PLANNING COMMISSION STAFF REPORT JULY 6, 2017
MAJOR USE PERMIT RENEWAL/RECLAMATION UR_2014-0003

SUMMARY

OWNER/APPLICANT:	MENDOCINO REDWOOD COMPANY, LLC P.O. BOX 996 UKIAH, CA 95482
AGENT:	CHUCK JEFFRIES KANSAS ASPHALT 7000 W. 206TH STREET BUCYRUS, KS 66013 GEORGE RAU RAU AND ASSOCIATES, INC. 100 NORTH PINE STREET UKIAH, CA 95482
REQUEST:	Surface Mining Use Permit and Reclamation Plan Renewal of Use Permit #U 29-93 to extend existing quarry mining operation for a 30-year period at the existing Bald Hills Rock Quarry (CA MINE ID #91-23-0034). Extraction would consist of up to 1,500,000 total cubic yards (CY) of material (reduced average of 50,000-CY/year) with up to 100,000-CY in any one year.
ENVIRONMENTAL DETERMINATION:	Mitigated Negative Declaration
RECOMMENDATION:	Approve with Conditions
LOCATION:	2.5± miles northeast of Manchester, situated 1.5± miles east of Highway 1, via a private haul road near Postmile marker 22.80 on the east side of the highway, approximately 1-mile north of its intersection with Kinney Road (CR# 512) (APNs 132-220-05 and 132-250-15).
TOTAL ACREAGE:	38.9± acres of a 645± acre property
GENERAL PLAN:	Forest Lands, 160-acre (FL160)
ZONING:	Timberland Production, 160-acre minimum (TP-160)
ADJACENT ZONING:	North: Rangeland (RL)/Timberland Production (TP) East/South: Timberland Production (TP) West: Rangeland (RL)
EXISTING USES:	Timberland/Mining and Processing (rock quarry)
SURROUNDING LAND USES:	North, East, South, and West: Timberland
SUPERVISORIAL DISTRICT:	5
STAFF PLANNER:	Robert LaPorte

PROJECT DESCRIPTION: Mendocino Redwood Company, LLC (Applicant) is requesting approval of a Surface Mining Use Permit and Reclamation Plan Renewal for an existing surface mining operation located near the community of Manchester in the County of Mendocino. The Applicant is requesting continued extraction of rock from the existing Bald Hills Quarry (BHQ) and aggregate processing for a 30-year term. The project was previously permitted by the County of Mendocino (Permit #U 29-93) for a 20-year term. Mining of site materials would be performed in a phased manner to allow for concurrent site reclamation. Mining would occur in three phases, with the fourth phase involving implementation of final reclamation and revegetation activities. The end use of the project site would be forest land. The total life of the project is estimated to be 33-years, with 30-years for mining operations and an additional 3-years to complete reclamation activities. The current permit allows for up to 100,000-CY/year, with an average extraction rate of 40,000- to 50,000-CY/year. The maximum volumes of material extracted would not exceed 1,500,000-CY over the 30-year period. No changes to the maximum allowable extraction amount under the existing permit are requested.

The proposed Reclamation Plan would reclaim approximately 12.9-acres of the site, with a proposed end use of forest land, consistent with the surrounding land uses. Reclamation at the site consists of finish grading of quarry floors and covering them with overburden and topsoil previously removed to uncover the rock outcropping at the quarry pits. At the processing site, topsoil removed to grade the working area would be returned and recontoured. Areas with soil cover would be replanted with forest tree species at the mine pits and a mix of forest tree species and meadow vegetation at the processing site. The rock-surfaced forest access road traversing the processing area and the spur access road would remain in place for use by the property owner after the site is reclaimed.

RELATED APPLICATIONS ON-SITE:

- U 29-93 - The Planning Commission approved Use Permit #U 29-93/Coastal Development Permit #CDP 37-94 in 1994, allowing for the operation of a rock quarry with an average extraction of 40,000-50,000-cubic yards (CY) per year, and a maximum extraction of up to 100,000-CY in a one-year period. The Use Permit expired in 2014; however, the operator had applied for this permit renewal prior to the expiration date and was allowed to continue operations during its processing.
- CC 2016-0018 - Certificate of Compliance recognizing 8 parcels.
- B_2016-0027 – Boundary Line Adjustment to reconfigure three existing legal lots, transferring 40 acres between the three existing lots. Previously the rock quarry operation was split by the existing boundary lines. This adjustment removed the quarry operation out of the lands of Biaggi and put the entirety of the quarry under MRC ownership. APN 132-250-04 was retired and replaced with 132-250-15. APN 132-250-01 was also retired and replaced with 132-250-16 and it is now a parcel outside of the boundary of the mine operation.

SITE CHARACTERISTICS: The existing BHQ is located approximately 2.5-miles northeast of the community of Manchester. The project site is located in a rural area with minimal development and is located approximately 1.5-miles east of Highway 1 via a private haul road, approximately 1-mile north of its intersection with Kinney Road (CR #512). The quarry is located approximately 3.2-miles east of Highway 1 and approximately 570-feet north of Alder Creek. The processing site is located approximately 1.7-miles east of Highway 1 and approximately 850-feet north of Alder Creek. The existing operation is not visible from Highway 1. The two nearest residences to the project site are located approximately 0.8-miles southwest and approximately 0.8-miles south of the site, respectively.

The parcels comprising the project site (APNs 132-250-15 for the quarry, and 132-220-05 for the processing site) total 645-acres in size. The Quarry Site comprises approximately 28.9-acres, of which 7.8-acres would be actively mined over the 30-year span of the project, in two hillside rock pits and mining areas (Pit #1 and Pit #2). The two mining areas are on a very steep, southeasterly slope above Alder Creek. Pit #1 has been developed and would continue to expand, as described in the Reclamation Plan, and Pit #2 has not yet been developed. A sediment basin is located south of Pit #1 and several improvements would be made, including culverts to be installed with rock slope protection and energy dissipaters at each of the two pits, in addition to gravel filter berms and native topsoil berms to be located

along the outer edges of the rock pits. At Pit #1, surface flows drain to the quarry floor where some infiltration occurs into fractured bedrock, and continues in a westerly direction directly to a sediment detention basin, which outlets into a weir on the south side of the road. Once Pit #2 is developed, stormwater would infiltrate into the pit floor, then continue in a westerly direction into a rock-protected weir. From there, runoff would travel through an inboard ditch along the haul road, into a culvert, and discharge across the road into a natural drainage on a forested hillside.[1] Reclamation would total approximately 7.8-acres within the Quarry Site.

The Processing Site comprises approximately 10-acres and is a gently sloping area near the top of a ridge which was historically cleared for use as a logging deck. The Processing Site is currently developed with an office, two truck scales, container storage for equipment maintenance supplies, crusher, screen, conveyors, material stockpiles, and parking area. Additionally, a sediment basin and berm are located downslope of the processing plant. A 1,000-gallon covered diesel tank may also be installed. New culverts would be installed across the road above and below the plant and rock-lined ditches would be installed along the road.[2] The total area planned for disturbance at the Processing Site is 5.1-acres. This excludes the access road areas, which would remain in place as a permanent access for timber production and harvesting after mining operations are completed. The total area to be reclaimed at the Processing Site is 5.1-acres.

Existing land uses in the area consist primarily of forest lands. The topography of the site and surrounding area consists of coastal hills and associated canyons, predominated by gentle terrain near the ridge tops and steep terrain on the sidehills descending into canyons. Elevations Quarry Site range from approximately 600 to 770 feet above mean sea level (amsl) at the pit floors to approximately 1,050-feet amsl at the top of planned excavations. Elevation at the Processing Site is approximately 600-feet amsl. Biological communities and habitats present within the project area include North Coast coniferous forest, Redwood series, and Grand Fir series.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	FL160	RL-160/TP-160	80-485 acres	Timberland
EAST	FL160	TP-160	320 acres	Timberland
SOUTH	FL160	TP-160	120-585 acres	Timberland
WEST	FL160	TP-160	166-310 acres	Timberland

The site and surrounding lands to the south, east, and west are designated as Forest Lands (FL), and to the north as FL and Range Lands (RL), with varying parcel sizes ranging from 80-to-585-acres. The proposed principal land use of the 28.9-acre project site is surface mining with forest lands proposed as the end use of the site. The proposed project is compatible with surrounding land uses and development.

PUBLIC SERVICES:

ACCESS: HIGHWAY ONE (SR 1)
FIRE DISTRICT: CALIFORNIA DEPARTMENT OF FIRE AND FORESTRY PROTECTION AND REDWOOD COAST FIRE PROTECTION DISTRICT
WATER DISTRICT: NONE
SEWER DISTRICT: NONE
SCHOOL DISTRICT: NONE

[1] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.
[2] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

AGENCY COMMENTS: On March 28, 2016, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the project for the use permit and reclamation plan renewal application. Required related permits, if any, are listed below. Any recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Planning – Fort Bragg		Comments	4/11/2016
Department of Transportation		No Comment	4/4/2016
Environmental Health		No Response	
Building Inspection – FBPBS		No Comment	6/17/2016
County Assessor		No Response	
Forestry Advisor		No Response	
Air Quality Management District		Comments	4/4/2016
Resource Lands Protection Committee		No Response	
U.S. Fish and Wildlife Service		No Response	
Native Plant Society		No Response	
State Clearinghouse		No Response	
Caltrans		No Response	
CAL FIRE		No Response	
California Department of Fish & Wildlife		No Response	
Coastal Commission		No Response	
RWQCB		No Response	
USFWS		No Response	
Department of Conservation		Comments	4/29/16

KEY ISSUES

1. GENERAL PLAN:

The land use designation for the site is Forest Lands specifying a minimum lot size of 160-acres (FL160). The intent of the FL160 designation is "…*to be applied to lands which are suited for and are appropriately retained for the growing, harvesting and production of timber and timber-related products.*"[3] The general uses designated for this land use classification are "residential uses, forestry, timber processing, agricultural uses, cottage industries, residential clustering, uses determined to be related to and compatible with forestry, conservation, processing, and development of natural resources, recreation, [and] utility installations."[4] The mining operation has existed on the property since 1994. Continued mining activities, subject to the recommended conditions of approval of this use permit renewal, would not conflict with general plan policies.

2. ZONING:

[3] Chapter 3. Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino-General Plan.* 1991. Ukiah, CA.
[4] Chapter 3. Mendocino County, Planning and Building Services, Planning Division. *The County of Mendocino-General Plan.* 1991. Ukiah, CA.

The property is zoned as Timberland Production with a 160-acre minimum parcel size (TP-160), and is subject to the use and development standards of Mendocino County Zoning Code Chapter 20.068. The intent of the TP District is "…*to be applied to areas of the County which because of their general soil types, location and timber growing capabilities are suited for and should be devoted to the growing, harvesting, and production of timber and timber related products and are taxed as such*."[5] Mining and processing uses are conditionally permitted in the TP District, subject to a Major Use Permit (Section 20.068.028(E)).

The *Development and Land Use Standards* Table (below) describes development and land use criteria that will be applied to the review of the proposed project and relates project components to code requirements:

Development and Land Use Standards of Division I of Title 20 of the Mendocino County Code		
Code Section	Standard	Proposed
20.068.028 Uses Subject to a Major Use Permit	Extractive Use Types: Mining and processing.	Extractive Use Types: Mining and processing.
20.068.030 Special Provisions	No use permit shall be granted in a TPZ District until a specific finding has been made that the proposed use is compatible with the growing and harvesting of timber and timber products.	After completion of mining activities at the site, the site would be reclaimed and the end use of the site would be forest lands.
20.068.035 Minimum Lot Area	160-acres.	160 acres and 485 acres.
20.060.040 Maximum Dwelling Density	1-unit per 160-acres, maximum of 4 for the total ownership.	No residences are proposed under the project.
20.060.045 Minimum Front and Rear Yards	50-feet each.	More than 50-feet.
20.060.050 Minimum Side Yards	50-feet each	More than 50-feet.
20.060.060 Building Height Limit	35-feet	No permanent structures are proposed under the project.

Staff finds that the project is consistent with the development and land use standards for the FL District. The proposed project complies with standards for land use, parcel size, front, rear, and side yards, and building height. The mining operation has existed on the property since 1994. Continued mining operations, subject to the recommended conditions of approval of this use permit renewal, would not conflict with TP District policies.

3. SURFACE MINING AND RECLAMATION:

Both the California Surface Mining and Reclamation Act (SMARA) and Chapter 22.16 of the County Code (Surface Mining and Reclamation) require reclamation plan approval for surface mining operations. Comments were received requesting clarifying revisions from the California Department of Conservation Office of Mine Reclamation (OMR) (letter dated April 29, 2016) on the initial Reclamation Plan, submitted to OMR by the County on March 24, 2016. The requested information was subsequently incorporated into a letter (dated July 14, 2016) and Supplement No.1, both of which were submitted to OMR by the County on August 3, 2016. Per correspondence with OMR on March 30, 2017, the response to comments was found to be adequate by OMR.

4. ENVIRONMENTAL REVIEW:

An Initial Study has been prepared for the project, based on supporting materials provided by the Applicant and consulting agents. The said materials were used in part to identify potentially significant impacts pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15063. Mitigation measures are recommended to reduce the potential environmental impacts of the project. Adoption of a

[5] Mendocino County Inland Zoning Code, § II-20.068.005 (1995).

Mitigated Negative Declaration is recommended. The draft environmental document is attached. All materials are available for review at the Ukiah office of the Department of Planning and Building Services.

All mitigation measures and conditions of approval included under the prior Use Permit #29-93 would continue to apply under the project (**Condition 8**).

Air Quality

The proposed project has the potential to result in impacts to air quality in the region including exhaust and fugitive dust emissions from operation of the quarry processing equipment; off-road mobile equipment at the quarry associated with quarry maintenance, excavation activities, and aggregate loading into haul trucks via loader; emissions from haul trucks and other vehicles traveling to and from the project site; and from blasting, which may occur up to two times per year. The project would be a continuation of an entitlement that was obtained in 1994. Air quality related impacts are regulated through Mendocino County Air Quality Management District (MCAQMD) permitting requirements. Comments received from MCAQMD stated that the facility is required to maintain an extraction/crushing/screening perimeter for planned activities at the site and the project is conditioned as such (**Condition 9**). Additionally, per **Condition 10**, prior to resuming extraction and processing practices at the quarry, a letter from MCAQMD shall be provided to Planning and Building Services stating that the quarry is in compliance with all permitting requirements and regulations. This condition is recommended to help ensure potential impacts conflicting with air quality plans and standards would be less than significant.

The two nearest residences to the site are located approximately 0.8-miles south and southwest of the site, respectively. No significant impacts resulting from objectionable odors or exposure of pollutants to sensitive receptors would occur.

Biological Resources

Communities and habitats present within the project area include North Coast coniferous forest, Redwood series, and Grand Fir series. While no rare plants or habitats were identified[6], review of the California Natural Diversity Data Base (CNDDB, version 12/2015) showed the potential for several special status plant and wildlife species to occur on or near the project site. Additionally, there is the potential for migratory birds protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC) to be present within or in the vicinity of the project site. Several Riverine wetlands have been identified on and adjacent to the project parcels, specifically within the westernmost and northern, southern, and eastern portions of the site. Additionally, portions of two Freshwater Forested/Shrub wetlands are located within the project parcels, in the westernmost portion and near the southern portion of the site.[7] The site discharges to Alder Creek, which does not have adopted total maximum daily loads (TMDL) of pollutants and is not listed for water quality impairment on the most recent Clean Water Act (CWA) 303(d) list of impaired waters.[8]

The conditions of approval for the quarry were modified in March 2003 to not require additional biological surveys of the Point Arena Mountain Beaver (PAMB) be conducted and required two protective conditions to limit incidental take of PAMB, northern spotted owl, marbled murrelet, and Behren's silverspot butterfly. The two conditions require USFWS and the Mendocino County Department of Planning and Building Services to be notified prior to any new ground disturbing or vegetation altering operations (**Condition 11**), and limit periods of the year when blasting may occur (September 16 through January 31) and hours of the day during certain months (between March 24 and September 15) when noise-generating activities may be conducted (**Condition 12**). Additionally, to further reduce potential impacts, **Condition 14** is recommended to require all BMPs, including those requiring maintenance and corrective measures, as observed in the October 27, 2016, Surface Mining Inspection Report, to be properly maintained and corrected when not properly working.

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[6] Powers Forestry. *Rare Plant Survey Report*. July 25, 2012.
[7] Mendocino County Planning & Building Services. *Classified Wetlands* [map]. 1:24,000. March 2016.
[8] Crawford & Associates, Inc. *Industrial Activities Stormwater Pollution Prevention Plan* (SWPPP) *for Bald Hills Quarry*. June 2015.

Cultural Resources
There are no known historical resources on the site or in the vicinity that would be impacted by the proposed project. However, **Standard Condition** (**Condition 13**) is recommended to advise the Applicant of the County's "Discovery Clause," which establishes procedures to follow in the event that archaeological or cultural materials are unearthed during site preparation or excavation activities, in accordance with County Code Sections 22.12.090 and 22.12.100. With the inclusion of the recommended condition of approval, the proposed project is found consistent with Mendocino County policies for protection of historic, archaeological, paleontological, and cultural resources, and a less than significant impact would occur.

Geology and Soils
As noted, the Applicant is proposing to continue mining operations (extraction and processing) at an existing site for a period of 30-years. The current permit allows for up to 100,000-CY/year, with an average extraction rate of 40,000- to 50,000-CY/year. No changes to the maximum allowable extraction amount under the existing permit are requested. The phases and footprint of the quarry would remain the same as approved in the original Use Permit (#U 29-93) and Reclamation Plan, and the overall rock extraction (from inception) would continue to be 1,500,000-CY.

Mining of site materials would be performed in a phased manner to allow for concurrent site reclamation. Mining would occur in three phases, with the fourth phase involving implementation of final reclamation and revegetation activities. The end use of the project site would be forest land, which is compatible and consistent with lands surrounding the project site.

To reduce potential impacts associated with rupture of a known earthquake fault, strong seismic ground shaking, and landslides, Mitigation Measures 1 and 2 are recommended in the Initial Study, as recommended in the Geotechnical Report:

Mitigation Measure 1: Interim slope cuts, including internal faces during individual phases of operations prior to final excavation, shall be evaluated in accordance with current Mine Safety and Health Administration (MSHA) requirements as quarry operations progress.

Mitigation Measure 2: Slope stability analyses shall be performed by a Certified Engineering Geologist when the quarry face progresses to within 150 feet of the final face cut.

With incorporation of Mitigation Measures 1 and 2, above, a less than significant impact would occur.

Hazards and Hazardous Materials
Approval of the project has the potential to result in certain hazards related to the mining operation. Blasting at the site may occur up to two times per year and would require the use of explosives; however, a licensed blaster would transport the necessary explosives to the site and perform the necessary blasting in compliance with all applicable laws and regulations. While no hazardous materials are currently stored on-site, a 1,000-gallon covered diesel tank may be installed at the Processing Site[9]; however, **Condition 15** is recommended to ensure that any hazardous materials to be installed on-site would be stored within an approved container and would be stored in accordance with all laws and regulations. Additionally, **Standard Condition** (**Condition 4**) is recommended to require the applicant to obtain all necessary permits from all federal, state, and local agencies with jurisdiction over the project.

The site is located within a "high" fire hazard severity zone.[10] Although proper precautions and measures

[9] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.
[10] Mendocino County Planning & Building Services. *Fire Hazard Zones & Responsibility Areas* [map]. 1:24,000. March 2016.

are taken during mining operations, the potential exists for wildland fire to inadvertently be ignited when equipment is utilized near dry grassland, especially during periods of increased fire danger. Additionally, there is an increased risk of wildfires when blasting occurs on the site. During "high," "very high," or "extreme" fire danger levels, **Mitigation Measure 3** requires a water truck be filled and on standby at the project site during equipment use at the quarry and when blasting is to occur on the site, and **Mitigation Measure 4** requires the operator notify the Redwood Coast Fire Protection District and the CAL FIRE Point Arena station a minimum of 24 hours prior to blasting.

These conditions/mitigation measures are recommended to ensure that the potential for these and other such hazards are held to a minimum.

RECOMMENDATION

By resolution, adopt a Mitigated Negative Declaration and grant a Surface Mining Use Permit and Reclamation Plan Renewal for the Project, as proposed by the applicants, based on the facts and findings and subject to the conditions of approval.

6/1/2017
DATE

Robert LaPorte
ROBERT LAPORTE, PLANNER II

Appeal Period: 10 Days
Appeal Fee: $1616.00

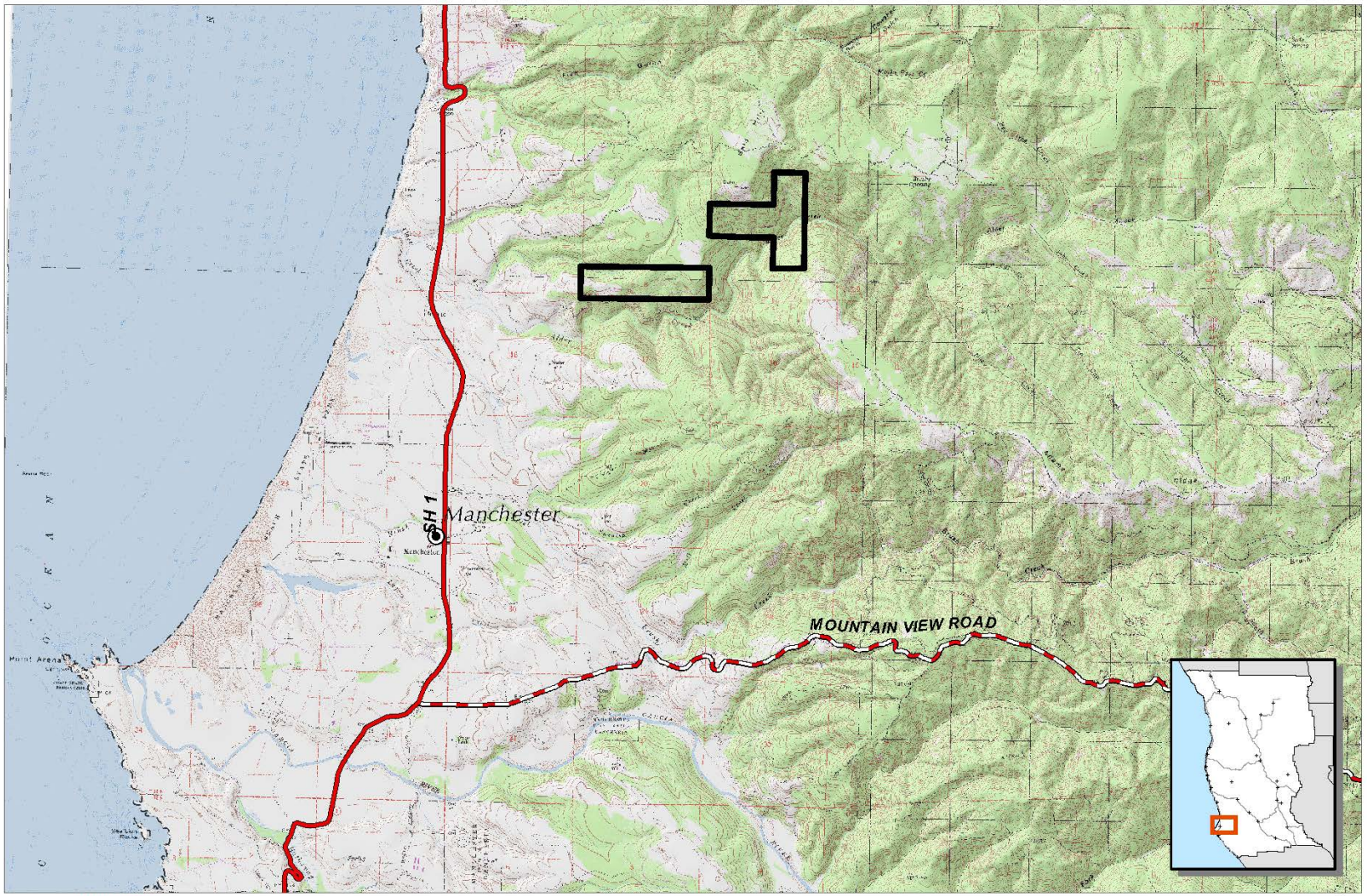
ATTACHMENTS:

A. Location Map
B. Aerial Map
C. Adjacent Parcel Map
D. Pit 1 Reclamation Plan Map
E. Pit 2 Reclamation Plan Map
F. Processing Site Reclamation Plan Map
G. General Plan Map
H. Zoning Map
I. Fire Hazards Map
J. Timber Production Map
K. Williamson Act Map
L. Soils Map
M. Farmland Map

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

Initial Study and Mitigated Negative Declaration available online at:
http://www.co.mendocino.ca.us/planning/meetings.htm

ATTACHMENT A



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

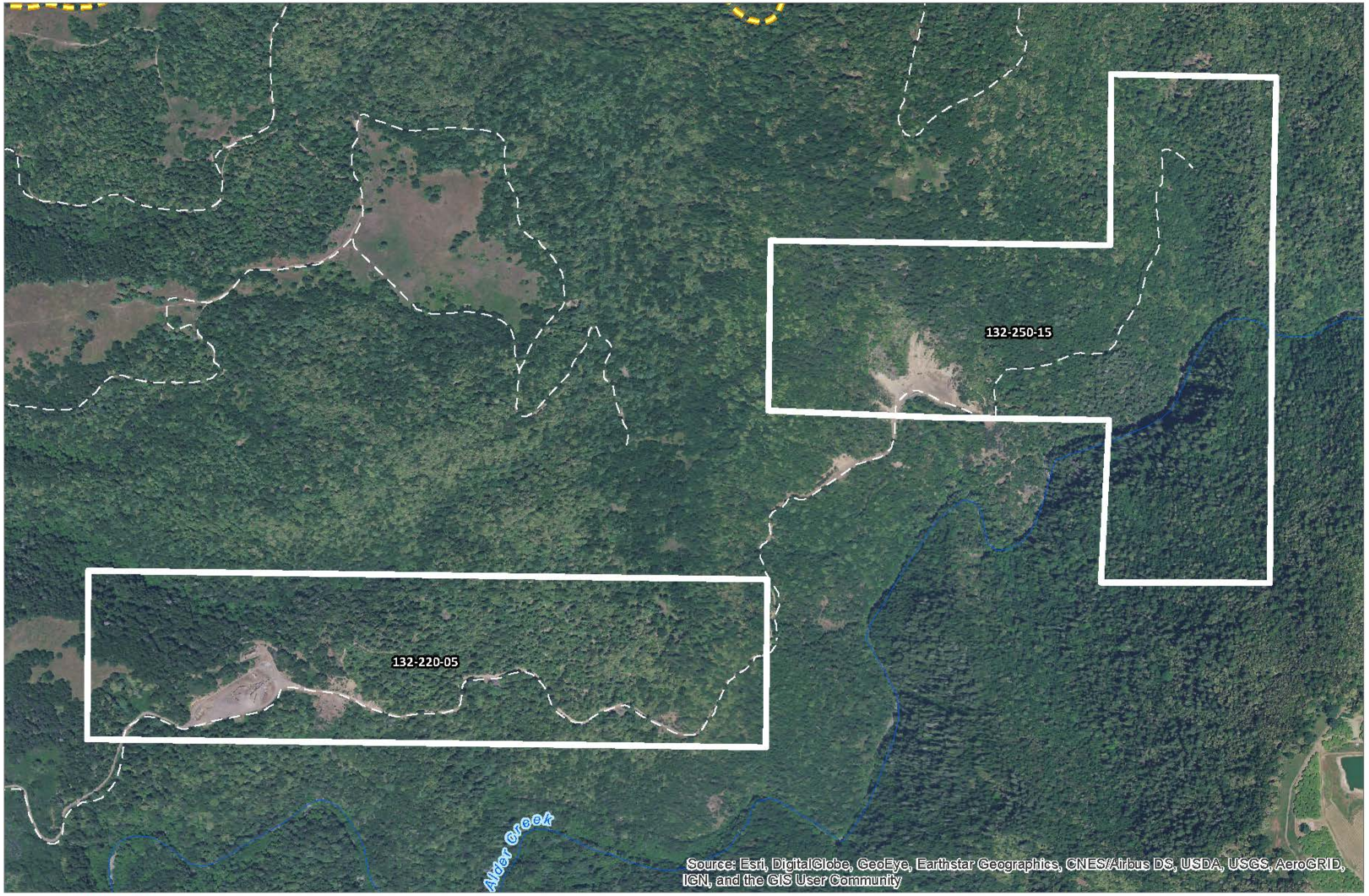
Major Towns & Places
Highways
Major Roads

0 2,550 5,100 Feet
0 0.5 1 Miles
1:63,360

LOCATION MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT B



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

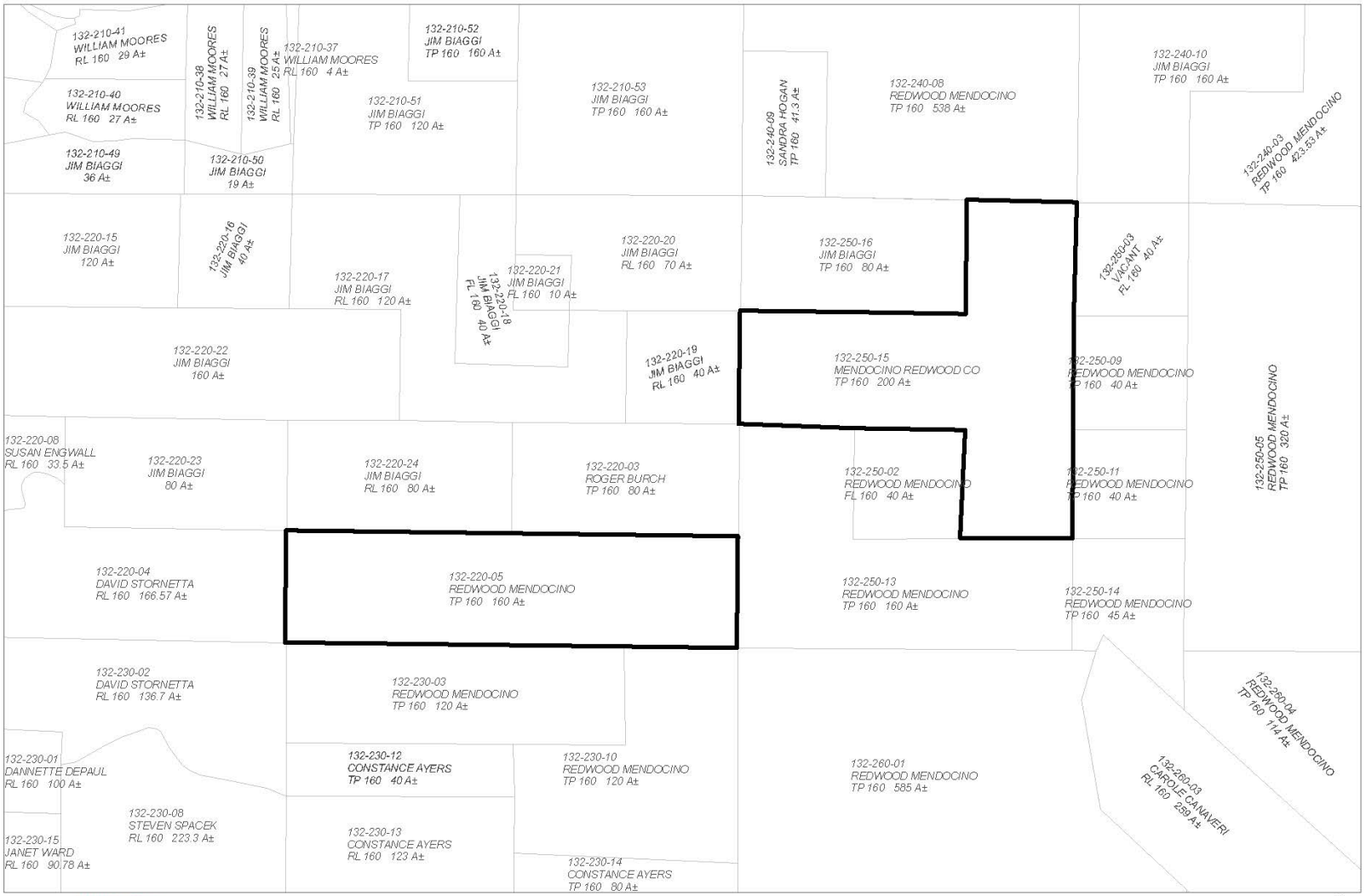
Named Rivers
Private Roads
Driveways/Unnamed Roads

0 500 1,000 Feet
0 0.075 0.15 Miles
1:12,000

AERIAL IMAGERY

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT C

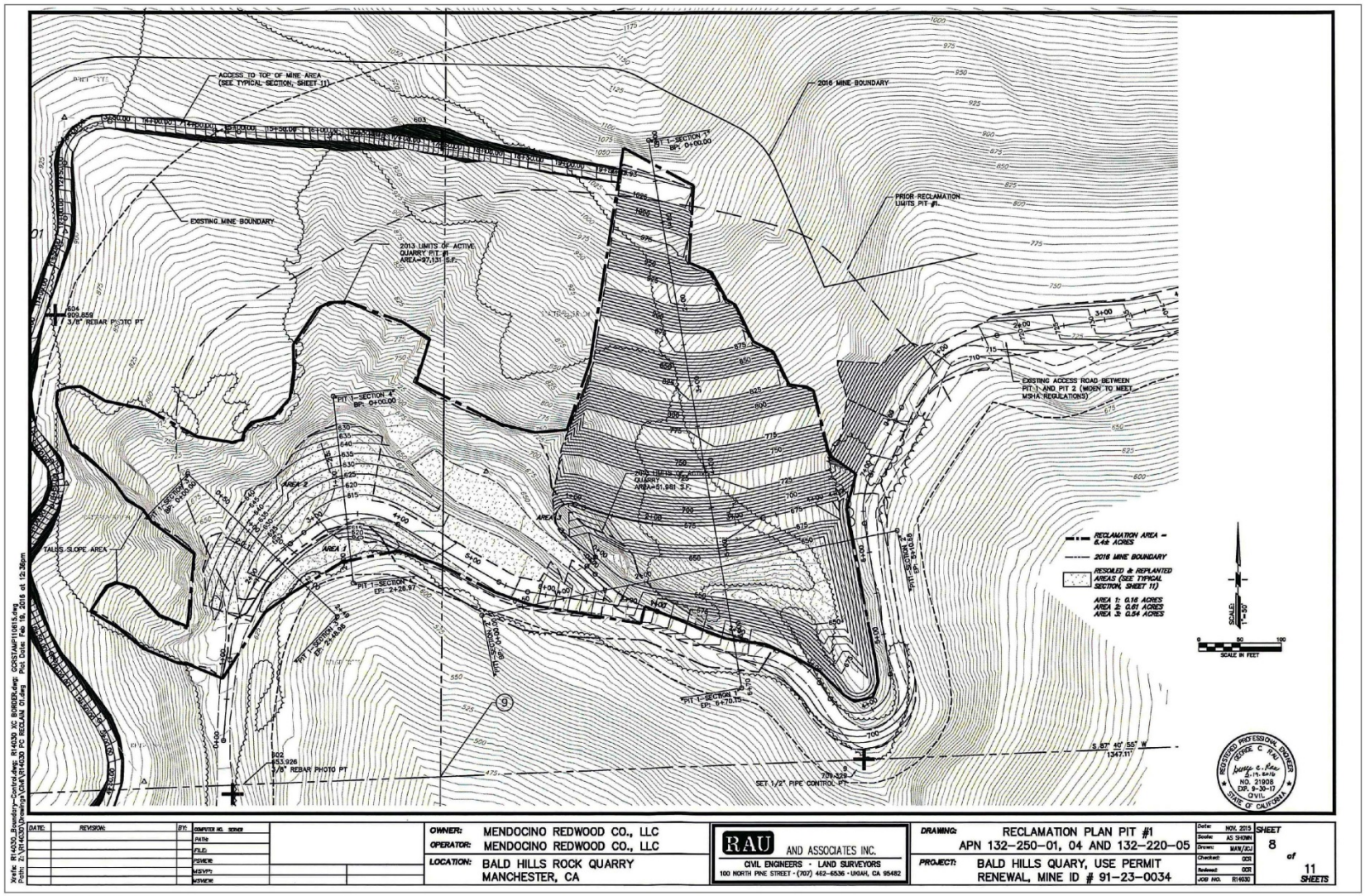


CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

ADJACENT PARCELS

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ATTACHMENT D



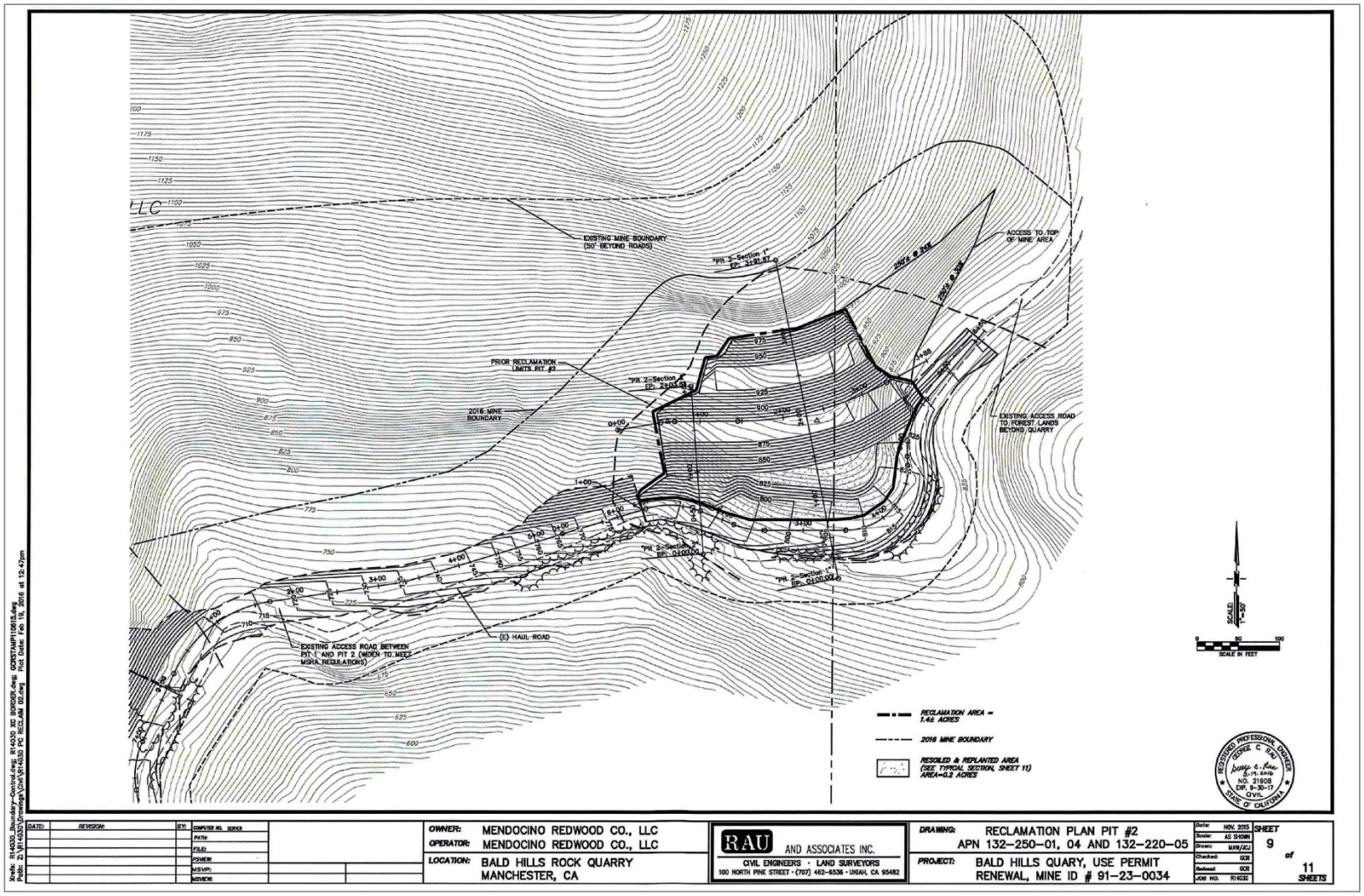
CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

NO SCALE

PIT 1 REC PLAN

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT E

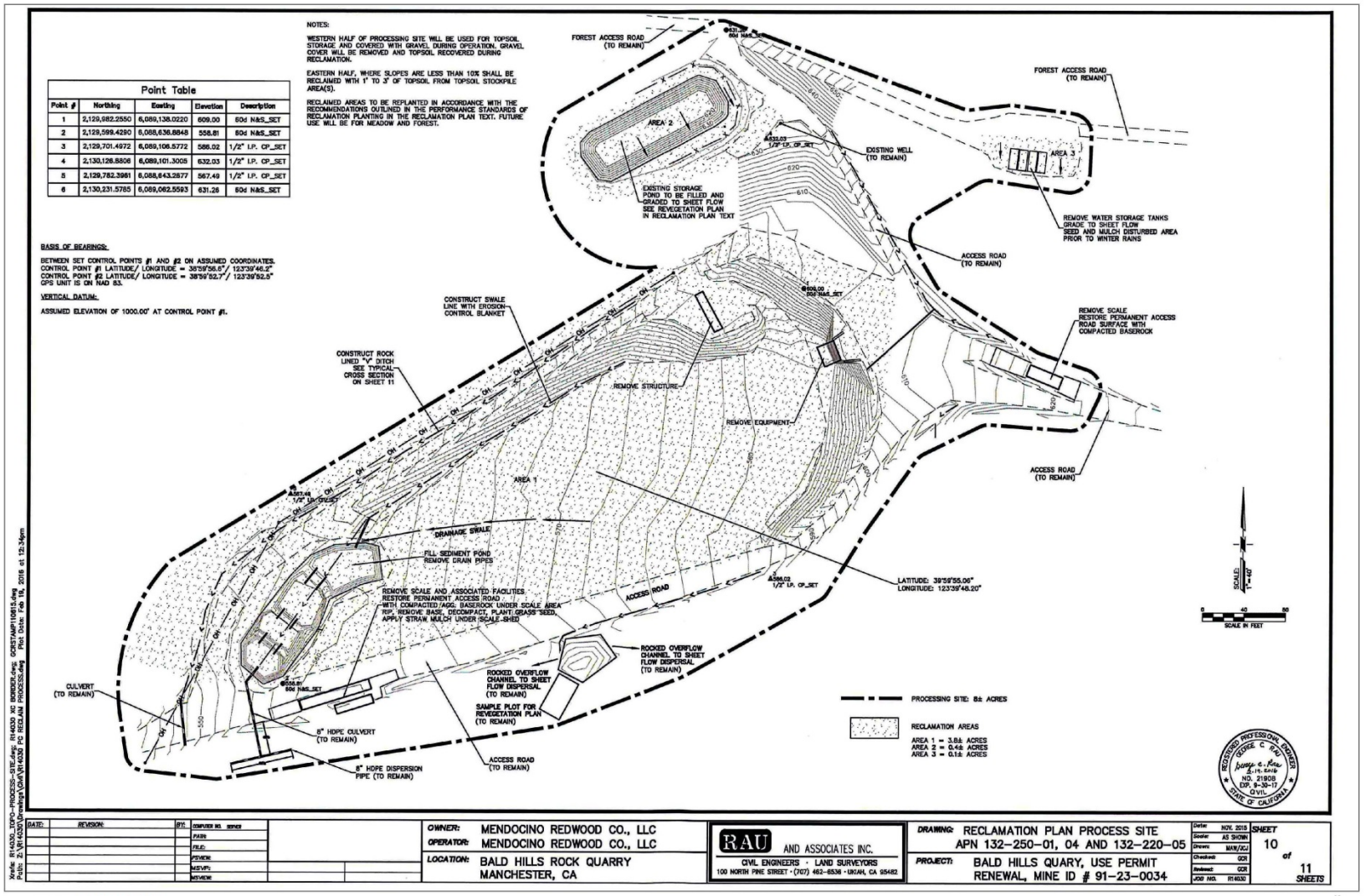


CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

NO SCALE

PIT 2 REC PLAN

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

NO SCALE

PROCESSING SITE REC PLAN

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT G



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

General Plan Classes

0 700 1,400 Feet
0 0.125 0.25 Miles
N W E S
1:18,000

GENERAL PLAN CLASSIFICATIONS

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT H



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

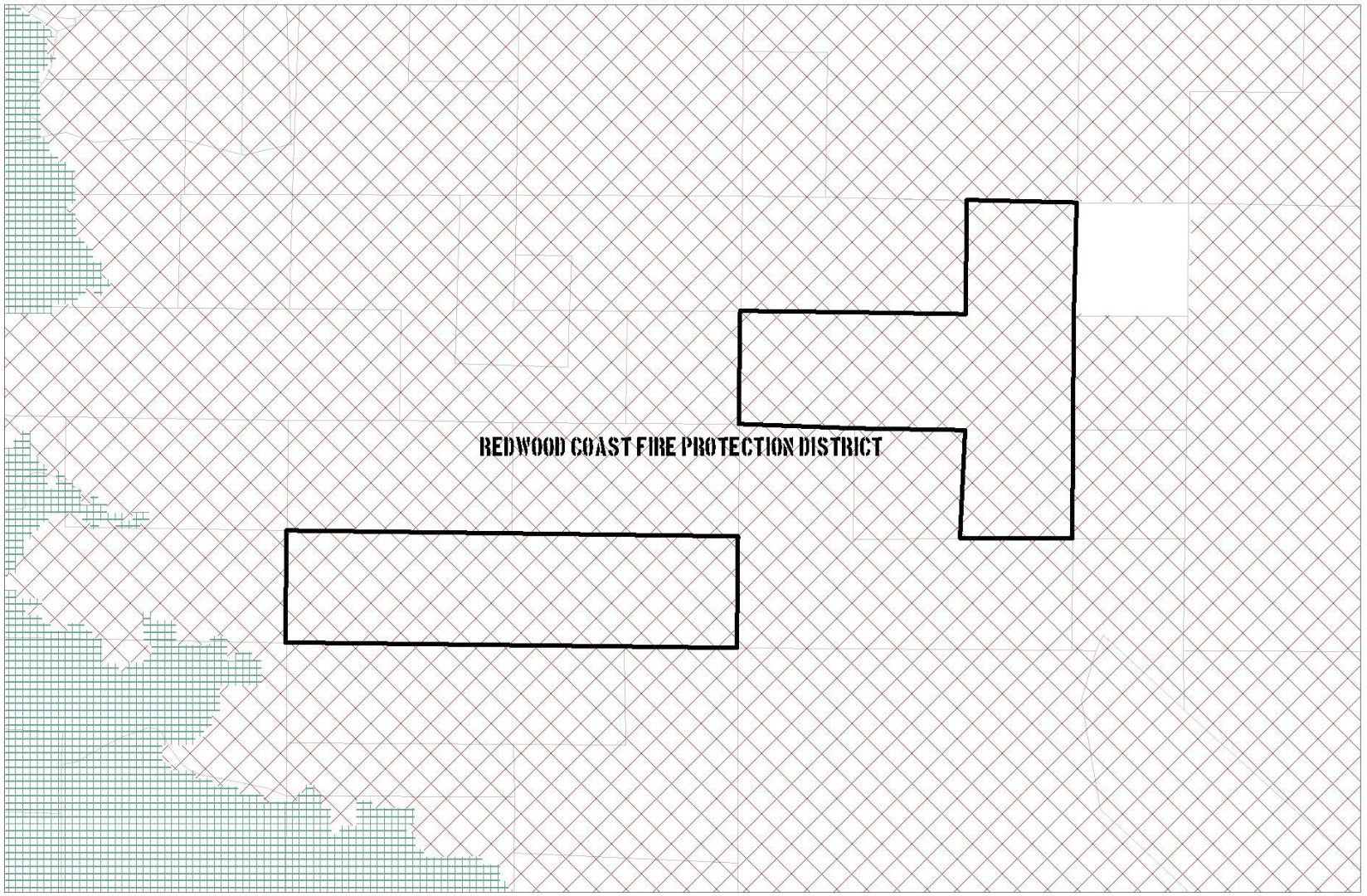
Zoning Districts

0 700 1,400 Feet
0 0.125 0.25 Miles
1:18,000

ZONING DISPLAY MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT I



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

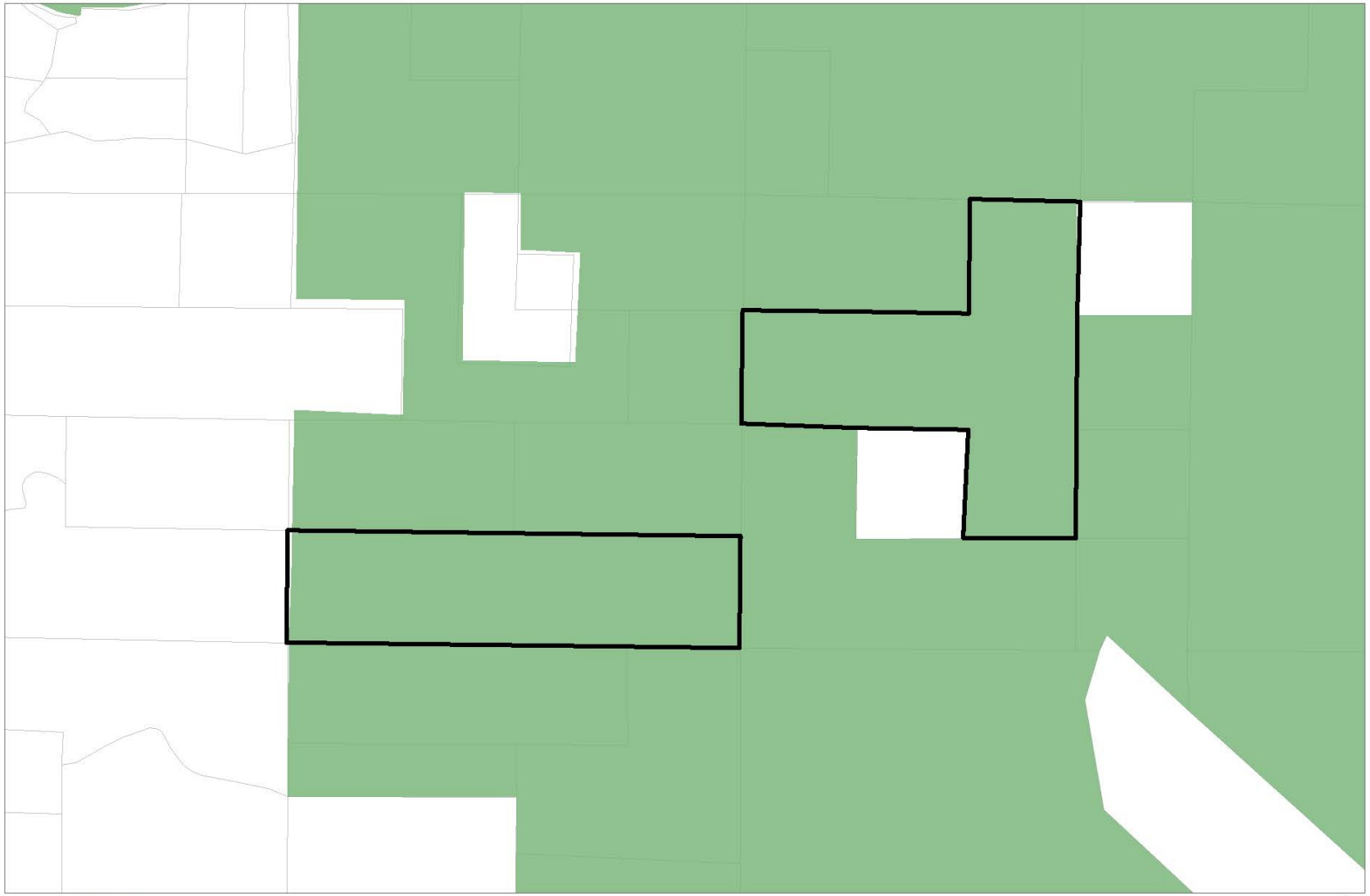
County Fire Districts
High Fire Hazard
Moderate Fire Hazard

0 700 1,400 Feet
0 0.125 0.25 Miles
N W E S
1:18,000

FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT J



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

TPZ 2015

0 700 1,400 Feet
0 0.125 0.25 Miles
N W E S
1:18,000

TIMBER PRODUCTION ZONES

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT K



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

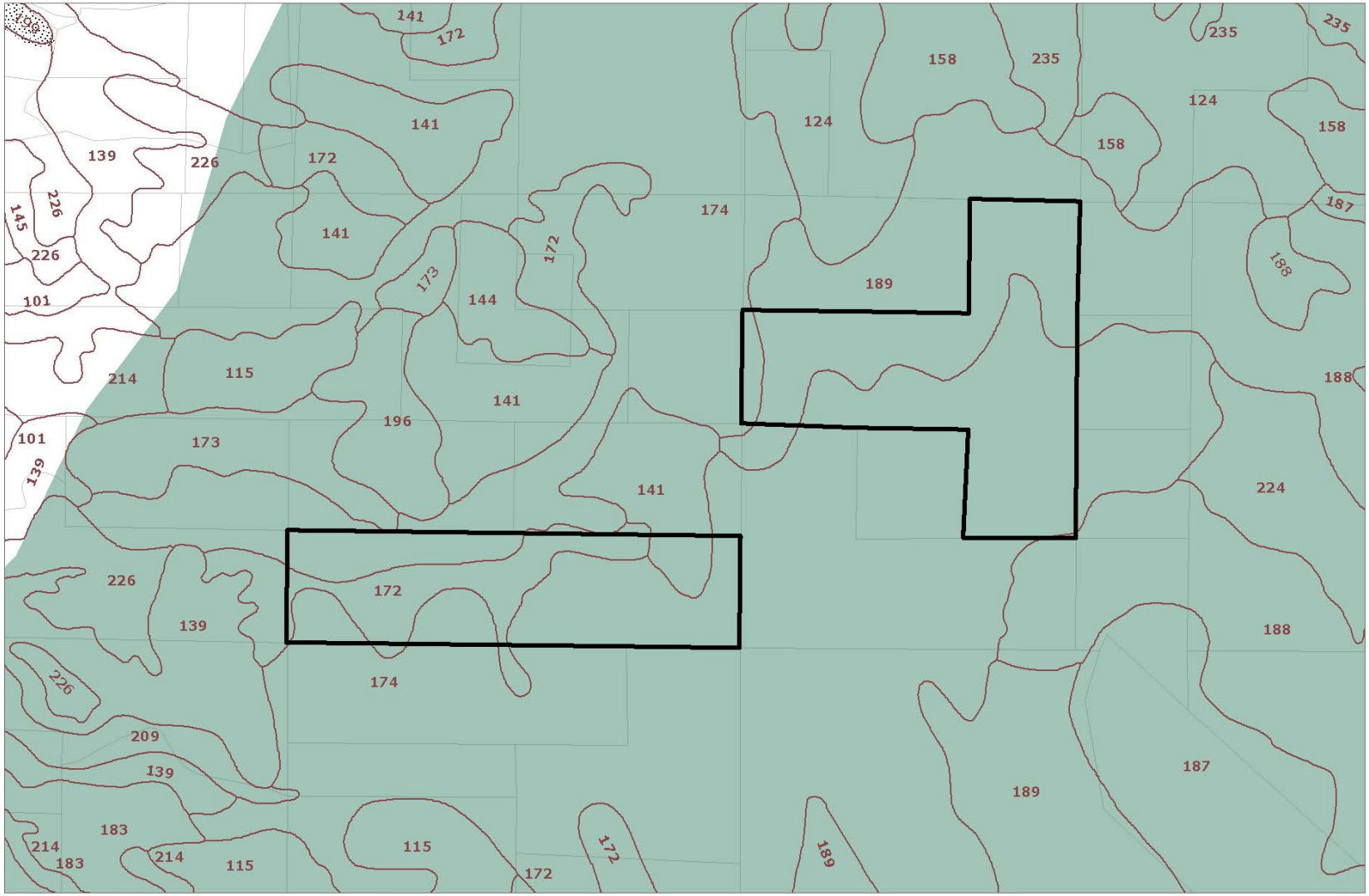
Williamson Act 2016
Prime Ag 2016
Non-Prime Ag 2016

0 700 1,400 Feet
0 0.125 0.25 Miles
1:18,000

LANDS IN WILLIAMSON ACT CONTRACTS

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT L



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

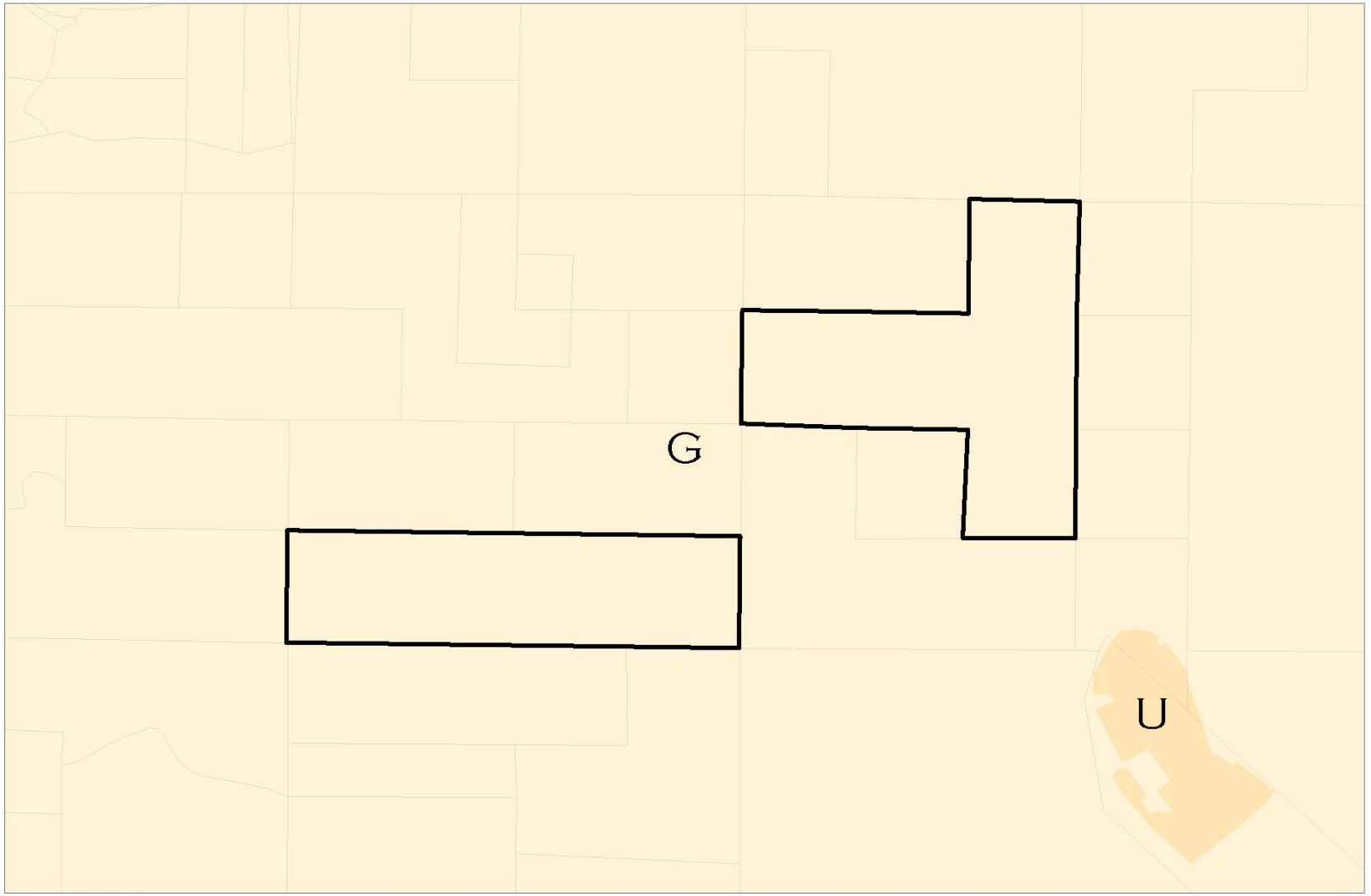
Western Soils
Shinglemill-Gibney Complex
Bishop Pine

0 700 1,400 Feet
0 0.125 0.25 Miles
1:18,000

LOCAL SOILS

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

ATTACHMENT M



CASE: UR 2014-0003
OWNER: Mendocino Redwood Company, LLC
APN: 132-250-15
APLCT: Mendocino Redwood Company, LLC
AGENT:
ADDRESS: None Assigned

Grazing Land (G)
Unique Farmland (U)

0 700 1,400 Feet
0 0.125 0.25 Miles
N W E S
1:18,000

IMPORTANT FARMLAND

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.

INITIAL STUDY/DRAFT MITIGATED NEGATIVE DECLARATION

Section I Description Of Project.

DATE: April 14, 2017
CASE#: UR_2014-0003
DATE FILED: Originally filed 6/12/2014. Complete application accepted 3/22/2016.
OWNER: MENDOCINO REDWOOD COMPANY, LLC, AND BIAGGI TRUST
APPLICANT: MENDOCINO REDWOOD COMPANY, LLC
AGENT: CHUCK JEFFRIES (KANSAS ASPHALT, INC.)
PROJECT COORDINATOR: ROBERT LAPORTE, PROJECT PLANNER
REQUEST: Surface Mining Use Permit and Reclamation Plan Renewal of Use Permit #U 29-93 to allow for continued extraction of up to 100,000-cubic yards per year (CY/year) (reduced average of 50,000 CY/year) over a 30-year period at the existing Bald Hills Rock Quarry (CA MINE ID #91-23-0034), and a minimum 33-year term for the reclamation plan to complete reclamation activities.
ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration
LOCATION: The site is located approximately 2.5-miles northeast of Manchester and approximately 1.5-miles east of State Highway 1, and is accessed via a private haul road, located approximately 1-mile north of its intersection with Kinney Road (CR #512) (APNs 132-220-05, 132-250-15).

Section 2 Environmental Checklist.

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.

PROJECT DESCRIPTION: Mendocino Redwood Company, LLC (Applicant) is requesting approval of a Surface Mining Use Permit and Reclamation Plan Renewal for an existing surface mining operation located near the community of Manchester in the County of Mendocino. The Applicant is requesting continued extraction of rock from the existing Bald Hills Quarry (BHQ) and aggregate processing for a 30-year term. The project was previously permitted by the County of Mendocino (Permit #U 29-93) in 1994 for a 20-year term, and quarry operations have been idle since 2014. Mining of site materials would be performed in a phased manner to allow for concurrent site reclamation. Mining would occur in three phases, with the fourth phase involving implementation of final reclamation and revegetation activities. The end use of the project site would be forest land. The total life of the project is estimated to be 33-years, with 30-years for mining operations and 3-years to complete reclamation activities. The current permit allows for up to 100,000-CY/year, with an average extraction rate of 40,000- to 50,000-CY/year. No changes to the maximum allowable extraction amount under the existing permit are requested. The phases and footprint of the quarry would remain the same as approved in the original Use Permit (#U 29-93) and Reclamation Plan, and the overall rock extraction (from inception) would continue to be 1,500,000-CY.

A detailed *Bald Hills Quarry Reclamation Plan 2016* (Reclamation Plan) was prepared for the proposed project by Rau and Associates, Inc., dated February 2016, which describes the project site, existing mining operations, and the project's reclamation plans for the site. A *Supplement No. 1 to Bald Hills Quarry Amended Reclamation* Plan (Supplement No. 1) was prepared by Rau and Associates, Inc., dated July 2016, to address comments and issues raised by the California Department of Conservation's Office of Mine Reclamation (OMR) in a letter dated April 29, 2016. The Reclamation Plan approved by Use Permit #U 29-93 is still in effect, since the Use Permit and Reclamation Plan Renewal application was submitted prior to the expiration date. The renewal application for the BHQ Reclamation Plan proposes to conform to the approved tasks described in the prior-approved Reclamation Plans, with some minor modifications.

Operations at the BHQ consist of the following activities required to extract and process quarry rock into a variety of aggregate products:

- Rock extraction utilizing excavator and dozer
- Aggregate processing, including crushing and screening
- Storage of processed aggregate materials

- Removal and storage of topsoil
- Loading and hauling of aggregate to off-site users
- Fueling, washing, and maintenance of equipment[1]

Extraction activities would occur during periods of little to no rainfall, typically between April 1st and November 15th of each year, and would occur during the hours of 10:00 a.m. to 4:00 p.m., Monday through Saturday[2]. An average of three employees would work on-site and would generally consist of equipment operators. Truck drivers would traverse the haul road to and from the extraction site.[3]

The parcels comprising the project site total approximately 645-acres. The existing BHQ facility consists of two sites and includes the quarry site and processing site. The boundary of the quarry site spans a total of 28.9-acres and includes two rock pits, Pit #1 and Pit #2. As provided in the Reclamation Plan, under the proposed project, extraction would typically occur at one pit at a time, on approximately 3.4-acres of the 6.4-acre disturbed area in Pit #1 and later on approximately 1.4-acres of Pit #2, which has not been previously disturbed. The aggregate area disturbance in Pit #1 and Pit #2 by the mining activities is estimated to be 7.8-acres, 6.4-acres of which would be within Pit #1 and approximately 1.4-acres would be within Pit #2. No processing of materials would occur at the mining pits, though some temporary storage may continue on the floor of each pit. The maximum anticipated depth of mining would be approximately 405-feet. The total area to be reclaimed within the quarry site is 7.8-acres. It is anticipated that blasting would occur once or twice per year.

The processing site area boundary spans approximately 10-acres and includes three staging areas:

- Area #1, which includes the processing area, stationary processing equipment and scales, sedimentation pond, and temporary storage area for processed materials.
- Area #2, which includes the temporary storage pond
- Area #3, which is where the existing water storage tanks are located.

The total area planned for disturbance at the processing site is 5.1-acres. This excludes the access road areas, which would remain in place as a permanent access for timber production and harvesting after mining operations are completed. The total area to be reclaimed at the processing site is 5.1-acres.

As provided in the Reclamation Plan, end use for the site reclamation activities is timberland at the quarry site and timberland and meadow at the processing site. Reclamation at the quarry site would consist of finish grading of quarry floor areas and covering them with overburden and topsoil removed to uncover the rock outcroppings at the quarry pits. At the processing site, reclamation would include returning and recontouring topsoil removed to grade the working area of the site. Areas with soil cover would be planted with forest tree species at the mine pits and with a mix of forest tree species and meadow vegetation at the processing site.

The potential impacts of the proposed project were analyzed in a prior Initial Study in 1993. The Lead Agency determined that the proposed project would not have a significant, substantial adverse effect on the environment with adherence to recommended mitigation measures and conditions of approval.

BACKGROUND: Mining operations occurred at the existing BHQ between 1994 and 2014, and included the following materials: structure backfill, aggregate base, and rip-rap (rock slope protection). The volume of mined materials ranged from approximately 5,000 CY in 1995 to approximately 27,000 CY in 2000. The average extraction over the 10-year period between 2004 and 2013 was approximately 8,500 CY/year.

PROJECT LOCATION AND ENVIRONMENTAL SETTING: The existing BHQ is located approximately 2.5-miles northeast of the community of Manchester and approximately 1.5-miles east of Highway 1, within unincorporated Mendocino County. The project site is located in a rural area with minimal development. The site is accessed via a private haul road, located approximately 1-mile north of its intersection with Kinney Road (CR #512). The quarry is located approximately 3.2-miles east of Highway 1 and approximately 570-feet north of Alder Creek. The processing site is located approximately 1.7-miles east of Highway 1 and approximately 850-feet north of Alder Creek.

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[1] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

[2] Hours of operation modified to meet conditions of USFWS for marbled murrelet and northen spotted owl. County of Mendocino Department of Planning and Building Services. [letter to Bill and Karen Kay]. March 27, 2003.

[3] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

The parcels comprising the project site (APNs 132-250-15 for the quarry, and 132-220-05 for the processing site) total 645-acres in size. The Quarry Site comprises approximately 28.9-acres, of which 7.8-acres would be actively mined over the 30-year span of the project, in two hillside rock pits and mining areas (Pit #1 and Pit #2). The two mining areas are on a very steep, southeasterly slope above Alder Creek. Pit #1 has been developed and would continue to expand, as described in the Reclamation Plan, and Pit #2 has not yet been developed. A sediment basin is located south of Pit #1 and several improvements would be made, including culverts to be installed with rock slope protection and energy dissipaters at each of the two pits, in addition to gravel filter berms and native topsoil berms to be located along the outer edges of the rock pits. At Pit #1, surface flows drain to the quarry floor where some infiltration occurs into fractured bedrock, and continues in a westerly direction directly to a sediment detention basin, which outlets into a weir on the south side of the road. Once Pit #2 is developed, stormwater would infiltrate into the pit floor, then continue in a westerly direction into a rock-protected weir. From there, runoff would travel through an inboard ditch along the haul road, into a culvert, and discharge across the road into a natural drainage on a forested hillside.[4] Reclamation would total approximately 7.8-acres within the Quarry Site.

The processing site comprises approximately 10-acres and is a gently sloping area near the top of a ridge which was historically cleared for use as a logging deck. The processing site is currently developed with an office, two truck scales, container storage for equipment maintenance supplies, crusher, screen, conveyors, material stockpiles, and parking area. Additionally, a sediment basin and berm are located downslope of the processing plant. A 1,000-gallon covered diesel tank may also be installed. New culverts would be installed across the road above and below the plant and rock-lined ditches would be installed along the road.[5] The total area planned for disturbance at the processing site is 5.1-acres. This excludes the access road areas, which would remain in place as a permanent access for timber production and harvesting after mining operations are completed. The total area to be reclaimed at the processing site is 5.1-acres.

Existing land uses in the area consist primarily of forest land. The two nearest residences to the project site include one residence located approximately 0.8-miles southwest and one residence located approximately 0.8-miles south of the site. The topography of the site and surrounding area consists of coastal hills and associated canyons, predominated by gentle terrain near the ridge tops and steep terrain on the sidehills descending into canyons. Elevations at the quarry site range from approximately 600- to 770-feet above mean sea level (amsl) at the pit floors to approximately 1,050-feet amsl at the top of planned excavations. Elevation at the processing site is approximately 600-feet amsl. As provided in the *Rare Plant Survey Report*, prepared by Powers Forestry, dated July 25, 2012, biological communities and habitats present within the project area include North Coast coniferous forest, Redwood series, and Grand Fir series.

Per the site's latest *Surface Mining Inspection Report*, prepared by LACO Associates on October 27, 2016, existing erosion control Best Management Practices (BMPs), including hay bales, mulch, straw waddles, and grading to control runoff to sediment retention in the processing area, in addition to the existing sediment ponds, were noted to be in need of maintenance. Additionally, the existing erosion control BMPs were observed to not be properly maintained as proposed in the existing BHQ's Reclamation Plan and stormwater discharge off-site was noted to have occurred. Conditions of approval and mitigation measures are recommended to address the concerns raised in the *Surface Mining Inspection Report* (see Sections IV [Biological Resources] and IX [Hydrology and Water Quality], below).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☒	Air Quality
☒	Biological Resources	☐	Cultural Resources	☒	Geology /Soils
☐	Greenhouse Gas Emissions	☒	Hazards & Hazardous Materials	☒	Hydrology / Water Quality

[4] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.
[5] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

☐	Land Use / Planning	☐	Mineral Resources	☒	Noise
☐	Population / Housing	☐	Public Services	☐	Recreation
☒	Transportation/Traffic	☐	Utilities / Service Systems	☐	Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site; cumulative as well as project-level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"**Potentially Significant Impact**" means there is substantial evidence that an effect may be significant.

"**Potentially Significant Unless Mitigation Incorporated**" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"**Less Than Significant Impact"** means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"**No Impact"** means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

I. AESTHETICS. **Would the project:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Mendocino County is a scenic and visually diverse county, and is considered predominantly rural with respect to existing development. The project site is located in a rural area with minimal development and is currently developed with the existing BHQ. The BHQ includes the quarry site, comprised of two hillside rock pits (Pit #1 and Pit #2), and the processing site.

a), c), and d) Less Than Significant Impact

The proposed project would not have a substantial adverse effect on a scenic vista. Additionally, the project would not substantially degrade the existing visual character or quality of the site and its surroundings, since the project site is an existing quarry and has been disturbed under previously-approved mining operations (Use Permit #U 29-93). Though no extraction has yet occurred at Pit #2, due to the distance of the project site to Highway 1 (1.5-miles) and since the rock and exposed material are and would be dark grey in color and blend in with the surrounding landscape, visual impacts associated with the mining activities would be reduced. Furthermore, surrounding vegetation would continue to grow and change and reclamation would occur at the site, including

planting trees and revegetation activities, which would further reduce potential visual impacts associated with the proposed project. The existing BHQ is limited to the hours of 10:00 am to 4:00 pm, which would continue under the requested Surface Mining Use Permit and Reclamation Plan Renewal. A less than significant impact would occur.

b) No Impact
Under CEQA, visual resources that uniquely contribute to the public benefit are considered to be scenic resources. There are no officially designated scenic highways in Mendocino County. Though Highway 1 through Mendocino County has been identified by the California Department of Transportation (Caltrans) as being *eligible* for designation as a State Scenic Highway, it is not officially designated as such.[6] No impact would occur.

Conclusion: The proposed project would have a less than significant impact on aesthetics. **(Less Than Significant Impact)**

II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

As provided in the Mendocino County General Plan, agriculture has a significant role in the County's economy. Per the 2006 Mendocino County Crop Report, the total value of agricultural production, excluding timber production, was approximately $136.7 million, which accounted for a 14-percent increase above the 2005 production value and the second highest total in the past ten years. Livestock and related products accounted for 10-percent of the County's total agricultural production value.[7]

The land use designation for the site is Forest Lands with a 160-acre minimum parcel size (FL160) under the Mendocino County General Plan, and is zoned as Timberland Production with a minimum 160-acre minimum parcel size (TP-160). As provided in Section 20.068.025 of the Mendocino County Inland Zoning Code, mining and processing is permitted in the TP District with a Major Use Permit.[8] The project site is designated as "Grazing Land" under the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation, Division of Land Resource Protection. The nearest farmland to the site, designed as "Unique

[6] California Department of Transportation (Caltrans). *California Scenic Highway Mapping System.* Mendocino County. Accessed April 3, 2017. Available at: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/.
[7] County of Mendocino. *Mendocino County General Plan*. §4-7 (Soil and Agricultural Resources). August 2009.
[8] County of Mendocino. *Mendocino County Zoning Regulations – Inland Zoning Code*. §20.068.025. 1991.

Farmland" per the FMMP, is located southeast of the site, outside of the boundaries of the project site.[9] Though no portion of the project site is currently under a Williamson Act contract, Williamson Act contract lands are located immediately west and south of the site, adjacent to the southeastern-most portion of the site.[10]

As provided in the *Rare Plant Survey Report*, prepared by Powers Forestry, dated July 25, 2012, biological communities and habitats present within the project area include North Coast coniferous forest, Redwood series, and Grand Fir series. Reclamation at the quarry site would consist of finish grading of quarry floor areas and covering them with overburden and topsoil removed to uncover the rock outcroppings at the quarry pits. At the processing site, reclamation would include returning and recontouring topsoil removed to grade the working area of the site. Areas with soil cover would be planted with forest tree species at the mine pits and with a mix of forest tree species and meadow vegetation at the processing site. As provided in the Reclamation Plan, Douglas fir seedlings and other coniferous softwoods would be planted at a density of 300 trees per acre in accordance with modern reforestation standards required in commercial timber stands.

a), b), and c) No Impact
The project site does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the FMMP, is not zoned for agricultural use, and is not under a Williamson Act contract. The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, or conflict with existing zoning for agricultural use or a Williamson Act contract. As noted above, the site is within the TP-160 District. The project would not conflict with, or cause rezoning of, forest land, timberland, or timberland zoned TPZ, as no zone reclassification is proposed, and since mining and extraction uses are permitted in the TP District with a Major Use Permit.[11] No impact would occur.

d) Less Than Significant Impact
Approximately 12.3-acres of the site is planned for disturbance. After completion of mining activities at the project site, reclamation of the site would return 12.1-acres of the site to forest land. As provided in the Reclamation Plan, Douglas fir seedlings and other coniferous softwoods would be planted at a density of 300-trees-per-acre in accordance with modern reforestation standards required in commercial timber stands. As such, a less than significant impact would occur.

e) No Impact
The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. As previously discussed, approximately 12.3-acres of the site is planned for disturbance; however, reclamation at the site after completion of mining operations would restore approximately 12.1-acres to forest land. There are no other activities associated with the proposed project that would convert farmland to a non-agricultural use or convert forest land to a non-forest use on lands within or outside of the proposed project boundaries. No impact would occur.

Conclusion: The proposed project would have a less than significant impact on agriculture and forestry resources. **(Less Than Significant Impact)**

III. AIR QUALITY. **Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of any applicable air quality plan?	☐	☐	☒	☐

[9] State of California. Department of Conservation. Division of Land Resource Protection. Farmland Mapping and Monitoring Program (2016). *California Important Farmland Finder*. Accessed April 3, 2017. Available at: http://maps.conservation.ca.gov/ciff/.
[10] Mendocino County Planning & Building Services. *Lands in Williamson Act Contracts* [map]. 1:24,000. March 2016.
[11] County of Mendocino. *Mendocino County Zoning Regulations – Inland Zoning Code*. §20.068.025. 1991.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

The project is located within a part of the North Coast Air Basin, consisting of Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. The project site is located within the Mendocino County Air Quality Management District (MCAQMD), which is responsible for enforcing the State and Federal Clean Air Acts as well as local air quality protection regulations.

The project site currently operates as a quarry. No changes to the maximum allowable extraction amount under the existing permit (Use Permit #U 29-93) are requested under the Surface Mining Use Permit and Reclamation Plan Renewal application for the existing BHQ. As such, no significant changes to the existing BHQ's emissions are anticipated. An Air Quality Permit is on file with the MCAQMD for the existing BHQ.

Emissions from the project would be comprised of direct and indirect emissions. On-site emission sources at the quarry include stationary, mobile and fugitive sources. Direct emissions from on-site activities would result from operation of the quarry processing equipment; exhaust and fugitive dust from off-road mobile equipment at the quarry associated with quarry maintenance, excavation activities, and aggregate loading into haul trucks via loader; and from blasting, which may occur up to two times per year, and results in fugitive particulate matter, in addition to gaseous emissions of NOx and CO. Indirect emissions would be produced by haul trucks and other vehicles traveling to and from the project site.

The BHQ and its emission sources are subject to MCAQMD rules and regulations contained in the most recent version of the *Rules and Regulations of the MCAQMD*. The MCAQMD has also identified significance thresholds for use in evaluating project impacts under CEQA, provided in Table 1, below.[12]

Table 1. MCAQMD Significance Thresholds

	Indirect Source	**Project/Stationary Source**
Criteria Pollutant and Precursors	**Average Daily Emissions (lb/day)**	**Maximum Annual Emissions (tons/year)**
ROG	180	40
NOx	42	40
PM10	82	15
PM2.5	54	10
Fugitive Dust (PM10/PM2.5)	same as above	
Local CO	125 tons/year	
Source: Mendocino County Air Quality Management District (MCAQMD). Adopted Air Quality CEQA Thresholds of Significance – June 2, 2010. Available at: http://www.co.mendocino.ca.us/aqmd/pdf_files/MCAQMDCEQARecomendations.pdf.		

The existing BHQ currently implements dust suppression measures. Water is used during extraction and hauling activities from the quarry to the processing site and during the processing operation at the processing site. Along

[12] Mendocino County Air Quality Management District (MCAQMD). *Adopted Air Quality CEQA Thresholds of Significance – June 2, 2010.* Available at: http://www.co.mendocino.ca.us/aqmd/pdf_files/MCAQMDCEQARecomendations.pdf.

the haul road, a non-polluting dust suppressant such as lignin is used in-lieu of water to prevent dust from becoming a nuisance.[13] Dust suppression measures would continue to be implemented at the site under the project.

a), b), c), d), and e) Less Than Significant Impact
Since no changes to the maximum allowable extraction amount under the existing permit are requested under the Surface Mining Use Permit and Reclamation Plan Renewal application for the existing quarry, no changes to the existing quarry's current air quality and greenhouse gas (GHG) emissions is anticipated.

The project would not conflict with or obstruct implementation of any air quality plan. The MCAQMD is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM10). The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A Particulate Matter Attainment Plan was finalized in 2005 that provides mitigation measures for construction and grading activities and unpaved roads. The project would be subject to current and future regulations adopted by MCAQMD under this Plan. As noted above, dust control measures are currently utilized at the quarry site, processing site, and along the haul road, and would continue to be implemented under the project.

The project application was referred to the MCAQMD on March 28, 2016, for comment. A response from MCAQMD, dated April 4, 2016, states that the BHQ facility would be required to maintain extraction/crushing/screening perimeter for planned activities at the site and the project is conditioned as such. Additionally, the proposed project is conditioned to require, prior to resuming extraction and processing practices at the site, that a letter from MCAQMD be provided to Mendocino County Planning and Building Services stating that the quarry is in compliance with all permitting requirements and regulations.

Since the site is located in a very rural area and the two nearest residences to the project site include one residence located approximately 0.8-miles southwest and one residence located approximately 0.8-miles south of the site, the project would not expose sensitive receptors to substantial pollutant concentrations, nor create objectionable odors affecting a substantial number of people.

The Initial Study for Use Permit #U 29-93 found that the BHQ would not have a significant air quality impact with implementation of recommended mitigation measures included within the document. A condition is recommended to require the project continue to comply with all mitigation measures and conditions of approval under Use Permit # 29-93. Since the project involves a Use Permit and Reclamation Plan Renewal and since no changes to the maximum allowable extraction amount under the existing permit are requested, emissions are anticipated to be similar to existing conditions at the site.

With inclusion of the recommended condition, the project would not conflict with or obstruct implementation of an air quality plan, violate any air quality standard, contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase of any criteria pollutant, expose sensitive receptors to substantial pollutant concentrations, nor create objectionable odors affecting a substantial number of people. A less than significant impact would occur.

Conclusion: The proposed project would not result in significant air quality impacts. **(Less Than Significant Impact)**

IV. BIOLOGICAL RESOURCES. **Would the project:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and	☐	☐	☒	☐

[13] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Mendocino County is largely rural and forested and has a wide range of climates, topography, soils, and watershed conditions, all of which produce very diverse plant and animal communities. The Mendocino County General Plan Chapter 4 Resource Management includes policies related to biological resources.

Several biological studies have been completed for the BHQ, including studies pertaining to the northern spotted owl, marbled murrelet, and other biologic species of interest. As noted in the Reclamation Plan, an assessment of forest cover was made for the original Use Permit application by a Registered Professional Forester, who found that the mining area was covered with a discontinuous overstory of Douglas fir trees, which were highly defective and were probably subject to annual decay which exceeded annual new growth. Many of those trees were removed under a logging plan when the quarry was opened up in 1993. The understory is predominantly tanoak brush. The site was classified as a low Site 4 timberland, with exceptionally shallow soil cover dominated by shallow rock outcroppings and rocky debris slopes.[14]

A *Rare Plant Survey Report*, prepared by Powers Forestry, dated July 25, 2012, presents the results of the botanical surveys conducted at the site on May 5 and June 25, 2012, which included surveys of the quarry site, processing site, haul roads, meadows or openings (road turn outs), springs, holding ponds, water tank site, soil piles, and areas adjacent to watercourses. Communities and habitats present within the project area include North Coast coniferous forest, Redwood series, and Grand Fir series. No rare plants or habitats were identified.

Review of the California Natural Diversity Data Base (CNDDB, version 12/2015) showed the potential for several special status plant and wildlife species to occur on or near the project site, including Swamp harebell (*Campanula californica*), perennial goldfields (*Lasthenia californica ssp. macrantha*), Oregon goldthread (*Coptis laciniata*), and Maple-leaved checkerbloom (*Sidalcea malachroides*) [plant species]; Sonoma tree vole (*Arborimus pomo*) and marbled murrelet (*Brachyramphus marmoratus*) [wildlife species]. Additionally, there have been numerous observed Northern spotted owl locations on and adjacent to the project parcels.[15]

[14] Rau and Associates, Inc. *Bald Hills Quarry Reclamation Plan 2016*. February 2016.
[15] Mendocino County Planning & Building Services. *Sensitive Habitats* [map]. 1:24,000. March 2016.

The forested area surrounding and comprising the mine and processing site is also known to support the Point Arena mountain beaver and Behren's silverspot butterfly, species of special concern. Other areas of the project, including the access road, supports potential wildlife habitat for the Point Arena mountain beaver. All grading for the access road where potential habitat for the Point Arena mountain beaver exists was done in accordance with the California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) guidelines to avoid impact to the species.[16] The conditions of approval for the quarry were modified in March 2003 to not require additional biological surveys of the Point Arena mountain beaver be conducted and required two protective conditions to limit incidental take of Point Arena mountain beaver, northern spotted owl, marbled murrelet, and Behren's silverspot butterfly. The two conditions require USFWS and the Mendocino County Department of Planning and Building Services to be notified prior to any new ground disturbing or vegetation altering operations, and limit periods of the year when blasting may occur (September 16 through January 31) and hours of the day during certain months (between March 24 and September 15) when noise-generating activities may be conducted. The USFWS has requested they be notified prior to any new ground disturbing or vegetation altering operations, in order to prevent incidental take of the Behren's silverspot butterfly, listed as endangered under the Endangered Species Act.[17] Such activities may require that survey(s) be conducted and protective measures be implemented.[18] All conditions of approval and mitigation measures recommended under the prior Use Permit (Permit #29-93) would continue to apply under the Use Permit and Reclamation Plan Renewal.

Several Riverine wetlands have been identified on and adjacent to the project parcels, specifically within the westernmost and northern, southern, and eastern portions of the site. Additionally, portions of two Freshwater Forested/Shrub wetlands are located within the project parcels, in the westernmost portion and near the southern portion of the site.[19] The site discharges to Alder Creek, which does not have adopted total maximum daily loads (TMDL) of pollutants and is not listed for water quality impairment on the most recent Clean Water Act (CWA) 303(d) list of impaired waters.[20]

The Use Permit and Reclamation Plan Renewal application was referred to the following agencies on March, 28, 2016, for comment: Forestry Advisor, Resource Lands Protection Committee, Native Plant Society, United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the Department of Conservation. No responses from the listed agencies were received.

The County of Mendocino submitted the Reclamation Plan for the BHQ to the Department of Conservation Office of Mine Reclamation (OMR) on March 24, 2016. In a letter response dated April 29, 2016, from OMR, several issues were raised and requested the Reclamation Plan be revised and/or supplemented to fully address the issues. A letter and *Supplement No. 1 to Amended Reclamation Plan for Bald Hills Quarry CA MINE ID #91-23-0034*, was prepared by the Applicant's consultant, Rau and Associates, Inc. on July 14, 2016, and was submitted to OMR by the County on August 3, 2016. Per correspondence with OMR, dated March 30, 2017, OMR noted that the letter and supplement sufficiently addressed the issues raised by OMR.

a), b), c), d), and e) Less Than Significant Impact

Communities and habitats present within the project area include North Coast coniferous forest, Redwood series, and Grand Fir series. No rare plants or habitats were identified.[21] As noted above, review of the California Natural Diversity Data Base (CNDDB, version 12/2015) showed the potential for four (4) special status plant and two (2) special status wildlife species to occur on or near the project site. Additionally, there have been numerous observed Northern spotted owl locations on and adjacent to the project parcels.[22] Furthermore, since the site is located adjacent to forest land, there is the potential for migratory birds protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC) to be present within or in the vicinity of the project site. Conditions of approval are recommended to reduce potential impacts to the Point Arena mountain beaver, northern spotted out, marbled murrelet, and Behren's silverspot butterfly.

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[16] Rau and Associates, Inc. *Bald Hills Quarry Reclamation Plan 2016*. February 2016.
[17] County of Mendocino Department of Planning and Building Services. [letter to Bill and Karen Kay]. March 27, 2003.
[18] *Modified Conditions - #U 29-93.* Not dated.
[19] Mendocino County Planning & Building Services. *Classified Wetlands* [map]. 1:24,000. March 2016.
[20] Crawford & Associates, Inc. *Industrial Activities Stormwater Pollution Prevention Plan* (SWPPP) *for Bald Hills Quarry*. June 2015.
[21] Powers Forestry. *Rare Plant Survey Report*. July 25, 2012.
[22] Mendocino County Planning & Building Services. *Sensitive Habitats* [map]. 1:24,000. March 2016.

Several Riverine wetlands have been identified on and adjacent to the project parcels, specifically within the westernmost and northern, southern, and eastern portions of the site. Additionally, portions of two Freshwater Forested/Shrub wetlands are located within the project parcels, in the westernmost portion and near the southern portion of the site.[23] As such, riparian habitat would be anticipated near these identified wetlands.

Per the site's latest *Surface Mining Inspection Report*, prepared by LACO Associates on October 27, 2016, existing erosion control Best Management Practices (BMPs), including hay bales, mulch, straw waddles, and grading to control runoff to sediment retention in the processing area, in addition to the existing sediment ponds, were noted to be in need of maintenance. Additionally, the existing erosion control BMPs were observed to not be properly maintained as proposed in the existing BHQ's Reclamation Plan and stormwater discharge off-site was noted to have occurred. A condition is recommended to require all BMPs, including those requiring maintenance and corrective measures, as observed in the October 27, 2016, Surface Mining Inspection Report, to be properly maintained and corrected when not properly working.

Since the site is located adjacent to forest land, there is the potential for migratory birds protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC) to be present within or in the vicinity of the project site. However, since the project site is located within a previously disturbed area, wildlife movement may occur but is likely limited due to past and present disturbances. Continued operation of the quarry may slightly impact, but would not significantly alter, wildlife movement within the area, since the project site is located in a rural area, with ample open and undeveloped lands surrounding the project site. Furthermore, the project site would be reclaimed and restored after mining operations cease. Reclamation at the quarry site would consist of finish grading of quarry floor areas and covering them with overburden and topsoil removed to uncover the rock outcroppings at the quarry pits. At the processing site, reclamation would include returning and recontouring topsoil removed to grade the working area of the site. Areas with soil cover would be planted with forest tree species at the mine pits and with a mix of forest tree species and meadow vegetation at the processing site. It is anticipated that future reclamation of the site would allow for wildlife movement to return to pre-disturbance conditions or even improve over current conditions.

To reduce potential impacts to biological resources, a condition is recommended to require that the project shall comply with all mitigation measures and conditions of approval and mitigation measures included under the original Use Permit for the BHQ (Permit #U 29-93). As conditioned, a less than significant impact would occur.

f) No Impact
There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that apply to the site. No impact would occur.

Conclusion: The proposed project would not result in significant impacts to biological resources. **(Less Than Significant Impact)**

V. CULTURAL RESOURCES. **Would the project:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

[23] Mendocino County Planning & Building Services. *Classified Wetlands* [map]. 1:24,000. March 2016.

Per Chapter 3 (Development Element) of the Mendocino County General Plan, the prehistory of Mendocino County is not well known. Native American tribes known to inhabit the County concentrated mainly along the coast and along major rivers and streams. Mountainous areas and the County's redwood groves were occupied seasonally by some tribes. Ten Native American tribes had territory in what is now Mendocino County. As European-American settlement occurred in the county, most of these tribes were restricted to reservations and rancherias. During the 19th century, other tribes from the interior of California were forced to settle on the Round Valley Reservation in the northeastern county. Today, there are ten reservations and rancherias in Mendocino County, most of which are inhabited by tribes native to the area. The first permanent non-native settlers came to Mendocino County in the middle of the 16th century, exploring and establishing small outposts. It was almost 300 years before the first permanent non-Spanish settlements in the county were established on the Mendocino coast north of Big River in April of 1852. Mendocino County's modern development was tied to the vast stands of coast redwood trees. Timber and agriculture were the mainstays of the County's economy from the 19th century into the 20th century, and many of the county's cities and towns were founded around these activities.[24]

Mendocino County General Plan Chapter 3 Development Element includes policies related to cultural resources.

Both Policy DE-115 and Mendocino County Code Chapter 22.12 (Archaeological Resources) include provisions for archaeological sensitivity review, field evaluations, impact mitigations, archaeological discovery, and human remain discovery protocols (MCC §22.12.050 – 22.12.100).

An archaeological survey prepared in 1993 for the original quarry Use Permit (Permit #U 29-93) did not report any known archaeological resource within the site. The project application for Permit #U 29-93 was referred to Sonoma State University, who stated that there is a "low possibility" of archaeological sites at the site and did not recommend a survey be conducted. No cultural resources have been identified within the project site.

a) No Impact
No permanent structures exist on the project site. Since the project site does not contain any buildings or structures that would qualify as historical resources, no impact would occur.

b), c), and d) Less Than Significant Impact
There are no known historical resources on the site or in the vicinity that would be impacted by the proposed project. However, a standard condition is recommended and advises the Applicant of the County's "Discovery Clause," which establishes procedures to follow in the event that archaeological or cultural materials are unearthed during site preparation or excavation activities, in accordance with County Code Sections 22.12.090 and 22.12.100.

As conditioned, the proposed project is found consistent with Mendocino County policies for protection of historic, archaeological, paleontological, and cultural resources, and a less than significant impact would occur.

Conclusion: The proposed project would not result in significant impacts to cultural resources. **(Less Than Significant Impact)**

VI. GEOLOGY AND SOILS. **Would the project:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☒	☐	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☒	☐	☐

[24] Mendocino County General Plan, §3-7 (Cultural Resources). August 2009.

ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Chapter 3 (Development Element) of the Mendocino County General Plan discusses the area's seismic hazards. Mendocino County is located just south of the Cascadia Subduction Zone and will likely be subjected to a strong earthquake in the foreseeable future. A number of faults are located throughout the county, including the San Andreas Fault in the southwest corner of the county, the Maacama Fault in the inland valley from Sonoma County to Laytonville, the Round Valley Fault in the northeastern part of the county, and the Etsel Ridge Fault in the eastern portion of the county (Mendocino County General Plan, 2009). Any structure built in Mendocino County will likely be subjected to seismic activity during its expected lifespan.

According to the *Draft Geotechnical Report – Bald Hills Quarry, Mendocino County, California* (Geotechnical Report) prepared by Crawford & Associates, Inc., dated December 2015, the site is located within the Coast Range geomorphic province, characterized by strong northwest trending ridges and valleys. The dominant rock type is mapped as Tertiary-Cretaceous age Coastal Belt Franciscan formation, comprised predominately of sandstone with interbedded siltstone, mudstone, and minor conglomerate. Landslides are common in these materials, but are typically localized features, such as debris slides along creeks and gullies. No significant landslides are shown on published geologic mapping. Though landslides are common within areas of weak Franciscan rock, the hard rock quarry faces generally preclude large slope failures such as translational or rotational rock slides, earthflows, and debris slides. The relatively minor talus slides west of Pit #1 appear to be caused by an adverse orientation of intersecting bedding/fracture planes within sections of weak rock. Minor wedge failures, generally of dimension of 10-feet or less, occur within the rock where intersecting planes occur.

There are no active faults mapped within the quarry limits and the site is not within an Earthquake Fault Zone as mapped by the California Geological Survey. The nearest active fault to the project site is the San Andreas Fault Zone, located approximately 3,500 feet west of the site. No evidence of faulting within the exposed quarry faces was observed, and the potential for surface rupture at the quarry is considered to be low. Additionally, the potential for liquefaction at the project site is considered low, as the site is underlain by firm meta-sedimentary rock that is not susceptible to liquefaction and since regional groundwater levels are expected to be greater than 80-feet in depth. The potential for seismic densification at the site is also considered low, as the surficial soil cover is only a few feet thick and is not susceptible to significant seismic densification.[25]

Final cut slopes of Pit #1 and Pit #2 were recommended based on field observations and a stability analysis. It is anticipated that the majority of surface water runoff would infiltrate the fractured rock exposed along the final cut faces and the intervening benches. It is recommended that the intervening benches be out-sloped by two-percent to avoid concentrated flow and consequent erosion of the benches.[26]

[25]Crawford and Associates, Inc. *Draft Geotechnical Report – Bald Hills Rock Quarry, Mendocino County, California*. December 2015.
[26]Crawford and Associates, Inc. *Draft Geotechnical Report – Bald Hills Rock Quarry, Mendocino County, California*. December 2015.

a.i), a.ii), and a.iv) Less Than Significant Impact with Mitigation Incorporated
As provided in the Geotechnical Report, the project site is located in a seismically active region of California and strong ground shaking would be expected during the lifetime of the proposed project. There are no known active faults traversing the project site and the site is not located in the Alquist-Priolo Earthquake Fault. However, the potential exists at the project site for strong ground shaking from an earthquake on the faults in the vicinity of the site, which could result in rock fall and temporary slope instability. While landslides are common in the area, no landslides have been mapped within the site. Additionally, though landslides are common within areas of weak Franciscan rock, the hard rock quarry faces generally preclude large slope failures such as translational or rotational rock slides, earthflows, and debris slides. To minimize potential impacts associated with strong seismic ground shaking and landslides, Mitigation Measures 1 and 2 are included below, as recommended in the Geotechnical Report.

Mitigation Measure 1: Interim slope cuts, including internal faces during individual phases of operations prior to final excavation, shall be evaluated in accordance with current Mine Safety and Health Administration (MSHA) requirements as quarry operations progress.

Mitigation Measure 2: Slope stability analyses shall be performed by a Certified Engineering Geologist when the quarry face progresses to within 150 feet of the final face cut.

With incorporation of Mitigation Measures 1 and 2, above, a less than significant impact would occur.

a.iii) Less Than Significant Impact
The potential for liquefaction at the project site is low, since the site is underlain by firm meta-sedimentary rock that is not susceptible to liquefaction and since regional groundwater levels are expected to be greater than 80-feet in depth.[27] A less than significant impact would occur.

b) Less Than Significant Impact
The proposed project would not result in substantial soil erosion or the loss of topsoil, as the site has an exceptionally shallow soil cover dominated by shallow rock outcroppings and rocky debris slopes.[28] Additionally, as provided in the project's SWPPP, surface drainage flows in a westerly to southwesterly direction into roadside ditches or talus piles, continuing under the road in culverts and discharging onto rock slope protected hillsides. The majority of surface flow percolates into fractured rock within the facility limits Runoff that leaves the site infiltrates into forested hillsides or continues through natural drainages to Alder Creek.[29] BMPs are and would continue to be utilized to reduce potential impacts associated with erosion or the loss of topsoil. As noted in the project's Reclamation Plan, any topsoil and overburden removed during quarry operations would be stockpiled on-site for future reclamation of various areas of the site. As such, substantial soil erosion and loss of topsoil is not anticipated under the project and a less than significant impact would occur.

c) Less Than Significant Impact with Mitigation Incorporated
As described above, while landslides are common in the area, the hard rock quarry faces generally preclude large slope failures such as translational or rotational rock slides, earthflows, and debris slides. The relatively minor talus slides west of Pit #1 appear to be caused by an adverse orientation of intersection bedding/fracture planes within sections of weak rock. Minor wedge failures, generally 10-feet or less in dimension, occur within the rock where intersecting planes occur. No evidence of faulting within the exposed quarry faces was observed, and the potential for surface rupture at the quarry is considered to be low. Additionally, the potential for liquefaction at the project site is considered low, as the site is underlain by firm meta-sedimentary rock that is not susceptible to liquefaction and since regional groundwater levels are expected to be greater than 80-feet in depth. The potential for seismic densification at the site is also considered low, as the surficial soil cover is only a few feet thick and is not susceptible to significant seismic densification. A stability analysis of the finished quarry slopes indicate that the safety factor of the proposed quarry faces is adequate for the proposed end use of the project site.[30]

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[27]Crawford and Associates, Inc. *Draft Geotechnical Report – Bald Hills Rock Quarry, Mendocino County, California*. December 2015.
[28]Rau and Associates, Inc. *Bald Hills Quarry Reclamation Plan 2016*. February 2016.
[29]Crawford and Associates, Inc. *Industrial Activities Stormwater Pollution Prevention Plan for Bald Hills Quarry.* June 2015.
[30]Crawford and Associates, Inc. *Draft Geotechnical Report – Bald Hills Rock Quarry, Mendocino County, California*. December 2015.

Incorporation of Mitigation Measures 1 and 2, as provided above and as recommended in the Geotechnical Report, would minimize potential impacts associated with the project and a less than significant impact would occur.

d) No Impact
As noted above, the soils on the project site are not expansive. No impact would occur.

e) No Impact
The proposed project does not propose and would not require any septic or wastewater disposal systems on the project site. Future use of the site (forest land), after mining operations are completed, would also not require any wastewater disposal systems at the site. No impact would occur.

Conclusion: With mitigation incorporated, the proposed project would have a less than significant impact on geology and soils. **(Less Than Significant Impact with Mitigation Incorporated)**

VII. GREENHOUSE GAS EMISSIONS. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

The framework for regulating GHG emissions in California is described under Assembly Bill (AB) 32. In 2006, the California Global Warming Solutions Act (AB 32) definitively established the state's climate change policy and set GHG reduction targets (health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. Activities at the site will be subject to County Air Quality Management District (AQMD) regulations through a Permit to Operate issued by that agency. Given the relatively remote nature of the property and the local region it would likely serve, the project is not expected to significantly increase GHG in the area.

The project site currently operates as a quarry and would continue to operate under requested the Use Permit and Reclamation Plan Renewal. The current permit allows for up to 100,000-CY/year, with an average extraction rate of 40,000- to 50,000-CY/year. No changes to the maximum allowable extraction amount under the existing permit are requested. As such, the proposed project would not be anticipated to result in increased emissions due to the continuance of mining operations at the site.

a) and b) Less Than Significant Impact
To quantify the GHGs for this project, a comparison analysis was made with the Kunzler Terrace Mine Project, for which an EIR was certified in 2010. That project is located approximately one mile south of Ukiah in Mendocino County. The analysis was for a rock quarry operation with a maximum limit of 250,000 CY per year, which included extraction, processing and hauling. The calculated GHG emissions for the Kunlzer project totaled 2,056 metric tons per year of CO2, which is below the threshold of significance advised by MCAQMD of 4,000 metric tons per year. Based on a comparative ratio, assuming a maximum extraction of 50,000 CY per year, this project will emit approximately 411.2 metric tons per year of CO2, or less than eleven (11) percent of the advised threshold of significance. Therefore, impacts resulting from the project would be less than significant.

Conclusion: The proposed project would have a less than significant impact on greenhouse gas emissions. **(Less Than Significant Impact)**

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☒	☐	☐

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or has characteristics defined as hazardous by a federal, state, or local agency. Chemical and physical properties such as toxicity, ignitability, corrosiveness, and reactivity cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations (CCR), Title 22, §66261.20-66261.24. A “hazardous waste” includes any hazardous material that is discarded, abandoned, or will be recycled. Therefore, the criteria that render a material hazardous also cause a waste to be classified as hazardous (California Health and Safety Code, §25117). According to this definition, fuels, motor oil, and lubricants typically used during quarry operations could be considered hazardous.

Mendocino County has adopted numerous plans related to hazard management and mitigation including, but not limited to: Community Wildfire Protection Plan, Multi-Hazard Mitigation Plan, Hazardous Waste Management Plan, and Operational Area Emergency Plan.

Existing quarry operations generate hazardous waste and require the use of hazardous materials on the project site, which is primarily associated with equipment maintenance and operation. Under the project, on-site quarry equipment would consist of one or two bulldozers, one or two track-mounted excavators and/or a rubber-tired front-end loader, a water truck, and one or two off-highway fuel trucks. Lubrication and fueling of the extraction equipment would be performed by pick-up-truck-mounted diesel tanks and hand-operated lubrication equipment, and would occur on the floor areas of Pit #1 and Pit #2, which are contained by berms. The berms would provide a reservoir area for any accidental spills that may occur. At the processing site, only the front-end loader would require on-site fueling and lubricating, which would occur on the working area between the quarry scale and the grizzly, where an accidental spill would not contaminate the recirculation pond. All processed-material hauling

trucks would be fueled and lubricated off-site at a maintenance facility owned by the Operator. No hazardous materials are currently stored on-site; however, a 1000-gallon covered diesel tank may be installed at the processing site.[31]

An *Industrial Activities Stormwater Pollution Prevention Plan* (SWPPP) *for Bald Hills Quarry* has been by Crawford & Associates, Inc., on June 2015, to comply with California' General Permit for Stormwater Discharges Associated with Industrial Activities (General Permit) Order No. 2014-0057-DWQ (NPDES No. CAS000001) issued by the State Water Resources Control Board (SWRCB).

a), b), and g) Less Than Significant Impact
The quarry operations require the transport, use, handling, and disposal of hazardous materials, primarily associated with equipment maintenance and operation at the project site, and is in accordance with all applicable laws and regulations. As noted above, lubrication and fueling of the extraction equipment would be performed by pick-up-truck-mounted diesel tanks and hand-operated lubrication equipment, and would occur on the floor areas of Pit #1 and Pit #2, which are contained by berms. At the processing site, only the front-end loader would require on-site fueling and lubricating, which would occur on the working area between the quarry scale and the grizzly, where an accidental spill would not contaminate the recirculation pond.

Compliance with local, state, and federal regulations would require compliance with all hazardous waste regulations and permits, which would reduce potential risks associated with the use and potential future storage of hazardous materials on the project site, in addition to accidental release of the hazardous materials. The explosives required for the quarry expansion would not be stored on-site. Blasting at the site may occur up to two times per year and would require the use of explosives. A licensed blaster would transport the necessary explosives to the site and perform the necessary blasting in compliance with all applicable laws and regulations.

Though no hazardous materials are currently stored on-site, a 1,000-gallon covered diesel tank may be installed at the processing site[32]; however, a condition is recommended to ensure that any hazardous materials to be stored on-site would be stored within an approved container and would be stored in accordance with all laws and regulations. Furthermore, a standard condition is recommended to require the applicant to obtain all necessary permits from all federal, state, and local agencies with jurisdiction over the project.

The proposed project would not significantly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project site is located in a rural area and is access via a private access road off of Highway 1. Since an average of three people currently work on-site and would continue to work on-site under the proposed Use Permit and Reclamation Plan Renewal application, which requests the same maximum extraction amount as previously permitted by the County under Permit #U 29-93, a significant amount of vehicular traffic would not result from employees at the facility. It is anticipated that most employees would come from the Point Arena area, located approximately 6-miles southwest of the site along Highway 1.

The traffic impacts associated with the BHQ were analyzed under Use Permit #U 29-93 for the production of 112,000 tons per year and 2,000 tons for a single day. It was determined that a significant impact would not occur. The existing BHQ operation has resulted in far less truck traffic than what was anticipated under the traffic impact study. It is anticipated that extracted material would typically be hauled from the site at a rate of 300 to 800-tons per day, which would require approximately 14 to 34-truckloads per day during the construction season, 28 to 64-truck-ends per day, or 4 to 7-truck-ends per hour.[33] This is not anticipated to result in a significant amount of vehicular traffic that would impact the ability of first responders to access the site.

With inclusion of the recommended and standard conditions, a less than significant impact would occur.

c), d), e), and f) No Impact
There are no existing or proposed schools within one-quarter mile of the proposed project. There are no hazardous materials sites or other cleanups on site listed in the GeoTracker database maintained by the State

[31] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.
[32] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.
[33] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

Water Resources Control Board[34] or the EnviroStor Database maintained by the California Department of Toxic Substance Control[35]. The project site is located approximately 10-miles north of the nearest airport, the Lofty Redwoods Airport. The project is not within the vicinity of a private airstrip. No impact would occur.

h) Less Than Significant Impact with Mitigation Incorporated
The project site is located with the California Department of Forestry and Fire Protection's (CAL FIRE) State Responsibility Area (SRA)[36], and is located within a "high" fire hazard severity zone[37]. Fire protection to the site is provided by the CAL FIRE and the Redwood Coast Fire Protection District.[38] Although proper precautions and measures are taken during mining operations, the potential exists for wildland fire to inadvertently be ignited when equipment is utilized near dry grassland, especially during periods of increased fire danger. Additionally, there is an increased risk of wildfires when blasting occurs on the site. Mitigation Measures 3 and 4 are recommended to reduce potential impacts associated with the increased risk of wildfires:

Mitigation Measure 3: During "high," "very high," and "extreme" fire danger rating levels, the operator shall have a water truck filled and on standby at the project site during equipment use at the quarry and when blasting is to occur on the site.

Mitigation Measure 4: During "high," "very high," and "extreme" fire danger rating levels, the operator shall notify the Redwood Coast Fire Protection District and the CAL FIRE Point Arena station a minimum of 24 hours prior to blasting.

With incorporation of Mitigation Measures 3 and 4, above, a less than significant impact would occur.

Conclusion: With mitigation incorporated, the proposed project would not result in significant hazardous materials impacts. **(Less Than Significant Impact with Mitigation Incorporated)**

IX. HYDROLOGY AND WATER QUALITY. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐

[34] State Water Resources Control Board. *GeoTracker* (2015). Accessed April 4, 2017. Available at: https://geotracker.waterboards.ca.gov/.
[35] State of California. Department of Toxic Substances Control. *EnviroStor* (2007). Accessed April 4, 2017. Available at: https://www.envirostor.dtsc.ca.gov/public/.
[36] Mendocino County Planning & Building Services. *Fire Responsibility Areas & Fire District Boundaries* [map]. Accessed April 5, 2017. Available at: http://www.co.mendocino.ca.us/planning/pdf/E-County_Fire_Districts__FRA_2.pdf.
[37] Mendocino County Planning & Building Services. *Fire Hazard Zones & Responsibility Areas* [map]. 1:24,000. March 2016.
[38] Mendocino County Planning & Building Services. *Fire Hazard Zones & Responsibility Areas* [map]. 1:24,000. March 2016.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

The Mendocino County General Plan Chapter 4 Resource Management Element includes policies related to protection of environmentally sensitive habitat areas and maintaining water quality by minimizing adverse effects of waste water dischargers, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Several Riverine wetlands have been identified on and adjacent to the project parcels, specifically within the westernmost and northern, southern, and eastern portions of the site. Additionally, portions of two Freshwater Forested/Shrub wetlands are located within the project parcels, in the westernmost portion and near the southern portion of the site.[39] The site discharges to Alder Creek, which does not have adopted total maximum daily loads (TMDL) of pollutants and is not listed for water quality impairment on the most recent Clean Water Act (CWA) 303(d) list of impaired waters.[40]

As provided in the project's SWPPP, surface drainage flows in a westerly to southwesterly direction into roadside ditches or talus piles, continuing under the road in culverts and discharging onto rock slope protected hillsides. The majority of surface flow percolates into fractured rock within the facility limits. Runoff that leaves the site infiltrates into forested hillsides or continues through natural drainages to Alder Creek.[41] A combination of site design and stormwater drainage features have been incorporated at the site to reduce erosion and sedimentation and to minimize off-site discharges of impaired stormwater from the facility.

At the quarry site, a sediment basin is located south of Pit #1 and several improvements would be made, including culverts to be installed with rock slope protection and energy dissipaters at each of the two pits, in addition to gravel filter berms and native topsoil berms to be located along the outer edges of the rock pits. At Pit #1, surface flows drain to the quarry floor where some infiltration occurs into fractured bedrock, and continues in a westerly directly to a sediment detention basin, which outlets into a weir on the south side of the road. Once Pit #2 is developed, stormwater would infiltrate into the pit floor, then continue in a westerly direction into a rock-protected weir. From there, runoff would travel through an inboard ditch along the haul road, into a culvert, and discharge across the road into a natural drainage on a forested hillside.[42] Final cut slopes of Pit #1 and Pit #2 were recommended based on field observations and a stability analysis. It is anticipated that the majority of surface water runoff would infiltrate the fractured rock exposed along the final cut faces and the intervening benches. It is recommended that the intervening benches be out-sloped by two-percent to avoid concentrated flow and consequent erosion of the benches.[43]

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[39] Mendocino County Planning & Building Services. *Classified Wetlands* [map]. 1:24,000. March 2016.
[40] Crawford & Associates, Inc. *Industrial Activities Stormwater Pollution Prevention Plan* (SWPPP) *for Bald Hills Quarry*. June 2015.
[41] Crawford and Associates, Inc. *Industrial Activities Stormwater Pollution Prevention Plan for Bald Hills Quarry.* June 2015.
[42] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.
[43] Crawford and Associates, Inc. *Draft Geotechnical Report – Bald Hills Rock Quarry, Mendocino County, California*. December 2015.

At the processing site, a sediment basin and berm are located downslope of the processing plant. A 1,000-gallon covered diesel tank may also be installed. New culverts would be installed across the road above and below the plant and rock-lined ditches would be installed along the road.[44] A standard condition is recommended to require the applicant obtain all necessary permits from all federal, state, and local agencies with jurisdiction over the project.

A Hydrological Study was prepared for the site in 1993 by Rau and Associates, Inc. The Initial Study prepared for Use Permit #U 29-93 found that with mitigation incorporated, the BHQ would not have a significant adverse impact on hydrology and water quality. The mitigation measures and conditions of approval included under Use Permit #U 29-93 as recommended under the prior studies and regulatory agencies would continue to apply under the project.

The Use Permit and Reclamation Renewal application was referred to the Office of Mine Reclamation (OMR), the Mendocino County Water Agency (MCWA), and the Regional Water Quality Control Board (RWQCB) for review. Comments were received from OMR on April 29, 2016, in which several issues were raised and requested the Reclamation Plan be revised and/or supplemented to fully address the issues. A letter and *Supplement No. 1 to Amended Reclamation Plan for Bald Hills Quarry CA MINE ID #91-23-0034*, was prepared by the Applicant's consultant, Rau and Associates, Inc. on July 14, 2016, and was submitted to OMR by the County on August 3, 2016. Per correspondence with OMR, dated March 30, 2017, OMR noted that the letter and supplement sufficiently addressed the issues raised by OMR.

As provided in the project's application materials, less than 3,000-gallons of water would be used per day for dust suppression. Between 3,000-gallons to 10,000-gallons of water per day could be used at the processing site during material processing and washing a product. Drain rock products require the higher water demand, but have an infrequent demand. Some water would be pumped from a well adjacent to the processing site and stored in storage tanks, situated approximately 70-feet in elevation above the processing equipment. Some water would be captured from rainfall and runoff from roadside ditches and would be stored temporarily in a pond north of the processing site. Most of the water used during processing would be recycled through the sediment pond at the processing site and re-used.[45]

Per the site's latest *Surface Mining Inspection Report*, prepared by LACO Associates on October 27, 2016, existing erosion control Best Management Practices (BMPs), including hay bales, mulch, straw waddles, and grading to control runoff to sediment retention in the processing area, in addition to the existing sediment ponds, were noted to be in need of maintenance. Additionally, the existing erosion control BMPs were observed to not be properly maintained as proposed in the existing BHQ's Reclamation Plan and stormwater discharge off-site was noted to have occurred. A condition is recommended requiring maintenance and corrective measures of the BMPs, as observed in the October 27, 2016, Surface Mining Inspection Report, to be properly maintained and fixed (see Section IV [Biological Resources] above).

a), b), c), d), e), f), and j) Less Than Significant Impact

The project is a continuation of mining operations at the project site and is not expected to result in increased runoff. The project would continue to operate in accordance with all regulations related to hydrology and water quality and would continue to implement BMPs to reduce polluted runoff. Furthermore, a condition is recommended to require the project continue to comply with all mitigation measures and conditions of approval under Use Permit # 29-93.

The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge or substantially alter the existing drainage pattern of the site, resulting in substantial erosion, siltation, or flooding. The proposed project would not increase the amount of impervious surfaces on the site, nor would it substantially increase water use. As a result, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or lowering of the local groundwater table level. The project would not substantially alter the existing drainage pattern of the site. The rate of discharge would be similar to existing conditions and would not result in erosion, siltation or flooding on or off site.

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[44] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

[45] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

Since the project site is located far inland from the coast and is not located near any substantial water bodies, the project site is not subject to inundation by sieche or tsunami. The potential for mudflow at the subject site is low, since the site is not located on a geologic unit or soil that is unstable, the depth of soil on the site is only a few feet thick, and the project has been designed to minimize erosion.

As conditioned, a less than significant impact would occur.

g), h), and i) No Impact
The project site is not located within a 100-year flood zone[46], nor does the project propose any housing. The site is also located outside of a dam or levee failure inundation hazard zone. No impact would occur.

Conclusion: The proposed project would have a less than significant impact on hydrology and water quality. **(Less Than Significant Impact)**

X. LAND USE AND PLANNING. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

The parcels comprising the project site (APNs 132-250-15 for the quarry, and 132-220-05 for the processing site) total 645-acres in size. The quarry site comprises approximately 28.9-acres, of which 7.8-acres would be actively mined over the 30-year span of the project, in two mining areas (Pit #1 and Pit #2). Reclamation would total approximately 7.8-acres within the quarry site. The processing site totals approximately 10-acres, of which 5.1-acres is anticipated to be disturbed and reclaimed. The end use of the site is forest land and the existing access roads would remain on the site after the project is complete.

The project site has is currently designated as Forest Lands with a 160-acre minimum parcel size (FL160) under the Mendocino County General Plan, and is zoned as Timberland Production with a minimum 160-acre minimum parcel size (TP-160). As provided in Section 20.068.025 of the Mendocino County Inland Zoning Code, mining and processing is permitted in the TP District with a Major Use Permit.[47]

a) No Impact
The project would not change the land use on the site, and would not divide an established community. The proposed project involves renewal of the use permit and reclamation plan of an existing mining operation located in an undeveloped area, which would not change the land use or divide an established community. No impact would occur.

b) Less Than Significant Impact
The proposed project would result not result in a change to the current General Plan and zoning districts of the site, which are FL160 and TP-160, respectively. As discussed above, mining and processing is permitted in the TP District with a Major Use Permit.[48] With project approval, the mining operation would continue to operate for a 30-year term and requests the same maximum extraction amount as previously permitted by the County under

[46] United States Department of Homeland Security. Federal Emergency Management Agency (FEMA). *Flood Insurance Rate Map* (Map No. 06045C1600F, Panel 1600 of 2100, effective 6/2/2011; and Map No. 06045C1750F, Panel 1750 of 2100, effective 6/2/2011). Accessed April 6, 2017. Available at: https://msc.fema.gov/portal/search.
[47] County of Mendocino. *Mendocino County Zoning Regulations – Inland Zoning Code*. §20.068.025. 1991.
[48] County of Mendocino. *Mendocino County Zoning Regulations – Inland Zoning Code*. §20.060.025. 1991.

Permit #U 29-93. After completion of mining activities at the project site, reclamation of the site would return 12.1-acres of the site to forest land, which is consistent with the site's General Plan and zoning designations. A less than significant impact would occur.

c) No Impact
There are no habitat conservation plans or natural community conservation plans applicable to the site or vicinity. As such, no impact would occur.

Conclusion: The proposed project would not result in significant land use impacts. **(Less Than Significant Impact)**

XI. MINERAL RESOURCES. **Would the project:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

The site is a part of a bedrock outcrop of the Franciscan Formation. A variety of minerals resources are known to exist in the County. The most predominant minerals found in Mendocino County are aggregate resources, primarily sand and gravel. No other mineral resources, other than the bedrock use for quarry purposes, were found onsite. Three sources of aggregate materials are present in Mendocino County: quarries, instream gravel, and terrace gravel deposits.[49]

a) and b) No Impact
The proposed project is continued mining at an existing mining operation. The project would not exhaust the resource; therefore, the opportunity to allow for future mining exists and would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The property does not include a mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Conclusion: The proposed project would have no impact to known mineral resources. **(No Impact)**

XII. NOISE **Would the project result in:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

[49] County of Mendocino. *Mendocino County General Plan*. §4-8 (Mineral Resources). August 2009.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Acceptable levels of noise vary depending on the land use. In any one location, the noise level will vary overtime, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment.

Generally speaking, land uses considered noise-sensitive are those in which noise can adversely affect what people are doing on the land. For example, a residential land use where people live, sleep, and study is generally considered sensitive to noise because noise can disrupt these activities. Churches, schools, and certain kinds of outdoor recreation are also usually considered noise-sensitive. Major noise sources in Mendocino County consist of highway and local traffic, railroad operations, airports, commercial and industrial uses, and recreation and community facilities. Highways with traffic that generate significant noise include U.S. Highway 101 and the State Routes (1, 20, 128, 162, 175, and 253).

The County has identified noise standard within the County General Plan to ensure noise compatibility between land uses. The project is subject to the noise standards found in the County General Plan including:

- The Exterior Noise Level Standards (Table 3-J) General Plan Policy DE-100
- The Noise Compatibility Guidelines (Table 3-K) General Plan Policy DE-101
- Maximum Acceptable Interior Noise Levels (Table 3-L) General Plan Policy DE-103

Additionally, Appendix C (Exterior Noise Limit Standards) of the Mendocino County Inland Zoning Code establishes exterior noise level limit standards that shall not be exceeded more than 30-minutes in any hour.

Existing land uses in the area consist primarily of forest land. The two nearest residences to the project site include one residence located approximately 0.8-miles southwest and one residence located approximately 0.8-miles south of the site. Extraction activities are seasonally limited to periods of little to no rainfall, typically between April 1 and November 15 of each year. Operations would continue during the hours of 7:00am to 6:00pm, Monday through Saturday. While blasting may occur at the site up to a maximum of two times per year, it would also occur during these same time frames.

The project involves renewal of the use permit and reclamation plan for continued operations at the existing BHQ for a 30-year term, and proposes the same maximum extraction amount as previously permitted by the County under Permit #U 29-93. As such, noise levels under the project are anticipated to be consistent with noise levels observed under current operations at the existing BHQ.

a), b), c) and d) Less Than Significant Impact
Section 22.16.070(J) of the County Surface Mining Ordinance requires that noise levels measured at the nearest residence not exceed sixty-five (65) dBA for a cumulative period more than thirty (30) minutes in any hour and eighty-five (85) dBA at any moment.

According to information provided in an Initial Study prepared by Uma Hinman Consulting in 2012 for the Tunzi Ranch Quarry (UR 46-1991(12)), noise readings for similar aggregate plants are below this threshold at 600 feet from the source with a decrease of approximately six (6) dBA when the distance from the source is doubled. Truck loading would also meet these standards for the nearest residential receptors located approximately 0.8-miles from the site.

Overall, the project would not exceed the levels of activity in existence since approval of the 1994 operation which has not resulted in any conflicts with neighboring property owners. Since the existing BHQ would continue to be required to comply with all applicable noise standards, a less than significant impact would occur.

e) and f) No Impact
The project site is located approximately 10-miles north of the Lofty Redwoods Airport. Since the project site is not located within two-miles of a public airport or within the vicinity of a private airstrip, the project would not be exposed to excessive noise levels from aircraft overflights. No impact would occur.

Conclusion: The proposed project would not result in significant noise impacts. **(Less Than Significant Impact)**

XIII. POPULATION AND HOUSING. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

The project site is located is a very rural area. The two communities located nearest to the project site are the unincorporated community of Manchester, located approximately 2.5-miles southwest of the site, and the City of Point Arena, which is located approximately 6-miles southwest of the site. Per the 2010 U.S. Census, the community of Manchester had a population of 195 and the City of Point Arena had a population of 449 in 2010.[50]

The proposed project does not include development of any housing units. The proposed project, which involves renewal of the BHQ's use permit and reclamation plan and the continuance of mining operations at the maximum allowable extraction amount under the existing permit (Use Permit #U 29-93) for the existing BHQ. An average of three employees is anticipated to work at the site and would generally consist of equipment operators. Truck drivers would traverse the haul road to and from the extraction site, similar to existing BHQ operations.

a), b), and c) No Impact
The proposed project would not induce substantial population growth in the area and the proposed project does not include the development or removal of any housing. Since the proposed project would not result in expanded operations at the site, no new employees are anticipated under the project. An average of three employees is anticipated to work at the site and would generally consist of equipment operators and truck drivers would traverse the haul road to and from the extraction site, similar to prior BHQ operations. As such, no impact would occur.

Conclusion: The proposed project would have no impact on population and housing. **(No Impact)**

XIV. PUBLIC SERVICES.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**

[50] United States Census Bureau. *American FactFinder, Community Facts. Manchester CDP, California*. Accessed April 4, 2017. Available at: https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☒	☐
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Medical Services?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

The project site is located with the State Responsibility Area (SRA)[51] and is classified as a high fire hazard area[52]. Fire protection to the site is provided by the California Department of Forestry and Fire Protection (CAL FIRE) and the Redwood Coast Fire Protection District[53]. The nearest fire station to the site is located approximately 2.4-miles southwest of the site in Manchester. As the project site is located within unincorporated Mendocino County, police protection services for the site are provided by the Mendocino County Sheriff's Department. The nearest sheriff's department office is located approximately 26-miles northeast of the site in Ukiah.

a.1) through a.6) No Impact
The demand on fire protection, police protection, medical services, schools, parks, and other public facilities (e.g., libraries) is not anticipated to change with the implementation of the project, since the proposed project is continuance of an existing surface mining operation. No housing is proposed under the project, and since the operation would continue to operate at the existing maximum allowable extraction amount currently permitted for the BHQ under the facility's existing use permit (Permit #U 29-93), no additional employees are anticipated at the site. Since the project would not increase the number of persons at the project site, no impact would occur.

Conclusion: The proposed project would have no impact on public services in the project area. **(No Impact)**

XV. RECREATION.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Mendocino County provides parklands, open space, and community facilities for public recreation and community services. Park and recreation facilities vary in size, use, and type of service and provide for regional and neighborhood uses. There are no recreational facilities within the project area. The nearest recreational facility is Manchester State Park located approximately 2.1-miles southwest of the site.

a) and b) No Impact

[51] Mendocino County Planning & Building Services. *Fire Responsibility Areas & Fire District Boundaries* [map]. Accessed April 5, 2017. Available at: http://www.co.mendocino.ca.us/planning/pdf/E-County_Fire_Districts__FRA_2.pdf.
[52] Mendocino County Planning & Building Services. *Fire Hazard Zones & Responsibility Areas* [map]. 1:24,000. March 2016.
[53] Mendocino County Planning & Building Services. *Fire Hazard Zones & Responsibility Areas* [map]. 1:24,000. March 2016.

The proposed project is continuance of an existing surface mining operation. No residential development is proposed as a part of the project. The project would not increase the use of recreational facilities, nor would it generate demand for new or expanded recreational facilities. No impact would occur.

Conclusion: The proposed project would not adversely affect recreational facilities in the project area. (**No Impact)**

XVI. TRANSPORTATION/TRAFFIC. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Access to the site is provided by a private haul road off of Highway 1. Since the proposed project would not result in expanded operations at the site, no new employees are anticipated under the project. An average of three employees is anticipated to work at the site and would generally consist of equipment operators and truck drivers would traverse the haul road to and from the extraction site, similar to prior BHQ operations

a), b), d) and e) Less Than Significant Impact
The proposed project would not result in significant impacts to transportation or traffic. The project site is located in a rural area and is access via a private access road off of Highway 1. Since an average of three people currently work on-site and would continue to work on-site under the proposed Use Permit and Reclamation Plan Renewal application, a significant amount of new vehicular traffic is not anticipated. Extraction activities would generate on-site and off-site traffic associated with haul trucks and employees' vehicles traveling to and from the project site; however, because the project requests the same maximum extraction amount as previously permitted by the County under Permit #U 29-93, no increase in vehicular traffic is anticipated. It is anticipated that most employees would come from the Point Arena area, located approximately 6-miles southwest of the site along Highway 1.

The traffic impacts associated with the BHQ were analyzed under Use Permit #U 29-93 for the production of 112,000 tons per year and 2,000 tons for a single day. It was determined that a significant impact would not occur. The existing BHQ operation has resulted in far less truck traffic than what was anticipated under the traffic

impact study. It is anticipated that extracted material would typically be hauled from the site at a rate of 300 to 800-tons per day, which would require approximately 14 to 34-truckloads per day during the construction season, 28 to 64-truck-ends per day, or 4 to 7-truck-ends per hour.[54] This is not anticipated to result in a significant amount of vehicular traffic that would impact the ability of first responders to access the site. As such, a less than significant impact would occur.

c) and f) No Impact
The project would not alter or increase the use of transit, pedestrian, or bicycle facilities in the project area, nor would the project result in any change to air traffic patterns. The project, therefore, would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. No impact would occur.

Conclusion: The proposed project would have a less than significant impact on transportation and traffic. **(Less Than Significant Impact)**

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

The site is not served by existing wastewater or water service; however, electrical service is available at the site to operate the stationary equipment at the processing site.

a), b), c), d), e), f), and g) No Impact
Mining operations do require some water during their day-to-day operations. Potable water facilities do not currently exist at the site, nor would such facilities be installed on-site under the project. Potable water for employees would be brought to the site in their vehicles. Some of the water used for mining operations would be pumped from a well adjacent to the processing site and stored in storage tanks, situated approximately 70-feet in elevation above the processing equipment. Additionally, some water would be captured from rainfall and runoff

[54] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

from roadside ditches and would be stored temporarily in a pond north of the processing site. Most of the water used during processing would be recycled through the sediment pond at the processing site and re-used.[55]

The property is not within any sanitation district. Wastewater facilities at the site would be limited to two portable restroom facilities for the operators' use during the extraction season, with one to be located at the processing site and one to be located at the quarry site. The portable restroom facilities would be located outside of the area of traffic and activity in order to avoid the chance of an accidental spill, and would be cited at least 50-feet from any watercourse or ditch, within a depression to contain any potential spills from accidental release. The facilities would be properly maintained in accordance with all rules and regulations and would be removed from each site at the end of the extraction and processing periods.

The proposed project is located in a rural area that is not served by existing stormwater drainage facilities. The site contains existing site features and BMPs to control runoff and sedimentation, which would continue to be implemented under the project. Minimal solid waste would be generated at the site; as such, it is anticipated that employees would remove their individual solid waste from the site at the end of each day.

As such, no impact would occur.

Conclusion: The proposed project would have no impact on utilities and service systems. **(No Impact)**

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Certain mandatory findings of significance must be made to comply with CEQA Guidelines §15065. The proposed project has been analyzed, and it has been determined that it would not:

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Achieve short term goals to the disadvantage of long term goals;

[55] Rau and Associates, Inc. *Renewal Application for Bald Hills Quarry – Reclamation Plan; Project Description and Mining Plan-California Mine ID #91-23-0034.* Appendix A: Application and Project Description. Revised February 2016.

- Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or
- Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.

Potential environmental impacts from the renewal of the existing Use Permit have been analyzed in this document and mitigation has been included that ensures impacts can be held to a less than significant level.

a) Less Than Significant Impact
Based on the findings in this Initial Study and as conditioned, the proposed project would have a less than significant impact related to the potential to degrade the quality of the environment, substantially reduce habitat values, or otherwise impact listed species. Furthermore, the proposed project would not eliminate important examples of California history or prehistory. A less than significant impact would occur.

b) Less Than Significant Impact
No cumulative impacts have been identified as a result of the proposed project. Individual impacts from the project would not significantly contribute to cumulative impacts in the area. A less than significant impact would occur.

c) Less Than Significant Impact
Based on the findings in this Initial Study and as conditioned, the project would not have environmental effects that would cause substantial adverse effects on human beings either directly or indirectly. The proposed project is consistent with the General Plan and zoning requirements. Potential environmental impacts from the renewal of the existing Use Permit have been analyzed in this document and mitigation has been included that ensures impacts can be held to a less than significant level. A less than significant impact would occur.

DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

DATE

ROBERT LAPORTE
PLANNER

Resolution Number _____

County of Mendocino
Ukiah, California
JULY 6, 2017

UR_2014-0003 MENDOCINO REDWOOD COMPANY, LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND GRANTING A SURFACE MINING USE PERMIT AND RECLAMATION PLAN RENEWAL OF USE PERMIT #U 29-93 TO ALLOW FOR CONTINUED EXTRACTION OF UP TO 100,000 CY/YR (REDUCED AVERAGE OF 50,000 CY/YR) OVER A 30-YEAR PERIOD.

WHEREAS, the applicant, Mendocino Redwood Company, LLC, filed an application for a Surface Mining Use Permit and Reclamation Plan Renewal of Use Permit #U 29-93 with the Mendocino County Department of Planning and Building Services to allow for the continued extraction of up to 100,000 cy/yr (reduced average of 50,000 cy/yr) over a 30-year period. The site is located 2.5± miles northeast of Manchester, situated 1.5± miles east of Highway 1, via a private haul road near postmile marker 22.80 on the east side of Highway 1, approximately 1-mile north of its intersection with Kinney Road (CR# 512). APNs 132-220-05 and 132-250-15; General Plan FL160; Zoning TP-160; Supervisorial District 5; (the "Project"); and

WHEREAS, a Mitigated Negative Declaration was prepared for the Project and noticed and made available for agency and public review on June 2, 2017 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on 7/6/2017, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Planning Commission regarding the Mitigated Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings:

1. The proposed project, which includes continued extraction of up to 100,000 cy/yr (reduced average of 50,000 cy/yr) over a 30-year period, is in conformity with the General Plan and is consistent with the intent of the Forest Lands (FL) classification. Continued mining activities, subject to the recommended conditions of approval of this use permit renewal, would not conflict with General Plan policies.

2. The proposed project is in compliance with the development standards of Mendocino County Codes and the Timberland Production (TP) District. The project is a permitted use within the TP District, subject to a major use permit.

3. The proposed project is compliant with Mendocino County Surface Mining and Reclamation Ordinance (Chapter 22.16) and the California Surface Mining and Reclamation Act (SMARA) and will leave the mined land in a usable condition which will be environmentally safe and readily adaptable for appropriate alternative land use.

4. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act (CEQA), as conditioned by this permit. An IS/MND has been prepared for the project pursuant to CEQA.

5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.

6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed project. The proposed project would not substantially increase the amount of travel on the public roadway and would not generate a substantial amount of solid waste.

7. As conditioned, the proposed project would not result in impacts to riparian or wetland habitat areas identified on the project site, and would protect sensitive habitats and potentially present special status species.

8. All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted and are included under the IS/MND. These mitigation measures would assure the project would not result in impacts to sensitive habitat areas, potentially present special status species, or archaeological resources.

9. The proposed project minimizes construction of new roads and other facilities by utilizing the existing access. No new roads or other facilities would be constructed under the project.

10. The proposed project ensures the adequacy of water, waste water disposal, and other services, since no additional development is proposed under the project.

11. The proposed project ensures the preservation of the rural character of the site, since no additional development is proposed under the project.

12. The proposed project ensures existing land use compatibility by maintaining productivity of on-site and adjacent forest lands. Once mining operations are completed at the site, the site will be reclaimed. The end use of the site would be forest land and the existing access roads would remain in place as a permanent access for timber production and harvesting after mining operations are completed.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Mitigated Negative Declaration. The Planning Commission certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Surface Mining Use Permit and Reclamation Plan Renewal, subject to the Conditions of Approval in Exhibit “A”, attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken. The permit shall become effective after the ten (10) working day appeal period to the Board of Supervisors has expired and no appeal has been filed with the Board of Supervisors.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: VICTORIA DAVIS
Secretary to the Planning Commission

By:_____

BY: IGNACIO GONZALEZ
Interim Director

MADELIN HOLTKAMP, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM JULY 6, 2017

UR_2014-0003 – MENDOCINO REDWOOD COMPANY, LLC.

Surface Mining Use Permit and Reclamation Plan Renewal of Use Permit #U 29-93 for continued extraction of up to 100,000 cy/yr (reduced average of 50,000 cy/yr) over a 30-year period.

APPROVED PROJECT DESCRIPTION: Surface Mining Use Permit and Reclamation Plan Renewal of Use Permit #U 29-93 for continued extraction of up to 100,000 cy/yr (reduced average of 50,000 cy/yr) over a 30-year period.

CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by ""):**

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Board of Supervisors has expired and no appeal has been filed with the Board of Supervisors. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

   To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.

2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division I of Title 22 of the Mendocino County Code.

3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Planning Commission.

4. This permit shall be subject to the securing of all necessary permits for the proposed project from County, State and Federal agencies having jurisdiction.

5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.

6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
   a. The permit was obtained or extended by fraud.
   b. One or more of the conditions upon which the permit was granted have been violated.
   c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
   d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.

7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

8. All mitigation measures and conditions of approval included under Use Permit #29-93 shall continue to apply.

9. The project shall maintain an extraction/crushing/screening perimeter for planned activities at the site, in accordance with MCAQMD requirements.

10. Prior to resuming extraction and processing practices at the site, a letter from MCAQMD shall be provided to Mendocino County Planning and Building Services stating that the quarry is in compliance with all permitting requirements and regulations.

11. To prevent any incidental take of Behren's silverspot butterfly occupying the project area, the operator shall notify the U.S. Fish and Wildlife Service (USFWS) and the Mendocino County Department of Planning and Building Services (PBS) prior to any new ground disturbing or vegetation altering operations. Such activities may require that survey(s) be conducted and protective measures be implemented. Copies of survey results shall be submitted to the California Department of Fish and Wildlife (CDFW), USFWS, and PBS. Any positive findings which are not ameliorated by existing USFWS protocols which require additions or changes to the mitigating conditions of this project shall require a Modification of Conditions be approved by the County of Mendocino.

12. To prevent the incidental take of Point Arena mountain beaver, northern spotted owl, and marbled murrelet, blasting shall not occur between April 1 and September 15 of any year. All other noise-generating activities, including hauling, loading, and processing, shall be restricted to weekdays and Saturdays between 10:00am and 4:00pm between March 24 and September 15 of any year. These restrictions may be modified with the consent of CDFW and USFWS.

13. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred 100-feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resource(s) in accordance with Section 22.12.090 of the Mendocino County Code.

14. All existing Best Management Practices (BMPs) at the site shall be property maintained and corrected when not properly working.

15. Any hazardous materials to be stored on-site shall be stored within an approved container and shall be stored in accordance with all laws and regulations.

16. **Interim slope cuts, including internal faces during individual phases of operations prior to final excavation, shall be evaluated in accordance with current Mine Safety and Health Administration (MSHA) requirements as quarry operations progress.

17. **Slope stability analyses shall be performed by a Certified Engineering Geologist when the quarry face progresses to within 150 feet of the final face cut.

18. **During "high," "very high," and "extreme" fire danger rating levels, the operator shall have a water truck filled and on standby at the project site during equipment use at the quarry and when blasting is to occur on the site.

19. **During “high,” “very high,” and “extreme” fire danger rating levels, the operator shall notify the Redwood Coast Fire Protection District and the CAL FIRE Point Arena station a minimum of 24 hours prior to blasting.

20. The applicant shall provide Mendocino County with a cash or surety bond or other acceptable form of financial assurance for the reclamation plan mitigation measures. The bond shall be available to both the County of Mendocino and the Department of Conservation. Any withdrawals made by the County or Department of Conservation for reclamation shall be redeposited by the applicant within 30 days of notification.

    The bond amount shall be calculated based on a cost estimate submitted by the applicant and approved by both County staff and the Department of Conservation for the approved reclamation procedures. The bond shall be established and in place within six (6) months of project approval. Each year, following annual site inspection, the bond amount shall be adjusted to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved reclamation plan.

    The security bond is not set up to replace the applicant’s responsibility for reclamation or mitigation, but to assure funding for the reclamation plan and mitigation measures. Should the applicant fail to perform or operate within all the requirements of the approved reclamation plan, the County or Department of Conservation will follow the procedures outlined in Section 2773.1 and 2774.1 of the Surface Mining and Reclamation Act (SMARA), regarding the encashment of the bond and applicable administrative penalties, to bring the applicant into compliance. The requirements for the bond will terminate when the approved reclamation plan and mitigation measures have been completed.

21. Implementation and Verification. The financial assurance shall name both the County and the Department of Conservation as payees per the requirements of AB 3551. The amount will be based on an estimate of reclamation cost provided by the applicant and subject to review by both County staff and Counsel and the Department of Conservation. The financial assurance will be reviewed on an annual basis for adequacy and shall be released when the approved project, mitigation measures and final reclamation plan activities have been completed.

22. Pursuant to Section 2772.7 of the California Public Resources Code, the applicant/operator shall have recorded with the County Clerk, a “Notice of Reclamation Plan Approval” that shall include:

    a. A statement that “Mining operations conducted on the hereinafter described real property are subject to a reclamation plan approved by the County of Mendocino, a copy of which is on file with County Department of Planning and Building Services,” and;

    b. A legal description of the property subject to the said reclamation plan.

21. The applicant shall submit the appropriate mining inspection and monitoring fee to the Department of Planning and Building Services within 30 days of approval, and on an annual basis until the mine is fully reclaimed. Fee estimates are calculated yearly and may change over the course of the entitlement.

22. Prior to any change of operators, the applicant shall notify the Department of Planning and Building Services 30 days prior to extraction. The applicant shall provide an accounting of all materials mined by each operator. Any change in operators shall not exempt the applicant/operators from providing required monitoring information.

23. Annually, prior to July 1st, the applicant shall supply to the Department of Planning and Building Services an accounting of the quantities and types of materials extracted and/or processed from each location that season. The accounting report shall indicate the dates on which the specified volumes were removed, the method used to calculate the volume figures and the signature of the person responsible for completing the report. Such report shall be submitted even if no material was removed that season.

24. The applicant shall grant access to the property during hours of operation to permit County representatives or any consultants hired by the County for inspection, enforcement, or monitoring activities deemed desirable by the County. The applicant shall designate an individual who is to be available at all times for purposes of supplying information deemed necessary by the authorized County representatives in connection with such work during working hours.

25. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of $2266.25 shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**