

**SANTA BARBARA COUNTY PLANNING COMMISSION**  
**Staff Report for the Lehigh Hanson Aggregates Condition Compliance Review**

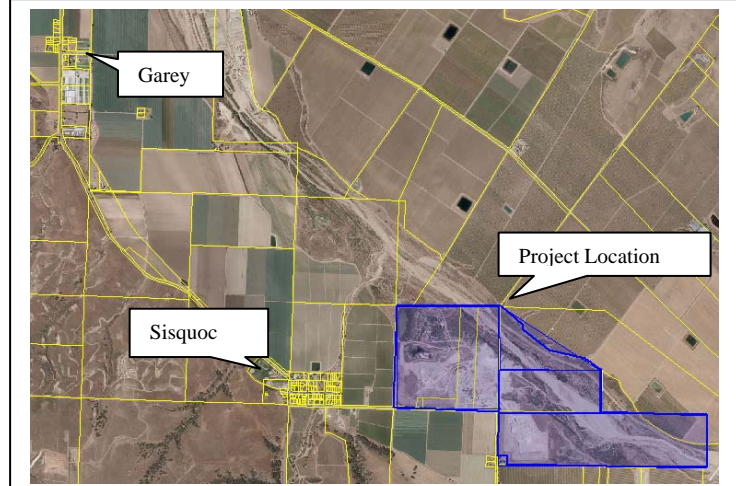
**Hearing Date: July 22, 2014**  
**Staff Report Date: July 3, 2014**  
**Case No.: 86-CP-106 RV01, 86-RP-006 RV01,**  
**02PMC-00000-00161**

**Deputy Director: Kevin Drude**  
**Division: Energy & Minerals**  
**Supervising Planner: Errin Briggs**  
**Supervising Planner Phone #: 568-2047**  
**Staff Contact: Susan Curtis**  
**Planner's Phone #: 568-3573**

**Environmental Document: N/A**

**OWNER/APPLICANT:**

Steve Zacks, Environmental Manager  
Lehigh Hanson Aggregates  
West Region  
681 Aspen Circle  
Oxnard, CA 93030  
(805) 457-1072



This site is identified as Assessor Parcel Numbers 129-210-026, 129-110-024, 129-110-013, 129-110-014, 129-110-015, 129-110-016, 129-110-017, 129-110-018 located along the Santa Maria and Sisquoc Rivers, Fifth Supervisorial District.

## 1.0 REQUEST

Hearing on the request of Steve Zacks, agent for Lehigh Hanson Aggregates to consider the following:

1. Hearing as required by Condition No. 1 of Case Nos. 86-CP-106 RV01 and 86-RP-006 RV01 to review compliance with the provisions of the Conditional Use Permit and Reclamation Plan approved by the Board of Supervisors on December 9, 1997, on properties zoned AG-II-100.

The application involves Assessor Parcel Numbers: 129-210-026, 129-110-024, 129-110-013, 129-110-014, 129-110-015, 129-110-016, 129-110-017, 129-110-018, located along the Santa Maria and Sisquoc Rivers in the Fifth Supervisorial District.

## **2.0 RECOMMENDATION AND PROCEDURES**

Follow the procedures outlined below and review compliance with the conditions of approval for Case No. 86-CP-106 RV01 and Case No. 86-RP-006 RV01 marked "Officially Accepted, County of Santa Barbara (July 3, 2014) County Planning Commission Attachments A & B", based upon the project's compliance with the permit conditions of approval required under 86-CP-106 RV01 and 86-RP-006 RV01.

That the County Planning Commission:

1. Receive and file this staff report on condition compliance for Case Nos. 86-CP-106 RV01 and 86-RP-006 RV01 and accept staff's analysis and recommendation that the project is in compliance with permit conditions of approval and the policies and standards of the Santa Maria and Sisquoc Rivers Specific Plan and that the conditions are effectively mitigating the significant environmental impacts of the project and no changes to the conditions are required at this time.
2. Determine that this action is exempt from CEQA pursuant to Section 15378(b)(5), which are organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment. (Attachment B)

Alternatively, refer back to staff if the County Planning Commission takes other than the recommended action.

## **3.0 JURISDICTION**

Pursuant to Section 35.80.020(A) (Table 8-1) of the Land Use Development Code (LUDC), the County Planning Commission is the review authority for Reclamation Plans and Conditional Use Permits. Pursuant to Condition 1 of the Lehigh Hanson Aggregates Conditional Use Permit (Attachment A), the County Planning Commission shall review compliance with the permit every 10 years.

## **4.0 ISSUE SUMMARY**

Condition No. 1 of the Lehigh Hanson Aggregates Conditional Use Permit (Case No. 86-CP-106 RV01) and Reclamation Plan (Case No. 86-RP-006 RV01) requires the following Planning Commission review. The pertinent section of Condition No.1 is identified as underlined text below:

**Periodic Review:** All mining and reclamation activities shall be reviewed annually in accordance with SMARA requirements, with County staff review and approval of

detailed mining and reclamation implementation plans for in-channel areas coinciding with periodic review of any Army Corps of Engineers permit for in-channel mining (or at least every five years). County staff review and approval of detailed mining and reclamation plans for off-channel areas shall occur with every other periodic plan reviewed for in-channel mining and reclamation (at least every ten years). The County Planning Commission shall review compliance with this permit every 10 years to ensure that the policies and standards of the Specific Plan and implementing permit conditions are being adequately implemented and are effectively mitigating significant environmental impacts as projected in the project Final EIS/R. If, during each ten (10) year review, the Planning Commission determines that the conditions imposed on the project are inadequate to effectively mitigate significant environmental impacts caused by the project, the Planning Commission may impose reasonable additions to, or modifications of, project conditions to further mitigate these significant environmental impacts. Imposition of such conditions shall only be considered and imposed as part of the Planning Commission's comprehensive review of the project conditions. In imposing such additional or modified conditions, the Planning Commission, and the Board of Supervisors, upon appeal, shall determine whether the new or modified conditions(s) is/are reasonable considering the economic burdens imposed and the environmental benefits to be derived. Nothing in this condition alters the County's ability to review specific conditions as set forth elsewhere, or the County's ability to add, delete, and modify conditions as part of a revocation proceeding pursuant to applicable County ordinances. No mining is authorized to occur after the initial 25 year term of this permit unless specifically authorized by the County in accordance with the adopted specific plan.

On June 2, 2003, Land Use Permit 03LUP-00000-00048 was issued thus effectuating Conditional Use Permit 86-CP-106 RV01 and Reclamation Plan 86-RP-006 RV01. The first ten year review period required pursuant to Condition No. 1 was from June 2003 through June 2013. This Planning Commission hearing covers the last eleven years of permit conditions imposed on the project to ensure that implementation of conditions are adequately mitigating for environmental impacts. As noted above, if the Planning Commission finds that this is not the case, the Commission may impose reasonable additions to, or modifications of, project conditions to further mitigate environmental impacts.

A total of 43 Mitigation Measures from the Environmental Impact Report (EIR) have been included in the CUP conditions which cover the following issue areas: Agricultural Resources, Biological Resources, Cultural Resources, Hydrology, Noise, Risk of Upset, Transportation, and Groundwater Quality/Risk of Upset. The permit conditions include three primary methods for monitoring compliance which are monitored under Permit Compliance Case No. 02PMC-00000-00161: 1) Annual County inspections of mining operations pursuant to the Surface Mining and Reclamation Act (SMARA); 2) Periodic site inspections by Planning and Development Department (P&D) staff on an as needed basis; and 3) Review and approval of five year Mining and Reclamation Plans by P&D and County Flood Control District staff.

During this eleven year monitoring period, P&D staff have not identified any substantial issues associated with this facility and have consistently found the facility to be in compliance with project conditions and SMARA standards. Staff recommends that your Planning Commission find that the conditions imposed on the project adequately mitigate environmental conditions, that no changes to project conditions are necessary, and that the operator has been consistently in compliance with project conditions for the past eleven years.

## **5.0 PROJECT INFORMATION**

### **5.1 Setting**

Lehigh Hanson Aggregates is located east of the town of Sisquoc and adjacent to the Sisquoc River, in the middle of the Santa Maria and Sisquoc River Specific Plan (Specific Plan) area. Mining operations at the facility occur within the Sisquoc River (in-channel), and on the property adjacent to and along the south side of the river (off-channel). On-site processing facilities wash, sort, and stockpile material for sale. Finished products include sand, gravel and asphaltic concrete. The project site encompasses approximately 400 acres and the mine processing plant is located on Assessor Parcel Numbers 129-110-014 and 129-110-015, 5375 Foxen Canyon Road, Santa Maria.

### **5.2 Description**

Lehigh Hanson Aggregates mines sand and gravel with estimated annual aggregate extraction rates between 400,000 to 500,000 tons and estimated overall reserves at a minimum of 5 million tons. Operations include a hot mix asphalt plant (HMA) that produces asphaltic concrete. Project operations are permitted under the CUP and Reclamation Plan in compliance with the Santa Maria and Sisquoc Rivers Specific Plan. The CUP authorizes mining for 23 years from initial Land Use Permit approval (June 2, 2003), to approximately 2026. Reclamation activities at the site occur subsequent to the completion of mining activities.

#### **Phasing**

Mining is completed according to a phasing plan pursuant to the Specific Plan. The timing identified is a general estimate of extraction rates and will vary depending on sales demand, rock versus sand demand, and other factors. Mining in the Carranza Unit (Phase 1) has been completed. The operator is currently mining the Davis Unit (Phase 1). The final phase of mining will occur in the Carranza Unit (Phase 2). This phase will include removal of the rock and sand plant with mining of the reserves beneath the plant site. The asphalt plant will also be removed and underlying reserves mined using portable equipment.

#### **Mining - Davis, Caranza and Little Lucy Pits**

Mining activities occur in two distinct areas- the river area and the landward area. The landward mining area is divided into the Davis Unit and the Caranza Unit. The Caranza Unit includes the existing plant site. The overall mining emphasis is on landward excavation supplemented by river reserves. Existing pits in the Davis and Caranza Units will be expanded in a southerly direction. The fully excavated and reclaimed pits are referred to as “basins” and 4:1 slopes will

be progressively created below high groundwater plus 5 feet, and 2:1 slopes will be created above high groundwater plus 5 feet for all areas where mining has reached its maximum depth. There will be a 200-foot setback between landward basins and the river, a 50-foot setback between basins, and minimum 50' or 100' setbacks between the basins and Foxen Canyon Road. Slopes in the Little Lucy pit have been completed at 2:1 to above the high water elevation and 4:1 below that point. The Little Lucy basin may be used as a silt pond for the sand and gravel plant.

### **5.3 Background Information**

#### **Santa Maria and Sisquoc Rivers Specific Plan**

Mining has occurred along the Sisquoc and Santa Maria Rivers since the early 1900's. Lehigh Hanson Aggregates (and formerly Kaiser Sand and Gravel) has been mining sand and gravel along the river since the mid 1920's. On December 9, 1997, the Board of Supervisors adopted the Santa Maria and Sisquoc Rivers Specific Plan (Specific Plan), which serves as the primary land use and regulatory guide for sand and gravel mining and reclamation activities that occur at the CalPortland Construction and Lehigh Hanson Aggregates mining operations along a 12 mile stretch of the Sisquoc and Santa Maria Rivers located in Santa Barbara and San Luis Obispo Counties. An Environmental Impact Report (EIR) was certified for the Specific Plan in December 1997 and Lehigh Hanson Aggregates began mining and reclamation activities under the Specific Plan in 2003. The goal of the Specific Plan is to provide for the long term production and conservation of the sand and gravel mineral resources in the Sisquoc and Santa Maria Rivers, in a manner compatible with existing surrounding land use, while minimizing adverse impacts to the environment. The Specific Plan is intended to coordinate the mining and reclamation activities by CalPortland Construction and Lehigh Hanson Aggregates, proposed to be carried out in phases over a period of 23 years (Lehigh Hanson Aggregates), to approximately 64 years (CalPortland Construction). The Specific Plan sets forth goals, objectives, and policies for resource utilization and environmental protection, as well as operation, reclamation, and monitoring criteria. Further, it provides a long-term planning framework for project implementation and review. All actions taken by the County involving plan review and approval of mining and reclamation within the Specific Plan area must be consistent with the Specific Plan.

#### *Periodic Mining and Reclamation Plans*

As part of the Specific Plan, Lehigh Hanson Aggregates is required to submit individual Mining and Reclamation Plans (MRP) for in-channel mining every five years and for off-channel mining every ten years. The purpose of the periodic MRP is to provide a method of monitoring compliance with project conditions and mitigation measures on an ongoing basis for the life of the project. All mining and reclamation activities are required to be performed in substantial conformity with each approved periodic MRP. Each individual MRP is effectuated by a Land Use Permit or Zoning Clearance and to date Lehigh Hanson Aggregates has submitted MRP's in 2003, 2011 and staff is currently reviewing the 2014 MRP under Zoning Clearance Case No. 14ZCI-00000-00067 for the next five years of mining.

## **6.0 PROJECT ANALYSIS**

### **6.1 Environmental Review**

An Environmental Impact Report (Case No. 96-EIR-4) was certified for the Santa Maria/Sisquoc Rivers Specific Plan and the CalPortland (formerly Coast Rock) and Lehigh Hanson Aggregates (formerly Kaiser Sand and Gravel) Master Mining and Reclamation Plans. Due to the inherent disruptive nature of mining operations, numerous potentially significant impacts were identified in the EIR. These impacts were identified in the areas of Agricultural Resources, Biological Resources, Cultural Resources, Hydrology, Noise, Risk of Upset, Transportation, and Groundwater Quality/ Risk of Upset. Mitigations were identified to reduce these impacts to less than significant, and incorporated into the project as conditions of approval (Attachment A). Specifically, Condition 2 addresses Agricultural Resources; Conditions 3 through 5 address Cultural Resources; Conditions 6 and 7 address Risk of Upset; Conditions 8 and 9 address Air Quality; Conditions 10 through 12 address Noise; Conditions 13 through 24 address Hydrology; Condition 25 addresses Biology; Conditions 26 through 28 address Wetlands; Conditions 29 through 35 address Sensitive Species; Condition 36 addresses Native Vegetation; Conditions 37 through 41 address Habitat Fragmentation; Condition 42 addresses General Habitat; and Condition 43 addresses Groundwater Quality/Risk of Upset. During annual Surface Mining and Reclamation Act (SMARA) inspections, staff identifies the active conditions pertinent to the ongoing phase(s) of operations and confirms compliance through a field inspection, a plan review, records review or a combination thereof. This compliance review process may include assistance by issue area experts, such as Biologists, Geologists and Grading Inspectors as needed. This process serves to ensure that the operator continues to comply with all conditions and that the conditions continue to adequately mitigate the environmental impacts of the project.

This eleven year compliance review is an administrative action in which staff is providing the Planning Commission with analysis of Lehigh Hanson Aggregates compliance record with permit conditions of approval. This report will not result in direct or indirect physical changes to the environment and as such is exempt from CEQA pursuant to Section 15378(b)(5).

### **6.2 Santa Maria and Sisquoc Rivers Specific Plan Policy Analysis**

The primary focus of this staff report is on the review of Lehigh Hanson Aggregate's eleven year permit condition record for CUP 86-CP-106 RV01 and Reclamation Plan 86-RP-006 RV01 to ensure that implementation of conditions are adequately mitigating for environmental impacts. Secondly, this report focuses on the review of continued consistency with the policies identified in the Specific Plan. The conditions, when initially approved, were determined to be consistent with Specific Plan policies. Through annual inspections and the MRP review and approval process, staff is able to evaluate whether the conditions continue to maintain consistency with the policies of the Specific Plan. For this staff report, selected Specific Plan policies which are triggered by active

conditions are presented. A discussion is provided profiling as to how these policies are implemented through the various conditions. This analysis demonstrates that not only is the operator in compliance with conditions but that the conditions continue to effectively implement and remain consistent with the policies of the Specific Plan.

SPECIFIC PLAN POLICY REQUIREMENT	86-CP-106 RV01 AND 86-RP-006 RV01 DISCUSSION
<p>Policy Land Use – IV (Noise Effects on Residential Uses) Ensure that interior noise levels at residential uses in close proximity to proposed mining operations do not exceed County standards as a result of mining operations.</p>	<p><b>Consistent:</b> Condition of Approval No. 10 <i>Hours of Operation</i> prohibits nighttime mining operations from 10:00 p.m. to 6:00 a.m. within 1,600 feet of existing residential structures. No nighttime mining occurs at the site. Condition of Approval No. 11 <i>Noise Shielding</i>, requires that any new equipment purchased to replace unusable equipment shall be fitted with noise shielding and muffling devices. The operator inspects equipment periodically to ensure that it is working effectively and in compliance with new noise level regulations. Verification that equipment is working properly occurs during routine vehicle and equipment maintenance activities. Records of vehicle maintenance demonstrating compliance with this condition are available for P&amp;D staff review on request and would be required if noise complaints arose. Condition of Approval No. 12 <i>Pit Noise</i>, requires that prior to periodic Mining and Reclamation Plan (MRP) approval for any mining in the Carranza Pit or Davis pit, Kaiser Sand and Gravel (Lehigh Hanson Aggregates) shall submit an acoustic study (prepared by a County approved consultant) to evaluate potential noise impacts from surface mining operations on the existing residences located on parcels adjoining the project site and fronting Foxen Canyon Road at the southwest corner of the project site. Condition of Approval No. 41 <i>Noise</i> requires that to reduce potential noise impacts to sensitive bird species, the location of existing and proposed haul roads in relation to nesting sites of sensitive bird species shall be reviewed as part of each periodic MRP. The operator includes noise studies and biological resource surveys</p>

SPECIFIC PLAN POLICY REQUIREMENT	86-CP-106 RV01 AND 86-RP-006 RV01 DISCUSSION
	as needed during MRP process to comply with these conditions. The County has no record of noise violations associated with these conditions during this reporting period. P&D staff has found the operator in compliance with the relevant conditions implementing this policy, in addition to consistent with this policy during annual SMARA inspections and during the review of the 2003 and 2011 MRP's. P&D staff is currently reviewing the 2014 MRP to ensure consistency with this policy.
Policy Channel – VIII (Bank Protection): Require bank protection to be bio-engineered, where feasible, to allow for vegetation and wildlife migration.	<b>Consistent:</b> Condition of Approval No. 18 <i>Setbacks</i> requires bio-engineered bank protection and/or hardbank protection up to the 100 year inundation elevation, or acceptable alternative measures, required at the discretion of the County Flood Control District in order to ensure that the required setback is maintained between the basin side slopes and the river if a persistent pattern of slope erosion is observed. The operator recently received approval to implement bio-engineered revetment fencing at the project site and installation of this fencing will occur in the near future. Installation of future bio-engineered bank protection measures would be required to be included in the periodic MRP, as appropriate. P&D and Flood Control District staff has found the operator in compliance with the relevant condition implementing this policy, in addition to consistent with this policy during annual SMARA inspections and during the review of the 2003 and 2011 MRP's. P&D staff is currently reviewing the 2014 MRP to ensure consistency with this policy.
Policy Channel – XII (Setbacks): Maintain adequate setbacks as determined by the County Flood Control District between mining operations, levees, public roads, improvements and adjacent properties. Maintain adequate	<b>Consistent:</b> Conditions of Approval No. 13(A)(4) <i>Redline Elevations</i> , No. 18 <i>Setbacks</i> , and No. 22 <i>Tributary Erosion</i> , and No. 23 <i>Levee Design</i> , require setbacks that the County Flood Control District review and approve as

SPECIFIC PLAN POLICY REQUIREMENT	86-CP-106 RV01 AND 86-RP-006 RV01 DISCUSSION
vertical separation between mining operations and any pipelines within the project area.	part of the periodic MRP process. During this process, District staff is able to verify whether adequate setbacks for proposed mining have been established. P&D and Flood Control District staff has found the operator in compliance with the relevant conditions implementing this policy, in addition to consistent with this policy during annual SMARA inspections and during the review of the 2003 and 2011 MRP's. P&D staff is currently reviewing the 2014 MRP to ensure consistency with this policy.
Policy BIO-III (Habitat Avoidance/Replacement): Avoid impacts to sensitive biological resources where feasible. Where avoidance is not feasible, fully off-set any loss of function and value of any wetland, woodland, willow forest, and willow scrub habitat within any portions of the project area adversely affected directly or indirectly by mining operations.	<b>Consistent:</b> Condition of Approval No. 26 <i>Wetland &amp; Willow Riparian Habitat Avoidance/Replacement</i> requires the operator to avoid all federally-delineated wetlands and willow riparian habitat to the maximum extent practicable. Condition of Approval No. 27 <i>Protective Easements</i> requires that each biological mitigation/reclamation site shall be set aside in perpetuity and maintained throughout the life of the project for its habitat value through the establishment of open space/conservation easements, deed restrictions or other legal mechanism. As standard practice, the operator avoids any mining activities within large established vegetated or habitat areas within the project site. These areas are retained in their natural state. Additionally, the operator established a wetland area in the Caranza Pit as required by the conditions. However, upon cessation of irrigation, the area revegetated with natural scrub and no longer meets the criteria as a wetland. As a result, the operator is currently working to identify an alternate location to establish a wetland. P&D staff has found the operator in compliance with the relevant conditions implementing this policy, in addition to consistent with this policy during annual SMARA inspections and during the review of the 2003 and 2011 MRP's. P&D

SPECIFIC PLAN POLICY REQUIREMENT	86-CP-106 RV01 AND 86-RP-006 RV01 DISCUSSION
	staff is currently reviewing the 2014 MRP to ensure consistency with this policy.
<p>Policy AG-III (Soil Productivity): Require the productivity of post-mining/reclamation soils designated for agricultural use to be at least equivalent to the productivity of pre-mining soils within the project area.</p>	<p><b>Consistent:</b> Condition of Approval No. 2 <i>Topsoil Conservation</i> requires that to reduce potential significant impacts due to loss of prime agricultural lands, the mine operator shall remove and segregate topsoil by defined soil horizons (if present) from the 72 acre field. Concurrently with removal, this soil shall be delivered to the nearest off-channel agricultural/habitat reclamation area within the Coast Rock project for use in reclamation efforts (Hansen/St. Claire/Bognuda Pits). If temporary storage of soils is necessary, such storage shall only occur subject to the review and approval of the County to ensure that all available measures are taken to maintain the productivity of the soils during storage for later use in project reclamation efforts. The operator maintains two topsoil stockpiles which are inspected by County staff during annual SMARA inspections to ensure compliance with this condition. Additionally, as required by the condition, the operator has removed, segregated and delivered topsoil to reclamation areas. P&amp;D staff has found the operator in compliance with the relevant condition implementing this policy, in addition to consistent with this policy during the review of the 2003 and 2011 MRP's. P&amp;D staff is currently reviewing the 2014 MRP to ensure consistency with this policy.</p>
<p>Policy ARCH-II (Resource Protection): Provide mechanisms for protection of any significant or unique cultural resources that may be discovered as a result of mining and reclamation operations.</p>	<p><b>Consistent:</b> Condition of Approval No. 3 <i>Phase 1 Review</i> requires that all new off-channel mining areas shall be subject to a Phase 1 archaeological survey pursuant to County Archaeological Guidelines (if not previously prepared) and if required, Phase 2 and Phase 3 studies shall be performed if significant resources are encountered and potential impacts are unavoidable. Condition of Approval No. 4 <i>Discovery &amp; Phase II</i></p>

SPECIFIC PLAN POLICY REQUIREMENT	86-CP-106 RV01 AND 86-RP-006 RV01 DISCUSSION
	<p><i>Review</i> requires that in the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a County qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines. The condition further requires that a formal set of operating and notification procedures related to discovery of cultural resources shall be established by each operator. These procedures shall include provisions for halting mining work in a specific area pending the outcome of a formal cultural resource evaluation. The applicant must submit a copy of the operating and notification procedures to the County for review prior to commencement of mining for the first periodic MRP. Condition of Approval No. 5 <i>Phase II Requirements</i> indicates that if determined to be necessary pursuant to the recommendations of a Phase I analysis, a Phase 2 subsurface testing program to evaluate the nature, extent, and significance of the cultural resources shall be implemented. The Specific Plan EIR included archeological assessment of the project area. As appropriate, additional archeological assessments may be required as part of the MRP depending upon proposed mining areas. P&amp;D staff has found the operator in compliance with the relevant conditions implementing this policy, in addition to consistent with this policy during the review of the 2003 and 2011 MRP's. P&amp;D staff is currently reviewing the 2014 MRP to ensure consistency with this policy.</p>
Policy Reclamation-1 (Concurrent Reclamation): Implement reclamation	<p><b>Consistent:</b> Condition of Approval No. 1 <i>Project Description</i> requires that Reclamation</p>

SPECIFIC PLAN POLICY REQUIREMENT	86-CP-106 RV01 AND 86-RP-006 RV01 DISCUSSION
activities concurrently with mining operations to the maximum extent feasible.	occur concurrently with ongoing mining operations as specified in project conditions. The operator has consistently implemented reclamation activities concurrently with mining operations. Reclaimed areas at the project site include riparian habitat, revegetated slopes (2:1 and 4:1), landscape screening and wetland habitat. The periodic MRP is required to chronicle reclamation activities at the time of the report, as well as for the proposed subsequent 5-years of mining. P&D staff has found the operator in compliance with the relevant condition implementing this policy, in addition to consistent with this policy during annual SMARA inspections and during the review of the 2003 and 2011 MRP's. P&D staff is currently reviewing the 2014 MRP to ensure consistency with this policy.
Policy Reclamation-V (End Use): Reclaimed lands shall have the end uses specified in the Master Mining and Reclamation Plan and summarized in Table 6 (Summary of Proposed Post-Reclamation Land Use). Land use acreages are approximate and shall be reviewed throughout the life of the project for substantial conformity with Table 6.	<b>Consistent:</b> Condition of Approval No. 1 <i>Project Description</i> identifies end uses and acreage cited in Specific Plan Table 6. Reclaimed end uses include in-channel and off- channel (pits, slopes and silt pond) revegetated with riparian habitat and mulefat scrub. The periodic MRP is required to chronicle reclamation activities at the time of the report, as well as for the proposed subsequent 5-years of mining. P&D staff has found the operator in compliance with the relevant condition implementing this policy, in addition to consistent with this policy during annual SMARA inspections and during the review of the 2003 and 2011 MRP's. P&D staff is currently reviewing the 2014 MRP to ensure consistency with this policy.

## **6.2 Compliance with Permit Conditions of Approval**

The Lehigh Hanson Aggregates mine is inspected on an as needed and annual basis pursuant to the Surface Mining and Reclamation Act (SMARA). Inspections may be completed in collaboration with technical experts and/or Flood Control District staff to ensure ongoing condition compliance. P&D also verifies compliance through review and approval of the periodic Mining and Reclamation Plans (MRP). The MRP is designed to chronicle the proposed mining and reclamation activities that will occur over the subsequent five year period. The MRP process provides staff with information such as grading plans, cross sections, drainage plans, reclamation implementation plans, progress reporting on reclamation activities and resource studies which facilitates a more comprehensive and robust review of conditions. MRP review is completed using a team approach whereby P&D has solicited the assistance of technical experts (i.e. Biologists) to assist in the review of application materials. Further, P&D collaborates with County Flood Control District staff in their review and approval of the MRP, thus ensuring both Departments are in concurrence with condition compliance.

Activities which demonstrate compliance with permit conditions include, but are not limited to: installation of screen plantings and fencing along the site perimeter; creation of habitat mitigation sites; completion of 2:1 and 4:1 slopes on three of the four required slopes in the Davis Pit; completion of 2:1 and 4:1 slopes on two of the four required slopes in the Carranza Pit; monitoring of test plots and revegetated slopes; hydroseeding of the Davis Pit; and completion of the Little Lucy pit slopes.

As stated in Section 4.0 Issue Summary, during this monitoring period, P&D staff have not identified any substantial issues associated with this facility and have consistently found the facility to be in compliance with project conditions and SMARA standards.

## **ATTACHMENTS**

- A. Lehigh Hanson Aggregates Conditional Use Permit and Master Reclamation Plan, Conditions of Approval dated December 9, 1997
- B CEQA Exemption