger, Russell, and Guido

Dissenting; None

Abstaining; None

Absent; None

Date of Action; June 26, 1996

**DRAFT MODIFIED CONDITIONS FROM PERIODIC REVIEW
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 91109-(5)
SMP PERMIT NO. 91109**

PROJECT DESCRIPTION

The project is a periodic review of an already approved surface mine. The applicant wishes to amend two conditions and two mitigation measures of the approved Surface Mining Permit (SMP). The two condition modifications are: (1) modify surface water drainage improvement requirements onsite to more accurately reflect potential water flows from Big Rock Creek, (2) revise the Mining and Reclamation Plan to reflect the proposed surface water drainage information set forth in the revised hydrology study as approved by the Department of Public Works. The two mitigation measure modifications are: (1) revise the 60-foot height expectation requirement as it is not consistent with typical native plants and not sustainable in the local climate, and (2) revise the approved mine plan allowing a 50-year extraction and processing period to start in 2010 and expire in 2060. The permit is subject to the following conditions of approval:

MODIFIED CONDITIONS

1. The Mining and Reclamation Plan shall be revised to reflect the new drainage information as set forth by the report prepared by Joseph E. Bonadiman & Associates title *Hydrology Study and Drainage Analysis: Big Rock Wash Surface Mining and Reclamation Plan* (Aug. 3, 2007), as approved by the Los Angeles County Department of Public Works.
2. Condition number 4 shall be amended to read as follows:

This grant shall terminate on December 31, 2060, unless the right to mine is earlier terminated by abandonment or a change of use as provided by Condition 9d.

The reclamation plan shall be subject to review, as provided in Section 22.56.1440 of the County Code, on August 1, 2020, August 1, 2030, August 1, 2040, and August 1, 2050, at which times, if the mine has not already been reclaimed, the permittee shall submit the required application and fees for the review. The permittee shall consult with the Department of Regional Planning as least 90 days before the review dates to determine the requirements for filling.

MODIFIED CONDITIONS FROM PERIODIC REVIEW
AUGUST 2, 2011

CONDITIONS OF PROJECT APPROVAL
SURFACE MINING PERMIT NUMBER 91109-(5)

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the County Recorder the covenant referred to in Condition 9f.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65907. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted.

- a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall submit additional funds to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The costs for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

MODIFIED CONDITIONS FROM PERIODIC REVIEW
AUGUST 2, 2011

4. ~~This grant shall terminate on December 31, 2046, unless the right to mine is earlier terminated by abandonment or a change of use as provided in Condition 9d.~~

~~The reclamation plan shall be subject to review, as provided in Section 22.56.1440 of the County Code, on March 1, 2006, March 1, 2016, March 1, 2026 and March 1, 2036, at which times, if the mine has not already been reclaimed, the permittee shall submit the required application and fees for the review. The permittee shall consult with the Department of Regional Planning at least 90 days before the review dates to determine requirements for filing.~~

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject mine shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all enforcement efforts necessary to bring the subject property into compliance.

If the subject property is being used in violation of any of the conditions of this grant, or any provisions of the Surface Mining and Reclamation Act, the County may institute enforcement proceedings and seek administrative penalties pursuant to Public Resources Code Section 2774.1.

7. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
8. This grant allows surface mining for sand and gravel and ancillary asphaltic concrete and ready-mixed concrete plants, as described in the project environmental impact report (EIR),

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subject to the following restrictions as to use.

- a. The permittee shall submit to the Director of Planning four copies of a final mining and reclamation plan, which shall be a composite of the project description, the reclamation plan (including the revegetation plan), mitigations and mitigation monitoring contained in the EIR and the additional provisions of these conditions. If the director finds the plan to be conforming, the director shall forward copies to the Department of Public Works and the Office of Mine Compliance. No work shall commence under this grant until the director transmits a conforming final plan to the Department of Public Works and the Office of Mine Reclamation. All mining and reclamation shall comply with the provisions of the final plan. Any revisions to the plan shall be submitted to the director for a finding of conformance.
- b. No product shall be delivered from the subject property (except for product delivered to install road improvements on 155th Street East and at the intersection of 155th Street East and Pearblossom Highway) until the road improvement requirements of Condition 12 (pertaining to the improvement of 155th Street East and the intersection with Pearblossom Highway) have been completed to the satisfaction of the County Department of Public Works and Caltrans. The permittee shall place evidence of such completion on file with the Director of Planning.

Further, as agreed, the permittee shall not commence operation of the asphaltic concrete or ready-mixed concrete plants or deliver other product from the subject property until May 1, 2003, except:

- To construct road improvements on 155th Street and at the intersection of 155th Street and Pearblossom Highway;
 - As may be required for the construction of highway improvements on State Route 138 (Pearblossom Highway) between Longview Road and the Highway 18 - Highway 138 split;
 - To pave any on site roads or construct other on site facilities.
- c. The permittee's existing Palmdale plant shall be phased out as production at the subject facility is phased in. The combined production rates of the old and new plants shall not exceed 4,000 tons per day while both plants are in production. Records verifying compliance shall be

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- provided to the Director of Planning and/or the Director of Public Works upon request.
- d. Before commencement of any surface mining activity, the area to be used for such operations shall be enclosed with a fence as required by Chapter 11.48 of the County Code.
 - e. Temporary slopes shall not be created that will interfere with the construction of finished slopes conforming to the requirements of the reclamation plan.
 - f. Temporary slopes affecting off-site property shall meet the requirements of Chapter 70 of Title 26 of the County Code.
 - g. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.
 - h. The removal of vegetation and overburden in advance of surface mining shall be kept to a minimum.
 - i. In addition to the air and water quality mitigations listed in the project EIR, the permittee shall comply with all applicable requirements of the Regional Water Quality Control Board and the Air Quality Management Board.
 - j. The permittee shall suspend excavation in the vicinity of a cultural resource encountered during excavation and leave the resource in place until a qualified archaeologist can examine it and determine appropriate mitigation measures. The permittee shall comply with the mitigation measures recommended by the archaeologist and approved by the Director of Planning.
 - k. The boundaries of all property used or intended to be used for surface mining operations shall be posted within 90 days following the effective date of this mining permit, and permanently thereafter, with signs displaying the message "SURFACE MINING" in letters not less than four inches in height, and in letters not less than one inch in height, the message "This property may be used at any time for the extracting and processing of sand and gravel and similar materials by Ordinance No. 1494, County of Los Angeles." Such signs shall be posted not more than 500 feet apart, and displayed in such a manner as to give reasonable notice to nearby persons of the message contained thereon. Signs shall be promptly replaced as needed.
 - l. The permittee shall indemnify, defend and hold harmless

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the County and each of its officers, employees, agents, subsidiaries, and divisions from any and all claims, demands, liabilities, suits, causes of actions, judgments, costs and expenses, including attorneys' fees, arising, or allegedly arising from personal injury, including death, property damage, including loss of use thereof, economic loss, or otherwise, due in any manner to the negligence or intentional act of the permittee or any of its agents, employees, or subcontractors as a result of establishment or operation of the land use authorized by this permit, whether any actions of the County contributed thereto. This indemnification provision is in addition and cumulative to any other right of indemnification or contribution which the County may have. Before commencing surface mining operations, the permittee shall secure insurance to the extent of \$1,000,000 against liability in tort arising from the production, activities or operations incidental thereto conducted or carried on the subject property, and such insurance shall be kept in full force and effect during the period of such operations. The County of Los Angeles shall be named as an additional insured on such policy. Proof of compliance shall be tendered to the Director of Planning.

- m. Except in cases of declared public emergencies, as directed by public agencies, or where urgent maintenance is required, the hours of operation shall be:
- 4:30 a.m. to 8:00 p.m. for excavation, processing and plant operation;
 - 4:30 a.m. to 10:00 p.m. for maintenance activities.

The permittee shall notify the community advisory committee before conducting urgent maintenance between the hours of 10:00 p.m. and 4:30 a.m.

- n. The Phase 1 landscape screen shall be planted within one year of the date of this grant to the satisfaction of the Staff Biologist, Department of Regional Planning, and shall be continuously maintained thereafter. The permittee shall employ an individual to design and install the landscape screen and its irrigation system who, in the opinion of the Staff Biologist, Department of Regional Planning, is appropriately qualified by training and experience in the horticulture of the Antelope Valley to successfully carry out the required work. The permittee shall also retain expert assistance to maintain the landscape screen including maintenance of the irrigation system, to assure that the irrigation system functions properly and that plant growth is maintained and plants are replaced as necessary.

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Plants used in the screen shall be drought resistant, adapted to the Antelope Valley, and capable of rapid growth to a height necessary to effectively screen the plant and pit.

- o. The agency names and telephone numbers for their enforcement agents shall be posted on a sign at the facility entrance at a location visible to the public for the Regional Water Quality Control Board, the Air Quality Management District and the County Department of Public Works.
 - p. The permittee shall be responsible for assuring that exiting trucks are legally covered and/or loaded. Allowing illegally loaded or covered vehicles to exit shall be a violation of these conditions.
 - q. The permittee shall undertake the following additional noise abatement measures on the subject property:
 - Install and maintain a noise abatement wall on the south side of the asphalt burner that is taller than the burner;
 - Install processing and plant equipment which at the time of installation employs the best available control technology to achieve maximum noise abatement.
9. The submitted reclamation plan, as set forth in the EIR is approved, subject to the following modifications and conditions.
- a. The permittee shall make the site available for inspection by the Department of Public Works upon request by an authorized representative of said department.

The permittee shall compensate the Department of Public Works for the cost to the Department of conducting inspections and preparing reports and of assessing and holding financial assurances as provided by Title 22 of the County Code (Section 22.56.1460).
 - b. The permittee shall provide financial assurances for the completion of reclamation as required by Section 2770 and 2773.1 of the California Public Resources Code and Title 22 of the County Code and shall provide to the Department of Public Works such information as the Department deems necessary to set the amount of the assurances.
 - c. Should the mine become "idle" as defined in Section 2727.1 of the California Public Resources Code, the

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permittee shall comply with all requirements for submission of an interim management plan as set forth in Section 2770 of said Code and Title 22 of the County Code.

- d. The permittee shall, within one year of any of the following events, remove all machinery and other facilities not permitted by applicable zoning regulations and reclaim all mined areas not already reclaimed:
- Upon abandonment of the mine without intent to reopen;
 - Upon revocation or expiration of the permittee's right to mine, pursuant to Condition 4 and/or the provisions of Title 22 of the County Code;
 - If the mine becomes "idle", as defined in Section 2727.1 of the California Public Resources Code, and the permittee is required to reclaim because the mine is considered abandoned pursuant to the provisions of Section 2770 of said Code.

The permittee shall notify in writing the Director of Planning of any of the above occurrences within 30 days of any such occurrence.

- f. The permittee shall file a covenant with the County Recorder containing the following statement within 30 days following notice of approval:

"This property is subject to Reclamation Plan 91109-(5), requiring, together with other conditions, the completion of a reclamation program before use of the property for a purpose other than surface mining, except as otherwise provided in said plan. Agents of the County of Los Angeles and the State of California may enter upon such land to enforce the reclamation plan and to effect reclamation, subject to compliance with applicable provisions of law."

As agreed, the deed conveying the subject property to the permittee shall contain a restriction against use of the subject property as a Class 1, 2 or 3 Waste Disposal Site (landfill), as those terms are used in the California Code of Regulations.

- g. Permanent side slopes shall be backfilled under the supervision of an appropriately licensed professional in accord with the standards of Chapter 70 of Title 26 of the County Code.

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- h. Only marketable aggregate and construction base shall be exported from the site. Other excavated material shall be retained on site and used, as available, to reduce the side slope incline to less than 2:1 (horizontal:vertical) and/or backfill the pit to reduce its finished depth.
- 10. The permittee shall contribute a fair share in any drainage district which may be formed in the future to benefit the subject property and other properties in the Big Rock Creek drainage.
- 11. The following road improvements shall be provided to serve the mine and ancillary facilities.
 - a. Dedicate right of way for 155th Street East and install pavement on 155th Street East from SR 138 to the project entrance to provide one lane of travel in each direction to the satisfaction of the Department of Public Works. The pavement shall be designed for a traffic index of 10.0, unless otherwise provided by the department.
 - b. In accord with plans approved by Caltrans:
 - Acceleration and deceleration lanes on the north side of State Highway 138 (Pearblossom Highway) at 155th Street East (Some additional right-of-way may need to be acquired), the length which shall be based upon a design speed of at least 72 miles per hour or upon such greater standard as may be determined by Caltrans;
 - Left turn pocket for eastbound traffic on State Highway 138 (Pearblossom Highway) at 155th Street East;
 - W51 (SLOW TRUCKS) Signs on Highway 138 at 155th Street East, where required by Caltrans;
 - The installation of a flashing yellow beacon on both east and west bound State Route 138 prior to the intersection with 155th Street East, if an evaluation indicates that the installation of such a beacon is warranted in the opinion of Caltrans.
 - c. The permittee shall post a sign requiring all trucks that exit the subject property to turn only right (westbound) onto State Route 138 (Pearblossom Highway) from 155th Street East, until one of the following occurrences:
 - State Route 138 has been improved to a four lane highway between 155th Street East and 145th Street East and the dip on the east side of "Twin Bridges"

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has been removed;

- A traffic signal has been installed at the intersection of State Highway 138 and either 155th Street East or 165th Street East; or
- After May 1, 2006.

The sign may be covered and left turns permitted during construction of road improvements on State Route 138 as described in Condition 8b.

12. The permittee shall make a fair share contribution to an upgrade of the intersection of 155th Street East and SR 138 (Pearblossom Highway) if future increased use of the intersection by the permittee and other sand and gravel producers necessitates such an upgrade.
13. The permittee shall pay the Department of Regional Planning the actual cost of monitoring mitigation measures approved as conditions of grant; these costs shall include but may not be limited to staff time reviewing required reports, field inspections, dispute resolutions and staff/public interaction regarding such mitigation measures. An initial deposit of \$5,000 shall be submitted to the Department of Regional Planning, payable at the time that the final mining and reclamation plan is submitted for a finding of conformity (Condition 8a). The fund shall be replenished to a balance of \$5,000 or more if it drops at any time to a balance of less than \$1,000.
14. The permittee shall maintain and facilitate a Community Advisory Committee which shall serve as a liaison between the permittee and the community and as a means for the community to communicate with the County and other regulatory agencies regarding the operation of the mine. The Committee shall be comprised of representatives of the following organizations in the numbers specified:
 - Llano Community Association (2)
 - Crystallaire Property Owners Association (3)
 - Country Mobile Estates Residents (1)
 - Saint Andrew's Abbey (1)

The governing board of each represented organization shall annually provide written notice to the permittee of the names of its designated representatives.

The frequency of committee meetings and committee procedures shall be determined by the membership. Any changes in the member organizations shall be subject to approval by the Regional Planning Commission.

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If the committee finds that the permittee has breached the conditions of this grant, it may notify the Director of Planning. Such referrals shall be in writing. Enforcement shall be in accord with Condition 6 and applicable state and county regulations.

Rev: 4-24-96
Rev. 5-15-96

ATTACHMENT A

Findings of Fact Statement of Overriding Considerations and Final Mitigation Monitoring Matrix

Project No.91109-(5)

FINDINGS PER SECTION 15091 OF THE STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES AS AMENDED FOR THE BIG ROCK CREEK MINING AND RECLAMATION PLAN (STATE CLEARINGHOUSE No. 92061056)

The County of Los Angeles Regional Planning Commission hereby certifies that the Big Rock Creek Final Environmental Impact Report (FEIR), State Clearinghouse No. 92061056, has been completed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the County's Environmental Guidelines; and that prior to approving the project, the Regional Planning Commission reviewed and considered the information contained in the FEIR, all hearings and submissions of testimony from officials of the County of Los Angeles, County Departments, the Permittee (as defined below), the public and other municipalities and agencies.

Having received, reviewed and considered the foregoing information in the record, the County of Los Angeles Regional Planning Commission hereby makes findings pursuant to and in accordance with Section 21081 of the Public Resources Code as follows:

Background

The Final Environmental Impact Report consists of the Draft Environmental Impact Report (DEIR) (Volume 1), Technical Reports

(Volume 2), and Modifications to the DEIR, revised Summary of Environmental Impacts and Mitigation Measures and Response to Comments and Mitigation Monitoring Matrix (Volume 3). Collectively these are referred to as the Final Environmental Impact Report (FEIR) in accordance with the California Environmental Quality Act (Public Resources Code Section 21000).

The project proponent filed a Surface Mining and Reclamation Plan application with the County of Los Angeles (Project No. 91-109) on April 29, 1991. The proposed project involves surface mining and reclamation of the Big Rock Creek project site, as well as operation of a sand and gravel processing facility, and asphaltic concrete and ready-mixed-concrete plants on an approximately 140 - acre site. The site is within the unincorporated area of the Antelope Valley of Los Angeles County, on 155th Street East, about 2 mile north of State Highway 138 (Pearblossom Highway).

On May 9, 1991, the Surface Mining and Reclamation Plan application was reviewed by the County of Los Angeles Department of Regional Planning, Impact Analysis Section. The project application was found to be incomplete and a revised application was submitted on April 14, 1992. An Initial Study was prepared for the project (April 15, 1992), a determination was made that the project effects needed to be evaluated and disclosed in an Environmental Impact Report (EIR), and a Notice of Preparation (NOP) was publicly distributed to various agencies and interested parties requesting their comments in advance of preparation of the EIR. The NOP was circulated for public review and comment between May 19, 1992 and August 11, 1992.

Following circulation of the NOP and receipt of the preliminary comments, Granite Construction Company (the "Permittee") redesigned the Surface Mining and Reclamation Plan. (CEQA recognizes the use of EIRs as project planning tools and encourages applicants to revise their projects during and after impact(s) analysis. This is recommended by CEQA to enhance opportunities for mitigation and a method for mitigation to actually be incorporated into the project designs without compromise to the original project objectives).

The revised mining plan reduced the surface mining area of operations and material volumes proposed in the original application to allow for the construction of an energy dissipation by-pass structure. The April 1992 Surface Mining and Reclamation Plan intended to use the entire area to extract approximately 60,000,000 gross tons of material. The revised Plan proposes to mine approximately 110 acres and produce 42,000,000 gross tons of material (36,500,000 net tons of construction-grade aggregate). Most notable of the mitigation incorporated into the revised design is that extraction of material is no longer planned over the entire area. The project redesign resulted in:

1. Elimination of the impacts that would result from diverting flood water onto downstream properties;
2. Reduction of the life of the mining operation;
3. Reduction of the short-term effects on air-quality; and
4. Acceleration of the time for site reclamation.

The revised Surface Mining and Reclamation Plan was evaluated in the EIR.

The Environmental Impact Report

The proposed project, as revised, consists of establishing a surface mining operation on a 140 acre parcel. The project would yield approximately 42,000,000 gross (36,500,000 net) tons of construction-grade aggregate over an approximate 40 year production period. The Department of Regional Planning determined that the revised project should be evaluated against the same environmental criteria identified in the original NOP. The issues evaluated by the Department of Regional Planning for the revised project description as potentially significant are as follows:

1. Geotechnical
2. Flood
3. Noise
4. Water Quality
5. Air Quality
6. Biological Resources
7. Cultural Resources
8. Visual Quality
9. Traffic and Access
10. Utilities
11. Environmental Safety

A Draft Environmental Impact Report analyzing the potential impacts of the proposed project under the issues listed above was prepared under the supervision and direction of the Department of Regional Planning, Impact Analysis Section. A number of potential alternatives to the proposed project were also discussed in the Draft Environmental Impact Report, including 1) No Project; 2) Reduced Annual Production Rates; 3) Reduced Excavation Depth and 4) General Plan Designation/Existing Zoning Alternatives.

As part of the environmental review process, the Draft Environmental Impact Report was made available for public comment and input from September 25, 1995 through November 8, 1995. Public hearings on the proposed project, including the Draft Environmental Impact Report, were scheduled before the County of Los Angeles Regional Planning Commission at 9:00 AM on November 29, 1995 at the Regional Planning Commission Hearing Room in Los Angeles, at 9:30 AM on January 31, 1996 at the City Council Chamber in the City of Palmdale, and at 9:00 AM on March 4, 1996 at the Regional Planning Commission Hearing Room in Los Angeles.

Copies of the Draft Environmental Impact Report were distributed to interested parties and individuals and made available at the following locations:

County of Los Angeles
Littlerock Library
8135 Pearblossom Highway
Littlerock CA 93543

County of Los Angeles
Lake Los Angeles Library
16921 E. Avenue O
Palmdale CA 93951

Copies of the Draft Environmental Impact Report were also made available for public review at:

County of Los Angeles
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles CA 90012

Section 1 of these findings sets forth potential effects of the proposed project. This section addresses those effects that are not significant or which can feasibly be mitigated to a level of insignificance.

Section 2 discusses the significant unavoidable effects of the proposed project which cannot be effectively mitigated to a level of insignificance.

Section 3 provides findings regarding alternatives to the proposed project discussed in the FEIR.

Section 4 contains the Statement of Overriding Considerations.

Section 5 presents findings per Section 15091 of the State CEQA Guidelines and Section 21081 of the California Environmental Quality Act.

Section 1

Findings of Potential Impacts Identified as Not Significant or Mitigated to a Level of Insignificance

I. Potential Impacts Identified as Not Significant

The County of Los Angeles Regional Planning Commission has determined that the following impacts are less than significant, however, mitigation measures were adopted to further alleviate any potential effects.

A. Cultural Resources Impacts

Potential Impacts:

The archaeological analysis prepared for this project did not identify any pre-historic, archaeological artifacts, and although it is not expected that any evidence of prior occupation by native Americans will be found, mitigation measures are incorporated into the FEIR.

Mitigation Measures:

1. Company employees will be trained by a qualified archaeologist to recognize potential archeological artifacts.
2. If any archaeological artifacts are found during the excavation process, the operator will suspend excavation and an archaeologist will be called to evaluate the importance of the artifacts.
3. A Management Plan that will detail the action that must be taken to protect any potential find will be prepared and kept on file at the plant site.

Finding:

The County of Los Angeles Regional Planning Commission finds that the above mitigation measures should be adopted although the level of impact is less than significant.

The Annual Monitoring Report submitted to the County of Los Angeles Public Works Department will include the employees' signed statements that they have been trained by a qualified archeologist to recognize potentially significant archeological artifacts and will verify compliance with the Management Plan and with the mitigation recommended by a qualified archeologist if any artifacts are found during the excavation process.

B. Noise Impacts

Potential Impacts:

Although no sensitive noise receptors were identified near the project site and along 155th Street East, the mitigation measures designed to reduce visual impacts will also contribute to reduce noise levels.

Mitigation Measures:

1. Dense landscaping material will be planted around the eastern, southern and western project boundaries to reduce noise impacts.
2. A 6- to 10-foot high training dike south of the processing site will be built and will reduce noise levels emanating from stationary equipment.
3. The operator will install and maintain a noise abatement wall on the south side of the asphalt burner that is taller than the burner.
4. The operator will install processing and plant equipment which at the time of installation employs best available control technology to achieve maximum noise abatement.

5. Except in cases of declared public emergencies, as directed by public agencies, or when urgent maintenance is required, the hours of operation shall be:

- 4:30 to 8:00 a.m. for excavation, processing and plant operation;
- 4:30 a.m. to 10:00 p.m. for maintenance activities.

The operator shall notify the community advisory committee before conducting urgent maintenance between the hours of 10:00 p.m. and 4:30 a.m.

Finding:

The County of Los Angeles Regional Planning Commission finds that the above mitigation measures should be adopted although the level of impact is less than significant.

The operator will submit landscape plans for the visual buffer to the County of Los Angeles for approval before commencement of the landscaping installation. Photographic evidence that the landscape material has been installed will be presented with the first Annual Monitoring Report. The inspection by the Department of Public Works will document that the flood control structures were built to the satisfaction of the Department.

II. Potential Impacts Identified and Mitigated to a Level of Insignificance

The County of Los Angeles Regional Planning Commission has determined that the FEIR mitigation measures, included as part of the proposed project, will result in a substantial mitigation of the following effects and that these effects can feasibly be mitigated to a level of insignificance.

A. Geotechnical

Potential Impacts:

Seismic events in the region may dislodge loose material or may result in slumps, slides or slope failure at the excavation site. Project implementation will result in a pit, 110 acres in size and 165 feet deep. Failure of the side slopes could result in damage to adjacent properties and public right-of-way along 155th Street East. The Mining Plan was designed to include the mitigation measures identified in the FEIR.

Mitigation Measures:

1. Temporary cut slopes will be constructed at 1:1(h:v) for the upper 70 feet of the mining operation and at 1.5:1 for the lower 70-90 feet portion.
2. Final slopes will be recontoured to 2:1(h:v) or flatter and compacted in accord with the standards of the County of Los Angeles Grading Ordinance under the supervision of an appropriately licensed professional.
3. The toe of the slopes will be provided with a key¹ having a minimum width of 12 feet, and extending into the firm base material a minimum of 2 feet on the down-slope side of the key.

¹ Key = a cut into the slope for anchoring fill material

4. Eight-foot wide terraces will be constructed at every 20 feet of depth and a 20-foot wide terrace will be placed at the 100-foot depth, as required by the County of Los Angeles Grading Ordinance. Downdrains will also be constructed in conformance with the County of Los Angeles Grading Ordinance.

5. A minimum setback of 50 feet will be maintained at the project property boundary.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the impact to a level of insignificance.

The final mining plans will be drawn and submitted to the County of Los Angeles Public Works Department for approval. The Annual Monitoring Report filed with the County of Los Angeles Public Works Department will provide verification that the slope parameters are followed and that the slopes are constructed and compacted as required by the Reclamation Plan and under the supervision of a licensed professional.

B. Flood-Surface Water

Potential Impacts:

The project site could be inundated during capital storm magnitude flows and threaten the quarry site, as well as downstream properties.

Mitigation Measures:

The project plans have been designed to protect the quarry, and to reduce the velocity of the storm flows leaving the project site. The structures will be constructed in accordance with the design standards of the *County of Los Angeles Sedimentation Manual*.

1. Phase 1 (Refer to Figure 2-4, Mining Plan: Phase 1 in the Draft Environmental Impact Report)

a) Construct an earthen training dike south of the processing site. The height of the dike will be 5.5 feet above the existing grade throughout its length and will be increased to ten feet in height above natural ground level near the western end of the dike. The armored face of the berm will extend 15 feet below grade and will have rock or rip-rap protection as shown in Sections E-E and F-F of Figure 2-4 - Mining Plan: Phase 1 in the Draft Environmental Impact Report.

b) Construct a 1,200-foot wide channel at natural grade with 5.5 foot high berms on either side as shown on Figure 2-4 - Mining Plan: Phase 1 in the Draft Environmental Impact Report .

c) Construct a 100-foot rip-rap pad at the downstream end of the channel, with a rock or rip-rap protection as shown in Section A-A of Figure 2-4 - Mining Plan: Phase 1 in the Draft Environmental Impact Report .

d) Construct 5.5-foot high compacted earthen berms on either side of the channel. The armored face of the berms extend 10 feet below grade and will have rock or rip-rap protection as shown in Section B-B of Figure 2-4 - Mining Plan: Phase 1 in the Draft Environmental Impact Report.

2. Phase 2 (Refer to Figure 2-5 - Mining Plan: Phase 2 in the Draft Environmental Impact Report)

a) Extend the earthen training dike westerly. The height of the berm will be 5.5 feet above the existing grade throughout its length and will rise to 10 feet in height above natural ground level near the western end. The armored face of the berm extends 15 feet below grade and will have a rock or rip-rap protection as shown in Sections E-E and F-F of Figure 2-5 - Mining Plan: Phase 2 in the Draft Environmental Impact Report.

- b) Construct a 300-foot wide energy dissipation by-pass structure channel system consisting of 5 drop-structures and a transition section at the downstream end. The slope of the channel will be 0.20 percent. The drop structures will be separated by spillways as shown on Figure 2-5 - Mining Plan: Phase 2 in the Draft Environmental Impact Report.
- c) Construct a 100-foot wide pad at the downstream end of the channel, The armored face of the pad will have a rock or rip-rap protection as shown in Section A-A of Figure 2-5 - Mining Plan: Phase 2 in the Draft Environmental Impact Report.
- d) Construct a transition-area channel protection berm. The armored face of the berm extends 15 feet below grade and will have a rock or rip-rap protection as shown in Section J-J of Figure 2-5 - Mining Plan: Phase 2 in the Draft Environmental Impact Report.
- e) Construct upstream protection berms along either side of the channel. The armored face of the berms extend 10 feet below grade and will have a rock or rip-rap protection as shown Section G-G of Figure 2-5 - Mining Plan: Phase 2 in the Draft Environmental Impact Report .
3. The operator will maintain the energy dissipation by-pass structure and berms as shown on the Drainage Plans.
 4. The operator will obtain and regularly update a National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the environmental impacts to a level of insignificance.

The final flood control construction plans will be approved by the County of Los Angeles Public Works Department prior to construction and the Department will inspect the completed structures to assure that they are built to the satisfaction of the Department. The Annual Monitoring Report submitted to the County of Los Angeles Public Works Department, and inspections by the Department will ensure that the drainage structures are maintained to protect downstream properties. A copy of the latest NPDES permit will be included with the Annual Monitoring Report.

C. Water Quality and Water Supply

Potential Impacts - Process Wash Water

The process wash water pumped into the settling ponds could allow contaminants to be absorbed into the ground water over time.

Mitigation Measures:

Desilting/settling ponds will be designed to meet the specific requirements for the disposal of process wash water established by the California Regional Water Quality Control Board.

1. Two desilting/settling basins will be constructed to the requirements of the Regional Water Quality Control Board to allow for recycling of wash water. Approximately 70 percent of the water will be recycled. The requirements include the following:
 - a) The floor of the desilting basins will naturally seal to prevent percolation of water into the ground water table.
 - b) The basins will be operated as a closed-loop system.
 - c) The desilting basins will have sufficient free-board to prevent overflow during times of heavy precipitation.
 - d) A monthly maintenance and inspection program to check for cracks and leaks will be implemented.

2. Ready-mixed concrete truck wash-out stations will be constructed to capture and contain water used in the mixing drum. Excess or retrieved concrete will be stockpiled and recycled.
3. A Waste Discharge Requirement Permit will be obtained from the Regional Water Quality Control Board.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the water supply and the water quality impacts to a level of insignificance.

The Annual Monitoring Report submitted to the County of Los Angeles Public Works Department will verify that the desilting basins have been constructed and are in good working order, and that wash water does not percolate into the ground water.

The operator will obtain and annually update a Waste Discharge Requirement Permit and subsequent renewals will be submitted with the Annual Monitoring Report.

Potential Impacts - Depth of Excavation

Excavation of aggregate will occur to a maximum depth of 160 feet below natural ground level, lessening the distance to ground water.

Mitigation Measures:

1. Excavation will be to a minimum of 10 feet above the historic high ground water level and ground water will not be exposed at the site.
2. To preclude increases in sediments entering the natural drainage system, the operator will construct, maintain, clean and repair the training dike and the energy dissipation by-pass structure on an annual schedule.

3. Precipitation and resulting run-off will be controlled and stored in an engineered site drainage basin.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the potential for ground water contamination from mining operations. The Annual Monitoring Report, and annual inspections by the County of Los Angeles Public Works Department will verify that the mitigation measures are complied with and that all facilities are in good working order.

Potential Impacts - Above-ground storage fuel and oil tanks

Above-ground storage fuel and oil tanks will be constructed at the facilities site. Rupture of the tanks could significantly contaminate the ground water.

Mitigation Measure:

1. Above ground storage tanks will be either double vaulted or will be constructed over a concrete slab and surrounded by concrete-lined berms that will hold 150 percent of the amount of fuel and oil stored in the storage tanks. Permits will be obtained from the County of Los Angeles Fire Department prior to construction. Specific construction requirements will be determined at that time.

Finding:

Mitigation measure is feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measure is feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the impact to a level of insignificance.

The operator will obtain a permit from the County of Los Angeles Fire Department prior to construction of the storage tanks. All current permits and yearly updates will be submitted with the Annual Monitoring Report the County of Los Angeles Public Works Department.

Potential Impacts - Ground Water Availability

Ground water will be pumped from the local aquifer to serve the facility.

Mitigation Measure:

1. The water well proposed for the quarry operation will be drilled to provide process water for the proposed site. A drilling permit will be obtained from the County of Los Angeles Department of Health Services.

Finding:

Mitigation measure is feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measure is feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the water supply impacts to a level of insignificance.

The operator will obtain a water well drilling permit from the County of Los Angeles Department of Health Services and the permit will be submitted with the first Annual Monitoring Report.

D. Biological Resources

Potential Impacts

The project site will have an impact on the temporary loss of 110 acres of Mojave desert vegetation. This will result in the removal of Joshua trees, short-joint beavertail cacti and other plants, and the loss of habitat for animal species residing at the project site.

Mitigation Measures:

The operator will implement a Phased Revegetation Plan prepared for this project and evaluated in the FEIR, which will ensure that the desert vegetation will become reestablished at the project site upon completion of each mining and reclamation activity phase. In addition, the following mitigation measures will be implemented.

1. A qualified biologist will be responsible for capturing and relocating those animal species that are unwilling to relocate, such as the zebra striped lizard, the side blotched lizard, the desert horned lizard and others, and will capture and relocate all State-and Federally-listed sensitive animal species, prior to ground disturbance of each phase.
2. Seeds from Joshua trees and short-joint beavertail cacti will be collected and put into cold storage to serve as back-up propagation material during the revegetation process.
3. Prior to ground disturbance of each phase, the extraction area will be surveyed for short-joint beavertail cacti. Individual plants will be transplanted to a test area adjacent to the project site under the supervision of a qualified specialist.
4. Prior to ground disturbance of each phase, Joshua trees between 3 and 10 feet in height will be removed and donated to public agencies, such as CalTrans or Saddleback Buttes State Park; or to land owners who must comply with the City of Palmdale Desert Vegetation Ordinance; or they will be transplanted to undisturbed areas of the mining site.
5. Speed limits on unposted secondary roads to the project site will be restricted to 25 miles per hour or less to protect wildlife.
6. Company employees will be made aware of the presence of sensitive species in the project area, implementation measures to protect the species during project operations, and means by which individual employees can participate in the preservation of sensitive species.

7. Trash and food items shall be contained and regularly removed from the extraction site to prevent predators, such as ravens and coyotes, from visiting the site.

Finding:

Mitigation measures are feasible and required.

The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together the other conditions of approval and features incorporated into the project design, will reduce the impact to a level of insignificance. A qualified biologist will be responsible for the implementation of the mitigation measures and will report to the County of Los Angeles Department of Regional Planning.

E. Traffic and Access

Potential Impacts - Traffic Safety:

The intersection of State Highway 138 and 155th Street East has the potential of increasing safety risks to motorists traveling on State Highway 138.

Mitigation Measures:

1. Prior to initiation of mining activities, improvement plans will be submitted to CalTrans which will meet or exceed specified site distance requirements and turning pocket length as directed by CalTrans. Acceleration and deceleration lanes will be constructed on the north side, and a left-turn pocket will be in place for east bound traffic on State Highway 138 at 155th Street East, subject to the requirements and approval of CalTrans.
2. Granite Construction Company will enter into a secured agreement with the County of Los Angeles Public Works Department to pay the project's share of the cost to install traffic signals at the State Highway 138 /155th Street East intersection, when warranted.

3. Prior to initiation of mining activities, detailed signing and striping plans will be provided to the County of Los Angeles Department of Public Works and to CalTrans for review and approval.
4. Prior to initiation of mining activities, the operator will install W51 (Slow Trucks) signs on Highway 138 at 155th Street East.
5. The operator will install a flashing yellow beacon on both east and west bound State Highway 138 prior to the intersection with 155th Street East, if an evaluation indicates that the installation of such beacons is warranted in the opinion of CalTrans.
6. A CalTrans Encroachment Permit will be processed for work within the State Right-of-Way, such as signalization, grading, widening, drainage or freeway mainline improvements, etc. A CalTrans Study Project will be prepared for any work which exceeds \$1,000,000, not including Right-of-Way.
7. No products shall be delivered from the subject property (except for product delivered to install road improvements on 155th Street East and at the intersection of 155th Street East and State Highway 138 (Pearblossom Highway) until road improvement requirements, pertaining to the improvement of 155th Street East and the intersection with State Highway 138, have been completed to the satisfaction of the County Department of Public Works and CalTrans.

The operator shall not commence operation of the asphaltic concrete or ready-mixed concrete plant or deliver other product from the project site until **May 1, 2003**, except:

- a) To construct road improvement on 155th Street East and at the intersection of 155th Street East and State Highway 138;
- b) As may be required for the construction of highway improvements of State Highway 138 between Longview Road and State Highway 18;
- c) To pave any on-site roads or construct other on site facilities.

8. The operator shall post a sign requiring all trucks that exit the project site to turn only right (westbound) onto State Highway 138 (Pearblossom Highway) from 155th Street, until one of the following occurrences:
 - a) State Highway 138 has been improved to a four lane highway between 165th Street East and 145th Street East and the dip on the east side of "Twin Bridges" has been removed;
 - b) A traffic signal has been installed at the intersection of State Highway 138 and either 155th Street East or 165th Street East; or
 - c) The sign may be covered and left turns permitted during construction of road improvements on State Highway 138 as described in No. 7 above.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the impact to a level of less than significant. Prior to initiation of mining activities, the County of Los Angeles Public Works Department will verify that the improvements have been installed.

Potential Impacts - Roadway Pavement:

Access to the project site is gained via 155th Street East from State Highway 138. State Highway 138 is an east-west oriented 60-foot wide, two lane road that provides access to Palmdale to the west and I-15 to the east. 155th Street East extends from State Highway 138 to the project site as a 24-foot wide, two lane private road.

Mitigation Measures:

1. Adequate pavement will be provided on 155th Street East from State Highway 138 (Pearblossom Highway) to the project site, to allow one lane of travel in each direction. The pavement will be designed for a traffic index of 10.0 unless otherwise provided by the Department of Regional Planning.

2. Additional pavement will be provided on 155th Street East at the ingress/egress driveways for northbound-turning access into the processing facilities site.
3. Upon approval of the project and subsequent purchase of the project site by Granite Construction Company, the Company will make an irrevocable offer of private and future right-of-way, 32 feet from centerline, on 155th Street East.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the impact on the roadways in the project area to a level of insignificance. Prior to initiation of mining activities, the County of Los Angeles Public Works Department will verify that the improvements have been installed.

F. Utilities and Services

Potential Impacts - Water Availability:

A domestic water system is not available at the proposed project site. Ground water will be pumped from the local aquifer for dust control and aggregate washing, and for the production of ready-mixed concrete.

Mitigation Measures:

1. A water well will be drilled to provide water for the proposed plant operation. A well permit will be obtained from the County of Los Angeles Department of Health Services prior to drilling the well.
2. Potable water will be provided by bottled drinking water.

3. Rest room and hand-washing facilities will be provided with portable rest rooms, i.e. a trailer that has flush toilets and potable water supplied to lavatories. The holding tank to store waste water will be pumped regularly by a waste disposal company.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the impacts to a level of insignificance. The Annual Monitoring Report and annual inspections will verify that the facilities have been installed and are in good working order. Implementation of the mitigation measures will maintain the project impact at a level of insignificance.

G. Environmental Safety

Potential Impacts - High Voltage Power Lines

High voltage power lines are located immediately north of the project site and could potentially impact workers at the quarry.

Mitigation Measures:

1. The Mining Plan was designed so that quarrying activities are set back a minimum of 50 feet from the high voltage power lines to protect workers.
2. The entire project site will be fenced within one year of final project approval to prevent unauthorized access to the area.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will assure

that quarry workers are protected from the potential of falling power lines, and that unauthorized persons will be prevented from entering the site, reducing the impacts to a level of insignificance. The Annual Monitoring Report will verify that setbacks are maintained at all times.

Potential Impacts - Flood Water

Flood waters have the potential of inundating the quarry site during high flood flows.

Mitigation Measure:

1. Berms will be constructed as part of the Mining Plan and designed to direct flood flows to a 1,200-foot wide channel in the western part of the project site during Phase 1 of the operation and to an energy dissipation by-pass structure during Phase 2 and Phase 3.

Finding:

Mitigation measure is feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measure is feasible and, together with the conditions of approval and features incorporated into the project design, will assure that floodwater will not enter the quarry site, thereby reducing the impact to a level of insignificance. The Annual Monitoring Report submitted to the Public Works Department of the County of Los Angeles will verify that the flood control structures are constructed and maintained.

Potential Impacts - Slope Failure

Slope failure during severe seismic events could occur and result in damage to adjacent properties and endangering workers at the project site.

Mitigation Measures:

1. Cut slopes will be constructed at an angle of 1:1 for the first 70 feet and at 1.5:1 (h:v) for the lower 70 to 90 feet. Final slopes will be constructed at 2:1 (h:v) or flatter.

Finding:

Mitigation measure is feasible and required. The County of Los Angeles Regional Planning Commission finds that the construction of the slopes as shown on the approved Mining Plan is feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the impact to a level of insignificance. The Annual Monitoring Report submitted to the County of Los Angeles Public Work Department will verify that the slopes have been constructed as required by the Mining Plan.

Potential Impacts - Above-Ground Fuel and Oil Storage Tanks

Fuel, oil and other liquids will be stored in above-ground storage tanks. An undetected leak from fuel storage tanks, or a surface spill resulting from incorrect transfer of fuel during delivery or from overturned equipment may contribute to the risk of contamination.

Mitigation Measures:

1. The operator will obtain and annually update a Hazardous Material Inventory and Business Plan consistent with requirements of the County of Los Angeles Fire Department.
2. Above-ground storage tanks will be installed in accordance with Los Angeles County Fire Code, Article 79, Division V. This may include double-vaulted tanks or construction over a concrete slab, surrounded by berms that hold 1 2. times the amount of fuel and oil stored in the tanks. These will act as secondary containment. The specific requirements will be determined by County of Los Angeles Fire Department at the time of construction.
3. Warning signs will be posted in areas of hazardous materials storage.

4. Flammable materials will be secured and stored in conformance with County of Los Angeles Fire Department requirements.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the risk of contamination to a level of insignificance. The County of Los Angeles Fire Department will verify during their annual inspection that the storage tanks are in good working order.

Potential Impacts - Fire Protection

Domestic water for fire protection purposes is not available at the project site.

Mitigation Measure:

1. A *Fire Protection Plan* will be prepared by Granite Construction Company and approved by the County of Los Angeles Fire Department prior to project initiation. The *Fire Protection Plan* will demonstrate how required fire suppression facilities and fire flows will be provided.

Finding:

Mitigation measure is feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measure is feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the potential impact to a level of insignificance. Verification that the measure is in place will be provided through the Annual Monitoring Report.

Potential Impacts - Traffic Safety

Increase in project related truck traffic is of concern along State Highway 138 at 155th Street East.

Mitigation Measure:

1. Prior to mining operation initiation, acceleration and deceleration lanes will be constructed on the north side, and a left-turn pocket will be in place for east bound traffic on State Highway 138 at 155th Street East by Granite Construction Company or by CalTrans.
2. The operator will install W51 (Slow Trucks) signs on Highway 138 at 155th Street East.
3. The operator will install a flashing yellow beacon on both east and west bound State Highway 138 prior to the intersection with 155th Street East, if an evaluation indicates that the installation of such beacons is warranted in the opinion of CalTrans.
4. No products shall be delivered from the subject property (except for product delivered to install road improvements on 155th Street East and at the intersection of 155th Street East and State Highway 138 (Pearblossom Highway) until road improvement requirements, pertaining to the improvement of 155th Street East and the intersection with State Highway 138, have been completed to the satisfaction of the County Department of Public Works and CalTrans.

The operator shall not commence operation of the asphaltic concrete or ready-mixed concrete plant or deliver other product from the project site until **May 1, 2003**, except:

- a) To construct road improvement on 155th Street East and at the intersection of 155th Street East and State Highway 138;
- b) As may be required for the construction of highway improvements of State Highway 138 between Longview Road and State Highway 18;
- c) To pave any on-site roads or construct other on site facilities.

5. The operator shall post a sign requiring all trucks that exit the project site to turn only right (westbound) onto State Highway 138 (Pearblossom Highway) from 155th Street, until one of the following occurrences:
 - a) State Highway 138 has been improved to a four lane highway between 165th Street East and 145th Street East and the dip on the east side of "Twin Bridges" has been removed;
 - b) A traffic signal has been installed at the intersection of State Highway 138 and either 155th Street East or 165th Street East; or,
 - c) The sign may be covered and left turns permitted during construction of road improvements on State Highway 138 as described in No. 4 above.

Finding:

Mitigation measures are feasible and required. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will reduce the impact to a level of insignificance.

The County of Los Angeles Public Works Department will verify that the roadway improvements have been installed by the operator or by CalTrans prior to mining operation initiation.

Section 2

SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS WHICH CANNOT BE MITIGATED TO A LEVEL OF INSIGNIFICANCE

The County of Los Angeles Regional Planning Commission has determined that, although the FEIR mitigation measures and conditions of approval imposed on the project will provide a substantial mitigation of the following effects, these effects cannot feasibly be mitigated to a level of insignificance. Consequently, in accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Considerations has been prepared to substantiate the Regional Planning Commission's decision to accept these unavoidable adverse environmental effects because of the benefits afforded by the proposed project.

A. AIR QUALITY

The Antelope Valley is within the South Coast Air Basin which is a non-attainment area. Both State and Federal air quality standards are exceeded for PM - 10 (Particulate Matter), Carbon Monoxide (CO) and Nitrogen Oxide (NO_x).

Potential Impacts: Generation of PM - 10 (Particulate Matter).

Mitigation Measures:

While the PM - 10 emissions listed above exceed the thresholds established by the South Coast Air Quality Management District, the proposed project will have a net benefit on the air quality in the South Coast Air Basin, in that the proposed project will replace an existing aggregate mining and processing operation in the same airshed. The improvements will be attained due to the fact that the new plant will use best available control technology to control PM - 10 emissions, while the old plant is not required to use the most up-to-date

equipment available. The overall emission of PM -10 will be reduced from 471 pounds per day at the old facility to 261 pounds per day at the proposed project, a net reduction of 210 pounds per day.

1. South Coast Air Quality Management District permits (*Authority to Construct and Permit to Operate*) must be obtained and renewed when they are due to ensure that *Best Available Control Technology* is implemented.
2. Fugitive dust impacts from material handling and in-plant travel will be controlled through use of sonic fog and/or water spray on in-plant travel paths, storage piles and load-out systems, and through an aggressive program of roadway sweeping and watering to remove spillage from public and private roadways.

Minimum implementation action of this mitigation measure will be to meet the requirements of the Air Quality Management District Rule 401 prohibiting a visible dust plume at the project boundary and Rule 403 limiting the downwind versus upwind dust increment that can be added by a project.

3. A *Comprehensive Fugitive Dust Control Program* will be developed and implemented before commencement of extraction.
4. A *High Wind Response Plan* in accordance with Rule 403 of the South Coast Air Quality Management District will be developed and implemented at times when wind speeds exceed 25 mph to reduce PM - 10 emissions.
5. Dust transport away from the facility will be mitigated by planting a dense landscape screen around the western, southern and eastern boundaries of the project site that utilizes fast-growing trees and shrubs. This will reduce wind erosion and off-site dust transport from the processing site.
6. Combined production rates of the old and the proposed plant will not exceed an average of 4,000 tons per day over a one-year period while both plants are in production during the change-over period.

Finding:

Mitigation measures feasible and required, but impact unavoidable.

The County of Los Angeles finds Regional Planning Commission that the above mitigation measures are feasible and, together with the conditions of approval, features incorporated into the project design and the replacement of the old aggregate processing facility, will reduce the impact, but not to a level of insignificance. A Statement of Overriding Considerations has been prepared. (Refer to Section 4)

Potential Impacts: Generation of Carbon Monoxide (CO) and Nitrogen Oxide (NO₂)

Although there is no increase in CO or NO₂ from the proposed plant site, there is an increase in these emissions due to the increased material hauling distance of natural and processed aggregate associated with the proposed plant.

Mitigation Measures:

There are no feasible mitigation measures available to shorten the distance between the proposed project and the market for the material or the distance traveled by employees from their home to the remote project site.

Finding:

Mitigation measures are not available, and the environmental impact is unavoidable. The County of Los Angeles Regional Planning Commission finds that no feasible mitigation measures exist to reduce the impact of the proposed project to a level of insignificance.

The impact identified in the FEIR cannot be mitigated, because the hauling distance between the proposed plant and the market place cannot be shortened. The distance traveled by employees of the

proposed facility and their home will also increase. This will result in an increase in air emissions.

A Statement of Overriding Considerations has been prepared. (Refer to Section 4).

B. Visual Quality

Potential Impacts:

The excavation of a deep hole during mining activities will result in an alteration of landform. The processing facility and the excavation site will be visible to motorists traveling along State Highway 138, which is about 60 feet higher in elevation than the project site, and by the community of Crystallaire, located about 300 feet higher in elevation and approximately two-and-one-half miles south. Mitigation measures have been adopted that will lessen, but not avoid, the impacts which will remain significant.

Mitigation Measures:

1. Stationary equipment and structures will be painted in desert colors that will camouflage the equipment. This mitigation is not intended to supersede the requirements of MSHA and/or OSHA as they pertain to *safety* colors of equipment.
2. A dense landscape screen will be planted along the eastern, southern and western project boundaries to buffer the site from view. The landscape screen will be comprised of plants that filter out a minimum of 60 percent of the exposed frontage and attain a height of 20 feet within five years, and will grow up to 60 feet in height at maturity.
3. Landscaping material will be planted within one year of approval of the project to give plants an opportunity to grow prior to initiation of the full project.
4. All lighting will be shielded and directed on-site to minimize potential glare and the creation of a *glow effect*.

Finding:

Mitigation measures are feasible and required, but impact unavoidable. The County of Los Angeles Regional Planning Commission finds that the above mitigation measures are feasible and, together with the conditions of approval and features incorporated into the project design, will partially reduce the impacts, but not to a level of insignificance. A Statement of Overriding Considerations has been prepared. (Refer to Section 4)

Section 3

Findings Regarding the Alternatives to the Proposed Project

Alternatives to the revised project described in the FEIR were considered. The alternatives discussed in the FEIR constitute a reasonable range of potential options necessary to permit a reasoned choice. Although the FEIR identified the No Project Alternative as the environmentally superior alternative, the County of Los Angeles Regional Planning Commission did not select this alternative, but instead approved the proposed project with the FEIR mitigation measures which will avoid or substantially lessen most of the potential environmental impacts. Consequently, in accordance with section 15093 of the State CEQA Guidelines, a Statement of Overriding Considerations was adopted which substantiates the County of Los Angeles Regional Planning Commission's decision to reject the environmentally superior alternative because the benefits of the proposed project outweigh the potential negative impacts.

ALTERNATIVE 1: No - Project Alternative

The FEIR describes the *No-Project Alternative* as a continuation of existing conditions on the project site. The project site would remain in its current state available for open space or residential uses as designated by the Antelope Valley Areawide General Plan. A full description of the alternative can be found in Section 5.2 of the DEIR.

Finding:

Alternative Infeasible. The County of Los Angeles Regional Planning Commission finds that the alternative does not meet any of the project objectives and is inconsistent with mandates of the State of California which require that a 50 year supply of aggregate reserves be permitted in any given Production-Consumption Region. A Surface Mining project can only be located where the natural resource in the form of construction-grade aggregate is found. This project site, located in the Palmdale/Lancaster Production-Consumption Region, is

classified by the State of California as a Mineral Resources Zone 2, which indicates that, based on the geological characteristics of the area, there are mineral resources of local and regional significance at the site. Thus, the *No Project Alternative* would reduce the availability of sand and gravel resources necessary to support existing and projected growth and the maintenance and construction of the infrastructure in the Antelope Valley area. Therefore, for these reasons, the Regional Planning Commission rejects this alternative.

ALTERNATIVE 2 - Reduced Production Rates Alternative

The DEIR describes the *Reduced Production Rates Alternative* in detail in Section 5.3. Reducing the scope of the project would reduce, but not avoid, the significant environmental impacts associated with the proposed project. The FEIR describes the *Reduced Production Rates Alternative* as consisting of two potential scenarios:

1. Reduce the annual production rates to half of the proposed rates, or
2. Reduce the depth of the proposed excavation site to half of the proposed depth.

A comparison of potentially significant impacts of the proposed project alternatives can be found in Section 5.3 of the DEIR.

Finding:

Alternative Infeasible. The County of Los Angeles Regional Planning Commission finds that the *Reduced Production Rates Alternatives* would lessen, but not totally avoid, the unavoidable significant environmental impacts associated with the project as proposed. Both alternatives are considered environmentally superior to the proposed project. Under either scenario, this alternative would arbitrarily limit the project proponent's ability to achieve the long-range goal of providing aggregate reserves to the region and would not be consistent with mandates of the State of California which require that a 50 year supply of aggregate reserves be permitted in any given Production-Consumption Region. As approved, the project would meet only 30%

of the projected 50 year need, and this alternative would significantly reduce the projects ability to meet that need without any corresponding environmental benefit. Therefore, for these reasons, the Regional Planning Commission rejects this alternative.

ALTERNATIVE 3: General Plan Designation / Existing Zoning Alternative

The *General Plan Designation / Existing Zoning Alternative* considers a land use different from the one proposed. The project area is designated N-1 (Non-Urban 1) and zoned A-2-5. This zoning designation permits the development of a large lot subdivision and the construction of single-family homes.

With the *General Plan Designation / Existing Zoning Alternative*, only environmental safety impacts identified in Section 3.11 of the DEIR would be avoided. All other environmental impacts would still be experienced, although some of the impacts would be of a different nature. A detailed description of the impacts are listed in Section 5.4 of the DEIR.

Finding:

Alternative Infeasible. The County of Los Angeles Regional Planning Commission finds that the *General Plan Designation / Existing Zoning Alternative* does not avoid or substantially lessen the unavoidable significant environmental impacts of the proposed project, nor does it meet any of the project objectives. Indeed, this alternative would not in any event be implemented by the applicant, who is in the aggregate extraction business and not the residential development business. This alternative would also not be consistent with the mandates of the State of California which require that a 50 year supply of aggregate reserves be permitted in any given Production-Consumption region. Therefore, for these reasons the Regional Planning Commission rejects this alternative.

Section 4 Statement of Overriding Considerations

The FEIR identified and discussed significant effects which will occur as a result of the proposed project. Through implementation of the mitigation measures in the FEIR, these effects can be mitigated to levels of insignificance except for specific unavoidable significant impacts on Air Quality and Visual Quality, as identified in Section 2 of these findings.

Having reduced the environmental impacts of the project by adopting the conditions of approval (including the mitigation measures identified in the FEIR), and having balanced the benefits of the project against the project's potential unavoidable adverse impacts, the County of Los Angeles Regional Planning Commission hereby determines that the benefits of the project as conditioned outweigh the potential unavoidable adverse impacts, and that the unavoidable adverse impacts are nonetheless acceptable, based on the following considerations:

1. The project will provide construction-grade aggregate for the region to meet the need identified by the California Department of Conservation - Division of Mines and Geology. Existing permitted reserves will not meet the State mandated 50-year supply.
2. The project site is a good location for this type of facility in that there are no nearby residential neighbors, and the project is located near where the expected demand for its products will occur, thereby providing for a reduction in material costs through reduced trip distances for truck hauls, with a concomitant benefit to air quality.
3. The project will serve as a positive generator of revenue to the County of Los Angeles General Fund in the form of property taxes and sales tax throughout the years of operation.
4. The project is a replacement facility that will utilize Best Available Control Technology and thereby result in less adverse air quality impacts than the existing facility.

5. As a replacement for an existing facility, the project will retain jobs, not only associated with the existing facility but also associated with the numerous businesses in the construction industry that benefit from this project's presence in the Palmdale/Lancaster area.

Section 5
Section 15091 and Section 21081 Findings

Based on the foregoing findings and the information contained in the record, the Regional Planning Commission has made one or more of the following findings in respect to the significant effects of the proposed project:

1. Changes and alterations have been required in, or incorporated into, the proposed project which mitigate or avoid many of the significant environmental effects as identified in the FEIR.
2. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or alternatives identified in the FEIR.

Based on the foregoing findings and the information in the record, the Regional Planning Commission hereby finds, as follows:

1. All significant effects on the environment due to the proposed project have been avoided or substantially lessened where feasible.
2. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations set forth in the foregoing Statement of Overriding Considerations.

**DRAFT MITIGATION MEASURES FROM PERIODIC REVIEW
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 91109-(5)
SMP PERMIT NO. 91109**

1. Flood-Surface Water Mitigation Measures 1a – 1d, 2a – 2d, and 3 are no longer part of this permit’s Mitigation, Monitoring and Reporting Program because the by-pass channel and other flood control structures identified therein as part of the Reclamation Plan are no longer necessary.
2. Visual Quality Mitigation Measure number 2 shall be amended to read as follows:

<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>I. Visual Quality</p> <p>2. A landscape screen shall be planted along the eastern, southern, and western project boundaries to buffer the site from view. The applicant shall work with a qualified biologist to design a landscape screen that is comprised of plants that grow well in the area’s climate and that can filter out a minimum of 60 percent of the exposed frontage.</p>	<p>2. Granite Construction Company will submit landscape plans for the visual buffer to the County of Los Angeles for approval before commencement of planting of the buffer.</p>	<p>2. County of Los Angeles.</p>	<p>Upon approval of modified conditions from periodic review.</p>

MODIFIED MITIGATION MONITORING REPORTING
PROGRAM FROM PERIODIC REVIEW
AUGUST 2, 2011

1.6 Final Mitigation Monitoring Matrix

The following matrix was prepared for the FEIR and includes amendments made in response to comments on the Draft Environmental Impact Report and the Regional Planning Commission hearing process for the Big Rock Creek project.

<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>A. Geotechnical</p> <p>1. Temporary cut slopes will be constructed at 1:1 for the upper 70 feet of the mining operation and at 1.5:1 (h:v) for the lower 70-90 feet portion.</p> <p>2. Final Slopes shall be recontoured to 2:1 (h:v) or flatter and compacted in accordance with the standards of the County of Los Angeles Grading Ordinance under the supervision of an appropriately licensed professional.</p>	<p>1. Prior to project initiation the project plans will be drawn and submitted to the County of Los Angeles Department of Public Works for final approval. The slopes will be constructed as described in the project description. The <i>Annual Monitoring Report</i> filed with the County of Los Angeles Public Works Department will provide verification that the slope parameters are followed during excavation activities.</p> <p>2. The project plans will be drawn to indicate the final slopes at 2:1 (h:v) or flatter. The Annual Monitoring Report filed with the County of Los Angeles Department of Public Works will provide documentation that the recontoured slopes were constructed and compacted as required by the Reclamation Plan and under the supervision of a licensed professional. The Department of Public Works shall inspect slope work at intervals determined by the Department.</p>	<p>1. County of Los Angeles Department of Public Works</p> <p>2. County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p>

3

**MODIFIED MITIGATION MONITORING REPORTING
PROGRAM FROM PERIODIC REVIEW
AUGUST 2, 2011**

Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>A. Geotechnical (Continued)</p> <p>3. The toe of the slopes will be provided with a key¹ having a minimum width of 12 feet, and extending into the firm base material a minimum of 2 feet on the down-slope side of the key.</p> <p>4. Eight-foot wide terraces will be constructed at every 20 feet of depth and a 25-foot wide terrace will be placed at the 100-foot depth, as required by the County of Los Angeles Grading Ordinance. Downdrains will also be constructed in conformance with the County of Los Angeles Grading Ordinance.</p> <p>5. A minimum setback of 50 feet shall be maintained at the project property boundary.</p>	<p>3. The final, approved project plans will show keying details as required by the Reclamation Plan. The <i>Annual Monitoring Report</i> filed with the County of Los Angeles Department of Public Works will provide documentation that the keying details were followed as required.</p> <p>4. The final, approved project plans will show the terraces and downdrains, and the Reclamation Plan will be constructed as shown on these plans. The <i>Annual Monitoring Report</i> filed with the County of Los Angeles Department of Public Works will provide documentation that the structures were constructed as required.</p> <p>5. The final, approved project plans shall be drawn to conform to the setbacks shown on the project description, and excavation will not take place within the setback areas. Verification that the setbacks are maintained shall be shown on a scaled, aerial photograph submitted with the <i>Annual Monitoring Report</i> filed with the County of Los Angeles Department of Public Works.</p>	<p>3. County of Los Angeles Department of Public Works</p> <p>4. County of Los Angeles Department of Public Works and Department of Regional Planning</p> <p>5. County of Los Angeles Department of Public Works and Department of Regional Planning</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p>

¹ Key = a cut into the slope for anchoring fill material

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>B. Flood - Surface Water</p> <p>The flood control structures will be built at the proposed project site to mitigate any potential, hydrological impacts. The flood control structure plans will be submitted to the County of Los Angeles Department of Public Works for final approval prior to construction, and the Department of Public Works will inspect the flood control structures when built. The structures will be constructed in accordance with the design standards of the County of Los Angeles Sedimentation Manual.</p>	<p>1. Phase 1 and Flood control structures The inspection by the Department of Public Works will document that the flood control structures were built to the satisfaction of the County of Los Angeles Department of Public Works.</p>	<p>1. County of Los Angeles Department of Public Works</p>	<p>Prior to initiation of Phase 1.</p>
<p>1. Phase 1 (Refer to Figure 1-3, Mining Plan, Phase 1 in FEIR)</p> <p>a) Construct an earthen training dike south of the processing site. The height of the dike will be 5.5 feet above the existing grade throughout its length and will be increased to ten feet in height above natural ground level near the western end of the dike. The armored face of the berm will extend 15 feet below grade and will have rock or rip rap protection.</p>			

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>B. Flood Surface Water (continued)</p> <p>b) Construct a 1,200-foot wide channel at natural grade with 5.5-foot high berms on either side.</p> <p>c) Construct a 100-foot rip-rap pad at the downstream end of the channel, with a rock rip-rap protection.</p> <p>d) Construct 5.5-foot high compacted earthen berms on either side of the channel. The armored face of the berms extend 10 feet below grade and will have rock or rip-rap protection.</p> <p>2. Phase 2 (Refer to Figure 1-4 - Mining Plan, Phase 2 of FEIR)</p> <p>e) Extend the earthen training dike westerly. The height of the berm will be 5.5 feet above the existing grade throughout its length and will rise to 10 feet in height above natural ground level near the western end. The armored face of the berm extends 15 feet below grade and will have a rock or rip-rap protection.</p>	<p>2. Phase 2 e - Flood Control Structures - The inspection by the Department of Public Works will document that the flood control structures were built to the satisfaction of the County of Los Angeles Department Public Works</p>	<p>2. County of Los Angeles Department of Public Works</p>	<p>Prior to initiation of Phase 2.</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>B. Flood - Surface Water (continued)</p> <p>b) Construct a 300-foot wide energy dissipation by-pass structure channel system consisting of 5 drop structures and a transition section at the downstream end. The slope of the channel will be 0.20 percent. The drop structures will be separated by spillways.</p> <p>e) Construct a 100-foot wide pad at the downstream end of the channel. The armored face of the pad will have a rock or rip-rap protection.</p> <p>f) Construct a transition area channel protection berm. The armored face of the berm extends 15 feet below grade and will have a rock or rip-rap protection.</p> <p>3. Construct upstream protection berms along either side of the channel. The armored face of the berms extends 10 feet below grade and will have a rock or rip-rap protection.</p>	<p>3. The Annual Monitoring Report submitted to the County of Los Angeles Department of Public Works and inspection by the Department will ensure that the drainage structures are maintained to protect downstream properties.</p>	<p>3. County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>B. Flood - Surface Water (continued)</p> <p>4. <u>The operator will obtain and regularly update a National Pollutant Discharge Elimination System (NPDES) Permit for regulated discharges from the Regional Water Quality Control Board.</u></p>	<p>4. <u>A copy of the latest NPDES Permit will be included with the Annual Monitoring Report submitted to the County of Los Angeles.</u></p>	<p>4. Regional Water Quality Control Board, and Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>C. Noise</p> <p>1. Dense landscaping material will be planted around the eastern, southern and western project boundaries to reduce noise impacts.</p> <p>2. A 5.5 - to 10-foot high training dike south of the processing site will be built and will further reduce noise levels emanating from stationary equipment.</p> <p>3. The operator will install and maintain a noise abatement wall on the south side of the asphalt burner that is taller than the burner.</p> <p>4. The operator will install processing and plant equipment which at the time of installation employs the best available control technology to achieve maximum noise abatement.</p>	<p>1. The operator will submit landscape plans for the visual buffer to the Department of Regional Planning for approval before commencement of the landscaping installation. Photographic evidence will be presented with the first Annual Monitoring Report that the landscape material has been installed. The landscaping shall be inspected by the Department of Regional Planning.</p> <p>2. The Inspection of the County of Los Angeles Department of Public Works will document that the flood control structures have been built to the satisfaction of the Department.</p> <p>3. The Annual Monitoring Report will verify that the noise abatement wall was installed on the south side of the asphalt burner.</p> <p>4. The Annual Monitoring Report will verify that new equipment, using best available technology, was installed.</p>	<p>1. County of Los Angeles Department of Regional Planning and Los Angeles Department of Public Works</p> <p>2. Los Angeles Department of Public Works</p> <p>3. Los Angeles Department of Public Works</p> <p>4. Los Angeles Department of Public Works</p>	<p>Upon final approval of the project and with First Annual Monitoring Report</p> <p>Upon final approval of the project and with First Annual Monitoring Report</p> <p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>C. Noise (continued)</p> <p>5. <u>Except in cases of declared public emergencies, as directed by public agencies, or when urgent maintenance is required, the hours of operation shall be:</u></p> <ul style="list-style-type: none"> - <u>4:30 to 8:00 a.m. to 8:00 p.m. for excavation, processing and plant operation;</u> - <u>4:30 a.m. to 10:00 p.m. for maintenance activities.</u> <p><u>The operator shall notify the community advisory committee before conducting urgent maintenance between the hours of 10:00 p.m. and 4:30 a.m.</u></p>	<p>5. <u>The Annual Monitoring Report will include a statement of the number of times the operator worked in cases of a declared public emergency or conducted urgent maintenance.</u></p> <p>4- and 2- <u>The first Annual Monitoring Report submitted to the Los Angeles Department of Public Works will verify that landscaping has been installed.</u></p>	<p>5. Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>D. Water Supply</p> <p>1. Excavation will be to a minimum of 10 feet above the historic high ground water level and ground water will not be exposed at the site.</p> <p>2. The water well proposed for the quarry operation will be drilled to provide fresh process water for the proposed site.</p> <p>3. A drilling permit will be obtained from the County of Los Angeles <u>Environmental-Health Department of Health Services.</u></p>	<p>1. Excavation will cease should ground water be encountered at any time during the mining process and will move to higher ground until the water level has decreased. <u>The event will be reported in the Annual Monitoring Report.</u></p> <p>2. Granite Construction Company will obtain and annually update a Waste Discharge Requirement Permit (if needed) from the Regional Water Quality Control Board and the permit and subsequent renewals will be submitted with the Annual Monitoring Report .</p> <p>3. Granite Construction Company will obtain a well-drilling permit from the County of Los Angeles <u>Environmental-Health Department of Health Services</u> and the permit will be submitted with the First Annual Monitoring Report.</p>	<p>1. County of Los Angeles Department of Public Works</p> <p>2. Regional Water Quality Control Board</p> <p>3. County of Los Angeles Department of Health Services</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>First Year of Annual Monitoring Report</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>E. Water Quality</p> <p>The desludging/settling ponds will be designed to meet the specific requirements for the disposal of wash- and processing waters established by the California Regional Water Quality Control Board.</p> <p>1. Two desludging/settling basins will be constructed to the requirements of the Regional Water Quality Control Board to allow for recycling of wash water. Approximately 70 percent of the wash water will be recycled. The requirements include the following:</p> <ul style="list-style-type: none"> a) The floor of the desludging basins will naturally seal to prevent percolation of water into the ground water table. b) The basins will be operated as a closed-loop system. c) The desludging basins will have sufficient free-board to prevent overflow during times of heavy precipitation. d) A monthly maintenance and inspection program to check for cracks and leaks will be implemented. 	<p>1. The annual site inspection conducted by the County of Los Angeles will verify that desludging basins have been constructed and are in working order, and that wash water does not percolate downward into the ground water.</p>	<p>1. County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>E. Water Quality (continued)</p> <p>2. To preclude increases in sediments entering the natural drainage system, Granite Construction Company will construct, maintain, clean and repair the training dike and the energy dissipation by-pass structure on an annual schedule.</p> <p>3. Ready-mixed concrete truck wash-out stations will be constructed to capture and contain water used in the mixing drum. Excess or retrieved concrete will be stockpiled and recycled.</p> <p>4. A Waste Discharge Requirement Permit will be obtained from the Regional Water Quality Control Board.</p>	<p>2. The annual site inspection conducted by the County of Los Angeles will include a field inspection of the berms and the flood-control structures.</p> <p>3. The ready-mixed concrete truck wash-out station and the recycling stockpile will be inspected during the annual site inspection by Los Angeles Department of Public Works.</p> <p>4. The operator will obtain a well-drilling permit and the permit will be submitted with the First Annual Monitoring Report.</p>	<p>2. County of Los Angeles Department of Public Works</p> <p>3. County of Los Angeles Department of Public Works</p> <p>4. Regional Water Quality Control Board</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>E. Water Quality (continued)</p> <p>5. Above ground storage tanks will be either double vaulted or will be constructed over a concrete slab and surrounded by concrete-lined berms that will hold 150 percent of the amount of fuel and oil stored in the storage tanks. Permits will be obtained from the County of Los Angeles Fire Department prior to construction. Specific construction requirements will be determined at that time.</p>	<p>5. Granite Construction Company will obtain a permit from the County of Los Angeles Fire Department prior to construction of the fuel storage tanks. All current permits will be submitted with the Annual Monitoring Report.</p>	<p>5. County of Los Angeles Fire Department.</p>	<p>Annually (Annual Monitoring Report)</p>
<p>6. Precipitation and resulting run-off will be controlled and stored in an engineered site drainage basin.</p>	<p>6. An aerial photograph of the site taken during summer months, purchased from an aerial photographic firm, will be supplied with the Annual Monitoring Report. The photograph shall verify that standing water is not present at the site.</p>	<p>6. County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>F. Air Quality</p> <p>1. South Coast Air Quality Management District permits (<i>Authority to Construct and Permit to Operate</i>) must be obtained and renewed when they are due to ensure that <i>Best Available Control Technology</i> is implemented.</p> <p>2. Fugitive dust impacts from material handling and in-plant travel will be controlled through use of sonic fog and/or water spray on in-plant travel paths, storage piles and load-out systems, and through an aggressive program of roadway sweeping and watering to remove spillage from public and private roadways.</p> <p>Minimum implementation action of this mitigation measure will be to meet the requirements of the Air Quality Management District Rule 401 prohibiting a visible dust plume at the project boundary and Rule 403 limiting the downwind versus upwind dust increment that can be added by a project.</p>	<p>1. South Coast Air Quality Management District is responsible for permit issuance and enforcement. The District's authority may include fines, permit forfeitures, and termination of operations for noncompliance. No further monitoring is required.</p> <p>2. A <i>Dust Management Plan</i> as established by the <u>South Coast Air Quality Management District</u> will be included in the <i>Annual Monitoring Report</i> submitted to the Los Angeles County Department of Public Works. A <i>Comprehensive Fugitive Dust Control Program</i> will be developed and submitted to the Los Angeles County Department of Public Works before commencement of extraction.</p>	<p>1. South Coast Air Quality Management District</p> <p>2. South Coast Air Quality Management District, and County of Los Angeles Department of Public Works.</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>F. Air Quality (continued)</p> <p>3. A Comprehensive Fugitive Dust Control Program will be developed and implemented before commencement of extraction.</p> <p>4. A <i>High Wind Response Plan</i> in accordance with Rule 403 of the South Coast Air Quality Management District will be developed and implemented at times when wind speeds exceed 25 mph to reduce PM - 10 emissions.</p> <p>5. Dust transport away from the facility will be mitigated by planting a landscape screen around the western, southern and eastern boundaries of the project site that utilizes fast-growing trees and shrubs. This will reduce wind erosion and off-site dust transport from the processing site.</p>	<p>3. Obtain and annually update permits from the South Coast Air Quality Management District and submit with the <i>Annual Monitoring Report</i> submitted to the Los Angeles Department of Public Works before commencement of extraction.</p> <p>4. A <i>High Wind Response Plan</i> will be made available for review by the County of Los Angeles during the annual inspection.</p> <p>5. The Annual Monitoring Report will include descriptions of the erosion-controlling and dust-suppressive vegetation used as windbreaks. The effectiveness of the revegetation effort, and the need to supplement the vegetative cover for wind-driven dust control, will be subject to inspection by the County Inspectors.</p>	<p>3. County of Los Angeles Department of Public Works.</p> <p>4. County of Los Angeles Department of Public Works.</p> <p>5. County of Los Angeles Department of Public Works.</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>First Year of Annual Report</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>F. Air Quality (continued)</p> <p>6. The proposed project will replace an existing aggregate extraction operation located within the same airshed. Vehicular traffic generated by the old facility will cease and will be replaced by proposed project traffic.</p> <p>7. Combined production rates of the old and the proposed plant will not exceed 4,000 tons per day while both plants are in production during the change-over period.</p>	<p>6. and 7. Granite Construction Company will demonstrate to the satisfaction of the County of Los Angeles Department of Regional Planning that the old plants are phased out and the new plants put into operation as described in the Surface Mining and Reclamation Plan.</p>	<p>6. and 7. County of Los Angeles Department of Regional Planning.</p>	<p>After completion of change-over.</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>G. Biological Resources</p> <p>1. A qualified biologist will be responsible for capturing and relocating those animal species that are unwilling to relocate, such as the zebra striped lizard, the side blotched lizard, the desert horned lizard and others, and will capture and relocate all State- and Federally- listed sensitive animal species, prior to ground disturbance of each phase.</p> <p>2. Seeds from short-joint beavertail cacti and Joshua trees will be collected and put into cold storage to serve as back-up propagation material during the revegetation process.</p> <p>3. Prior to ground disturbance of each phase, the extraction area will be surveyed for short-joint beavertail cacti. Individual plants will be transplanted to a test area adjacent to the project site under the supervision of a qualified specialist.</p>	<p>1. A qualified biologist will verify that those animal species that are unwilling to relocate willingly, such as the zebra striped lizard, the side blotched lizard, the desert horned lizard and other animals, and were captured and relocated. Evidence will be submitted to the County of Los Angeles Department of Regional Planning .</p> <p>2. A qualified biologist will be responsible for seed selection of short-joint beavertail cacti and Joshua trees and for their delivery to cold storage, and will submit a report to the County of Los Angeles Regional Planning Department verifying the action.</p> <p>3. The short-joint beavertail cacti survey, prepared by a qualified biologist prior to ground disturbance of each phase, will be submitted to the County of Los Angeles Regional Planning Department..</p>	<p>1. County of Los Angeles Department of Regional Planning</p> <p>2. County of Los Angeles Department of Regional Planning</p> <p>3. County of Los Angeles Department of Regional Planning</p>	<p>At beginning of each mining phase.</p> <p>At beginning of each mining phase.</p> <p>At beginning of each mining phase.</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>G. Biological Resources (continued)</p> <p>4. Prior to ground disturbance of each phase, Joshua trees between 3 and 10 feet in height will be removed and donated to public agencies, such as CalTrans or Saddleback Buttes State Park; or to land owners who must comply with the City of Palmdale Desert Vegetation Ordinance; or they will be transplanted to undisturbed areas of the mining site.</p> <p>5. Speed limits on unposted secondary roads to the project site will be restricted to 25 miles per hour or less to protect wildlife.</p> <p>6. Company employees will be made aware of the presence of sensitive species in the project area; implementation measures to protect the species during project operations; and means by which individual employees can participate in the preservation of sensitive species.</p>	<p>4. The short-joint beavertail cacti survey, prepared by a qualified biologist prior to ground disturbance of each phase, will be submitted to the County of Los Angeles Regional Planning Department. A qualified biologist will prepare a report indicating the number of Joshua trees that were transplanted and the location to which they were sent. A copy of the report will be provided to Los Angeles County Department of Regional Planning prior to commencement of each phase.</p> <p>5. The Los Angeles County Public Works Department shall confirm the presence of speed limit signs during the Annual Monitoring Report. Violation of the mitigation measure must be corrected within 72 hours of notification.</p> <p>6. An outline of the Biological Awareness Program will be provided to the Los Angeles County Department of Regional Planning upon approval of the project. It is the responsibility of the operator to have employees sign an acknowledgment that they have attended the required program. The operator shall provide copies of the signed acknowledgments to the Public Works Inspectors upon request.</p>	<p>4. County of Los Angeles Department of Regional Planning</p> <p>5. County of Los Angeles Department of Public Works</p> <p>6. County of Los Angeles Department of Regional Planning, and County of Los Angeles Department of Public Works</p>	<p>At beginning of each mining phase.</p> <p>Annually</p> <p>After project approval</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>G. Biological Resources (continued)</p> <p>7. Trash and food items shall be contained and regularly removed from the extraction site to prevent predators, such as ravens and coyotes, from visiting the site.</p>	<p>7. Los Angeles County Public Works Inspectors, during the annual site inspection, shall confirm that trash is properly disposed to discourage intrusion by coyotes, ravens or similar predators.</p>	<p>7. County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>H. Cultural Resources</p> <p>1. Company employees will be trained by a qualified archaeologist to recognize potentially archaeological artifacts.</p> <p>2. If any archaeological artifacts are found during the excavation process, the operator will suspend excavation and an archaeologist will be called to evaluate the importance of the artifact.</p> <p>3. <u>A Management Plan will be prepared and kept on file at the plant site that will detail the action that must be taken to protect any potential find.</u></p>	<p>1. and 2. Company employees will sign a statement that they have been trained by a qualified archaeologist to recognize potentially significant archaeological artifacts. The statement will be submitted to the County of Los Angeles with the Annual Monitoring Report.</p> <p>2. <u>The operator will comply with the mitigation recommended by a qualified archaeologist.</u></p> <p>3. <u>The operator will prepare a Management Plan for use at the plant site.</u></p>	<p>1 and 2. County of Los Angeles Department of Regional Planning</p> <p>3. County of Los Angeles Department of Regional Planning</p>	<p>When warranted</p> <p>When warranted</p> <p>Annually (Annual Monitoring Report)</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>I. Visual Quality</p> <p>1. Stationary equipment and structures will be painted in desert colors that will camouflage the equipment. This mitigation is not intended to supersede the requirements of MSHA and/or OSHA as they pertain to safety colors of equipment.</p> <p>2. A dense landscape screen will be planted along the eastern, southern and western project boundaries to buffer the site from view. The landscape screen will be comprised of plants that filter out a minimum of 60 percent of the exposed frontage and attain a height of 20 feet within five years, and will grow up to 60 feet in height at maturity.</p> <p>3. Landscaping material will be planted within one year of approval of the project to give plants an opportunity to grow prior to initiation of the full project. Potential plants are listed in Table 2.2 of the EIR and an Illustrated Plant Palette is found in Volume 2 - Technical Reports of the EIR, Section 12.0.</p>	<p>1. Color photographs of all new mining and processing equipment installed will be submitted to the County of Los Angeles in the <i>Annual Monitoring Report</i> to demonstrate compliance with the mitigation measures.</p> <p>2. Granite Construction Company will submit landscape plans for the visual buffer to the County of Los Angeles for approval before commencement of the project.</p> <p>3. The installation of plant material within one year of project approval will be documented in the <i>First Annual Monitoring Report</i> and performance guarantees will be provided in the Initial Financial Assurance.</p>	<p>1. County of Los Angeles Department of Public Works</p> <p>2. County of Los Angeles Department of Regional Planning</p> <p>3. County of Los Angeles Department of Regional Planning</p>	<p>When new equipment is installed</p> <p>Upon final approval of the project.</p> <p>First year of Annual Monitoring Report</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>I. Visual Quality (continued)</p> <p>4. All lighting will be shielded and directed on-site to minimize potential glare and the creation of a glow effect.</p>	<p>4. The <i>Annual Inspection Report</i> prepared by the County of Los Angeles Department of Public Works will verify that all lighting is low-mounted and directed on-site.</p>	<p>4. County of Los Angeles Department of Public Works</p>	<p>Annually</p>

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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>J. Traffic and Access</p> <p>1. Prior to initiation of the mining activity, improvement plans will be submitted to CalTrans, which will meet or exceed specified site distance requirements and turning pocket length as directed by CalTrans. Acceleration and deceleration lanes will be constructed on the north side, and a left-turn pocket will be in place for east bound traffic on State Highway 138 at 155th Street East, subject to the requirements and approval of CalTrans.</p>	<p>1. Prior to initiation of mining activities, the County of Los Angeles Public Works Department will verify that the roadway improvements have been installed to the specification of CalTrans.</p>	<p>1. County of Los Angeles Department of Public Works, and CalTrans</p>	<p>Prior to export of product</p>
<p>2. Upon approval of the project and subsequent purchase of the project site by Granite Construction Company, the company will make an irrevocable offer of private and future right-of-way, 32 feet from centerline on 155th Street East.</p>	<p>2. The County of Los Angeles Public Works Department will verify that an irrevocable offer of private and future right-of-way, 32 feet from centerline on 155th Street East, has been made to the Department of Public Works by Granite Construction Company.</p>	<p>2. County of Los Angeles Department of Public Works, and Department of Regional Planning</p>	<p>After final approval of the project, and prior to export of product</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>J. Traffic and Access (continued)</p> <p>3. Adequate pavement will be provided on 155th Street East from State Highway 138 (Pearblossom Highway) to the project site, to allow one lane of travel in each direction. The pavement will be designed for a traffic index of <u>10.0 unless otherwise provided by the Department of Regional Planning.</u></p> <p>4. Additional pavement will be provided on 155th Street East at the ingress/egress driveways for northbound-turning access into the processing facilities site.</p> <p>5. Granite Construction Company will enter into a secured agreement with the County of Los Angeles Public Works Department to pay the project's share of the cost to install traffic signals at the State Highway 138/155th Street East intersection, when warranted.</p>	<p>3. Prior to the initiation of mining activities, the County of Los Angeles Public Works Department will verify that pavement was installed on 155th Street East from the project site to State Highway 138.</p> <p>4. Prior to the initiation of mining activities, the County of Los Angeles Public Works Department will verify that additional pavement was provided on 155th Street East at the ingress/egress driveway for northbound-turning access into the processing facilities site.</p> <p>5. Prior to the initiation of mining activities, the County of Los Angeles Public Works Department will verify that Granite Construction Company has entered into an agreement with the Department to pay the project's share of the cost to install traffic signals at the State Highway 138 /155th Street East intersection, when warranted.</p>	<p>3. County of Los Angeles Department of Public Works, and Department of Regional Planning</p> <p>4. County of Los Angeles Department of Public Work.</p> <p>5. County of Los Angeles Department of Regional Planning</p>	<p>Prior to export of product</p> <p>Prior to export of product</p> <p>Prior to export of product</p>

MODIFIED MITIGATION MONITORING REPORTING
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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>J. Traffic and Access (continued)</p> <p>6. Prior to initiation of the mining activities, detailed signing and striping plans will be provided to the County of Los Angeles Department of Public Works and to CalTrans for review and approval.</p> <p>7. No products shall be delivered from the subject property (except for product delivered to install road improvements on 155th Street East and at the intersection of 155th Street East and State Highway 138 (Pearblossom Highway)) until road improvement requirements, pertaining to the improvement of 155th Street East and the intersection with State Highway 138, have been completed to the satisfaction of the County Department of Public Works and CalTrans.</p> <p>The operator shall not commence operation of the asphaltic concrete or ready-mixed concrete plant or deliver other product from the project site until <u>May 1, 2003, except:</u></p>	<p>6. <u>Prior to the initiation of mining activities, the County of Los Angeles Public Works Department will verify that detailed signing and striping plans were submitted and approved by the Department.</u></p> <p>7. <u>Evidence shall be placed with the Director of Planning upon completion of the road improvements.</u></p>	<p>6. County of Los Angeles Department of Public Works, and CalTrans</p> <p>7. Department of Regional Planning</p>	<p>Prior to export of product</p> <p>At completion of road improvements</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>J. Traffic and Access (continued)</p> <p>a) <u>To construct road improvement on 155th Street East and at the intersection of 155th Street East and State Highway 138.</u></p> <p>b) <u>As may be required for the construction of highway improvements on State Highway 138 between Longview Road and State Highway 18;</u></p> <p>c) <u>To pave any on-site roads or construct other on site facilities.</u></p> <p>8. <u>The operator shall post a sign requiring all trucks that exit the project site to turn only right (westbound) onto State Highway 138 (Pearblossom Highway) from 155th Street, until one of the following occurrences:</u></p> <p>a) <u>State Highway 138 has been improved to a four-lane highway between 165th Street East and 145th Street East and the dip on the east side of "Twin Bridges" has been removed;</u></p> <p>b) <u>A traffic signal has been installed at the intersection of State Highway 138 and either 155th Street East or 165th Street East; or</u></p>	<p>8. <u>Evidence shall be place with the Director of Planning that the signs have been installed.</u></p>	<p>8. Department of Regional Planning</p>	<p>Upon completion of sign installation</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>J. Traffic and Access (continued)</p> <p>c) The sign may be covered and left turns permitted during construction of road improvements on State Highway 138 as described in No. 7 above.</p> <p>9. Prior to export of products, the operator will install W51 (Slow Trucks) signs on Highway 138 at 155th Street East.</p> <p>10. The operator will install a flashing yellow beacon on both east and west bound State Highway 138 prior to the intersection with 155th Street East. If CalTrans makes such a recommendation,</p>	<p>9. and 10. Verification of completion of CalTrans requirements shall be submitted to the County of Los Angeles Department of Public Works and Department of Regional Planning before commencing export of products from site.</p>	<p>9. and 10. County of Los Angeles Department of Public Works and Department of Regional Planning and CalTrans.</p>	<p>Prior to export of product</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>J. Traffic and Access (continued)</p> <p>11. A CalTrans Encroachment Permit will be processed for work within the State Right-of-Way, such as signalization, grading, widening, drainage, or freeway mainline improvements etc. A CalTrans Study Project will be prepared for any work which exceeds \$1,000,000 not including Right-of-Way.</p>	<p>11. The operator will obtain an encroachment permit from CalTrans prior to any work being performed in the CalTrans Right-of-Way.</p>	<p>11. CalTrans</p>	<p>Prior to Installation of road improvements</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>K. Utilities</p> <p>1. A water well will be drilled to provide water for the proposed plant operation. A well permit will be obtained prior to drilling the well from the County of Los Angeles Department of Environmental Health Services.</p> <p>2. Potable water will be provided by bottled drinking water.</p> <p>3. Rest room and hand-washing facilities will be provided with portable rest rooms, i.e., a trailer that has flush toilets and potable water supplied to lavatories. The holding tank to store waste water will be pumped regularly by a waste disposal company.</p> <p>4. Propane gas will be stored in accordance with the rules and regulations of the County of Los Angeles Fire Department, which requires that the tank be located a safe distance from any structures, as determined by the Fire Department at the time of application.</p>	<p>1. The granting of a well-drilling permit will ensure compliance with this mitigation measure.</p> <p>2. The <i>Annual Monitoring Report</i> will confirm that bottled water is made available at the project site.</p> <p>3. The <i>Annual Monitoring Report</i> and <i>Annual Inspections</i> by the Department of Public Works will confirm that rest rooms and hand-washing facilities have been installed and are in good working order.</p> <p>4. The <i>Annual Monitoring Report</i> and <i>Annual Inspections</i> by the Department of Public Works will confirm that propane gas is stored properly and in compliance with the rules and regulations of the County of Los Angeles Fire Department.</p>	<p>1. County of Los Angeles Department of Health Services</p> <p>2. County of Los Angeles Department of Public Works</p> <p>3. County of Los Angeles Department of Public Works</p> <p>4. County of Los Angeles Department of Public Works</p>	<p>After final approval of the project.</p> <p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p>

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**MODIFIED MITIGATION MONITORING REPORTING
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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>L. Environmental Safety</p> <p>1. The Mining Plan was designed so that quarrying activities are set back a minimum of 50 feet from the high voltage power lines to protect workers.</p> <p>2. Berms will be constructed as part of the Mining Plan and designed to direct flood flows to a 1,200-foot wide channel in the western part of the project site during the first phase of the operation and to an energy dissipation by-pass structure during Phase 2 and Phase 3.</p> <p>3. Cut slopes will be constructed at a slope of 1:1 for the first 70 feet and at 1.5:1 (h:v) for the lower 70 to 90 feet. Final slopes will be constructed at 2:1 (h:v).</p> <p>4. Granite Construction Company will obtain and annually update a <i>Hazardous Material Inventory and Business Plan</i> consistent with requirements of the County of Los Angeles Fire Department.</p>	<p>1. The <i>Annual Monitoring Report</i> prepared for the County of Los Angeles Public Works Department will verify that quarry operations are set back a minimum of 50 feet from the high voltage power lines.</p> <p>2. The <i>Annual Monitoring Report</i> prepared for the County of Los Angeles Public Works Department will verify that the berms have been constructed as shown in the approved Mining Plan.</p> <p>3. The <i>Annual Monitoring Report</i> prepared for the County of Los Angeles Public Works Department will verify that slopes have been constructed as shown in the approved Mining Plan.</p> <p>4. The <i>Hazardous Material Inventory and Business Plan</i> shall be submitted to the County of Los Angeles Regional Planning Department and the County of Los Angeles Fire Department for review, upon request.</p>	<p>1. County of Los Angeles Department of Public Works</p> <p>2. County of Los Angeles Department of Public Works</p> <p>3. County of Los Angeles Department of Public Works</p> <p>4. Los Angeles Fire Department and County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>Upon request</p>

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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>L. Environmental Safety (continued)</p> <p>5. Above-ground storage tanks will be installed in accordance with Los Angeles County Fire Code, Article 79, Division V. This may include double-vaulted tanks or construction over a concrete slab, surrounded by berms that hold 1 1/2 times the amount of fuel and oil stored in the tanks. These will act as secondary containment. The specific requirements will be determined by the County of Los Angeles Fire Department at the time of construction.</p> <p>6. Flammable materials will be secured and stored in conformance with County of Los Angeles Fire Department requirements.</p> <p>7. A <i>Fire Protection Plan</i> will be prepared by Granite Construction Company and approved by the County of Los Angeles Fire Department prior to construction. The <i>Fire Protection Plan</i> will demonstrate how required fire suppression facilities and fire flows will be provided.</p>	<p>5. The County of Los Angeles Fire Department monitors storage of oil and fuel tanks. The report will be attached to the <i>Annual Monitoring Report</i> submitted to the County of Los Angeles Public Works Department.</p> <p>6. The County of Los Angeles Fire Department monitors storage of hazardous materials. The report will be attached to the <i>Annual Monitoring Report</i> submitted to the County of Los Angeles Public Works Department.</p> <p>7. Fire suppression facilities will be inspected annually as part of the <i>Annual Monitoring Report</i> prepared for the County of Los Angeles Public Works Department</p>	<p>5. Los Angeles County Fire Department, and County of Los Angeles Department of Public Works</p> <p>6. Los Angeles Fire County Department, and County of Los Angeles Department of Public Works</p> <p>7. Los Angeles County Fire Department, and County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p> <p>Annually (Annual Monitoring Report)</p>

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**MODIFIED MITIGATION MONITORING REPORTING
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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>L. Environmental Safety (continued)</p> <p>8. Warning signs will be posted in areas of hazardous materials storage.</p> <p>9. Prior to mining operation initiation, acceleration and deceleration lanes will be constructed on the north side, and a left-turn pocket will be in place for east bound traffic on State Highway 138 at 155th Street East by Granite Construction Company or by CalTrans.</p> <p>10. The entire project site will be fenced to prevent unauthorized access to the area <u>within one year of final project approval.</u></p>	<p>8. The installation of warning signs will be confirmed by County Inspectors prior to the issuance of mining initiation, and each year thereafter as part of the <i>Annual Monitoring Report.</i></p> <p>9. The County of Los Angeles Public Works Department and the County of Los Angeles Building and Safety Department will verify that the roadway improvements have been installed by Granite Construction Company or by CalTrans prior to mining operation initiation prior to export of product from the site.</p> <p>10. The <i>Annual Monitoring Report</i> prepared for the County of Los Angeles Public Works Department will verify that the fence has been installed as shown in the approved Mining Plan.</p>	<p>8. County of Los Angeles Department of Public Works</p> <p>9. County of Los Angeles Department of Public Works, and Department of Regional Planning</p> <p>10. County of Los Angeles Department of Regional Planning, and County of Los Angeles Department of Public Works</p>	<p>Annually (Annual Monitoring Report)</p> <p>Prior to export of product.</p> <p>Prior to export of product, or within one year of project approval.</p>

MODIFIED MITIGATION MONITORING REPORTING
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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>L. Environmental Safety (continued)</p> <p>11. No products shall be delivered from the subject property (except for product delivered to install road improvements on 155th Street East and at the intersection of 155th Street East and State Highway 138 (Pearblossom Highway)) until road improvement requirements pertaining to the improvement of 155th Street East and the intersection with State Highway 138 have been completed to the satisfaction of the County Department of Public Works and CalTrans.</p> <p>The operator shall not commence operation of the asphaltic concrete or ready-mixed concrete plant or deliver other product from the project site until <u>May 1, 2003, except:</u></p> <p>a) To construct road improvement on 155th Street East and at the intersection of 155th Street East and State Highway 138.</p>	<p>11. Evidence shall be placed with the Director of Planning upon completion of the road improvements.</p>	<p>Department of Regional Planning</p>	<p>Upon completion of road improvements</p>

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MODIFIED MITIGATION MONITORING REPORTING
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Mitigation Measure	Mitigation Monitoring	Responsible Agency	Time Frame
<p>L. Environmental Safety (continued)</p> <p>b) <u>As may be required for the construction of highway improvements of State Highway 138 between Longview Road and State Highway 18.</u></p> <p>c) <u>To pave any on-site roads or construct other on site facilities.</u></p> <p>12. <u>The operator shall post a sign requiring all trucks that exit the project site to turn only right (westbound) onto State Highway 138 (Pearblossom Highway) from 155th Street, until one of the following occurrences:</u></p> <p>a) <u>State Highway 138 has been improved to a four-lane highway between 165th Street East and 145th Street East and the dip on the east side of "Twin Bridges" has been removed;</u> b) <u>A traffic signal has been installed at the intersection of State Highway 138 and either 155th Street East or 165th Street East; or</u></p>	<p>12. <u>Evidence shall be placed with the Director of Planning that the signs have been installed.</u></p>	<p>Department of Regional Planning</p>	<p>Upon completion of sign installation</p>

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**MODIFIED MITIGATION MONITORING REPORTING
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<i>Mitigation Measure</i>	<i>Mitigation Monitoring</i>	<i>Responsible Agency</i>	<i>Time Frame</i>
<p>L. Environmental Safety (continued)</p> <p>c) <u>The sign may be covered and left turns permitted during construction of road improvements on State Highway 138 as described in No. 7 above.</u></p>			

ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT FOR MODIFICATION TO SURFACE MINING PERMIT NO. 91109-(5)

Surface Mining Permit (SMP) No. 91109-(5) was approved by the Los Angeles County Regional Planning Commission on June 26, 1996. The Surface Mining Permit permitted a 50-year grant to excavate 36,500,000 net tons of aggregate from a square-shaped, 140-acre site. The SMP also permitted the production of asphaltic concrete products, and the operations of a recycling plant.

The subject property is located within the community of Pearblossom, in the Antelope Valley East Zoned District. It is on the west side of 155th Street East, approximately 2.5 miles north of Pearblossom Highway (SR-138).

The requested change is to modify two conditions to update the mitigation measures to better reflect new information regarding hydrology and landscaping, and to permit the 50-year extraction period to start in 2010, as no extraction has yet begun.

The purpose of the requested condition modifications is in line with the provisions of the SMP, which allow for regular periodic reviews of the permit to allow for changes based on technological, environmental, financial, and economic developments.

The modification request would allow the permittee to update the project's mitigation measures to better reflect new information that has become available.

ADDENDUM TO FINAL EIR FOR CONDITIONAL USE PERMIT 91109-(5)

Section 15164 of the California Environmental Quality Act authorizes Lead Agencies to prepare an Addendum to a previously certified Environmental Impact Report if changes or additions to the document are necessary but and none of the conditions described in Section 15162 are present. Staff of the Department of Regional Planning has determined that none of the conditions described in Section 15162 are present. The modifications to the mitigation measures to the SMP will not constitute a substantial increase in the severity of previously identified impacts and will not increase existing levels of traffic. No new environmental effects have been identified with regard to the design standards. No new information pertaining to the subject property or the environmental impacts of the existing development has been discovered during the preparation of this Addendum.

Therefore, the Addendum to the previously adopted Environmental Impact Report adopted on June 26, 1996, which is available for inspection upon request, provides adequate environmental analysis for the project as currently amended.



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July 13, 2011

Anthony Curzi
Planner
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

SUPPORT LETTER FOR GRANITE CONSTRUCTION SURFACE MINE PERMIT NO. 91109

Dear Mr. Curzi,

We are writing you to express our support for Granite Construction's request to modify their existing Surface Mine Permit Number 91109. Granite Construction has maintained a long term presence in our community as provider of construction material aggregate, and a builder of our region's surface transportation infrastructure. Aggregate is used for roads, foundations, structures, backfill, flood control, and slope stability; all of which are necessary products for growth and infrastructure maintenance.

Construction aggregate is the largest non-fuel mineral commodity produced in California; and plays a major role in the State, and our local, economy. According to the California Department of Conservation Geological Survey the Palmdale region only has 27% of the permitted aggregate resources needed to supply the 50 year consumption demand in the market area (source: Aggregate Availability in California, 2006 update, CA Department of Conservation). Demand for construction aggregate is expected to grow while infrastructure is expanded, maintained and improved to accommodate the region's population growth. Aggregate is the most basic material in the construction industry.

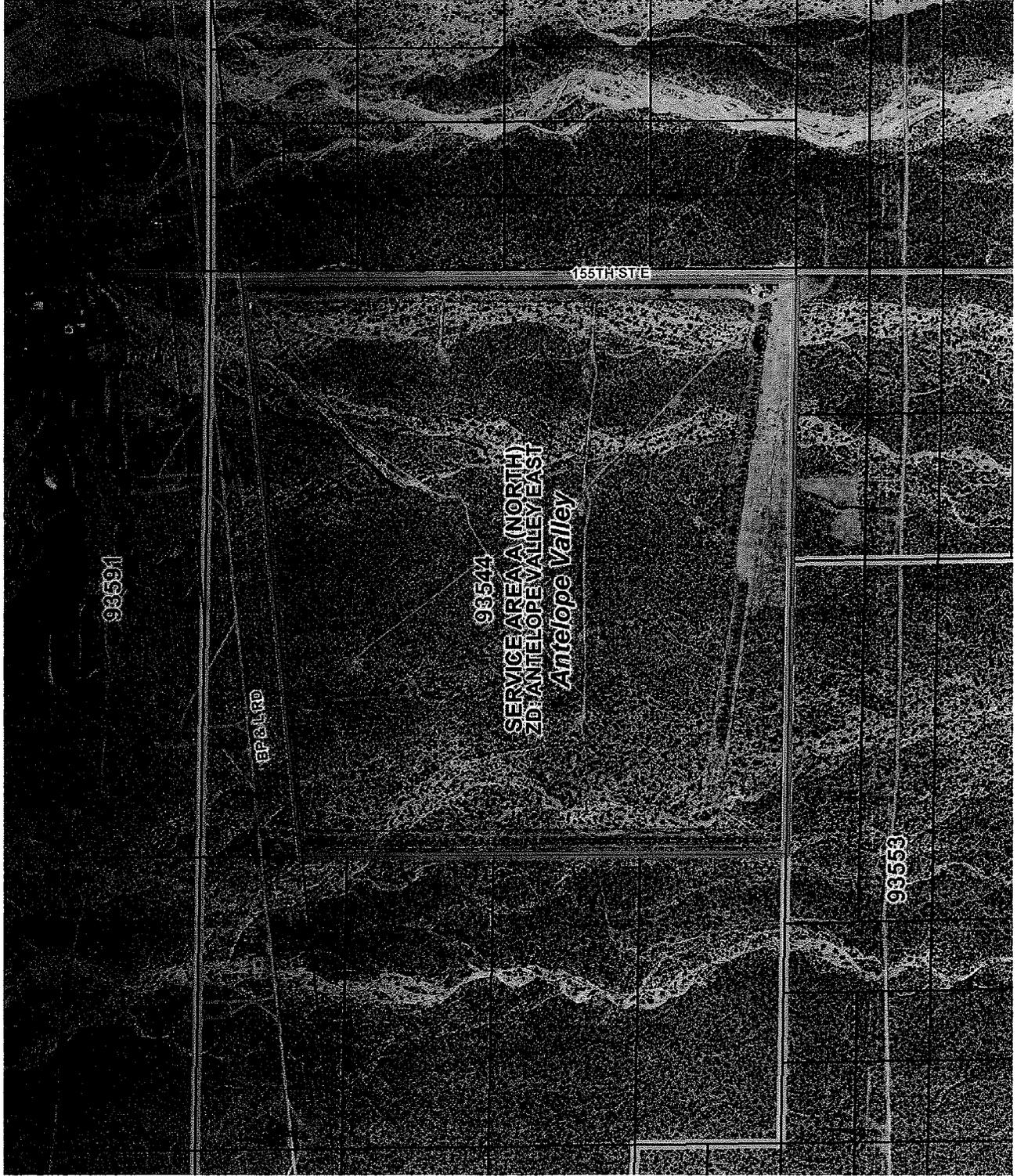
Granite Construction estimates their proposed permit modifications will create access to additional material allowing for a 25% increase in minable material; while remaining within the existing permit footprint. This increase in additional reserves will help address the regional aggregate material deficit.

Based on the facts we have been presented, the Antelope Valley Board of Trade wishes to express its support for the proposed modified permit as presented by Granite Construction.

Sincerely,

Rhonda Nelson, AVBOT President

JUL 18 2011



- Legend**
- Parcel Boundary
 - Arterial Street
 - Highway
 - Freeway
 - Master Plan of Highways
 - Expressway - (C)
 - Secondary Highway - (S)
 - Ltd. Secondary Highway - (S)
 - Primary - (G)
 - Minor - (P)
 - Major Highway - (M)
 - Secondary Highway - (C)
 - Secondary Highway - (G)
 - (?) Existing Up-Proposed
 - Railroad or Rapid Transit
 - Rapid Transit
 - Intermodal Rapid Transit
 - Underground Rapid Transit
 - Significant Ridgetops
 - Crestic CSD Primary
 - Crestic CSD Secondary
 - SMANA Significant
 - Census Tract (2000)
 - Assessor Map Book (AMB) Boy
 - Zoning Map Grid
 - Zoning Map Grid
 - UBOS Quad Sheet Grid
 - The Thomas Guide Grid
 - YB Infrared Page Grid
 - YB Infrared Page Grid
 - Zone
 - Community Standards District (CSD)
 - Specific Boundary
 - ESHA Coast Only
 - Significant Ecological Area (SEA)
 - Life
 - Township and Range
 - National Forest
 - Equistrian District (EQD)
 - State Member District (TOD)
 - State Member District (ZD)
 - Supervisory District Boundary
 - Safety Related Stations (From TB)
 - Fire Station
 - Highway Patrol
 - Police Station
 - Ranger Station
 - Shed Station
 - Zoning (Boundary)
 - Zone A-1
 - Zone A-2
 - Zone B-1
 - Zone C-1
 - Zone C-2
 - Zone C-3
 - Zone C-4
 - Zone C-M
 - Zone C-CPD
 - Zone C-R
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 - Zone D-2
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 - Zone M-99
 - Zone M-100
 - Landuse Policy (Not in Comm.)
 - Area Plan
 - Density Residential (1 to 6 du/ac)
 - Low/Medium Density Residential (6 to 12 du/ac)
 - Medium Density Residential (12 to 22 du/ac)
 - High Density Residential (22 or more du/ac)
 - Major Commercial
 - Minor Commercial
 - Open Space
 - Public and Semi-Public Facilities
 - Community
 - Non-Urban
 - Transit
 - Transit Corridor
 - Inland Waterbody
 - Perennial
 - Intermittent
 - Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend Tab" on the top left side of screen.

