



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

HEARING EXAMINER STAFF SUMMARY

**COUNTY PROJECT NO. R2007-00670-(5)
SURFACE MINING PERMIT NO. 200700001
ENVIRONMENTAL REVIEW NO. 200700053
STATE CLEARINGHOUSE NO. 2007121054**

PROJECT DESCRIPTION

The applicant, Leбата, Inc. is proposing to mine aggregate within an approximately 282.4-acre area of a 310-acre site, install various related industrial plants and facilities to support the mining operation, and reclaim disturbed lands to the end use of open space/groundwater recharge and/or stormwater retention basins. The applicant is requesting a 50-year permit to mine approximately 46.48 million gross tons of aggregate. Also proposed as part of the facility is a Ready-Mixed Concrete Plant, A Vac-Lite Plant, and Asphalt Mixing Plant, a Raw Cement and Aggregate Transfer Facility, and a Water Reclamation and Fines Recovery Facility. Approximately 300,000 tons of raw cement would be delivered to the site annually via rail for processing as a component of Ready-Mixed Concrete.

REQUIRED ENTITLEMENTS

Surface Mining Permit to mine 46.48 million gross tons (30.98 million cubic yards) in the A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) Zone.

LOCATION AND ACCESS

The project site is located on Avenue T between 126th Street East and 136th Street East. Access to the mine will be from Avenue T.

SITE DESCRIPTION

The vacant, rectangular-shaped property totals 310 acres and is bisected by the east-west Southern Pacific railway. Vegetation on the property consists of high desert scrubland and grassland. The project site lies on a broad bajada extending north from the lower slopes of the San Gabriel Mountains.

ENVIRONMENTAL DETERMINATION

The Los Angeles County (“County”) Department of Regional Planning (“Department”) determined by way of an Initial Study as identified in the Notice of Preparation sent to agencies, that an Environmental Impact Report (EIR) was necessary for the project. The areas of potential environmental impact analyzed in the Draft EIR (DEIR) include the following:

- Geotechnical Hazards

- Flood Hazards
- Noise
- Water Quality
- Air Quality, Health Risks, and Climate Change
- Biological Resources – Sensitive Species/Loss of Habitat
- Visual Quality
- Traffic and Circulation
- Hazards and Hazardous Materials
- Water Supply/Quantity
- Land Use Consistency

The following areas were determined to be insignificant and required no further environmental review as described in the Initial Study:

- Mineral Resources
- Agricultural Resources
- Population
- Housing
- Recreation

As identified in the DEIR, after implementation of the required mitigation measures as would be enforced by the project's Mitigation Monitoring and Reporting Program (MMRP), the project would not result in significant and unavoidable impacts to the environment. A summary of the areas analyzed that have less than significant impacts to the environment after implementation of mitigation measures is included below:

Noise

Impacts from noise are less than significant with the implementation of mitigation measures. A 7-foot-tall berm will be constructed along the project's eastern property line.

Air Quality, Health Risks and Climate Change

A number of mitigation measures have been identified to reduce the impacts from the above to less than significant levels. These include: (1) Twice-daily watering of disturbed areas and unpaved roads, (2) Limiting vehicle speed to 15 mph on unpaved roads, (3) low-sulfur diesel fuel will be used in all equipment.

Biological Resources– Sensitive Species/Loss of Habitat

Mitigation measures include methods to minimize the take of sensitive species and measures to reduce nighttime impacts.

Traffic and Circulation

Mitigation measures include a program to reimburse the County for impacts to roads from the project.

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 Hearing Examiner hearing by mail, newspaper, property posting, library posting and on the Department's website. Newspaper notices were published in the *Antelope Valley Press* and *La Opinion* on February 26, 2014.

STAFF EVALUATION

Project consistency with the County General Plan, Antelope Valley Areawide General Plan, compliance with the County zoning ordinance and development standards, compatibility regarding land use and neighborhood impact evaluation of the applicant's ability to meet all requirements for a Surface Mining Permit will be determined subsequent to the Hearing Examiner public hearing. The Hearing Examiner hearing is established to receive public testimony on the adequacy of the DEIR prior to preparation of the Final EIR and subsequent project consideration by the Regional Planning Commission ("Planning Commission") at a later date.

COUNTY DEPARTMENT AND AGENCY COMMENTS AND RECOMMENDATIONS

County Department and applicable agency comments and conditions will be finalized subsequent to the Hearing Examiner public hearing and prior to the consideration by the Planning Commission. At the time of this report, the Native American heritage Commission (NAHC) provided an updated list of NAHC contacts for ongoing consultation with the NAHC.

PUBLIC COMMENTS

Staff has not received any comments at this time.

REMAINING PROCEDURES

Once the DEIR comment period closes, the Department will review public comments received, will draft responses to those comments, and draft the Final EIR and MMRP. A Response to Comments will be included within the Final EIR prior to its submittal to the Planning Commission.

Staff will also prepare CEQA Findings, draft Findings, and Conditions pertaining to the project-related entitlements, and submit documentation to the Planning Commission for consideration prior to the Planning Commission hearing to be set at a future date.

Once the public hearing before the Planning Commission is scheduled and completed, the Planning Commission will certify or reject the EIR and approve or deny the Surface Mining Permit.

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AMC:PMC
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