



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

## Planning Commission Staff Report Agenda Item No. 2 November 17, 2022

**SUBJECT:** Unclassified Conditional Use Permit Application No. 3681 and Initial Study Application No. 7878

Allow continued surface mining operations (granite quarry) and facilities approved by CUP No. 2928 for an additional 50 years to January 18, 2071 on two contiguous parcels totaling 142 acres in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District.

**LOCATION:** The project site is located on the southeast side of Tollhouse Road (State Route 168) at its intersection with Newmark Road approximately 10 miles northeast of the City of Clovis (APN: 150-141-33 & 35) (14147 Tollhouse Road) (Sup. Dist. 1).

**OWNER/  
APPLICANT:** Cold Spring Granite Company

**STAFF CONTACT:** Ejaz Ahmad, Planner  
(559) 600-4204

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared based on Initial Study No. 7878; and
- Approve Unclassified Conditional Use Permit Application No. 3681 and its associated Reclamation Plan with recommended Findings and Conditions of Approval (attached as Exhibit 1); and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan/Cross-Sections/Aerial Views
6. Project Operational Statement and Operational Plan
7. Project Reclamation Plan
8. Summary of Initial Study Application No. 7878
9. Proposed Mitigated Negative Declaration
10. Conditions of Approval - Conditional Use Permit Nos. 2477 and 2928.

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

| <b>Criteria</b>                 | <b>Existing</b>   | <b>Proposed</b>   |
|---------------------------------|---|---|
| General Plan Designation        | Specific Plan Reserve in the Sierra-North Regional Plan   | No change   |
| Zoning                          | AL-40 (Limited Agricultural, 40-acre minimum parcel size)   | No change   |
| Parcel Size                     | 142 acres   | No change   |
| Project Site                    | Surface mining operations (Granite Quarry) approved by CUP Nos. 2477 and 2928   | Allow continued surface mining operations (granite quarry) and facilities approved by CUP No. 2928 for an additional 50 years to January 18, 2071, on a 142-acre site in the AL-40 Zone District. |
| Related Structural Improvements | <ul style="list-style-type: none"> <li>• 140 sq. ft. restroom</li> <li>• 415 sq. ft. office/lunchroom</li> <li>• 670 sq. ft. air compressor and hoist house</li> <li>• 370 sq. ft saw cover</li> <li>• 645 sq. ft. saw cover</li> </ul> | No change   |

| <b>Criteria</b>         | <b>Existing</b>   | <b>Proposed</b>                           |
|-------------------------|---|---|
|                         | <ul style="list-style-type: none"> <li>• 195 sq. ft. power box cover</li> <li>• 1,730 sq. ft. maintenance shop</li> <li>• 850 sq. ft. fuel tank storage area</li> <li>• Two explosive magazines</li> </ul>  |   |
| Nearest Residence       | 1,800 feet from the closest operations per Noise Analysis Memorandum prepared for the project.  | No change                                 |
| Surrounding Development | Grazing land and single-family residences   | No change                                 |
| Operational Features    | Surface mining operation (Granite Quarry)   | No change from existing operation         |
| Employees               | Seven (7) employees on site   | Nine (9) employees (total) in the future  |
| Customers/Visitors      | 1 to 5 customer/visitors per day  | No change from existing operation         |
| Traffic Trips           | Existing project site trips: <ul style="list-style-type: none"> <li>• 14 one-way daily trips (7 round trips) by employees</li> <li>• 10 one-way (maximum) daily trips (5 round trips) by customers/visitors</li> <li>• 50 one-way daily trips (25 round trips) by service or delivery trucks</li> </ul> | No change from existing site trips        |
| Lighting                | Outdoor lighting around shop area   | No change                                 |
| Hours of Operation      | Per the approval – CUP Nos. 2477 and 2928.  | No change to permitted hours of operation |

**EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N**

**ENVIRONMENTAL ANALYSIS:**

An Initial Study (IS) No. 7878 was prepared for the project by County Staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the IS is included as Exhibit 8.

A Notice of Intent to adopt a Mitigated Negative Declaration was published on October 17, 2022.

**PUBLIC NOTICE:**

Notices were sent to 28 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

An Unclassified Conditional Use Permit for a mining operation may be approved only if five Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission. In addition to findings required by Section 873, the approval of a Conditional Use Permit for a mining operation shall be subject to the following finding: The Mining and Reclamation Plan has been reviewed for compliance with the Regulations for Surface Mining and Reclamation in All Districts, Section 858, and meets the applicable requirements therein.

Pursuant to Assembly Bill (AB) 52, the project information was provided to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested for consultation within the comment period.

The decision of the Planning Commission on an Unclassified Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

Historic mining activities have occurred on the project site since 1964.

In 1969, the Mineral Extraction Regulations (Section 858) of the Fresno County Zoning Ordinance were adopted which allowed existing non-conforming material extraction operations to continue. In 1990, County told operator of the mining site to apply for a conditional use permit (CUP), which if approved will recognize the existing operation, and permit it to continue.

On February 11, 1992, CUP No. 2477 was approved by County Board of Supervisors to allow continued operation of the existing mining site on a 102-acre parcel for 17 years (until February 11, 2009).

On January 18, 2001, Conditional Use Permit No. 2928 was approved by Planning Commission to allow expansion of the existing mining operation on a 40-acre parcel (total 142 acres) for 20

years (until 2021).

On June 18, 2020 the applicant submitted the subject proposal (CUP No. 3681) to allow the existing mining operation to continue on a 142-acre site for an additional 50 years (until January 18, 2071) within the same project boundaries and the same operational characteristics as approved for CUP Nos. 2477 and 2928. No changes in intensity, hours of operation, volume, site extraction boundaries, including excavation depth (linear or vertical), are proposed to occur from this proposal.

**Finding 1:** *That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.*

|                              | <b>Current Standard:</b>  | <b>Proposed Operation:</b>                              | <b>Is Standard Met (y/n)</b>                              |
|------------------------------|---|---|---|
| Setbacks                     | Front: 35 feet<br>Side: 20 feet<br>Rear: 20 feet                            | No change   | Yes, of Section 858 of the Fresno County Zoning Ordinance |
| Parking                      | One (1) off-street parking space for each two (2) permanent employees       | No change to the existing on-site parking for employees | Yes.  |
| Lot Coverage                 | No Requirement  | N/A   | N/A   |
| Separation Between Buildings | Six-foot minimum  | N/A   | N/A   |
| Wall Requirements            | Per Section 855-H.2 of the County Ordinance Code                            | No change   | N/A   |
| Septic Replacement Area      | 100 percent   | 100 percent   | Yes   |
| Water Well Separation        | Septic tank: 50 feet;<br>Disposal field: 100 feet;<br>Seepage pit: 150 feet | No change to the existing water wells                   | N/A   |

**Reviewing Agency/Department Comments:**

**Zoning Section of the Fresno County Department of Public Works and Planning:**

No concerns with the proposal.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

**Analysis Finding 1:**

The subject proposal would extend the life of an existing mining operation (Granite Quarry) authorized by prior conditional use permits (see Background Information). If approved, the mining operation will continue for an additional 50 years beyond year 2021.

Out of 142 acres project site, the total acres affected by the current mining operation is estimated at 48.4 acres. Of that area there are three main areas of use. The plant area is estimated at 4.5 acres and consist of a maintenance shop, lunchroom, employee parking, fuel storage, block storage and wire saws. The active quarry area, where granite is removed from the ground and sorted, is estimated at 14.64 acres. The grout (non-usable material) pile area is estimated at 7.2 acres. An additional 5.5 acres is currently under reclamation.

The Zoning Ordinance precludes any extraction of material or overburden within 25 feet of the property lines and within 50 feet of a road right-of-way. In addition, no stockpiled material is permitted closer than 25 feet from a property boundary. Excavation related to the existing mining operation will continue to maintain distance from property lines and the right-of-way for State Route (SR) 168 as required by Section 858 of the County Zoning Ordinance. Staff is recommending a condition requiring that all applicable Conditions of Approval imposed under Conditional Use Permit Nos. 2477 and 2928 shall remain in full force and effect for this proposal, except those conditions of this Permit (CUP 3681) shall supersede the conditions of prior Use Permits in any areas where the three may overlap. No changes to on-site employee parking will occur and all internal haul roads within the site boundaries will continue to be maintained as mandated by prior use permit approvals and/or regulation and best practices.

**Recommended Conditions of Approval:**

*None.*

**Finding 1 Conclusion:**

Finding 1 can be made based on the above analysis, the project site is adequate in size and shape to accommodate the proposal..

***Finding 2: That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.***

|                                  |     | <b>Existing Conditions</b>                       | <b>Proposed Operation</b>                                 |
|----------------------------------|-----|--|---|
| Public Road Frontage             | Yes | State Route 168 (Tollhouse Road): Good condition | No change   |
| Direct Access to Public Road     | Yes | Tollhouse Road (State Route 168); Good condition | No change to the current site access off State Route 168. |
| Road ADT (Average Daily Traffic) |     | Unknown  | No change   |
| Road Classification              |     | State Route 168: Good condition                  | No change   |
| Road Surface                     |     | Asphalt concrete paved                           | No change   |

|                                     |    | Existing Conditions  | Proposed Operation   |
|-------------------------------------|----|--|--|
| Traffic Trips                       |    | Existing project site trips based on existing conditions to date: <ul style="list-style-type: none"> <li>• 14 one-way daily trips (7 round trips) by employees</li> <li>• 10 one-way (maximum) daily trips (5 round trips) by customers/visitors</li> <li>• 50 one-way daily trips (25 round trips) by service or delivery trucks</li> </ul> | No change from existing site trips   |
| Traffic Impact Study (TIS) Prepared | No | No TIS required for the current mining operation authorized by CUP Nos. 2477 and 2928  | No changes to the current operation and no TIS required by Transportation Planning Unit or the Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning. |
| Road Improvements Required          |    | Good; no improvements to the State Route 168 required by the California Department of Transportation   | No improvements required   |

**Reviewing Agency/Department Comments:**

**California Department of Transportation (Caltrans):**

No concerns with the proposal. The project site is an existing mining site which gain access from State Route 168 via an existing access road.

**Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning:**

No concerns with the proposal.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

**Finding 2 Analysis:**

Currently there is one access point from State Route (SR) 168 approved by prior Use Permit applications. Access to the project site is from SR 168 through an existing/approved mining area on the south side of the highway. The subject application proposes no new access or changes to the existing access point to the site.

Per the Operational Statement provided by the applicant, the existing mining operation generate 14 one-way daily trips (7 round trips) by employees; 10 one-way daily trips (5 round trips) by customers/visitors; and 50 one-way daily trips (25 round trips) by service or delivery trucks. The subject proposal will not bring any changes to the traffic volume generated by the current mining activities. The California Department of Transportation, Transportation Planning Unit or the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, identified no concerns related to traffic on State/County roadways and required no Traffic Impact Study for the project.

**Recommended Conditions of Approval:**

*See Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1.*

**Finding 2 Conclusion:**

Finding 2 can be made based upon the above considerations State Route 168 will remain adequate in its current condition to accommodate traffic generated by the proposal.

***Finding 3:*** ***That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.***

**Surrounding Parcels**

|       | Size:                  | Use:                                   | Zoning: | Nearest Residence:                       |
|-------|------------------------|--|---------|--|
| North | 29 acres               | Grazing land                           | AL-40   | None                                     |
| South | 20 acres<br>21.5 acres | Grazing land; Single-family Residences | AL-40   | 100 feet from southern property boundary |
| East  | 71.5 acres             | Grazing land                           | AL-40   | None                                     |
| West  | 49.7 acres<br>10 acres | Grazing land                           | AL-40   | None                                     |

**Reviewing Agency/Department Comments:**

**The California Department of Fish and Wildlife (CDFW):**

Special-status resources (the State threatened Swainson’s hawk, the Federally and State threatened California tiger salamander, and the State species of special concern western pond turtle, American Badger, Burrowing Owl, and Western Spadefoot) that may utilize the project site may need to be evaluated and addressed through protocol-level surveys. (Note: Mitigation Measures suggested by *Biological Habitat Assessment (BHA)* prepared for the project by Colibri Ecological Consulting, LLC. are included in the Exhibit 1).

**Fresno County Department of Public Health, Environmental Health Division (Health Department):**

All mining activities shall conform with the Fresno County Noise Ordinance. *Note: A “Noise Analysis Memorandum” was prepared for the project and approved by Health Department.*



Within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) there is a 100 percent or more increase in the quantities of a previously-disclosed material; 2) the facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts; and 3) changes to building structures and/or hazardous materials/wastes storage areas. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. Any underground storage tank found during mining activities shall require Underground Storage Tank Removal Permit from Health Department.

To protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed; permits shall be obtained from Health Department to destroy water well(s) prior to commencement of work; and for any underground storage tank(s) found during mining activities, an Underground Storage Tank Removal Permit shall be obtained from Health Department.

The applicant should consider having the existing septic tank systems pumped and have the tanks and leech fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.

These requirements have been included as Project Notes.

Zoning, Development Engineering, Site Plan Review Sections, Water/Natural Resources, and Resources Division of the Fresno County Department of Public Works; Fresno County Sheriff office; Fresno County Fire Protection District; Fresno County Agricultural Commissioner's Office; State Water Resources Control Board, Division of Drinking Water; North King Groundwater Sustainability Agency; San Joaquin Valley Air Pollution Control District; U.S. Fish and Wildlife Service; Division of Mine Reclamation, California Department of Conservation; California Regional Water Quality Control Board; Sothern San Joaquin Valley Information Center; Native American Heritage Commission; California Department of Transportation; Army Corps of Engineers; Road Maintenance and Operations Division: No concerns with the proposal.

### **Finding 3 Analysis:**

The 142-acre project site is located on the southeast side of State Route 168 (Tollhouse Road) at its intersection with Newmark Road approximately 10 miles northeast of the City of Clovis.

The terrain of the site ranges from undulating land to steep ridges but is typically hilly. Approximately 48.4-acre of the site is occupied by the current mining operation which include active quarry area, plant area, and grout pile area, quarry wastewater runoff basin, paved and dirt access roads. The remainder unmined portion of the site consists of grassland and scattered clusters of trees. Surrounding parcels range in size from 1.6 acres to 169 acres and are predominately used for grazing. Single-family homes are scattered throughout the area. There are five (5) homes within one-half mile radius and over 20 homes within a one-mile radius of the project site.

The subject proposal would extend the life of an existing mining operation (Granite Quarry) located on 142 acres comprised of two parcels. The quarry is located on the original 102 acres

authorized via CUP No. 2477 in 1991. The second parcel of 40 acres authorized via CUP No. 2928 in 2001 expanded the mining operation from 102 acres to 142 acres with an operating life of 20 years (until 2021). This proposal would allow an additional 50 years of mining (until 2071) within the approved 142-acre project site. The mining operation will remain within the scope of CUP Nos. 2477 and 2928 with no changes in intensity, hours of operation or volume.

An Initial Study prepared for the project has identified potential impact to aesthetics, biological and cultural resources. To mitigate aesthetics impact, all outdoor lighting will be hooded and be directed downward to avoid glare on adjoining properties. To mitigate impact on biological resources, protocol-level survey would be required for California Tiger Salamander (CTS) in accordance with the USFWS "Interim Guidance on Site Assessment and Field. To mitigate cultural resources impact, any cultural resources discovered during excavation will require all project-related activities halt until an archeologist evaluates the discovery. Should human remains be discovered, the County Sheriff-Coroner will be notified, and protocols will be followed including the involvement of the NAHC. If paleontological resources are discovered, they will require evaluation by a qualified paleontologist. These requirements have been included as Mitigation Measures (Exhibit 1).

Potential impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise are less than significant. The project will comply with the San Joaquin Valley Air Pollution Control District rules and regulations for air quality; the applicant will consider having the existing septic tank systems pumped and have the tanks and leech fields evaluated by a licensed contractor if it has not been serviced and/or maintained within the last five years and install any new sewage disposal system under permit and inspection from the Department of Public Works and Planning Building and Safety Section; handle hazardous material on the property according to the State and local ordinances; retain additional runoff generated by mining activities on site and destroy all unused wells/septic systems with permits and inspections; and comply with Fresno County Noise Ordinance. These requirements have been included as Project Notes.

**Recommended Conditions of Approval:**

*See Mitigation Measures, recommended Conditions of Approval, and Project Notes attached as Exhibit 1.*

**Finding 3 Conclusion:**

Finding 3 can be made based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval, and mandatory Project Notes, the proposal will not have an adverse effect upon surrounding properties.

***Finding 4: That the proposed development is consistent with the General Plan.***

| <b>Relevant Policies:</b>   | <b>Consistency/Considerations:</b>  |
|---|---|
| <p><b>Sierra-North Regional Plan Policy 402-01:1:00. d.</b> <i>Reserves shall mean land designated for limited agriculture with a planned future urban use as part of a new town proposal, or future development under a specific plan.</i></p> | <p>The project site (granite quarry) has been mined since 1964. Adoption of Mineral Extraction Regulations (Section 858) of the Fresno County Zoning Ordinance in 1969 allowed the existing non-conforming material extraction operations to continue as a non-conforming use with the approval of CUP No. 2477 in 1991 and expansion of the use with</p> |

| Relevant Policies:   | Consistency/Considerations:   |
|--|---|
|  | <p>the approval of CUP No. 2928 in 2001. The project site is also shown as an established location for decomposed granite in Figure 7-8 of the Fresno County General Plan. Background Report dated October 2000. The subject proposal (CUP No. 3681) involves no changes to the existing material extraction operations besides continuation of the mining activities for an additional 50 years to January 18, 2071, within the parameters of the previously approved CUP Nos. 2477 and 2928. The project is consistent with the subject policy.</p>   |
| <p><b>General Plan Policy OS-C.3:</b> <i>The operation and reclamation of surface mines shall be consistent with the State Surface Mining and Reclamation Act (SMARA) and applicable Zoning Ordinance provisions.</i></p> <p><b>General Plan Policy OS-C.4:</b> <i>The County shall impose conditions to minimize or eliminate potential adverse impacts of mining operations upon surrounding properties.</i></p> <p><b>General Plan Policy OS-C.5:</b> <i>Reclamation of all surface mines shall be conducted in a manner consistent with SMARA.</i></p> | <p>A Reclamation Plan was prepared for the project by the Applicant and reviewed by the California Department of Conservation, Division of Mine Reclamation (DMR). The agency expressed no concerns with the Reclamation Plan. The mining and reclamation activities will comply with the Reclamation Plan consistent with the State Surface Mining and Reclamation Act (SMARA) and applicable Zoning Ordinance provisions, including Mitigation Measures, Conditions of Approval, and mandatory Project Notes included in the Initial Study prepared for the project (Exhibit 8). The project is consistent with the subject policies.</p> |
| <p><b>General Plan Policy PF-C.17:</b> <i>County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</i></p>  | <p>Water used by the current mining operations come from on-site wells. Having to use approximately 8,017 gallons of water per day, continuation of the current operations will have no impact on groundwater resources. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning expressed no concerns related to the availability of water for the project. The project is consistent with this policy.</p>  |

**Reviewing Agency Comments:**

**Policy Planning Section of the Fresno County Department of Public Works and Planning:**

The subject property is designated as Specific Plan Reserve in the Sierra-North Regional Plan. Policy 402-01:1:00. d. of the Regional Plan requires land designated "Reserve" to be limited to Limited Agriculture with planned future urban use. Policy OS-C.3 requires the operation and reclamation of surface mines consistent with the State Surface Mining and Reclamation Act

(SMARA) and applicable Zoning Ordinance provisions. Policy OS-C.4 requires implementation of conditions to minimize or eliminate potential adverse impacts of mining operations upon surrounding properties. Policy OS-C.5 requires reclamation of all surface mines in a manner consistent with SMARA. Policy PF-C.17 requires sustainable water supply for the project. The project site is not subject to a Williamson Act Land Conservation Contract.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

**Finding 4 Analysis:**

As discussed above in General Plan Consistency/Consideration, the subject proposal meets the General Plan consistency requirements. Regarding consistency with Policy 402-01:1:00. d., the subject mining site is a recognized non-conforming use on land designated “Reserve” in the Sierra-North Regional Plan. Regarding consistency with Policy OS-C.3, Policy OS-C.4 and Policy OS-C.5, all mining activities will comply with the Reclamation Plan consistent with the State Surface Mining and Reclamation Act (SMARA) and applicable Zoning Ordinance provisions and the Mitigation Measures, Conditions of Approval, and Project Notes included in the Initial Study and the staff report prepared for the project. Regarding consistency with Policy PF-C.17, limited use of groundwater (8,017 gallons per day) by mining operations will result in no impact on groundwater resources.

**Recommended Conditions of Approval:**

*None.*

**Finding 4 Conclusion:**

Based on the above information, the proposal is consistent with the Sierra-North Regional Plan and County General Plan.

***Finding 5: That the proposed use has been reviewed for compliance with Zoning Ordinance Section 858 - Regulations for Surface Mining and Reclamation in all Districts and meets the applicable requirements therein.***

**Reviewing Agency/Department Comments:**

**California Department of Conservation, Division of Mine Reclamation:**

Under SMARA, PRC Section 2772, the lead agency must certify to the Division of Mine Reclamation that the reclamation plan “is a complete submission and is in compliance with the applicable requirements of SMARA statutes (PRC Section 2710 et seq.); the applicable requirements in the California Code of Regulations Article 1 and Article 9 of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations; and the lead agency’s surface mining ordinance in effect at the time that the reclamation plan or plan amendment is submitted to the Division of Mine Reclamation. SMARA also provides the Division 30 days to determine if the submittal is complete, and 30 days to develop comments on the submittal.

**Finding 5 Analysis:**

The subject proposal would allow the continued operation of an existing mining site (Granite Quarry) on 142 acres consisting of two parcels for an additional 50 years to January 18, 2022. Mining and reclamation activities resulting from this proposal will remain within the scope of

CUP Nos. 2477 and 2928 with no changes in intensity, hours of operation, volume, or site access.

Section 858 of the Fresno County Zoning Ordinance, "Regulations for Surface Mining and Reclamation in All Districts," outlines the primary components of what constitutes an adequate reclamation plan for a surface mining site. Section 858 states that the plan shall include a description of the planned reclamation indicating the methods used to accomplish the reclamation, a schedule showing the timing and phasing of the reclamation activities, a soil salvage plan, the disposition of any equipment or structures used for the excavation or processing operation, and how the reclamation of the site may affect future on-site mining and the mining of the surrounding area. The reclamation plan shall include a site plan of the reclamation showing any proposed vegetation, irrigation land, and water features, including access to the site and the treatment of that access. The Zoning Section of the Fresno County Department of Public Works and Planning reviewed this proposal and expressed no concerns with the project. The Applicant has prepared a Reclamation Plan for the project. As part of the Pre-Approval procedure for the Plan, Division of Mine Reclamation (DMR), California Department of Conservation requires that the County provide a written response to the agency's comments at least 30 days prior to approving the Plan. The County provided DMR a letter and a complete Reclamation Plan for the project on August 22, 2022. The DMR provided no written response on the review of the Reclamation Plan or expressed any concerns with the project.

As part of Post Approval procedures for the Plan, the County will notify DMR within 30-days of the approval of the Plan and provide an official copy of the approved Plan within 60-days thereafter. With adherence to these requirements, the subject proposal complies with the requirements of Assembly Bill (AB) 1142 and Section 858 of the County Zoning Ordinance.

**Recommended Conditions of Approval:**

*None.*

**Finding 5 Conclusion:**

Based on the above information, the proposal is consistent with the Zoning Ordinance Section 858 - Regulations for Surface Mining and Reclamation

***Finding 6:*** ***That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.***

**Reviewing Agency/Department Comments:**

Refer to the Reviewing Agency/Department Comments in Findings 1-5 of this report.

**Finding 6 Analysis:**

The proposed mitigation measures and conditions of approval were developed based on studies and consultation with specifically qualified staff, consultants and outside agencies. They were developed to address the specific impacts of the proposed project and were designed to address the public health, safety and welfare. Additional comments and projects notes have been included to assist in identifying existing non-discretionary regulations that also apply to the project. The Applicant has signed an acknowledgment agreeing to the proposed mitigation measures and has not advised staff of any specific objection to the proposed conditions of approval.

**Recommended Conditions of Approval:**

*See Mitigation Monitoring, Conditions of Approval and Project Notes attached as Exhibit 1.*

**Finding 6 Conclusion:**

Finding 6 can be made based on the above information with adherence to Mitigation Measures and Conditions of approval all impacts on public health and safety will be mitigated.

**PUBLIC COMMENT:**

None.

**SUMMARY CONCLUSION:**

To allow continued surface mining operations (granite quarry) and facilities approved by CUP No. 2928 for an additional 50 years to January 18, 2071, on two contiguous parcels totaling 142 acres in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District is consistent with the Fresno County General Plan and will have less than significant impacts on the surrounding properties.

**SUMMARY RECOMMENDATION:**

Based on the factors cited in the analysis, the required Findings for granting the Unclassified Conditional Use Permit and adoption of the Reclamation Plan can be made. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Unclassified Conditional Use Permit No. 3681 and associated Reclamation Plan, subject to the recommended Conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 7878; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3681 and its associated Reclamation Plan, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a resolution documenting the Commission’s action.

**Alternative Motion** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3681; and
- Direct the Secretary to prepare a resolution documenting the Commission’s action.

**Mitigation Measures, Recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

EXHIBIT 1

**Mitigation Monitoring and Reporting Program  
Initial Study No. 7878  
Unclassified Conditional Use Permit No. 3681**

| Mitigation Measures     |                      |  |                               |  |                                      |
|-------------------------|----------------------|--|-------------------------------|--|--------------------------------------|
| Mitigation Measure No.* | Impact               | Mitigation Measure Language  | Implementation Responsibility | Monitoring Responsibility  | Time Span                            |
| 1.                      | Aesthetics           | All outdoor lighting shall be hooded and directed as not to shine toward adjacent properties and public streets.   | Operator                      | Operator/Fresno County Department of Public Works and Planning (PWP) | Ongoing; for duration of the project |
| 2.                      | Biological Resources | A minimum 50-foot no-disturbance buffer shall be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the project site, unless a qualified biologist shall conduct protocol-level surveys for California Tiger Salamander (CTS) in accordance with the USFWS "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW and the USFWS is required to occur well in advance of beginning the surveys and prior to any planned vegetation or ground-disturbing activities. The protocol-level survey includes a 100-foot buffer around the project area in all areas of wetland and upland habitat that could support CTS. Potential or known breeding habitat within and/or adjacent to the project site shall be delineated with a minimum 250-foot no-disturbance buffer | Operator                      | Operator/California Department of Fish and Wildlife (CDFW)           | As noted                             |

EXHIBIT 1

|                               |  |   |          |   |          |
|-------------------------------|--|---|----------|---|----------|
|                               |  | <p>These surveys are required to be repeated any time the disturbance area of the project expands or there is the potential to eliminate small mammal burrows.</p> <p>Alternatively, the applicant can assume presence of CTS within the project site and obtain an ITP from CDFW in accordance with Fish and Game Code section 2081 subdivision (b).</p> <p>If through surveys it is determined that CTS are occupying or have the potential to occupy the project site, consultation with CDFW is warranted to determine if the project can avoid take. If take cannot be avoided, take authorization would be warranted prior to initiating ground-disturbing activities to comply with California Endangered Species Act. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081 subdivision (b).</p> |          |   |          |
| 3.                            | Cultural Resources   | <p>In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.</p>  | Operator | Operator/PWP / Fresno County Sheriff's Office | As noted |
| <b>Conditions of Approval</b> |  |   |          |   |          |
| 1.                            | Development and operation of the use shall be in conformance with the site plan, cross sections, operational statement, and Reclamation Plan approved by the Commission. |   |          |   |          |



EXHIBIT 1

|    |  |
|----|--|
| 2. | All mining operations within the project boundary defined by Unclassified Conditional Use Permit No. 3681 shall cease fifty (50) years starting January 18, 2021 and ending January 18, 2071.                                    |
| 3. | Rehabilitation of the site shall be completed within one-year after excavation ceases and shall include removal of all equipment and structures.   |
| 4. | All conditions of approval under Unclassified Conditional Use Permit Nos. 2928 and 2477 shall remain in full force and effect.   |
| 5. | The conditions of this permit (CUP No. 3681) shall supersede the conditions of prior Unclassified Conditional Use Permit Nos. 2477 and 2928 in any areas where the three overlap.  |
| 6. | The Conditional Use Permit approval shall be conditioned upon acceptance of Financial Assurances by the Fresno County Department of Public Works and Planning defined in Ordinance Section 858. G. <u>Financial Assurances</u> . |
| 7. | To ensure that reclamation shall proceed in accordance with the approved Mining and Reclamation Plan, the County shall require, as a condition of approval, security which will be released upon satisfactory performance.       |

\*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

| Notes  |  |
|--|--|
| <b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b> |  |
| 1.   | This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.   |
| 2.   | <p>Within 30 days of the occurrence of any of the following events the Applicant/operators shall update their online Hazardous Materials Business Plan and site map through the Environmental Health Division of Fresno County’s Department of Public Health (<a href="https://www.fresnocupa.com/">https://www.fresnocupa.com/</a> or <a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>):</p> <ul style="list-style-type: none"> <li>• There is a 100 percent or more increase in the quantities of a previously disclosed material</li> <li>• The facility begins handling a previously undisclosed material at or above the HMBP threshold amounts.</li> <li>• Changes to building structures and/or hazardous materials/wastes storage areas.</li> </ul> <p>The business shall certify that a review of the business plan has been conducted at least once every three years and that any necessary changes were made and that the changes were submitted to the local agency.</p> |
| 3.   | All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.  |

EXHIBIT 1

| Notes |  |
|-------|--|
| 4.    | Any underground storage tank found during mining activities shall require Underground Storage Tank Removal Permit from the Fresno County Health Department Environmental Health Division.  |
| 5.    | To protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed. Permits shall be obtained to destroy water well(s) from Fresno County Health Department Environmental Health Division, prior to commencement of work.                             |
| 6.    | The applicant should consider having the existing septic tank systems pumped and have the tanks and leech fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years and install any new sewage disposal system under permit and inspection from the Department of Public Works and Planning Building and Safety Section. |
| 7.    | Should a new sewage disposal system be proposed, it shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section.   |
| 8.    | All mining activities shall conform with the Fresno County Noise Ordinance.  |

EA:jp  
G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3600-3699\3681\SR\CUP 3681 MMRP (Ex.1).docx

# LOCATION MAP

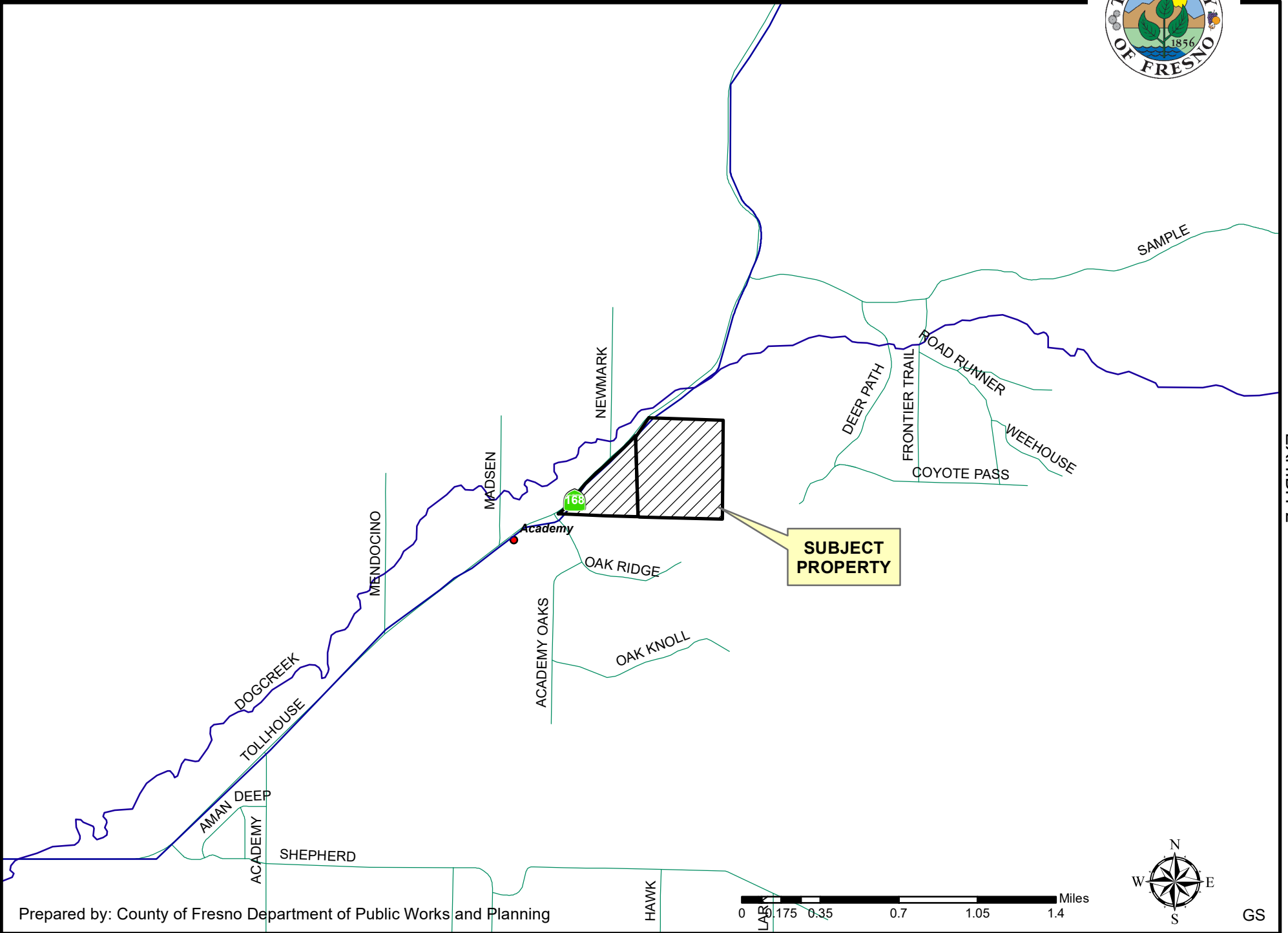
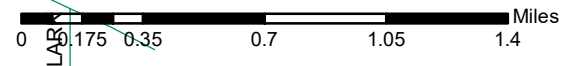


EXHIBIT 2





# EXISTING ZONING MAP

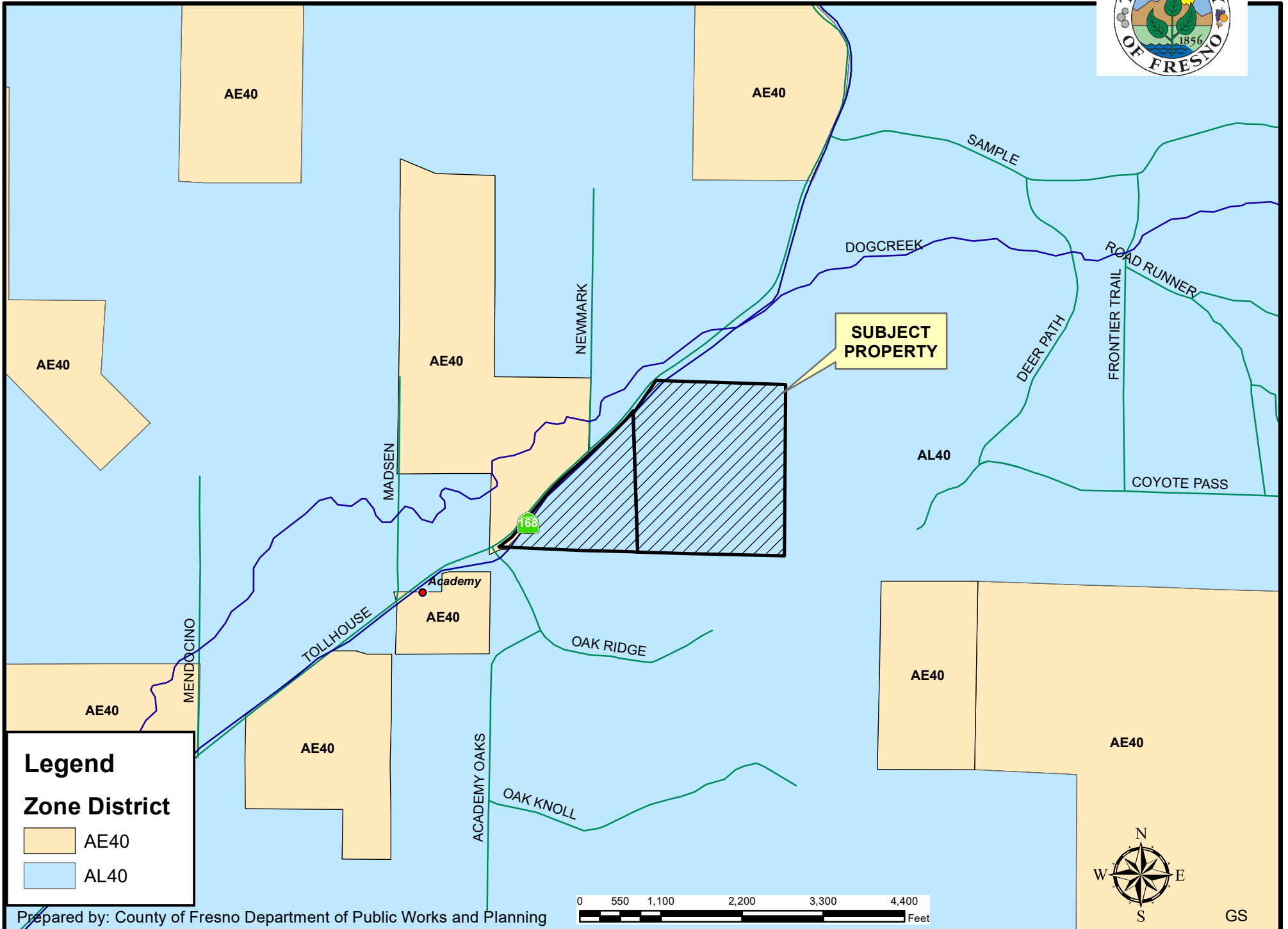
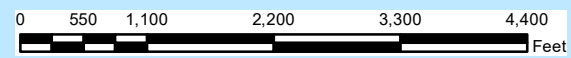


EXHIBIT 3

### Legend

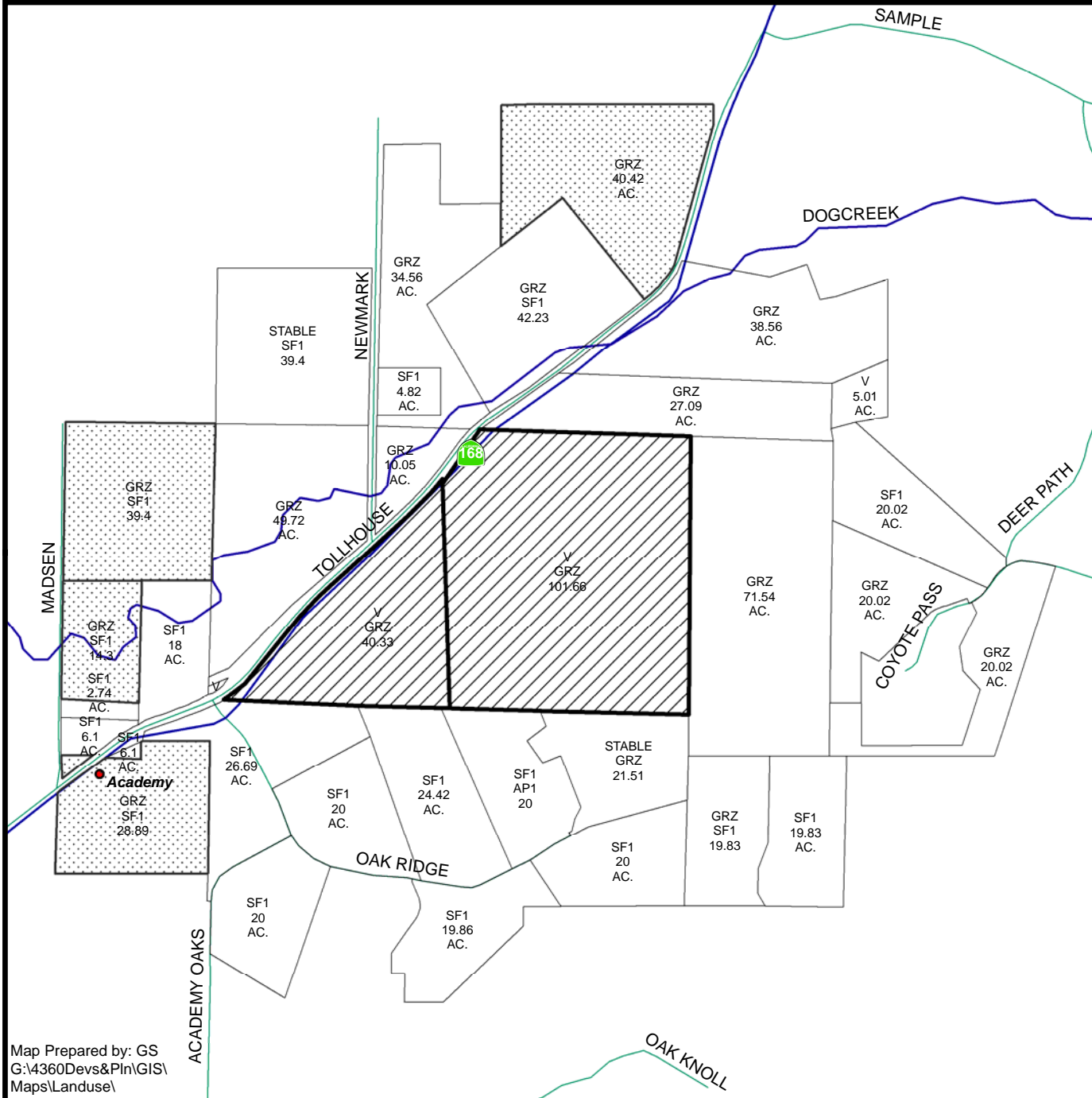
### Zone District

- AE40
- AL40





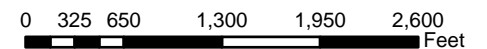
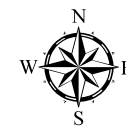
# EXHIBIT 4 EXISTING LAND USE MAP



| LEGEND                      |  |
|-----------------------------|--|
| AP1 - APARTMENT             |  |
| GRZ - GRAZING               |  |
| SF#- SINGLE FAMILY RESIDENC |  |
| V - VACANT                  |  |

### LEGEND:

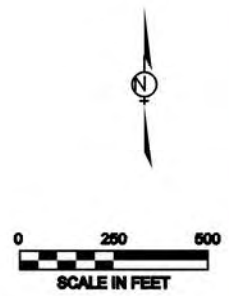
-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning  
Development Services Division

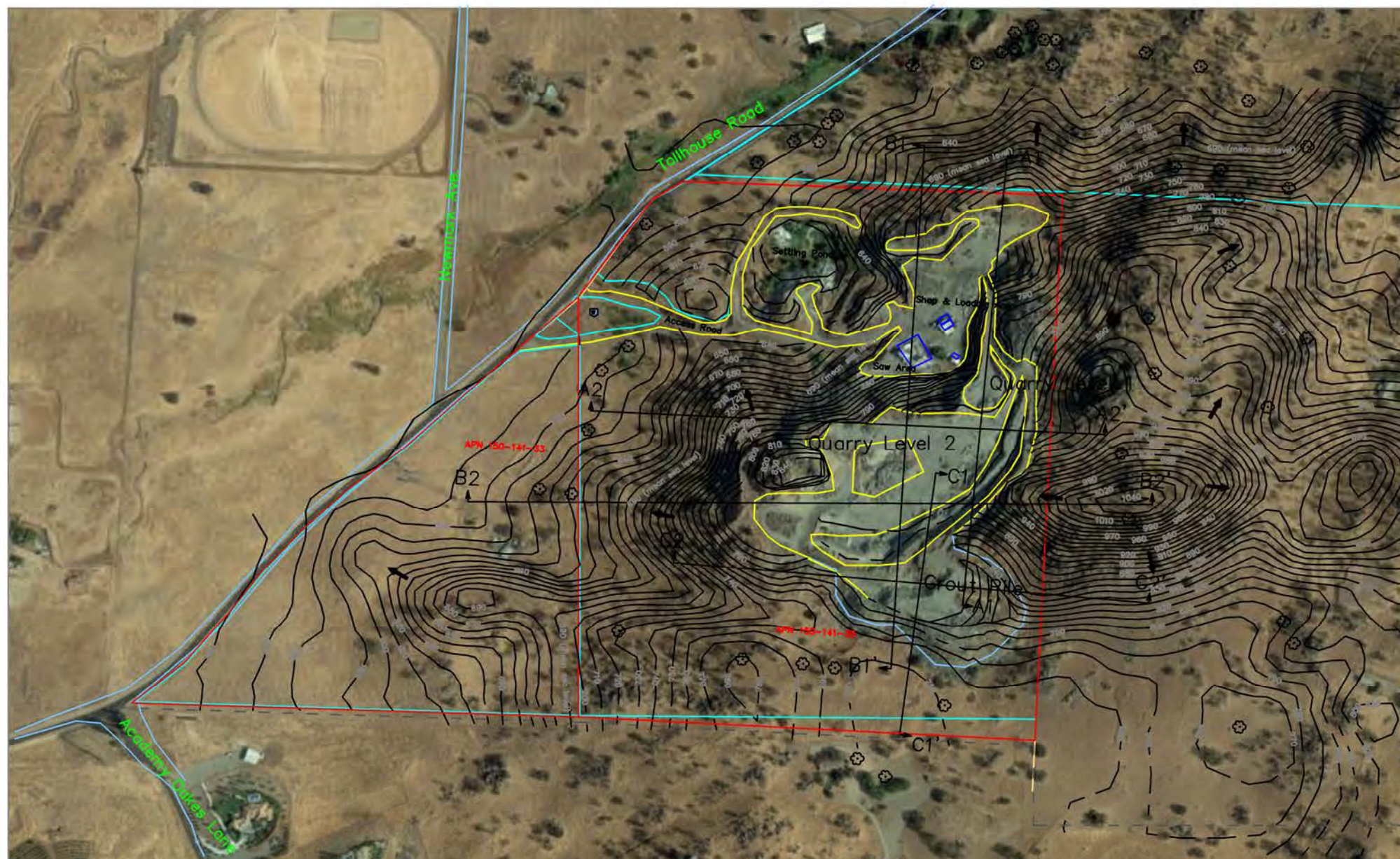






MAPPING LEGEND

|                        |  |
|------------------------|--|
| WELL                   |  |
| SURFACE DRAINAGE ARROW |  |
| TREE                   |  |
| PARCEL LINES           |  |
| BARB WIRE FENCE        |  |
| QUARRY ROAD            |  |
| PROPERTY LINE SETBACK  |  |
| CONTOURS               |  |
| CONTOUR MEAN SEA LEVEL |  |

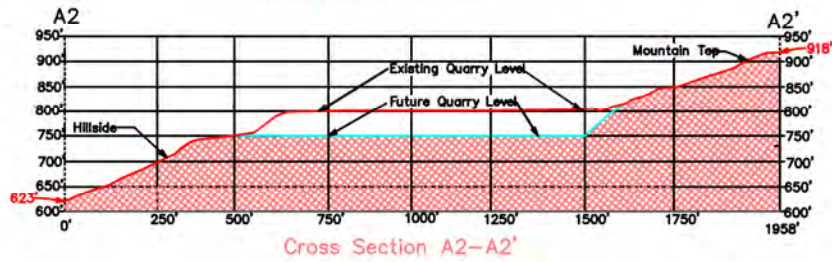


17462 GRANITE WEST ROAD, COLD SPRING, NY 56320-7578  
PHONE (315) 685-3621 FAX (320) 685-6498  
WWW.COLDSPRINGUSA.COM

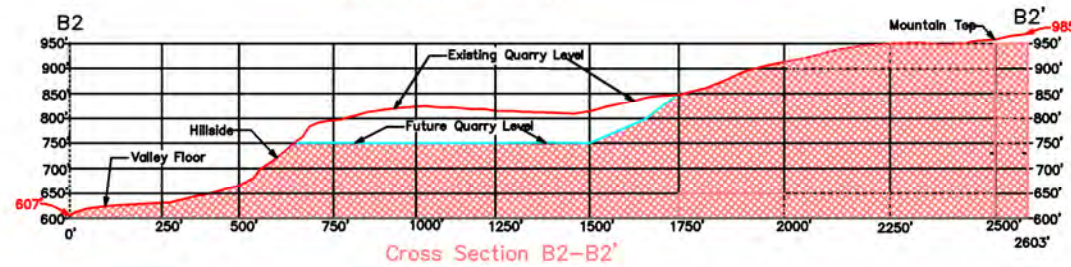
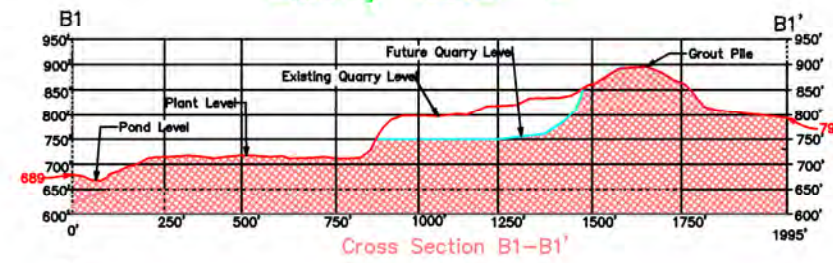
Existing Conditions  
Academy Quarry Mine Site Plan

Sheet 1 of 2

### Quarry Level 1



### Quarry Level 2



### Grout Pile

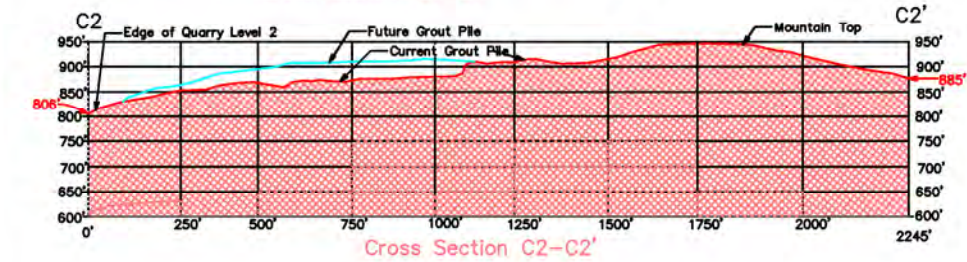
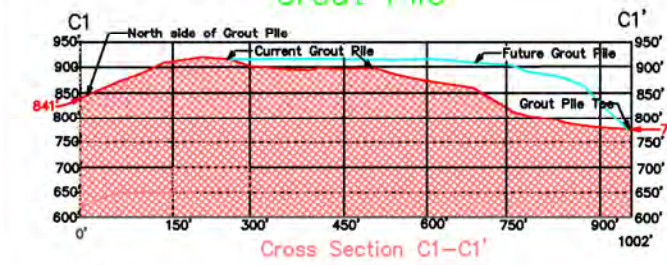
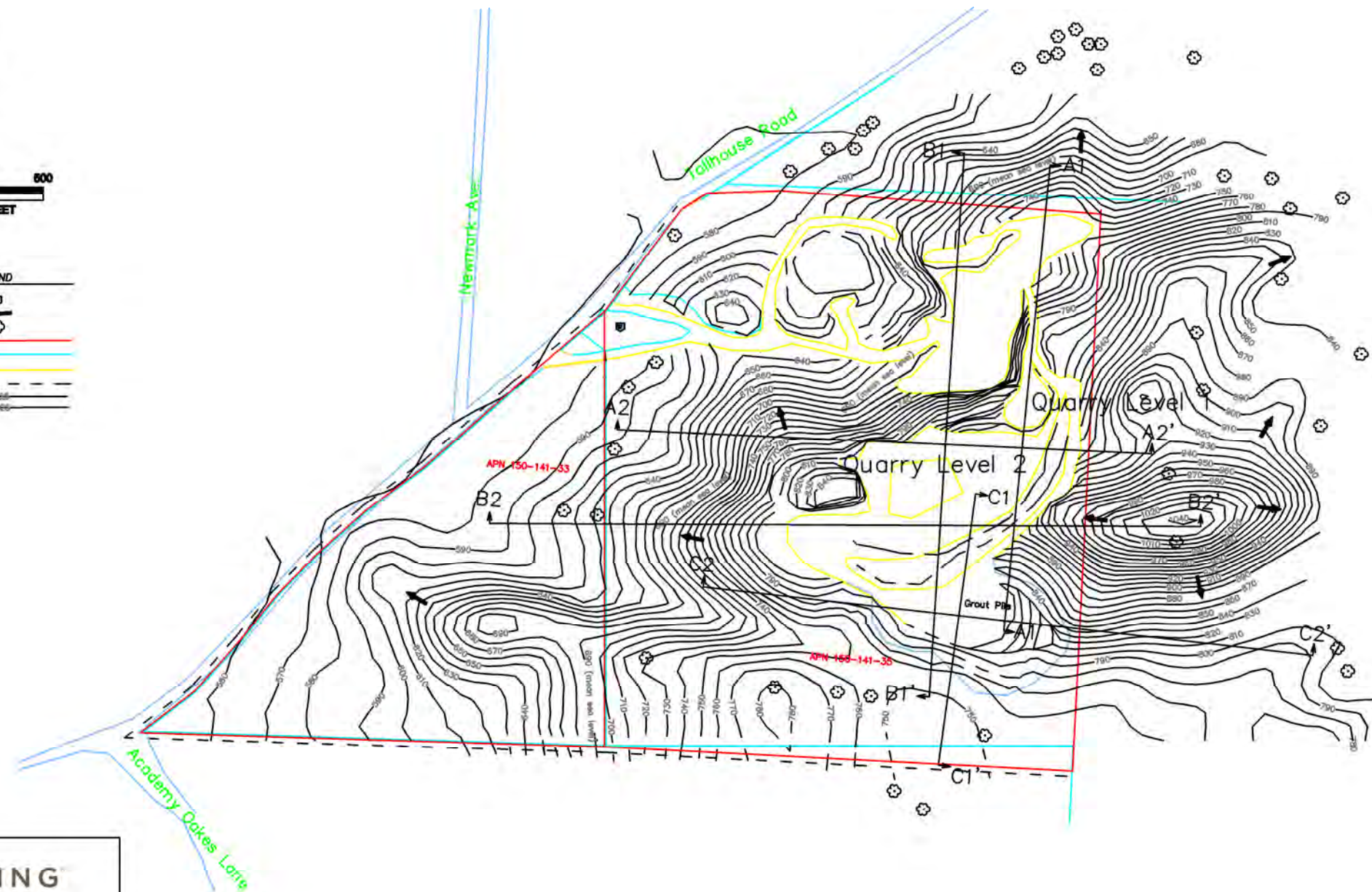


EXHIBIT 5, Page 2



**MAPPING LEGEND**

|                        |  |
|------------------------|--|
| WELL                   |  |
| SURFACE DRAINAGE ARROW |  |
| TREE                   |  |
| PARCEL LINES           |  |
| BARB WIRE FENCE        |  |
| QUARRY ROAD            |  |
| PROPERTY LINE SETBACK  |  |
| CONTOURS               |  |
| CONTOUR MEAN SEA LEVEL |  |



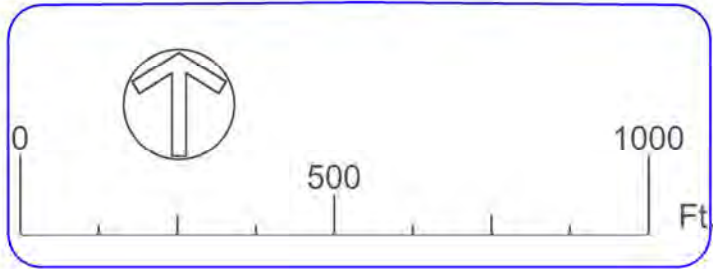
**COLDSRING**

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 WWW.COLDSRINGTGA.COM

MINE PLAN  
 ACADEMY QUARRY MINE SITE PLAN



|             |           |
|-------------|-----------|
| DRAWING NO: | SP-MAP-1  |
| SCALE:      | See Right |
| DRAWN BY:   | SC        |
| DATE DRAWN: | 6-8-2020  |



|  |         |
|--|---------|
| DESCRIPTION: Academy Quarry<br>Conditional Use Permit<br>Entire Parcel Map |         |
| SHEET:   | FIGURE: |

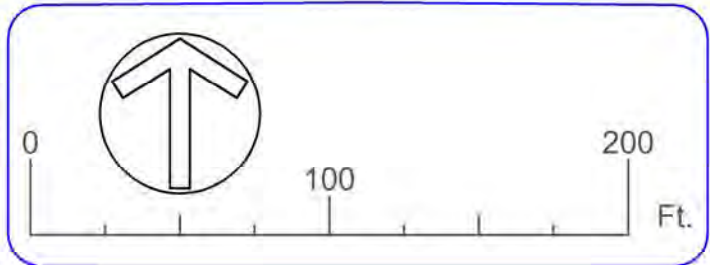


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|             |                   |
|-------------|-------------------|
| DRAWING NO: | SP-MAP-2          |
| SCALE:      | 1/2 Scale=100 ft. |
| DRAWN BY:   | SC                |
| DATE DRAWN: | 6/8/20            |



|  |         |
|--|---------|
| DESCRIPTION: Academy Quarry<br>Conditional Use Permit<br>Building Area Map |         |
| SHEET:   | FIGURE: |

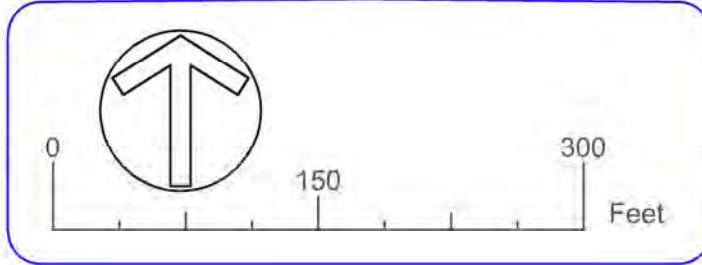
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| Map Legend |                  |
|------------|------------------|
|            | Roads            |
|            | Fence            |
|            | Gate             |
|            | County Roads     |
|            | Gate             |
|            | Fresh Water Well |
|            | Property Access  |

|             |                   |
|-------------|-------------------|
| DRAWING NO: | SP-MAP-3          |
| SCALE:      | 1/2 Scale=150 ft. |
| DRAWN BY:   | SC                |
| DATE DRAWN: | 6/8/20            |



|  |         |
|--|---------|
| DESCRIPTION: Academy Quarry<br>Conditional Use Permit<br>Entrance Area Map |         |
| SHEET:   | FIGURE: |

**COLDSPRING™**

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EXHIBIT 6

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Fresno County Guidelines  
Operational Statement

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*Academy Quarry Project*

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**Fresno County, California**

**June, 2020**

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## 1. Nature of the Operation

*Nature of the operation--what do you propose to do? Describe in detail.*

The nature of the mining operation is an existing operation on a 142-acre property comprised of two parcels. This mining operations proposal is to allow additional time to continue the quarry operation for an additional 50 years beyond year 2021. With no changes proposed in the volume, intensity, hours of operation, or others of the existing operation than what was permitted by previously approved CUP No. 2477 and CUP No. 2928.

The Academy quarry is what the industry calls a boulder quarry. The Granite was initially deposited as a large intrusive mass of molten Rock. From there is cooled to a solid. Sometime later it was fractured and intruded by quartz and feldspar dikes that exist today. Millions of years of weathering caused some of the granite adjacent to the joints and cracks to decompose into a crumbly material with the consistency of very coarse sand and gravel. Today some of the granite, in the form of large boulders, remains virtually as it was deposited initially. These boulders are surrounded by the decomposed material.

This operation removes the overburden and decomposed granite to isolate the boulders. This work is done using a large front-end loader and back-hoe. If the decomposed granite is packed too tight for the Back-hoe to remove, explosives will be used to dislodge it. The first step is to drill a 10 to 12 feet hole into the decomposed granite. Then a ½ stick of dynamite is dropped into the hole. This small piece of dynamite makes a small pocket in the ground. Then this small pocket is filled with Ammonium Nitrate and it is ignited and loosens a large amount overburden. After that the rest of the overburden is removed with the back-hoe and front-end loader. The boulders are then needed to be cut into manageable pieces. Large boulders get a hole drilled in the center and a small amount of black powder is added to the hole. The black powder is then ignited and the small explosion causes a crack in the boulder. The 2 pieces of boulder are then moved around so the Trim Drill can come and drill holes into the boulder pieces and that breaks the boulder into even smaller pieces. These smaller pieces are then hauled down to the Plant saws. The saws then slab out each of the blocks and these pieces are ready for shipment.

Good usable blocks shipped from the site are relatively free of impurities, undesirable inclusions, hairline fractures, color inconsistencies, discolored lines, etc. Currently all blocks which do not meet the criteria for color or soundness are disposed of at the site in the waste rock pile (grout pile). Cold Spring Granite continues an aggressive program in search of markets for non-dimension stone type uses (i.e. jetty stone, rip rap, crushed aggregate, etc.). We would appreciate input from Fresno County in developing this market and to be better capable of fully utilizing a natural resource.

The operations and equipment presented below are based on current operations. Changing equipment technology, as well as possible unique characteristics within the quarry which are yet to be discovered, may necessitate equipment and procedural modifications. To address these issues and remain competitive in an ever-changing world market the need may arise in the future

to amend this operation plan with the approval of Fresno County to incorporate technological advancements.

## 2. Operational Time Limits

Presently the quarry operates year round. The operating hours are currently 7 AM to 3:30 PM Monday through Friday for a total of 40 hours per week. The major controlling factor that regulates operation and production is the demand dictated by the customer. No special activities take place at the site and most of the operations take place in the outdoors.

## 3. Number of Customers or Visitors

- Average number per day: 1.
- Maximum number per day: 5.
- Hours (when they will be there): Variable

## 4. Number of Employees

- Current: 7
- Hours they work: Daylight hours, 7:00am to 3:30 pm, Monday through Friday. 40 hours.
- Future Depends on Market demand: 9
- Hours they might work: Same as Current hours they work.
- Do any live on-site as a caretaker: No.

## 5. Service and Delivery Vehicles

25 service or delivery trucks on a daily basis is average. 24 material hauling trucks and 1 service or delivery truck a day is common.

## 6. Site Access

Private Road: Gravel.

## 7. Parking Spaces

*Number of parking spaces for employees, customers, and service/delivery vehicles.*

*Type of surfacing on parking area.*

15 Parking Spots on Gravel

## 8. Goods to be Sold Onsite

*Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location.*

No grown or produced goods are sold on-site.

## 9. Equipment

*What equipment is used? If appropriate provide pictures or brochure.*

Primary Drill, Trimmer Drill, Diamond Wire Saws, Wedging tractors, Front-end loader, Grout Truck, Crawler Back Hoe, Water Truck, Air Compressor, and Pickup Trucks.

## 10. Supplies and Materials

*What Supplies or Materials are used and how are they stored.*

Consumable supplies used at the site include: drill rods and bits, stone dust bags, hole caps, diamond wire, mechanical parts for equipment, equipment filters, greases, hoses and fittings, etc. All of these supplies are stored in the shop.

## 11. Use and Unsightly Appearance

*Does the use cause any unsightly appearance? If so, explain how this will be reduced or eliminated*

### Noise:

The quarry is located in a rural area with many homes nearby. There are inhabited structures within a .25 mile radius of the site. There are 5 homes with in about a .5 mile radius of the center of the site and over 20 homes within a 1 mile radius of the center of the site.

The operation generates some noises from the following equipment and operations:

- Heavy diesel powered front-end loader and off road haul truck produce noise typical of heavy mobile equipment used in the construction and farming industries.
- Diesel engine powered back-hoe and drill rig tractor produce noise typical of any similar construction or farm equipment.
- Blasting produces noise which ranges from a much muffled thud to a fairly sharp bang. Even though it may be loud the duration is very minimal.
- Pneumatic jack hammers produce noise typical of rapid cycling air piston equipment.
- Drill rig produces a unique vibration type sound resulting from rapid blows of a hydraulic hammer beating against steel drill rods. At a distance this sounds like a buzzing noise.
- The diesel powered air compressor produces engine noise typical of similar equipment used in the construction industry.
- Compressed air is used to clean dirt from the surface of the stone. This produces a hissing sound.
- Backup alarms on all mobile equipment produce a beeping sound.

- The generator produces a noise typical of any engine.

All factory installed and custom made sound suppression attachments to the equipment are kept in proper maintenance in an effort to keep noise levels as low as possible.

Several practices are maintained to minimize the amount of noise generated by blasting.

Different applications of explosives are used as tools in the quarry operation. They are used to blast a boulder free of the decomposed granite, to subdivide the boulders into blocks, and to break waste rock (grout) into more manageable piece sizes. In all cases, special attention is given to minimize the frequency and size of blasts so as to not damage the stone product.

The lightest grain truck line cord which achieves complete detonation of the down line is used. This results in initiating a clean break without damaging the surrounding stone. The explosive trunk line cord, being that it is not contained within the stone, is the source of much of the blasting noise.

The noise generated within the quarry does not cause and issue with the current neighbors.

#### **Dust:**

Dust is generated by the movement of equipment and the removal of boulders from the ground. When the weather is hot and dry the water truck is used to spray the roads to keep the dust down. During the driest times of the year the water truck will spray the roads down multiple times a week. Being that no residential home is within .25 miles of the quarry dust does not become an issue with the neighbors. Glare and odor are not an issue when it comes to the quarrying process.

## **12. Liquid or Solid Waste**

*List any solid or liquid wastes to be produced.*

#### **Solid Waste:**

Garbage generated at the site consists of empty containers from lubricants and supplies as well as lunchroom waste. Total volume of general garbage generated is estimated to be approximately 3 cubic yards per week and is removed by a commercial hauler. Scrap equipment, steel, rubber tires, batteries and used oil is disposed of or recycled through the use of salvage or recycling firms in the area.

#### **Liquid Waste:**

No liquid waste leaves the site. Water is recycled on site and is used for diamond wires saws. Saw Mud from the recycle tanks is drained and goes to a sediment settling pond and in the pond the sediment is allowed to settle out.

## **13. Water Usage**

*Estimated volume of water to be used (gallons per day). Source of Water.*

Annually the quarry will use approximately 2,084,544 gallons of water, or an average of 8,017 gallons per working day. The source of water is a Fresh Water Well.

#### 14. Proposed Advertising

*Describe any proposed advertising including size" appearance/ and placement*

A small sign identifying the Company's operation is placed at the entrance to the property off of Tollhouse Road. No other advertising is present at the site to alert people to the work being completed.

#### 15. Use of Existing Building or Construction of New Building:

*Will existing buildings be used or will new buildings be constructed?*

Existing Buildings are used for quarry operations. There are no plans on building any other structures at the site.

#### 16. Buildings or Portions of Buildings to be used in the Operation:

*Explain which buildings or what port/on of buildings will be used in the operation.*

##### **Structures:**

Building structures at the site include the following: The Buildings can be seen on [OP-MAP-3 Plant Area Map](#).

1. Restroom—this is a 140 sq. ft. shed connected to the Lunchroom/office and Shop. This building is used as the employee restroom.
2. Lunchroom/office—this is a 415 sq. ft. building and is connected to the Shop. This building is used as a lunchroom, training room and office for quarry employees.
3. Air Compressor & Hoist House—this is a 670 sq. ft. building located near the derrick. Equipment is stored in this shed.
4. Saw #58 Cover—the cover is 370 sq. ft. and is located to the southeast of the shop. It only covers the saw from the elements
5. Saw #61 Cover—the cover is 645 Sq. ft. and is located south west corner of the building area. This building helps cover Saw #61 from the elements.
6. Power boxes cover—this shed is 195 sq. ft. and covers the power controls. This building is located near the southwest of the shop.
7. Maintenance Shop—the shop is 1730 sq. ft. and contains lubricants and other shop tools. This building is where most of the equipment repair takes place.
8. Two explosive magazines, each constructed of steel, barricaded by substantial granite blocks, inspected and approved by the Bureau of Alcohol Tobacco and Firearms. The primary magazine is located 88 ft. northeast of the fuel containment area and 1,500 ft. from the closest home. The secondary magazine is located against the back wall of the second quarry

ledge and 1,250 ft. from the closets home. These locations can be seen on the site map. These structures are used for storing explosive materials.

9. The Fuel Tank Storage area is located 270 ft. northeast of the shop. The storage area is 850 sq. ft. and contains 9 tanks with oil, fuel and grease in.

### **17. Outdoor Lighting or Sound Amplification:**

*Will any outdoor lighting or Sound Amplification system be used?*

Outdoor lights are located at the site, but are not used at Night. No sound amplification system is used on the site.

### **18. Landscaping or Fencing**

*Landscaping or fencing proposed? Describe type and location.*

No Landscaping is proposed for the Site.

Access to the property is restricted by the placement of a gate on the access road just east of the intersection of Newark Rd. and Tollhouse Rd. The gate is located and is connected to a fence that does not allow for vehicle passage around the gate. The gate is be locked with a Cold Spring Granite Company padlock during all non-operating hours. Proper warning signs indicate that only authorized personnel are allowed on the property are posted at the gate location. The fence that is used for livestock goes around the entire property. The fencing is basic Barb Wire.

### **19. Additional information**

*Any other information that will provide a clear understanding of the project or operation.*

More information on the project can be found in the Operations Plan.

### **20. Owners, Officers, and Board Members**

*Identify all Owners, Officers and/or Board Members for each application submitted. This may be accomplished by submitting a cover letter in addition to the information provided on the signed application forms.*

#### **Property Owner(s):**

Cold Spring Granite Co.

Chairmen of the Board---Pat Alexander

CEO/President---Greg Flint

CFO---George Schnepf

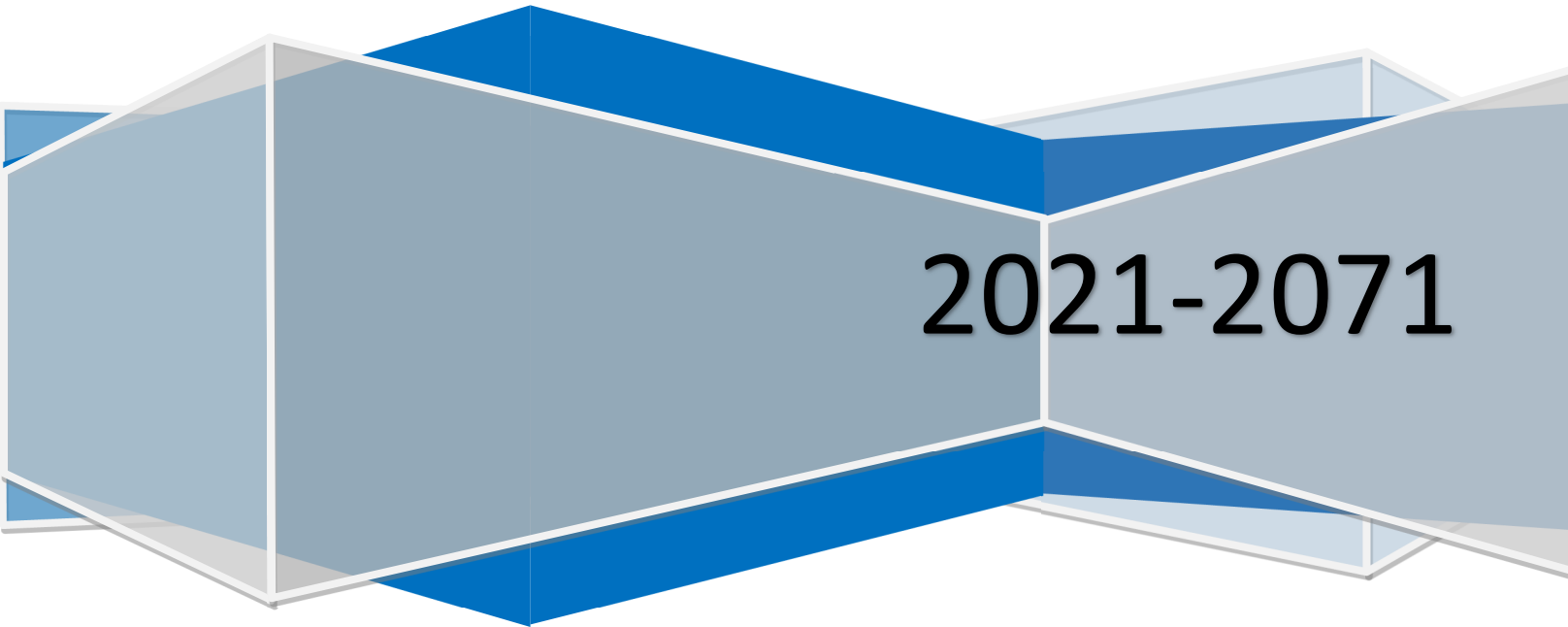
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# Cold Spring Granite

## Academy Quarry Operations Plan

Steve Chouanard



2021-2071



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## Cold Spring Granite Company

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### Academy Quarry Operating Plan 2021-2071

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Today, the intention of the quarry operation is to continue to remove dimension granite in block form from the quarry and prepare it for shipment to the fabrication facility in central Minnesota. If sold to customers in block form, the blocks are shipped to other facilities located throughout the world.

#### Description of Property:

The quarry area is located on top of a ridge consisting of 2 parcels contained entirely within the 141.99 acres owned by the Cold Spring Granite Company. This site is located in the Western Sierra Nevada foothills Northeast of Fresno, California. The quarry site is located on the southeast side of Tollhouse Road (State highway 168) between Newmark Avenue and Sample Road, approximately ten miles northeast of the City of Clovis, in Fresno County. The different parcels can be seen on [OP-MAP-1, Property Parcel Map](#). This map shows current quarry site and surrounding area.

The proposed 2021-2071 area legal descriptions:

- 1) 40.33 ACS IN SECS 13 &14 T12R22
- 2) 101.66 AC IN N7/8 OF E3/4 OF NW1/4 SEC 13 12/22

Total of 2 unit parcels containing 141.99 acres make up the whole site.

The current total affected acres is estimated at 48.4 acres. Of that area there are 3 main areas of use. The plant area consists of a maintenance shop, lunchroom, employee parking, fuel storage, block storage and wire saws. This area is estimated to be around 4.5 acres. The active quarry area is around 14.64 acres. This is the area where granite is removed from the ground and sorted. The high quality granite blocks are hauled down to the storage area or wire saws for processing. All unusable material is hauled to the grout pile. The grout pile area is estimated to be around 7.2 acres. The quarry also has 5.5 acres currently under reclamation. All of these different areas of the granite quarry can be seen on [OP-MAP-2, Quarry Work Areas](#).

The surrounding area is made up of a farmlands and residential homes.

#### **Access:**

The quarry is located 6.5 miles northwest of Clovis on Tollhouse Road (Hwy 168). The access road is on the East side of Tollhouse Road and is gated. It is the only access to the Quarry site. The access road is a private road that is unpaved. The access road is maintained by the quarry staff.

#### **Description of Product being quarried:**

The Academy is located within the “Quartz Norite Unit” that is part of the Academy Pluton that is one of a number of Jurassic and Early Cretaceous Plutons which have intruded and Metamorphosed the Ophiolitic rocks. The Academy Pluton is located in the western Sierra Nevada foothills northeast of Fresno, California.

Quartz Norite Unit: the rocks within this unit have a medium-grained hydidiomorphic granular texture. Hornblende quartz norite is the most abundant rock type, but Lesser amounts of hypersthene-hornblende quartz diorite, hornblend norite, and hypersthene-hornblend diorite are also present.

The Geological designation for Academy Granite is Igneous Granite. The primary make up is Pyroxene-Hornblende Diorite. The mineral content is 60-70% Andesine, 15-20% Hornblende, 4-6% Hypersthene-4-6% Augite, 1-2% Quartz and trace amounts of Biotite, Magnetite, Apatite, Zircon, Spene, and Ortheclase. The age of this granite is estimated to be 110 million years.

Note, the above contains excerpts from a paper on the Academy Pluton by Dr. Seymor Mack, Mr. Jason B. Saleeby and Mr. John E. Farrell. The paper was published in April, 1979.

Samples taken from the site have displayed excellent characteristics for the application of the polish and thermal finish. These are the two most popular finishes for dimensional stone products. The general description of the granite is a fine grain, light gray to black. Blue ropes and light black knots are common.

#### **Final Product:**

Once the product has been quarried (freed from the earth, selected per quality specification and sized for a specific usage), it is shipped in block form to the fabrication plant in Raymond California or Cold Spring, Minnesota for further processing, i.e. slabbing, finishing, jointing, hand cutting, anchoring, etc. The typical granite end products generally fall into the following categories:

1. Building Stone
  - a. Interior and exterior facing,
  - b. Paving and curbing,
  - c. Tile,
  - d. Counter tops and furniture
2. Memorialization
  - a. Markers,
  - b. Monuments,

- c. Mausoleums and crypt fronts
- 3. Industrial
  - a. Surface plates,
  - b. Acid tanks,
- 4. Finished slabs
- 5. Rough blocks (no processing beyond the quarry)

Raw granite from this quarry would be suited for products which would fall into some or all of the above categories.

**Rate of Production:**

Product demand controls quarry production rates. There is no way to accurately predict what our future consumer demands or trends may be. We do know that a quality product combined with a competitive pricing is what makes us competitive in today’s market.

The physical makeup of the quarry affects production rates. Fractures, undesirable inclusions, discoloration, etc. are all conditions that affect the yield or percent of usable product removed from the quarry.

| Academy Quarry Yield |         |         |         |         |         |         |         |         |         |         |         |
|----------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Cube                 | 2010    | 2011    | 2012    | 2013    | 2014    | 2015    | 2016    | 2017    | 2018    | 2019    | Average |
| Gross                | 476,327 | 345,798 | 290,286 | 333,970 | 314,165 | 359,076 | 449,167 | 330,667 | 293,121 | 285,100 | 347,758 |
| Block                | 95,265  | 69,160  | 58,057  | 66,794  | 62,833  | 71,815  | 89,833  | 66,133  | 58,624  | 57,020  | 69,553  |
| Grout                | 381,062 | 276,638 | 232,229 | 267,176 | 251,332 | 287,261 | 359,334 | 264,534 | 234,497 | 228,080 | 278,214 |
| Yield                | 20%     | 20%     | 20%     | 20%     | 20%     | 20%     | 20%     | 20%     | 20%     | 20%     | 20%     |

Future production rate estimate – 60,000 to 70,000 net usable cube of stone per year  
 Net quarry yield 20%  
 Grout estimation: 240,000 to 280,000 cube per year.

These production estimates are used as a basis for preparing the maps showing grout pile growth and quarry development. Actual rates vary from year to year due to unpredictable market demand.

**Operation Statement:**

The nature of the operation is to continue to quarry dimensional stone granite and cut some of it into slabs. The Academy quarry is what the industry calls a boulder quarry. The Granite was initially deposited as a large intrusive mass of molten Rock. From there is cooled to a solid. Sometime later it was fractured and intruded by quartz and feldspar dikes that exist today. Millions of years of weathering caused some of the granite adjacent to the joints and cracks to decompose into a crumbly material with the consistency of very coarse sand and gravel. Today some of the granite, in the form of large boulders, remains virtually as it was deposited initially. These boulders are surrounded by the decomposed material.

This operation removes the overburden and decomposed granite to isolate the boulders. This work is done using a large front-end loader and back-hoe. If the decomposed granite is packed too tight for the Back-hoe to remove, explosives will be used to dislodge it. The first step is to drill a 10 to 12 feet hole into the decomposed granite. Then a ½ stick of dynamite is dropped into the hole. This small piece of dynamite makes a small pocket in the ground. Then this small pocket is filled with Ammonium Nitrate and it is ignited and loosens a large amount of overburden. After that the rest of the overburden is removed with the back-hoe and front-end loader. The boulders are then needed to be cut into manageable pieces. Large boulders get a hole drilled in the center and a small amount of black powder is added to the hole. The black powder is then ignited and the small explosion causes a crack in the boulder. The 2 pieces of boulder are then moved around so the Trimmer Drill can come and drill holes into the boulder pieces and that breaks the boulder into even smaller pieces. These smaller pieces are then hauled down to the Plant saws. The saws then slab out each of the blocks and these pieces are ready for shipment.

Good usable blocks shipped from the site are relatively free of impurities, undesirable inclusions, hairline fractures, color inconsistencies, discolored lines, etc. Currently all blocks which do not meet the criteria for color or soundness are disposed of at the site in the waste rock pile (grout pile). Cold Spring Granite continues an aggressive program in search of markets for non-dimension stone type uses (i.e. jetty stone, rip rap, crushed aggregate, etc.). We would appreciate input from Fresno County in developing this market and to be better capable of fully utilizing a natural resource.

The operations and equipment presented below are based on current operations. Changing equipment technology, as well as possible unique characteristics within the quarry which are yet to be discovered, may necessitate equipment and procedural modifications. To address these issues and remain competitive in an ever-changing world market the need may arise in the future to amend this operation plan with the approval of Fresno County to incorporate technological advancements.

### **Quarry Layout:**

The current layout covers a relatively large area roughly 14.4 acres. Ramps between levels are constructed to occupy an area where less desirable stone rests, and usually have a 15% grade. Natural terrain has been used whenever practical to work into the quarry. The stone being quarried is generally in boulder form with loose decomposed granite around the boulders. This makes the quarry walls unstable and caution needs to be used around the different quarry ledges.

Dimensional granite deposits typically have a mix of good stone and undesirable stone. From an economic standpoint, each quarry needs multiple areas to be available to work at any given time, so that a profitable mix can be continually maintained. A quarry is typically worked in layers or benches of approximately 20 feet high each. Having several areas available to work at any time provides the means necessary to ensure constant production of good stone. As one area runs into poor stone, another can produce the needed quantity while the poor stone is being removed. Lack of consistency in color also adds to reasoning that several areas must be available to work, thereby requiring a large area to be opened.

Based on speculation, given the information known about the deposit, current anticipated rates of production, the ultimate limit should provide 75 years of future operation.

The overburden and decomposed granite that is removed from new areas, is be stockpiled for usage later based on quality. If the overburden has a good amount of topsoil in it, it is saved and stored in multiple locations. One large topsoil stockpile is located on the upper grout pile. Three topsoil stockpiles are also located near the saw water pond. If the overburden has some gravel and small decomposed granite in it, it is saved for road maintenance and other uses. Most of these Stockpiles are located on the main level of the quarry. The locations of both stockpiles can be seen on [OP-MAP-4, Quarry Site Map](#). All overburden with large pieces of decomposed granite and grout are randomly cast over the side of the grout waste pile. To enhance vegetative growth in areas of the grout pile that have reached their final design, topsoil is dumped over the side of the grout pile.

### **Quarrying Dimensional Stone:**

Our goal is to make mill blocks with as little damage to the formation as possible. In comparison, the aggregate industry breaks the formation into small pieces to fit their customer's needs. These are two completely different styles of operation and should never be compared just because both are referred to as "quarries." Dimensional stone quarries require a "sound / consistent" deposit to fit their needs. Whereas, an aggregate operation can better utilize a formation with extensive natural breaks. The surface is then further cleaned with an air hose to expose any imperfections that may exist.

### **Subdividing a Slab:**

Once the boulders are freed and made to a movable size, they are moved from the quarry area by the front end loader to the plant Saw Area. Then the boulder is cut into slabs or made into blocks. The blocks are then moved to the block yard where they are scaled, marked and stored to await shipment to the fabrication facility or the customer. The block storage yard is shown on [OP-MAP-3, Plant Area](#).

Throughout the process, the granite is carefully examined by trained quarry personnel to detect any flaws that may not be acceptable. This granite deposit displays spots and white lines as a characteristics. Depending on which direction the stone is cut the white lines and cracks are removed. These conditions must also be taken into consideration when deciding on the acceptability of a block. Highway haul-trucks are utilized to transfer the material to the fabrication facility or final customer

### **Grout:**

Non-usable stone (waste material), called grout, is removed from the active quarry area and placed in a pile located on the south end of the quarry area. Grout varies in size from 20 ton blocks to small broken particles similar in size to gravel. The front-end loader, using the bucket or forks, loads the grout into the off-road haul truck for transport to the grout pile. For larger pieces, the loader will haul the grout directly to the pile. Other waste material disposed of with the grout includes fine granite particles from the drilling operations. No artificial materials or material from off-site are disposed of at this location.

The grout pile is occupying land to the south of the Mountain and will continue to grow the south. The grout pile is growing in 2 levels. The top level is at 902 ft. and is growing out to the south. The distance from the top of the grout pile to the toe is 280 ft. The elevation at the bottom of the pile 790 ft. The second level of the grout pile is west of the top level and is at an

elevation of 860 ft. The top of this grout area to the toe of the grout pile is 200 ft. The toe Elevation is 780 ft. and is in a natural depression.

The toe of the pile will extend into this natural depression. The depression will act as a natural containment and serve as a visual screen of the rocky side slopes of the grout pile. As the grout pile grows to the south the toe will grow further into the depression. This area will be the primary grout growth area for the life of the CUP.

The pile was located, and its height limited such that, upon closure, it can blend into the surrounding terrain as best as possible. The height limitations generally take into consideration the height and the elevation of surrounding hilltops.

The grout pile will begin and progress level from the side of the hill at an approximate elevation of 907'. The pile will grow to the south and southwest. Once the lower level fills in the natural depression the top level is to be pushed over the lower level to the southwest. The grout pile continues to grow out at the top level over the life of the CUP.

The side-slopes of the pile are made up of predominantly of the larger pieces of broken rock material covered by decomposed granite from the active quarry area. The natural angle of repose of the rocky side-slopes of the grout pile is approximately a 25% angle.

The top surface must be filled with fine material to provide a working/driving surface for heavy equipment. This material is provided from the decomposed granite stripped from the quarry area.

Driving surface construction material is stockpiled around the quarry site. It is composed of small decomposed granite and gravel that is removed well freeing boulders. These material stockpile locations can be seen on the [OP-MAP-4, Quarry Site Map](#).

The ultimate height of the grout pile, approximately 907', will be able to blend with the surrounding area. The grout pile elevation is below the 1050 ft. of the mountain adjacent to the pile to the northwest. Thus the grout pile will not create a landscape feature uncommonly high for the area. During reclamation of the grout pile native plants which naturally regenerate along the slopes and around the flanks of the grout pile to have it blend in naturally with the surrounding country side.

To limit the growth of grout piles and the prospect of throwing away a resource of some value, Cold Spring Granite continues to search for markets for the waste rock material. Some possible uses of this material are jetty stone, rip-rap, and crushed aggregate. If a market can be found for the grout generated from this quarry, the rate of grout pile growth would be reduce significantly. Cold Spring Granite would be extremely interested in a partnership developing and producing a product to meet those customer demands.

### **Wetlands:**

The Wetlands Conservation Act addresses the need to avoid wetland area if at all possible to minimize the operation's impact on the natural resources. Areas of wetlands will be avoided unless they are located in an area essential for the continuation of the quarry operation within the

contract area. According to the National Wetland Inventory there are three wetland areas potentially in conflict with the quarry operation.

There is one wetland that is located about 380 ft. to the southwest of the grout pile. This is an intermittent streambed that is labeled R4SBC by the National Wetland Inventory. The grout pile would not have a chance to affect this wetland in the 50 year CUP term with the current production projections. This location also has never actually seen flow that would indicate that it is an intermittent streambed.

The other 2 wetlands on the National Wetland Inventory are located 500 ft. west of the maintenance shed. The two wetlands are actually connected and a Man-made holding pond. The wetland on the east is approximately .86 acres and has a Classification Code of PEM1A. This is actually a Man-made pond and is used as a settling pond for the saw mud. The low end of the pond has water in it only when the water from the saws is present. There are no plans to dump grout near this location so it will not be affected by 50 years of the CUP term.

The other wetland is .41 acres and is classified PUBFx by the National Wetland Inventory. This is also a Man-Made holding pond that is used for the settling of Saw mud. The saw mud flows into the holding pond is allowed to dry and the water settles out. The ponds can be seen on **OP-MAP-4**.

### Structures:

Building structures at the site include the following: The Buildings can be seen on the **OP-MAP-3, Plant Area**.

1. Restroom—this is a 140 sq. ft. shed connected to the Lunchroom/office and Shop. This building is used as the employee restroom.
2. Lunchroom/office—this is a 415 sq. ft. building and is connected to the Shop. This building is used as a lunchroom, training room and office for quarry employees.
3. Air Compressor & Hoist House—this is a 670 sq. ft. building located near the derrick. Equipment is stored in this shed.
4. Saw #58 Cover—the cover is 370 sq. ft. and is located to the southeast of the shop. It only covers the saw from the elements
5. Saw #61 Cover—the cover is 645 Sq. ft. and is located south west corner of the building area. This building helps cover Saw #61 from the elements.
6. Power boxes cover—this shed is 195 sq. ft. and covers the power controls. This building is located near the southwest of the shop.
7. Maintenance Shop—the shop is 1730 sq. ft. and contains lubricants and other shop tools. This building is where most of the equipment repair takes place.
8. Two explosive magazines, each constructed of steel, barricaded by substantial granite blocks, inspected and approved by the Bureau of Alcohol Tobacco and Firearms. The Primary magazine is located 88 ft. northeast of the fuel containment area and 1,500 ft. from the closest home. The secondary magazine is located against the back wall of the second quarry ledge and 1,250 ft. from the closets home. These locations can be seen on the site map. These structures are used for storing explosive materials.
9. The Fuel Tank Storage area is located 270 ft. northeast of the shop. The Storage area is 850 sq. ft. and contains 9 tanks with oil, fuel and grease in.



### Water Recycle Design System:

With the changes in quarrying technology, specifically the diamond wire saws, we have a continuous need for water at the Academy quarry during a year of operation. The current system was designed by the Cold Spring Granite engineering department. We have taken steps to improve the retention and recycle water systems at the quarry. The water supply is dependent upon rainwater and well water. All of our water needs are adequately obtained first from this water recycling system and water is added to the system from the Well when needed.

What is the water used for?

- Diamond wire sawing in the slab area, lubrication and coolant on the diamond wire.
- Flushing of the saw mud from the slab area.
- Washing granite blocks for inspection.
- Power washing quarry equipment.
- Dust Control

The water system is very simple and basic. The breakdown of the water flow system can be seen on the flow Design map. The waste water from Saw #58 and Saw # 61 flows from the saws to trenches that flows to the first tank in the system. Tank #1 holds 3.63 cubic yards of waste water. As tank #1 fills up sediment from the saws is allowed to settle out. When this tank gets full the water is allowed to flow into tank #2 and tank #3. Waste Water is allowed to fill tank #2, than that valve is closed and water is than diverted to tank #3 through another valve. Both of these tanks are 14.12 cubic yards. As these tanks fill the sediment settles out and the water than flows to Tank #4. Tank #4 is 38.89 cubic yards and fills to capacity and more sediment is allowed to settle out. The waste water than flows to Tank #5 that is 38.89 cubic yards. The same process happens and water than flows to Tank #6 that is 11.48 cubic yards. Tank #6 is the final tank and by than the water is clean enough to be reused in the saws. A pump in tank #6 pumps water back to the saws for reuse. This system can be seen on the drawing [Schematic 1](#).

This closed loop system recycles water multiple times and water is only lost due to evaporation or spillage. When the water gets low in the system well water is added to make up for the water loss. Due to the buildup of sediment in the tanks, the tanks need to be cleaned of sediment throughout the year. Since Tank # 1 is the primary settle tank this tank need to be cleaned of sediment monthly. All of the other tanks are cleaned of sediment once a year. The total amount of waste sediment slurry is estimated to be around 161 cubic yards a year. This mix is pumped from the tanks and allowed to flow to the holding ponds down below the Quarry. The flow of saw waste sediment to the holding ponds can be seen on [OP-MAP-5](#).

The diamond wire saws consumes the most water for operations in the Quarry. Gang wire saws with 5 wires Average 20 GPM. Single wire 3500 Pell uses 8 GPM. Onsite year round these saws run about 6 hours a day, 5 days a week. With 2 saws running they use as much as 8,098 gallons/day. Do to maintenance and breakdowns the saws do not run every day. Because of the water recycling system the water used by the saws is not taken completely from the well. Water is lost in the process do to evaporation and spillage. Also when the tanks have the sediment removed water is used in the process. That comes to about 33,612gallons per year. Washing blocks and equipment takes about 100 gallons a day. Water for Dust control depends on how dry the weather is. The water truck is 1,000 gallons and is filled up as needed for 6 months of the year on average. That averages out for the whole year to about 500 gallons per working day.

Annually the quarry will use approximately 2,084,544 gallons of water, or an average of 8,017 gal/day. This is estimated off of the Well Meter that tracks the amount of hours the pump runs. The following is a breakdown of those gallons.

The quarry operates 260 days/year and the saws will be running most of those days.

|                             |                         |               |                  |
|-----------------------------|-------------------------|---------------|------------------|
| 234 days running 2 saws:    | 8,098 gallons/day       | 234 x 8,098 = | 1,894,932 gal.   |
| Sediment tank cleaning:     | 33,612 gallons per year | =             | 33,612 gal.      |
| Washing blocks & equipment: | 100 gallons/day         | 260 x 100 =   | 26,000 gal.      |
| Water for Dust Control:     | 500 gallons/day         | 260 x 500 =   | 130,000 gal      |
|                             |                         | Total         | = 2,084,544 gal. |

The following is the major equipment to be used in this quarry operation:

**Primary drill:**

This drilling equipment consists of a drill rig with one hydraulic hammer mounted on a horizontal frame. The configuration can be set to drill either horizontal or vertical. This unit drills holes into the decomposed granite to blast the granite free. It also drill holes in large boulders to break them free from the ground and subdividing of the boulder can also be done with these units. The hydraulic power is provided by a pump powered from the engine of a 55 HP motor. The Academy Quarry has 2 single hole drills, a Sandvik Commando Drill and a Tamrock Commando Drill. Each drilling unit has its own individual stone dust collection system. The fines are gathered in a tank or plastic bag and disposed of in the grout pile.

**Trimmer drill:**

This drilling equipment consists of a Perfora single drill manufactured drill rig. This drill rig is also called the Rock Buggy. It is used primarily to segregate the large boulders into manageable sizes and shapes. The typical drill depth for these rigs is under 8-feet. This drill makes multiple holes a few inches apart along a straight line across the boulder. This allows the boulder to be split along this line. These pieces are than sent to the saws by the plant to be cut into slabs, or sent out in block form. The hydraulic operating system for both styles of drills is powered by their diesel engines. Each drilling unit has its own individual stone dust collection system. The fines are gathered in a tank or plastic bag and disposed of in the grout pile.

**Diamond Wire Saws:**

Saw #58 and Saw #61 are used to trim the boulders to the correct size and slab size. Saw #61 trims the blocks to size for shipping. This is a single wire saw that cuts the boulder to correct sizes for shipping. This has less material wasted compared to the drill and wedge method. Saw #58 cuts the blocks into slabs. This is a gang wire saw with 5 wires cuts the boulder into individual slabs. This saves on waste and shipping cost as the slabs are than sent to the plants in California and Minnesota for processing. Water is used to flush the stone particles from the cut and cool the wire. Water plays a critical role in costs and efficiency.

**Wedging of stone:**

Wedging occurs after the driller has outlined the shape of the block with a series of appropriately spaced holes. This procedure involves three pieces of steel, two half rounds and a single wedge. The tapered half rounds of appropriate length are placed into the drill hole and the matching

angled wedge is driven in between the two pieces of steel. The wedge can be driven either manually with a jackhammer or with a hydraulic cylinder. This procedure will create enough pressure to achieve a straight break between the drill holes. Wedging tractors for the manual process are basically a self-contained unit consisting of an 80 to 100 horse power farm tractor with a PTO driven air compressor mounted on the 3-point hitch with the hydraulic bucket holding the wedging tools. These units are also utilized to transport explosives to the blast site and support the blasters needs. The Academy Quarry has 2 small tractors used for this process. The wedging tractor is a Case Model #885 and the drill tractor is also a Case Model #885.

#### **Front-end wheel loader:**

The wheel loader is the key to the entire operation. At Academy the loader is a Komastu WA-600-6 loader. This fact is illustrated by the many different attachments utilized by the loader. A standard 8 yard bucket, an open-sided spade nosed bucket, a heavy set of loading forks, a huge pushing boom, and a long steel tipping boom. This machine is used for cleaning the area prior to drilling, moving the drills into place, preparing the tipping bed, hauling equipment to the slab for tipping, physically tipping the slab over, hauling the block and grout away, maintaining quarry haul roads, pushing the grout over the edge, and loading the trucks that haul the stone to the fabrication facilities.

#### **Grout truck:**

The truck is used to haul waste rock and overburden which has been loaded by the front end loader to the grout pile. It is also used to haul gravel which may be required for roads, ramps, quarry floor, etc. The grout truck is a CAT 796C.

#### **Crawler back hoe:**

The major use for the back-hoe is for the removal of glacial overburden, especially in areas with limited accessibility. This unit also removes decomposed granite around the Boulders. The Back Hoe also assists in the actual removal of stone boulders. This piece of equipment is at the site full time. The excavator is an SK480.

#### **Water Truck:**

The water truck is used to wet down the roads to keep the dust down during dry times of the year. The water truck is also used to supply water to the pressure washer to clean equipment and blocks. The water truck is an International S1900 company number VE0038.

#### **Air compressor:**

The compressor is 100HP and is located in the shop. It is in the shop for maintenance and airing up tires. It only runs when needed and has a company number of AC0701

#### **1/2 ton 4 wheel drive pickup:**

The pickup is generally used as a utility vehicle to haul miscellaneous supplies within the site, as well as running errands off site. The Company number on the truck is VE5895 and it is a 2014 GMC Sierra 1500.

**3/4 ton 4 wheel drive pickup:**

The pickup is generally used as a utility vehicle to haul miscellaneous supplies within the site, as well as running errands off site. The Company number on the truck is VE3080 and it is a Ford F350.

**Road maintenance equipment:**

All road maintenance is done with the Front-end loader and one of the wedging tractors with a box scrapper. The maintenance is done by the quarry workers.

**Storage**

Supplies: Consumable supplies used at the site include: drill rods and bits, stone dust bags, hole caps, diamond wire, mechanical parts for equipment, equipment filters, greases, hoses and fittings, etc. All of these supplies are stored in the shop.

Explosive Material: All practices at the quarry operation regarding the use and storage of explosive material follow the rules and guidelines established by the BATF and MSHA regulatory agencies, combined with the best practices established by Cold Spring Granite Company. Specifically with regard to explosive magazine construction and location. The location of the explosive magazines is shown on **OP-MAP-4**. These locations observe the rules for distance as barricaded magazines. Only the amounts and types of explosive material which can be legally stored will be on site.

Hazardous Material: The lubricants and fuels used at the site have the potential to spill thus potentially causing a contaminated environment condition. All free flowing lubricants and fuels (diesel & gasoline) are stored in tank within the secondary containment, or in racks with in secondary containment systems. This does not apply to transfer containers used on a daily basis. Used oil is also stored in the building. All containment is properly sized and constructed to restrain the flow of 110% of the largest container stored in the area. The characteristics of the quarry floor make the containment of a spill very workable. Thus, the chance of any environmental damage as a result of a leak is minimal.

Minor spills during handling and use will be cleaned up immediately. Ample amounts of absorbent material (floor dry) and cleanup materials will be stored at locations where free flowing hazardous materials are handled. The waste material and dirt, if any, is disposed of in closed drums, and properly labeled. When drums become full, the material will be disposed of properly as defined under the guidelines by the Department of Toxic Substance Control and for transportation (by Cal DMV).

Oil spills greater than 5-gallons to an environmental surface will be reported to the Cal OES 1-800-852-7550. Cleanup measures would be conducted as per the direction of the Cal OES and coordinated with Fresno County.

Quarry personnel are trained as per MSHA Part 47 regulations and internal company policies, to be able to recognize the importance of how to properly handle hazardous materials relative to PPE, and how to obtain MSDS information.

#### **Personal Water use:**

Potable water is brought to the site in bottles and dispensed via a commercial water cooler. Very little personal water is required for the operation.

#### **Security:**

Access to the property is restricted by the placement of a gate on the access road just east of the intersection of Newark Rd. and Tollhouse Rd. The gate is located and is connected to a fence that does not allow for vehicle passage around the gate. The gate is locked with a Cold Spring Granite Company padlock during all non-operating hours. Proper warning signs indicate that only authorized personnel are allowed on the property are posted at the gate location. The fence that is used for livestock goes around the entire property.

Explosive magazines are kept locked at all times when their usage is not required. Granite blocks are used to barricade the magazines, making it very difficult to remove the explosives or magazine without the use of heavy equipment. Any buildings containing valuables are to be locked during non-operating hours. The main shop area does have outdoor lighting, but it is not used at night. No sound amplification system is used on the site.

#### **Safety**

All quarrying activity is governed under the Cold Spring Granite Company's policies and procedures for safety and health. Further, the company is mandated to follow all procedures under federal regulations in Title 30 CFR which is the Mine Safety and Health Administration (MSHA) relating to the safety and health of miners.

Access to emergency services is maintained through the use of office phones and cellular phones.

#### **Drainage and Erosion Control**

Measures are taken to minimize any surface erosion at the operation. Roads were constructed to divert water run-off from the working surface into adjacent low-lying areas located away from the operation. Embankments, which are seen to be susceptible to erosion, are covered with topsoil and seeded.

The grout pile sides consist mostly of rock. Fines typically wash into the pile further and are filtered out as the water leaves through the toe of the pile. The grout pile is constructed in such a way that runoff from the top working surface is diverted to low settling out areas on the grout pile. Thus any runoff of fine material would be retained before the water continues into grassy adjacent low-lying areas.

Stockpiles of topsoil are seeded with vegetation; it is anticipated soil is not to be consumed in a short period of time or if the immediate need dictates. Noxious weeds are controlled.

Runoff water from the site is set up so that it runs naturally down the driveway from the quarry area and saw area. The water flows down the south side of the entrance road and then passes through a culvert under the roadway and goes down to the settling pond. No storm water runoff leaves the site.

A settling pond has been constructed in a lower are west of the plant are and north of the entrance road. The purpose of the pond is to allow for the settling out of fine material. Overflow from the pond does not happen because the pond is large enough to handle most storm events. The berm keeps any overflow from the pond from happening.

A NPDES Storm Water Discharge general permit is not required for this site. The reason a storm water general permit is not needed is because of the settling pond. The settling pond was designed to handle all storm water from the active quarry area and not allow the water to leave the site.

Excess water is not an issue in the active quarry. Surface water run-off is diverted from the quarry to the settling pond. No ground water is encountered within the quarry. The quarry operation is completely surrounded by natural grasses which will be left alone wherever possible. The grasses help to limit wind erosion. When noxious weeds become evident during the natural re-growth process the County will be contacted to develop the best plan of action.

#### **Public Safety at the Site:**

Visitors are regulated under Part 46 of MSHA regulations and Cold Spring Granite Company policy. This insures that caution is taken to avoid non-miner exposure to mining hazards, and that all safety rules are followed. Public Safety Closure Order R9-0-003-03 prohibits the general public from going into the Cold Spring Granite Quarry Site.

Signage placed at the entrance gate states that safety equipment such as protective eyewear and hard hats are required within the premises. Visitors are supplied with such safety equipment as needed. There are signs that warn against trespass and of company policies. The gate is closed and locked during all non-operating hours.

#### **Noise**

The quarry is located in a rural area with many homes nearby. There are inhabited structures within a .25 mile radius of the site. There are 5 homes with in about a .5 mile radius of the center of the site and over 20 homes within a 1 mile radius of the center of the site.

The operation generates some noises from the following equipment and operations:

- Heavy diesel powered front-end loader and off road haul truck produce noise typical of heavy mobile equipment used in the construction and farming industries.
- Diesel engine powered back-hoe and drill rig tractor produce noise typical of any similar construction or farm equipment.
- Blasting produces noise which ranges from a much muffled thud to a fairly sharp bang. Even though it may be loud the duration is very minimal.
- Pneumatic jack hammers produce noise typical of rapid cycling air piston equipment.
- Drill rig produces a unique vibration type sound resulting from rapid blows of a hydraulic hammer beating against steel drill rods. At a distance this sounds like a buzzing noise.

- The diesel powered air compressor produces engine noise typical of similar equipment used in the construction industry.
- Compressed air is used to clean dirt from the surface of the stone. This produces a hissing sound.
- Backup alarms on all mobile equipment produce a beeping sound.
- The generator produces a noise typical of any engine.

All factory installed and custom made sound suppression attachments to the equipment are kept in proper maintenance in an effort to keep noise levels as low as possible.

Several practices are maintained to minimize the amount of noise generated by blasting.

Different applications of explosives are used as tools in the quarry operation. They are used to blast a boulder free of the decomposed granite, to subdivide the boulders into blocks, and to break waste rock (grout) into more manageable piece sizes. In all cases, special attention is given to minimize the frequency and size of blasts so as to not damage the stone product.

The lightest grain truck line cord which achieves complete detonation of the down line is used. This results in initiating a clean break without damaging the surrounding stone. The explosive trunk line cord, being that it is not contained within the stone, is the source of much of the blasting noise.

#### **Dust:**

Dust is generated by the movement of equipment and the removal of boulders from the ground. When the weather is hot and dry the water truck is used to spray the roads to keep the dust down. During the driest times of the year the water truck will spray the roads down multiple times a week. Being that no residential home is within .25 miles of the quarry dust does not become an issue with the neighbors

#### **Weigh Station**

No weigh station is to be located at the site. All load weights are calculated by scaling the block being shipped with the scale on the front-end loader. Production records in cubic feet shipped are kept and are the basis for which any reporting to the state or county is to be calculated from.

#### **Garbage:**

Garbage generated at the site consists of empty containers from lubricants and supplies as well as lunchroom waste. Total volume of general garbage generated is estimated to be approximately 3 cubic yards per week and is removed by a commercial hauler.

Scrap equipment, steel, rubber tires, batteries and used oil will be disposed of or recycled through the use of salvage or recycling firms in the area.

#### **Reclamation Plan**

In the case of the Boulder stone quarry, a large portion of the land is disturbed early on in the operation. This large area of land will remain in the production area for the life of the quarry. Once the outer limits of the quarry are reached the quarry grows in depth only. Essentially, no areas of the quarry are available for reclamation until closure of the operation. If natural reclamation does occur in areas of in-activity nothing will be done to harm or enhance that

process. This reclamation plan has been developed based on current quarrying technologies and practices. Changes may take place in the operation, which have the potential to enhance the reclamation goals. Utilizing such enhancements will be considered. Discoveries of different procedures and opportunities that show potential for increased product utilization will be incorporated in any reclamation efforts.

It is anticipated that the quarry will exist as long as good marketable stone can be economically mined from the operation area. For exemplary purposes, this reclamation plan is based on the premise that the operation would cease approximately 50 years in the future. In the next 50 years we see minimal final reclamation goals achieved, as the quarry operation would still be considered in the middle of the overall life of the quarry. We continue with our current preparatory practices of storing material for future usage. Plans further into the future would only add to the relative inaccuracies due to the unpredictable nature of a quarry operation.

The intended use of the land beyond the life of the operation is that of a wildlife area or cattle grazing area. The ultimate goal of the reclamation plan is to blend the site, as much as can be done practically, into the surrounding landscape. To accomplish this we are prepared upon closing to cover the yards and haul way areas with the stored topsoil and naturally re-vegetate the areas with natural grasses, forbs, shrubs and trees. The storm water retention pond and the grout pile will be the remaining obvious changes to the original topography of the land. The pond will be allowed to grow in to a natural state. The grout pile will have any excess topsoil dumped over the side and be seeded. The grout pile will be allowed to then grow into a natural state. All other evidence of our operation will be removed.

### Structures

All buildings will be tore down and removed from the site. Any concrete slabs will be broken apart and hauled off site. All equipment and moorings will be removed from the site. Any wells or septic systems will be properly abandoned according to all local, state, and federal ordinances of that time. Petroleum products used for maintenance purposes at the site total will be hauled off site. The equipment fuel tanks hold at maximum 1,000 gallons and will be removed from the site.

### Quarry Edges

At the top of the currently quarry ledges, granite blocks of sufficient size and spacing will be provided as barricades, should any recreational vehicles venture into the abandoned site. Taking into consideration the visual aspect of these barrier blocks, they will be placed in a somewhat random nature. Barrier blocks will also be placed at the top of the ramps into the different ledges. This will hopefully help prevent recreational vehicle from ripping up the site.

### Grout pile

The grout piles are designed to be tall. This minimizes the area of land disturbed and the amount of material needed to construct the top driving surface. Until the grout pile flattens out on top, none of the surface area is available for reclamation.

The slope of the rocky sides of the grout piles will be left as they are constructed with an approximate slope of 1.25:1. Trees in the area grow to sufficient heights to provide some cover of the sloped areas. Further, rocky cliffs and outcrops are quite common throughout the area



surrounding the operation site. Though there is little fine material within the grout pile below 15 feet from its top, sparse native vegetation has proven to grow upon the rocky side slopes. The rocky exposures with sparse vegetation will blend quite well with the native terrain.

The pile is constructed as one large pile forming out from the mountain top and spreading out to the south. When reclamation of the grout pile starts, reclamation of the slopes will occur first. Glacial overburden from the quarry development will be dumped on the grout pile over the life of the grout pile to add a soil base for vegetation. Topsoil and Gravel from the stockpiles will also be dumped over the grout pile at reclamation to add material for plant growth. A noxious weed free seed mix will then be broadcasted over the reclaimed areas to enhance natural vegetation re-establishment and prevent erosion. This technique has been used in other quarries on grout piles with good results. The combination of topsoil and natural re-vegetation will prevent any erosion on the slopes as they begin to blend with the surrounding area.

Due to the construction of the driving surface on top of the grout pile, the top 5 to 15 feet of the grout pile contains fine material made up of gravel or glacial overburden. The top few inches will need to be “loosened” and covered with the available topsoil to enhance vegetative growth. This layer of driving surface material, will serve as the vegetative material.

If sufficient material exists at the time of reclamation additional material will be placed in appropriate locations so as to assist in the achievement of the final reclamation goals. One such location may be over the side of the grout pile to add to the vegetative base on the upper portion of the pile.

### **Yards and haulways**

All steep dirt banks, piles, ditches, etc., will be contoured to minimize their aesthetic impact on the area and to match the rolling terrain of the area with slopes no greater than 2:1. These areas will already be covered with gravel since they are the working surfaces of the site. These areas will be covered with a minimum of 4 inches of topsoil to provide a vegetative base and any compacted areas will be loosened prior to seeding. Once topsoil has been laid down, natural trees, scrubs and grasses will be planted.

### **Topsoil and Gravel Stockpiles**

Topsoil stockpiles for reclamation are located around the quarry and will continue to grow when good soil is found. Gravel Stockpiles are also located around the Quarry site and will be used as needed for Road repair and site development. These locations can be seen on the **OP-MAP-4**.

### **Access Reclamation**

Prior to reclamation of the access road to the quarry, Fresno County will be contacted to determine if there is a future need for the access road once operations at the quarry have permanently ceased. If no future need exists the access road to the quarry and grout pile will be reclaimed as the final step in the reclamation process.

This reclamation will consist of removing, as much as practical, gravel from the road bed and the area contoured to blend with the terrain. Once this is completed, the surface will be loosened or scarified in any area where the soil is compacted. Available remaining topsoil will then be spread evenly over the area and native grass seeds will be spread evenly to create a more natural

appearance. Once these activities have been completed, the intersection of the access road will be closed where it meets Tollhouse Road. This will be accomplished by placing barrier blocks across the access road.

### **Re-vegetation**

It is intended that the area will be naturally re-vegetated with native species of grasses, forbs, shrubs and trees. Any seeding or planting will be completed at the discretion of the Fresno County. This will best lend the area to its intended use after closure which will be to serve as a wildlife habitat area or cattle grazing area.

The re-vegetated areas will soon blend with the native terrain and vegetation to provide habitat for native woodland creatures. The area will be monitored for three subsequent years (after final closure) to determine success of re-vegetation and any presence of noxious weed growth. Re-planting will be done during this time, if required. The pond created by the sediment pond will provide habitat for aquatic creatures and waterfowl. The rocky side slopes of the grout pile will provide habitat to birds and upland cave dwelling creatures.

### **Contract**

Cold Spring Granite shall carry on operations under this plan and in conjunction with all other governing agencies with reasonable diligence. Operation of this quarry is also subject to the rules and stipulations of all applicable Conditional Use Permits Cold Spring Granite Company has entered with Fresno County. The mining operating plan is renewable at the end of the 50 year CUP. Cold Spring Granite will submit one-year prior to expiration of the CUP their proposed Operation Plan for review by Fresno County. Maps will be supplied showing existing conditions at that time regarding quarry size, grout pile size, yards, haul-ways, elevations, etc.

Any changes in operations shall be submitted as an amendment to the operating plan and must be submitted and approved in writing by Fresno County before any such operations commence. Amendments shall include statements of the reason for the changes, detailed description of the proposed changes, maps and diagrams.

### **Subcontractors**

Should Cold Spring Granite Co. contract the services of a third party contractor (subcontractor) to perform duties relative to the quarry operation, that contractor shall perform such duties within the guidelines set forth in this operating plan. Cold Spring Granite shall be responsible in assuring that any such contractors perform their duties in an acceptable manner relative to the operating plan and/or related Forest Service requirements.

Cold Spring Granite will not be held responsible for the performance of contractors which do not have a contract or subcontract with Cold Spring Granite Co.

### **Drawings**

The following drawings accompany this operating plan package.

|          |                     |
|----------|---------------------|
| OP-MAP-1 | Property Parcel Map |
| OP-MAP-2 | Quarry Work Areas   |
| OP-MAP-3 | Plant Area Map      |

|             |                             |
|-------------|-----------------------------|
| OP-MAP-4    | Quarry Site Map             |
| OP-MAP-5    | Saw Waste Water Flow Map    |
| Schematic 1 | Recycle Water System Design |

**Permits**

The following documents accompany this operating plan package.

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January 17, 2022

Ejaz Ahmad – Planner  
County of Fresno – Department of Public Works and Planning  
2220 Tulare St.  
6<sup>th</sup> Floor  
Fresno, CA 93721

**Re: Academy Quarry, CA Mine ID#91-10-0003 – Reliance on the Existing Approved Reclamation Plan**

Dear Mr. Ahmad:

As requested, and on behalf of Cold Spring Granite Company (Cold Spring) the owner/operator of California Mine ID#91-10-0003 – Academy Quarry, Sespe Consulting, Inc. (Sespe) has prepared the following summary and formal request to rely on the existing approved Reclamation Plan for the above referenced mine. Sespe was retained to review the status of a Reclamation Plan Amendment submitted to the County and the State as part of a Conditional Use Permit (CUP) extension application for CUP2928 as discussed in further detail in the paragraphs below.

On January 18, 2001, the County of Fresno Planning Commission approved the continued operations of a then existing (since at least 1964) granite quarry authorized under CUP2928. Planning Commission Resolution No. 11557 (attached) approved CUP2928 along with the Mining and Reclamation Plan, subject to Conditions of Approval for an additional 20 years from the date of the hearing.

An application was subsequently filed with the County of Fresno in mid-2020 to again extend the existing approved granite mining operation authorized by CUP2928. As part of the application submittal and review process, Cold Spring prepared and submitted a Reclamation Plan Amendment (RPA) at the request of the County, for County and State review. The County reviewed the RPA and forwarded it to the State of California – Division of Mine Reclamation (DMR) for review and comment. The DMR issued an incompleteness letter pursuant to Public Resources Code (PRC) Section 2772.1(b)(1) commenting essentially that the RPA does not meet the current content requirements for Reclamation Plans defined in the Surface Mining and Reclamation Act of 1975 et seq. (SMARA).

Sespe obtained complete copies of the existing CUP2928 files from the County of Fresno and Cold Spring to review the current County CUP entitlements and State SMARA compliance status. The County provided copies of the current operative SMARA Mining and Reclamation Plan authorized and approved by the County Planning Commission as detailed above on January 18, 2001.

Sespe further interviewed authorized Cold Spring and County representatives to ascertain what specific changes, if any, to the mining and reclamation methodology, design, or other parameters were being contemplated as part of the CUP2928 extension application. It was determined that no changes to the current approved mine design including the proposed footprint/disturbed acreage, depth of mining, or slope attitudes are proposed. Additionally, no changes to the reclamation methodologies including final contours, equipment removal, and/or revegetation are proposed.

The application for CUP 2928 extension is intended solely to extend the operational lifetime of the existing granite mining and processing facility to allow Cold Spring to continue to supply this highly valued and important building material to the national and international market. While the 2001 CUP2928 approval was for 20 years, the existing Reclamation Plan, approved at that time, clearly indicated the quarry plan was to continue operations for the next 75 to 100 years.

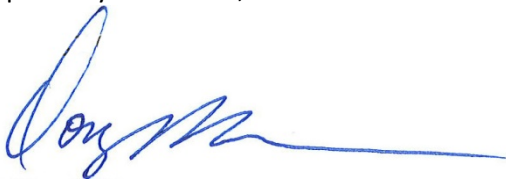
As discussed during our site visit with the County on October 27, 2021 and during subsequent telecommunications with Cold Spring and the County, it is Sespe and Cold Spring’s belief that since no changes to the current operative Mining and Reclamation Plan approved by the SMARA Lead Agency in 2001 are being proposed as part of the current CUP2928 extension request, that no SMARA Reclamation Plan Amendment is required pursuant to SMARA. Sespe and Cold Spring formally request that the County rescind the RPA submitted earlier to the County and the State, and that the County, as SMARA Lead Agency, relies upon the existing approved SMARA Reclamation Plan without amendment in processing the CUP extension application.

As discussed during our previous communications, the quality of some of the digital copies of portions of the current approved Reclamation Plan obtained from the County and Cold Spring during Sespe’s review process was of varying levels of clarity and sharpness. In an effort to improve the quality of the County’s record, Sespe re-generated the large scale figures contained in the approved Reclamation Plan from the original CAD files to produce full size (34” x 44”) high resolution pdf copies of the original approved figures. The entire text of the current approved Reclamation Plan, along with the re-prints of the approved figures (including the original poor quality scans for reference) is attached to this submittal.

It is our understanding the CUP2928 renewal/extension application process is nearing completion. Please let us know if there are any additional questions, or supporting information that the County requires to finalize the CUP2928 extension process.

Please call me or John Hecht at (805) 275-1515 if you have any questions or if you need additional information.

Respectfully submitted,



Douglas Mason  
Project Manager III  
**Sespe Consulting, Inc.**

- Attachments
1. Planning Commission Resolution No. 11557, January 18, 2001
  2. Current Approved Mining and Reclamation Plan, 2001 (with Figure re-prints)

Cc: Steve Chouanard – Cold Spring Granite Company

DATE: January 18, 2001

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 11557-INITIAL STUDY APPLICATION NO. 4586,  
UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 2928

APPLICANT: Raymond Granite Company

REQUEST: Allow expansion of an existing surface mining operation (granite quarry) on a 142-acre parcel of land in the AL-40 (Limited Agriculture, 40-acre minimum parcel size) District.

LOCATION: On the south side of Tollhouse Road (State Route 168) between Madsen Avenue and Sample Road, approximately ten miles northeast of the City of Clovis (14147 Tollhouse Road) (SUP. DIST.: 5) (APN: 150-140-55)

PLANNING COMMISSION ACTION:

At its hearing of January 18, 2001, the Commission considered the Staff Report and testimony (summarized on Exhibit "A").

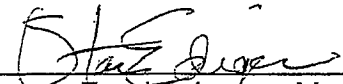
A motion was made by Commissioner Molen and seconded by Commissioner Ferguson to approve the Mitigated Negative Declaration prepared for the project, adopt the recommended findings of fact in the Staff Report including the finding that the proposed Mining and Reclamation Plan complies with the Regulations for Surface Mining and Reclamation, and approve Unclassified Conditional Use Permit Application No. 2928 along with the Mining and Reclamation Plan, including the associated Exception Request related to landscaping along Tollhouse Road, subject to the recommended conditions, with modification to Condition No. 1 extending the life of the conditional use permit from 18 years to 20 years and an additional condition limiting blasting activities, as stated on Exhibit "B". This motion passed on the following vote:

VOTING: Yes: Commissioners Molen, Ferguson, Eaton, Johnson, Moore, Peters

No: Commissioners

Absent: Commissioner Price

CAROLINA JIMENEZ-HOGG, Director  
Planning & Resource Management Department  
Secretary-Fresno County Planning Commission

By:   
Leona Franke James, Manager  
Development Services Division

- NOTES:
1. The Planning Commission action is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.
  2. The proposed use is subject to the mandatory conditions of Sections 858 H and J of the Zoning Ordinance as specified in Exhibit "C", with exception of Standard No. 5 of Section H.

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EXHIBIT "A"

Staff: The Fresno County Planning Commission accepted the Staff Report dated January 18, 2001, with a presentation from staff highlighting key considerations of the request.

Applicant: The applicant and the applicant's representative presented information in support of the project as summarized below:

- The State will review the reclamation plan to ensure security deposits are in place.
- The granite quarry is in a cradle portion of the mountain.
- The area used for mining purposes is very limited. The majority of the site will remain in its natural state.
- The black granite found in the mountain is unique to this region.
- Unlike surface mining for gravel, the mining operation at this site involves removing blocks of granite that are the size of an automobile.
- Mining of the site will be done in phases.
- The grout piles will be located at least 200 feet from Tollhouse Road.
- This site has been actively mined for over 100 years.
- We believe that the required findings can be made.
- Any past complaints for neighbors were immediately addressed.
- Our blasting techniques incorporate the latest technology in an effort to minimize noise impacts to surrounding properties.
- The granite produced from this site is used for monuments.
- We relocated the entrance to our site in order to avoid traffic conflicts.

- The average weight of a loaded truck is approximately 44,000 pounds.
- Approximately 20 to 25 daily truck trips will be generated from the proposed operation.
- We request that Condition No. 1 be modified to indicate 20 years instead of 18 years.
- We have met with concerned neighbors and agree to restrict blasting activities to weekdays from 8:15 a.m. to 5:00 p.m.

Others: No additional public testimony was presented.

Correspondence: Three letters in support of the request were received.

EXHIBIT "B"

Conditions of Approval  
Initial Study Application No. 4586  
Classified Conditional Use Permit Application No. 2928  
(Raymond Granite Company)

1. Unclassified Conditional Use Permit No. 2928 shall expire 20 years from the effective date of approval.
2. All conditions of approval under Unclassified Conditional Use Permit No. 2477 shall remain in full force and effect.
3. Development and operation shall be in accordance with the site plan, cross sections, operational statement and rehabilitation plan approved by the Commission, except as modified by other conditions of this permit.
4. A Site Plan Review application shall be submitted to and approved by the Director of the Planning & Resource Management Department in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance.
5. The extraction operation shall consist two separate phases. Each phase shall be numbered and shown on the approved Site Plan.
6. A dust palliative shall be applied to all haul roads as frequently as necessary to control dust. Dust palliatives may include road oil, water, magnesium chloride, or other proven materials.
7. Operating hours for the excavation of granite shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Saturday. The hours of operation for the cutting process shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Saturday. The hours for the cutting process may be extended to 24 hours when required to meet demands of clients and/or projects.
8. The use shall be operated in conformance with the Fresno County Noise Ordinance. If necessary, operational and/or physical mitigation measures shall be provided to ensure compliance.
9. The use shall be operated in such a manner as to avoid creating a dust or noise nuisance.

10. A detailed rehabilitation plan shall be submitted as part of the Site Plan Review Application. The plan shall show the proposed final slopes and contours of the site.
11. Security, as herein specified, shall be deposited during the Site Plan Review process. Said security shall be in the form of cash deposited by the operator with the County in an approved irrevocable escrow or its equivalent and shall be in an amount determined by the Director equal to 100 percent of the total cost of completing the subject phase of rehabilitation. Said security may be partially released during the progress of rehabilitation as long as the same ratio of security is maintained for all incomplete work.
12. Each year a qualified geologist or soils engineer shall complete a geotechnical report to the satisfaction of the Director of the Public Works & Development Services Department certifying that the slopes of the extraction area and grout piles are stable and are not impacted by erosion. If certification of the proposed slopes cannot be made, the report shall specify modifications as conditions of approval. The report shall be updated if geologic conditions encountered during excavation are significantly different from those identified in the report.
13. The revegetation plan shall include the recommendations of the report prepared by John C. Stebbins, consulting botanist, dated October 31, 1991, and the recommendations of the report prepared by Hartesveldt Ecological Consulting Services, dated June 16, 2000.
14. The granite cutting operation shall cease operation upon completion of the extraction activities on the site, or upon expiration of this Conditional Use Permit, whichever occurs first.
15. Rehabilitation of the site shall be completed within one year after excavation ceases and shall include removal of all equipment and structures.
- \*16. In order to mitigate potential impacts to wetlands, raptor nesting habitat and other wildlife resources the following requirements shall be met:
  - a. Potential impacts to wetlands shall be addressed by prohibiting surface mining operations within a 100-foot wide no-construction/no-disturbance buffer area that begins at the outer edge of the two wetland areas identified in the Biotic Ecological Resources Survey conducted by Hartesveldt Ecological Consulting Services dated June 16, 2000.

- b. Potential impacts to nesting raptors shall be addressed by prohibiting mining operations during the breeding season of February through July. If surface mining activities must occur during the breeding season, the applicant shall retain a qualified ornithologist to survey the project site for nesting raptors within 30 days of the onset of mining activities. In the event nesting raptors are located within or immediately adjacent to the mining activities, a qualified ornithologist shall consult with the California Department of Fish and Game to develop suitable construction setbacks that will protect the nest(s) until after the conclusion of the breeding season.

- 17. Blasting activities shall be limited to weekdays between the hours of 8:15 a.m. to 5:00 p.m.

\* MITIGATION MEASURE – Measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.

**NOTE:**

**The following note reference various mandatory requirements of Fresno County or other agencies and are provided as information to the project applicant.**

The proposed use is subject to the mandatory conditions of Sections 858 H and J of the Zoning Ordinance as specified in Exhibit "C", with exception of Standard No. 5 of Section H.

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# EXHIBIT "C"

## SECTION 858

### REGULATIONS FOR SURFACE MINING AND RECLAMATION IN ALL DISTRICTS

This Section sets forth regulations for conducting surface mining and reclamation in a manner consistent with California Surface Mining and Reclamation Act of 1975 (Public Resources Code Sections 2710 et seq.), as amended, hereinafter referred to as "SMARA", Public Resources Code (PRC) Section 2207 (relating to annual reporting requirements), and State Mining and Geology Board (SMGB) Regulations (hereinafter referred to as "State Regulations") for surface mining and reclamation practice (California Code of Regulations [CCR], Title 14, Division 2, Chapter 8, Subchapter 1, Sections 3500 et seq.). The regulations contained herein shall apply in all Zone Districts.

Mineral resources are valuable community assets which must be safeguarded against preemption by competing or conflicting land uses. However, mineral deposits are frequently located in areas which are also suited for other types of development or are in areas characterized by significant natural resources. Care must be taken to ensure that mineral resources are recovered efficiently and safely, with minimal disruption to surrounding land uses and environmental values, and that sites are reclaimed to a usable condition which is readily adaptable for alternative land uses.

#### A. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

Surface mining operations, including the use of such equipment, structures, and facilities as are necessary or convenient for the extraction, processing, storage, and transport of materials, including but not limited to the following (except for those uses specifically exempted under Section 858-B):

1. Sand and gravel separation plants.
2. Rock crushers.
3. Concrete batch plants.
4. Asphalt batch plants.
5. Rock, sand, and gravel trucking operations:  
(Amended by Ord. 490.198 adopted 4-21-80)

These uses shall be subject to all regulations of this Section and Section 873 (including the public hearing as required under Section 873). Except as provided in this Section, no person shall conduct a surface mining operation unless a Conditional Use Permit (CUP), Mining and Reclamation Plan and the Financial Assurances for reclamation have first been approved by the County.

#### B. EXEMPTIONS

This Section shall not apply to the following activities:

1. Excavation or grading conducted for farming or on-site construction or for the purpose of restoring land following a flood or natural disaster.

2. On-site excavation and on-site earthmoving activities which are an integral and necessary part of a construction project which has been approved by the County and which are undertaken to prepare a site for construction of structures, landscaping, or other land improvements, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments, whether or not surplus materials are exported from the site. Surplus materials shall not be exported from the site until actual construction work has commenced and shall cease if it is determined that construction activities have terminated, have been indefinitely suspended, or are no longer being actively pursued.
3. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location of one acre or less.
4. Surface mining operations that are required by Federal law in order to protect a mining claim, if those operations are conducted solely for that purpose.
5. Emergency excavations or grading conducted by the State Department of Water Resources or the Reclamation Board for the purpose of averting, alleviating, repairing, or restoring damage to property due to imminent or recent floods, disasters, or other emergencies.
6. Excavation or grading for the exclusive purpose of obtaining materials for roadbed construction and maintenance conducted in connection with timber operations or forest management on land owned by the same person or entity, where slope stability and erosion are controlled in accordance with the applicable performance standards of the State Reclamation Regulation, Sections 3704(f) and 3706 (d) and, upon closure of the site, the person closing the site implements, where necessary, revegetation measures and postclosure uses in consultation with the Department of Forestry and Fire Protection.

This exemption is limited to excavation and grading that is conducted adjacent to timber operation or forest management roads and shall not apply to on-site excavation or grading that occurs within 100 feet of a Class One watercourse or 75 feet of a Class Two watercourse, or to excavation for materials that are, or have been, sold for commercial purposes.

7. Excavation, grading, or other earthmoving activities by the property owner or operator in an oil or gas field that are integral to, and necessary for, on-going operations for the extraction of oil or gas and no excavated materials are sold for commercial purposes.

### C. DEFINITIONS

The definitions set forth below shall apply to this Section.

1. BORROW PIT - Excavation created by the surface mining of rock, unconsolidated geologic deposits or soil to provide material (borrow) for fill elsewhere.
2. DOC - California State Department of Conservation, the administrative department for the Surface Mining and Reclamation Act of 1975, as amended.
3. DOC DIRECTOR - Director of the California State Department of Conservation.
4. IDLE - Surface mining operations curtailed for a period of one year or more, by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date.

5. MINED LANDS - The surface, subsurface, and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.
6. MINING WASTE - The residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.
7. MINERALS - Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.
8. OPERATOR - Any person who is engaged in surface mining operations, or who contracts with others to conduct operations, except a person who is engaged in surface mining operations as an employee with wages as sole compensation.
9. OVERBURDEN - Soil, rock, or other materials that lie above a natural mineral deposit or in between mineral deposits, before or after their removal by surface mining operations.
10. RECLAMATION - The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.
11. RESOILING - The process of artificially building or reconstructing a soil profile.
12. SMARA - State of California Surface Mining and Reclamation Act of 1975, as amended.
13. SMGB - State Mining and Geology Board. The SMGB oversees the administration and enforcement of SMARA.
14. STREAMBED SKIMMING - Excavation of sand and gravel from streambed deposits above the mean summer water level or stream bottom, whichever is higher.
15. SURFACE MINING OPERATION - All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to, inplace distillation or retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials and recovery of same. A surface mining operation may include the use of such equipment, structures, and facilities as are necessary or convenient for the extraction, processing, storage, and transport of materials.



## D. REQUIRED SUBMISSIONS

The application for a CUP shall include a Mining and Reclamation Plan.

The Plan shall encompass the entire property and shall be separated into phases of operation and reclamation. No phase shall exceed eighty (80) acres. Reclamation of areas previously excavated by the operator pursuant to a nonconforming right or under a previous CUP will not be required unless such areas are proposed for fill or reworking to added depths.

The Mining and Reclamation Plan must include the following and contain sufficient detail to enable the Planning Commission to make the required finding pursuant to Section 858-F:

### 1. Project Information

- a. The name and address of the operator and any person designated by the operator as an agent.
- b. The names and addresses of the owners of all surface interests and mineral interests in the lands.
- c. The size and legal description of the lands that will be affected by the surface mining operation including related processing and storage.
- d. A vicinity map.
- e. A map of the subject property including boundaries and topographic details of the land.
- f. (Optional) Background information on the operator or company's experience with surface mining.

### 2. Environmental Data

- a. A description of the environmental setting of the site and surrounding area, including:
  - (1) Existing land use including location of all streams, roads, railroads, utility facilities and structures within, or adjacent to the subject property.
  - (2) Vegetation types and condition.
  - (3) Soil types and condition.
  - (4) Groundwater elevation.
  - (5) Surface water characteristics.
  - (6) Other factors as may be required related to environmental impacts and their mitigation and reclamation.
- b. A geologic description, including the general geologic setting, a detailed description of the geology of the area in which surface mining is to be conducted including principal minerals or rocks present
- c. An estimate of the quantity and quality of groundwater and surface water present in the vicinity of the proposed operation.  
(Sec. 858-B added by Ord. 490.189 adopted 10-29-79)

### 3. Mining Plan

- a. A site plan which includes the following:
  - (1) Existing and proposed roads, including ingress-egress roads and on-site roads; proposed surface treatment and means to limit dust.
  - (2) Processing and storage areas including locations of equipment, structures, and facilities.
  - (3) Proposed setbacks, screening, fencing, gates, parking, and signs.
  - (4) Proposed phasing for the mining operation and reclamation work.
  - (5) Cross section (typical) defining planned slopes, extent of overburden, extent of sand and gravel deposits, and water table.

- (6) Such other data necessary to adequately review the proposal.
- b. A map showing routes between the property and the nearest arterial
- c. A statement of anticipated quantity and type of minerals for which the surface mining operation is to be conducted.
- d. A statement of operations including:
  - (1) Commencement of operations.
  - (2) Proposed hours and days of operation.
  - (3) Anticipated duration of operation.
  - (4) Maximum anticipated depth of the mining operation.
  - (5) Proposed method of extraction and processing.
  - (6) Proposed equipment.
  - (7) Operating practices proposed to be used to minimize noise, vibration and dust.
  - (8) An estimate of the quantity and quality of water required by the proposed operation specifying proposed sources, conveyances, quantity and quality, and disposal methods of used and surplus water, and methods to be employed to prevent pollution of surface and/or groundwater.  
(Amended by Ord. 490.189 adopted 10-29-79)
  - (9) Disposal methods for tailings or other wastes resulting from any aspect of the proposed operation.  
(Amended by Ord. 490.189 adopted 10-29-79)
  - (10) For each standard identified in the Mining and Reclamation Standards (858-H) the operator shall specify how the requirement will be addressed in the mining operation. The implementation proposal for each standard must be site specific, measurable and verifiable. The list will be the basis for compliance determinations during annual inspections. (The list may be combined with that required in Subsection 4.a.(8) below.)

#### 4. Reclamation Plan

- a. A description of planned reclamation of the site including the following:
  - (1) Description of the proposed use of the mined lands after reclamation.
  - (2) Evidence that all owners of a possessory interest in the land have been notified of the proposed use.
  - (3) Description of the manner in which reclamation, adequate for the proposed use will be accomplished, including the following:
    - (a) The manner in which contaminants will be controlled, and mining waste will be disposed.
    - (b) The manner in which affected streambed channels and streambanks will be rehabilitated to a condition minimizing erosion and sedimentation.
  - (4) Time schedule for the completion of surface mining on each segment of the mined lands.
  - (5) The phasing plan for reclamation activities and schedule for completion.
  - (6) Statement of how reclamation of the site may affect future on-site mining and mining in the surrounding area.
  - (7) Measures proposed to protect public health and safety with consideration given to the degree and type of present and probable future exposure of the public to the site.
  - (8) For each standard identified in the Mining and Reclamation Standards (858-H) the operator shall specify how the requirement will be addressed in the reclamation activity. The implementation proposal for each standard must be site specific, measurable and verifiable. The list will be the basis for compliance determinations during annual inspections. (The list may be combined with that required in Subsection 3.d.(10) above.)

- (9) Type of Financial Assurances proposed.
- (10) The disposition of any equipment or structures.

- b. A site plan showing the reclamation proposal including:
  - (1) New Contouring.
  - (2) Water features and methods planned to overcome stagnation.
  - (3) Vegetative planting.
  - (4) Access and treatment thereof.
  - (5) Phasing.
- c. A soil salvage plan and if proposed for refill, definition of refill material, and probable sources.

#### E. PROCESSING

The Mining and Reclamation Plan shall be processed as a part of the CUP application pursuant to the provisions of Section 873. The following provisions shall also apply to processing of the Plan.

1. The following notices and requests for comments shall be given:
  - a. State Department of Conservation:
    - (1) The Department shall notify the DOC Director of the acceptance of an application for a CUP and Mining and Reclamation Plan for a surface mining operation; or an amendment thereto within thirty (30) days of acceptance.
    - (2) Prior to approval of the Mining and Reclamation Plan, amendment thereto, or Financial Assurances, the Department shall submit, by certified, return receipt requested mail to the DOC Director, the Mining and Reclamation Plan, information prepared pursuant to CEQA and any other pertinent information for use in the review of the Plan along with a certification from the Director that the Mining and Reclamation Plan is in compliance with the applicable requirements of Article 1 of the State Regulations, set forth in subsections 858-D, and -H of this Section. The DOC Director shall have 30 days from the receipt of said information in which to prepare written comments. The review period for Financial Assurances shall be 45 days. The Financial Assurances may be processed and reviewed separately but mining work shall not commence until all reviews are completed.
  - b. State Department of Transportation: Whenever a mining operation is proposed in the 100-year flood plain of any stream, as shown in Zone A of the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and is within one mile, up or down-stream, of any State highway bridge, the Department shall notify Caltrans that the application has been received. Caltrans shall have not more than 45 days to review and comment on the proposed operation. The County may not issue nor renew a permit until a comment has been received or the 45-day review period has lapsed, whichever occurs first.
2. The Department shall evaluate any written comments from the DOC Director and prepare a written response describing the disposition of the major issues raised. If the County's position is at variance with the DOC Director's comments, the written response shall address, in detail, why specific comments and suggestions were not accepted. Copies of the written comments and responses shall be forwarded to the operator/applicant.
3. The Planning Commission may not take action on the CUP and Mining and Reclamation Plan until such time as the DOC Director's 30-day review period has ended and a written response to any comments has been prepared. In addition to the findings set forth in

Section 873, the Planning Commission shall make a finding on the Mining and Reclamation Plan pursuant to Section 858-F. The CUP approval shall be conditioned upon acceptance of Financial Assurances by the Director.

4. Before any mining or reclamation activity is begun or any building or structure is erected, a site plan reflecting all conditions of approval shall have been submitted to and approved by the Director, pursuant to the provisions of Section 874, Site Plan Review. The site plan shall encompass all that area shown on the approved Mining and Reclamation Plan.

The Department shall not approve the Site Plan Review application for the mining operation and the mining operation may not commence until the DOC Director's 45 day review period for Financial Assurances is complete, a written response has been prepared for any comments and the Director has accepted the Financial Assurances.

5. Following the approval of the CUP, Mining and Reclamation Plan and Financial Assurances, or amendments thereto, the Department shall forward a copy of the CUP for surface mining operations, the approved Mining and Reclamation Plan, and the approved Financial Assurances to the California State Department of Conservation.
6. When a Reclamation Plan is processed without the need for a CUP, such as on federal lands, the procedures of Section 873, including a public hearing, shall apply.

#### F. FINDINGS FOR APPROVAL

In addition to findings required by the Section 873, the approval of a CUP for a surface mining operation shall be subject to the following finding:

The Mining and Reclamation Plan has been reviewed for compliance with the Regulations for Surface Mining and Reclamation in All Districts, Section 858, and meets the applicable requirements therein.

#### G. FINANCIAL ASSURANCES

1. To ensure that reclamation will proceed in accordance with the approved Mining and Reclamation Plan, the County shall require, as a condition of approval, security which will be released upon satisfactory performance. The applicant may pose security in the form of a surety bond, trust fund, irrevocable letter of credit from an accredited financial institution, or other method acceptable to the County and the SMGB as specified in State regulations, and which the County reasonably determines are adequate to perform reclamation in accordance with the surface mining operation's approved Mining and Reclamation Plan. Financial Assurances shall be made payable to the County of Fresno and the State Department of Conservation.
2. Financial Assurances will be required to ensure compliance with elements of the Mining and Reclamation Plan, including but not limited to, revegetation and landscaping requirements, restoration of aquatic or wildlife habitat, restoration of water bodies and water quality, slope stability, erosion and drainage control, and disposal of hazardous materials.
3. Cost estimates for the Financial Assurances shall be submitted to the Department of Public Works & Development Services for review and approval prior to the operator securing Financial Assurances. The Director shall forward, by certified mail return receipt requested, a copy of the cost estimates, together with any documentation received supporting the amount of the cost estimates, to the State Department of Conservation for review. If DOC

does not comment within 45 days of receipt of these estimates, it shall be assumed that the cost estimates are adequate, unless the County has reason to determine that additional costs may be incurred. The Director shall then have the discretion to approve the Financial Assurances if it meets the requirements of this Section, SMARA, and State regulations.

4. The amount of the Financial Assurances shall be based upon the estimated costs of reclamation for the years or phases stipulated in the approved Mining and Reclamation Plan, including any maintenance of reclaimed areas as may be required, subject to adjustment for the actual amount required to reclaim lands disturbed by surface mining activities in the upcoming year. Cost estimates should be prepared by a California registered Professional Engineer and/or other similarly licensed and qualified professional retained by the operator and approved by the Director. The estimated amount of the Financial Assurances shall be based on an analysis of physical activities necessary to implement the approved Mining and Reclamation Plan, the unit costs for each of these activities, the number of units of each of these activities, and the actual administrative costs. Financial Assurances to ensure compliance with revegetation, restoration of water bodies, restoration of aquatic or wildlife habitat, and any other applicable element of the approved Mining and Reclamation Plan shall be based upon cost estimates that include but may not be limited to labor, equipment, materials, mobilization of equipment, administration, and reasonable profit by a commercial operator other than the permittee. A contingency factor of ten percent (10%) shall be added to the cost of Financial Assurances.
5. In projecting the costs of Financial Assurances, it shall be assumed without prejudice or insinuation that the surface mining operation could be abandoned by the operator and, consequently, the County or DOC may need to contract with a third party commercial company for reclamation of the site.
6. The Financial Assurances shall remain in effect for the duration of the surface mining operation and any additional period until reclamation is completed including any maintenance required.
7. The amount of Financial Assurances required of a surface mining operation for any one year shall be adjusted annually to account for new lands disturbed by the surface mining operation, inflation, and reclamation of lands accomplished in accordance with the approved Mining and Reclamation Plan. The Financial Assurances shall include estimates to cover reclamation for existing conditions and anticipated activities during the upcoming year, excepting that the operator may not claim credit for reclamation scheduled for completion during the coming year. The updated cost estimates shall be considered during the Department's annual inspection and accepted thereafter if further adjustment is not required. Any required changes shall be completed and submitted within thirty (30) days of notice from the County.
8. Revisions to Financial Assurances shall be submitted to the Director for approval by July 1st each year. The Financial Assurances shall cover the cost of reclamation of existing disturbance and anticipated activities for the next calendar year, including any required interim reclamation. If revisions to the Financial Assurances are not required, the operator shall explain, in writing, why revisions are not required.

#### H. MINING AND RECLAMATION STANDARDS

The standards for surface mining operations and reclamation shall be as follows:

1. No extraction of material or overburden shall be permitted within twenty-five (25) feet of any property boundary nor within fifty (50) feet of a boundary contiguous with a public road right-of-way or recorded residential subdivision.

2. No stockpiled soil or material shall be placed closer than twenty-five (25) feet from a property boundary.
3. No production from an open pit shall create a slope steeper than 2:1 within fifty (50) feet of a property boundary nor steeper than 1½:1 elsewhere on the property, except steeper slopes may be created in the conduct of extraction for limited periods of time prior to grading the slope to its reclamation configuration, and slopes of 1:1 may be maintained five (5) feet below the lowest water table on the property, experienced in the preceding three (3) years.
4. Security fencing four (4) feet in height consisting of not less than three (3) strands of barbed wire, or an approved equivalent, shall be placed along any property line abutting a public right-of-way and around any extraction area where slopes steeper than two (2) feet horizontal to one (1) foot vertical are maintained. Such interior fencing will not be required where exterior fencing surrounds the property.
5. Screening of the site shall be achieved by planting trees of a variety approved by the Director along all property lines adjacent to a public road right-of-way or a recorded residential subdivision. Adequate screening can generally be achieved with evergreen trees planted in two (2) staggered rows, with twenty (20) feet between the rows and between the trees in each row. As an alternative, oleanders or shrubs of a similar size and density may be planted in the same pattern at ten (10) foot intervals. The plant species and planting plan and timetable shall be designated in the Mining and Reclamation Plan. All required plants shall be maintained in a good horticultural manner. In areas where it is found that the planting of trees or shrubs will not achieve the desired screening effect due to soil conditions, the Director may approve an alternate method of screening consisting of meandering dirt berms of sufficient height to screen the site.  
(Amended by Ord. T-252 adopted 12-9-80)
6. The first one hundred (100) feet of access road(s) intersecting with a County maintained road shall be surfaced in a manner approved by the Board and shall not exceed a two (2) percent grade and shall have a width of not less than twenty-four (24) feet.
7. Where an access road intersects a County Maintained road, it shall be improved with a driveway approach constructed to Fresno County Standards.
8. All interior roads within the site shall be maintained so as to control the creation of dust.
9. Traffic control and warning signs shall be installed as required by the Commission at the intersection of all private roads with public roads. The placement, size, and wording of these signs shall be approved by the Director.  
(Amended by Ord. T-252 adopted 12-9-80)
10. When the plan calls for resoiling, coarse hard mine waste shall be leveled and covered with a layer of finer material or weathered waste. A soil layer shall then be placed on this prepared surface. Surface mine operators who do not salvage soil during the initial operations shall attempt, where feasible, to upgrade remaining materials. The use of soil conditioners, mulches, or imported topsoil shall be considered where revegetation is part of the Mining and Reclamation Plan and where such measures appear necessary. It is not justified, however, to denude adjacent areas of their soil, for any such denuded areas must in turn be reclaimed.
11. The species selected for revegetation shall be those with good survival characteristics for the topography, resoiling characteristics, and climate of the mined area. The operator shall provide a schedule and methodology for monitoring vegetation and replacing vegetation should the Department determine that replacement is necessary.

12. Additional vegetative planting may be required in the interest of erosion control.
13. Grading and revegetation shall be designed to minimize erosion and to convey surface runoff to natural drainage courses or interior basins designed for water storage. Basins that will store water during periods of surface runoff shall be designed to prevent erosion of spillways when these basins have outlet to lower ground.
14. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.
15. Erosion control facilities such as settling basins, ditches, streambank stabilization, and dikes shall be constructed and maintained where necessary to control erosion.
16. Extraction operations adjacent to any flowing stream shall be separated from the stream by closed dikes. No extractions within the stream will be permitted.
17. All water utilized in the plant operation shall be disposed of behind a closed dike so that it will not cause impairment of water in any stream.
18. Operations shall be conducted to substantially prevent siltation of groundwater recharge areas.
19. Settling ponds or basins shall be constructed to prevent potential sedimentation of streams at operations where they will provide a significant benefit to water quality.
20. Good operating practices shall at all times be utilized to minimize noise, vibration, dust and unsightliness. In reviewing a proposal the Planning Commission shall consider:
  - a. The location of the processing plant.
  - b. The location where unused equipment will be stored.
  - c. Proposals for the removal of all structures, metallic equipment, debris, or objects upon conclusion of the extraction operations.
21. Operating hours may be limited to designated periods except during periods of public emergency affecting the health and welfare of the community requiring continuous operation.
22. Any night lighting established on the property shall be arranged and controlled so as not to illuminate public rights-of-way or adjacent properties.
23. Processing and storage yards shall be centrally located on the site whenever possible.  
(Added by Ord. 490.189 adopted 10-29-79)
24. All surface mining operations and reclamation activities shall be conducted consistent with all policies of the Noise Element of the Fresno County General Plan.  
(Added by Ord. 490.189 adopted 10-29-79)
25. The Department shall consider the potentially adverse environmental effects of surface mining operations and will generally require that:
  - a. Disturbances of vegetation and overburden in advance of mining activities be minimized.
  - b. Sufficient topsoil be saved to perform site reclamation in accordance with the Mining and Reclamation Plan.
  - c. All reasonable and practical measures be taken to protect the habitat of fish and wildlife.
  - d. Temporary stream or watershed diversion be restored.
  - e. Permanent piles or dumps of mine waste rock and overburden be stabilized and not restrict the natural drainage without suitable provisions for diversion and toxic materials be removed or confined to control leaching.  
(Added by Ord. 490.189 adopted 10-29-79)

26. Reclamation of mined lands shall be implemented in conformance with applicable performance standards as set forth in the State Regulations Sections 3703 et seq. pertaining to the subjects listed below:
  - a. Wildlife habitat.
  - b. Backfilling, regrading, slope stability, and recontouring.
  - c. Revegetation.
  - d. Drainage, diversion structures, waterways, and erosion control.
  - e. Prime and other agricultural land reclamation.
  - f. Building, structure, and equipment removal.
  - g. Stream protection including surface and groundwater.
  - h. Topsoil salvage, maintenance, and redistribution.
  - i. Tailing and mine waste management.
  - j. Closure of surface openings.

(Note: The performance standards are detailed in the Department's application materials for Mining and Reclamation Plans.)

#### I. EXCEPTION TO STANDARDS

1. The approved Mining and Reclamation Plan shall be complied with. The Director may, upon written request, approve, subject to limitations imposed by other provisions of law or regulation, minor deviations that are determined not to be significant, will have no adverse effect upon nearby properties and will not constitute a nuisance. A minor deviation may include a change in the excavation phasing and subsequent reclamation phasing; the type of plant materials along the public right-of-way; or operational requirements. In no case will a minor deviation be approved that is in conflict with any condition of the approved CUP, or standard or condition of this Section, unless previously approved by the Planning Commission or Board of Supervisors.

Proposed revisions to setbacks, hours or days of operation, life of the permit or additional uses or activities are not to be considered minor deviations.

(Amended by Ord. T-252 adopted 12-9-80; Ord. No. T-033-299 adopted 6-7-88)

2. The Planning Commission may grant an exception to any standard contained herein upon written request when such exception will not result in a hazardous condition; the cost of strict compliance would be unreasonable in view of all the circumstances; it is consistent with the planned or actual subsequent use or uses of the mining site; the replacement provision is no less stringent than the initial standard; and the exception will not adversely affect property or persons in the area. Such request may be filed with the original or a subsequent application and shall include a complete statement of justification.

(Amended by Ord. 490.196 adopted 3-11-80)

#### J. SPECIAL CONDITIONS

1. Where the reclamation work on any phase is not completed within the time period set forth in the approved Mining and Reclamation Plan or as extended by the Director, the County or its contractor may enter upon the operator's premises to perform said work and use the financial assurance security funds to pay for the cost thereof. In the event the operator fails to complete reclamation work as required herein and the security as specified herein is not sufficient for the cost of reclamation work, the operator shall then be liable to the County for the cost of any work required to be performed by the County in accordance with the Mining and Reclamation Plan. Where the County is authorized to enter upon property to cause work to be done, the CUP may be revoked by the Board of Supervisors upon thirty (30) days written notice first being given to the operator.



2. Prior to the excavation of any material, the operator shall execute a recordable agreement, binding upon his successors, heirs or assigns, covenanting to perform all reclamation in the manner prescribed by the approved CUP and Mining and Reclamation Plan. Said person shall agree to pay all court costs, attorney fees and interest at the legal rate from the date in which such costs have been incurred and further shall waive any and all defenses, legal or equitable, if an action at law is instituted to enforce the provisions of said agreement. The owner(s) shall execute a recordable agreement, binding upon his successors, heirs or assigns, which shall permit the County to enter upon the property to enforce completion of the Mining and Reclamation Plan.
3. Reclamation work in any phase shall proceed in such a manner that no excavated area within that phase is allowed to remain in an unreclaimed state for more than three years. Reclamation of any phase shall be completed within one year of commencing operation in any subsequent phase.

#### K. INTERIM MANAGEMENT PLAN

1. Within 90 days of a surface mining operation becoming idle, the operator shall submit to the Department a proposed Interim Management Plan (IMP). The proposed IMP shall fully comply with the requirements of this Section and the conditions of the CUP for the site and shall provide measures the operator will implement to maintain the site in a stable condition, taking into consideration public health and safety. Application shall be made for a modification of the CUP. The proposed IMP shall be processed as an amendment to the Mining and Reclamation Plan as set forth in Section 858-E including the thirty (30) day review by the DOC Director. IMPs shall not be considered a project for the purposes of environmental review.
2. The Financial Assurances for an idle operation shall be maintained as though the operation were active.
3. Within sixty (60) days of receipt of the proposed IMP, or a longer period mutually agreed upon by the Director and the operator, the Planning Commission shall review and approve or deny the IMP in accordance with this Section. If there are deficiencies in the Plan, the operator shall have thirty (30) days, or a longer period mutually agreed upon by the operator and the Director, to submit a revised IMP. The Planning Commission shall approve or deny the revised IMP within sixty (60) days of receipt. If the Planning Commission denies the revised IMP, the operator may appeal that action to the Board of Supervisors. The appeal hearing shall be scheduled within forty-five (45) days from the filing of appeal or a longer period if mutually agreed upon.
4. The IMP may remain in effect for a period not to exceed five (5) years. At that time, upon application by the operator, the Planning Commission may renew the IMP for another period not to exceed five (5) years if the operation is in full compliance with the IMP, or require the operator to commence reclamation in accordance with its approved Mining and Reclamation Plan.

#### L. OPERATOR'S ANNUAL REPORT REQUIREMENTS

1. The surface mining operator shall forward an annual surface mining report to the State Department of Conservation and to the County Department of Public Works & Development Services on a date established by DOC, upon forms furnished by SMGB. The State's prescribed fees shall be forwarded to DOC with the annual report. A new mining operator must file an initial surface mining report and applicable filing fee with DOC prior to commencement of operations or within thirty (30) days of Site Plan Review approval, whichever is sooner. The DOC Director shall provide notification of receipt of the report and

fee and shall also advise of any deficiencies in the report within ninety (90) days of receipt of said report. The operator or agent shall have thirty (30) days in which to submit a revised report.

2. The operator shall also submit annual adjustment information to the Department for updating of the Financial Assurances consistent with Section 858-G. This is required prior to July 1 of each year.

#### M. ANNUAL INSPECTIONS AND REPORTS

1. The Department shall conduct or cause an inspection of the surface mining operation within six (6) months of receipt of the operator's annual report to determine whether the surface mining operation is in compliance with the approved CUP and Mining and Reclamation Plan, approved Financial Assurances, and State Regulations. At least one inspection shall be conducted in each calendar year. Said inspections may be made by a State-registered geologist, State-registered civil engineer, State-licensed landscape architect, or State-registered forester, who is experienced in land reclamation and who has not been employed by the mining operation in any capacity during the previous twelve (12) months, or other qualified specialists, as selected by the Director. The annual inspection shall be conducted using a form approved and provided by the SMGB. The Department shall submit the completed inspection form to the DOC Director within thirty (30) days of the date of completion of the inspection along with a notice of completion of the inspection which contains statements on compliance with SMARA, any inconsistencies with SMARA and any pending action on the Mining and Reclamation Plan, amendments, or Financial Assurances. Copies shall also be sent to the operator. The operator shall be responsible for the reasonable cost of the inspection.
2. By July 1 of each year, the Department shall submit to the DOC Director a report on each active or idle mining operation. The report shall consist of a copy of any CUP or Mining and Reclamation Plan amendment, as applicable, or a statement that there have been no changes during the previous year.
3. The Department shall annually review and update, as necessary, the Financial Assurances of each surface mining operation based on annual adjustment data submitted by the operator pursuant to Section 858-G.

#### N. PUBLIC RECORDS

Mining and Reclamation Plans, reports, applications, and other documents submitted to the County are public records unless it can be demonstrated to the satisfaction of the County that the release of such information, or part thereof, would reveal production, reserves, or rate of depletion entitled to protection as proprietary information. The County shall identify such proprietary information as a separate part of each application. A copy of all permits, Mining and Reclamation Plans, reports, applications, and other documents submitted pursuant to this Section, including proprietary information, shall be forwarded to the DOC by the Department. Proprietary information shall be made available to persons other than the DOC Director only when authorized by the mine operator and by the mine owner.

(Added by Ord. 490.189 adopted 10-29-79)

#### O. VIOLATIONS AND PENALTIES

If the Director, based upon an annual inspection or otherwise confirmed by an inspection of the mining operation, determines that a surface mining operation is not in compliance with this Section, the Conditional Use Permit and/or the Mining and Reclamation Plan, the County shall

follow the procedures set forth in SMARA (Public Resources Code, §2774.1 and §2774.2) concerning violations and penalties, as well as those provisions of the County Zoning Ordinance for revocation of the CUP which are not preempted by SMARA.

(Note: Failure of the County to comply with provisions of SMARA and the State Regulations may be grounds for the SMGB to take action to assure compliance through administration of SMARA.)

P. FEES

The County may establish such fees as it deems necessary to cover the reasonable costs incurred in implementing this Section and the State regulations, including but not limited to, processing of applications, annual reports, inspections, monitoring, enforcement and compliance. Such fees shall be paid by the operator, as required by the County at the time of filing of the CUP application, Mining and Reclamation Plan application, and at such other times as are determined by the County to be appropriate in order to ensure that all reasonable costs of implementing this Section are borne by the mining operator.

**Site Plan Review  
Revised Text Submitted to:**

**\*\* ~~Text Removed~~ Replacement Text in bold \*\***

**Fresno County  
Public Works & Development  
Services Department  
2220 Tulare Street  
Fresno, California 93721**

**For the Continued  
Operation of the**

**Academy Quarry  
14147 Tollhouse Road  
Clovis, California 93612**

**Submitted By:**

**Raymond Granite,  
A Cold Spring Granite Company  
202 South 3<sup>rd</sup>. Avenue  
Cold Spring, Minnesota 56320  
(320) 685-4679**

**July 2000**

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Supplements:

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**Supplemental Data to the Original Permit**

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| <b>Supplement A</b> | <b>Response to Fresno County Letter dated March 15, 2000</b>                |
| <b>Supplement B</b> | <b>Response to Department of Conservation letter dated January 25, 2000</b> |
| <b>Supplement C</b> | <b>Grant Deed for the Expansion Area</b>                                    |
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Drawings:

- Fig. 1 Vicinity Map, Scale 1/4" = 8800' and 2 1/2" = 1 mile
- Fig. 2 Site plan map (current conditions) Topographical, plan view. Scale 1" = 150'
- Fig. 3 Final Quarry Operations. Digital Terrain Map 1" = 150'
- Fig. 4 Sections showing original and final topography
- Fig. 5 Sections through: Grout pile 1, Grout pile 2 and Benehes
- Fig. 6 Phase I and II sequencing
- Fig. 7 Site plan of plant area
- Fig. 8 Storm water Runoff Plan
- Fig. 9 Grout pile #1
- Fig. 10 Grout pile #2

## PROJECT INFORMATION

### Operator and Agents:

The Academy quarry will be operated by the Cold Spring Granite Company - Raymond Division.  
The address for the Raymond Division is:

Cold Spring Granite Company  
36772 Road 606  
Raymond, CA 93653

#### Agents:

The Operations Manager for the Academy quarry is John Mansfield, address as above.

The Quarry Manager for the Academy quarry is Larry McDonald, address:

Academy Quarry  
14147 Tollhouse Road  
Clovis, CA 93611

Environmental Engineer for the Academy quarry is ~~Brian Sjaheim~~ Don Sieger, address:

Cold Spring Granite Company  
202 S. 3rd Avenue  
Cold Spring, MN 56320

#### Owner:

Pat Alexander  
Cold Spring Granite Company  
202 S. 3rd Avenue  
Cold Spring, MN 56320

All quarrying and related operations will take place within the 142 acre parcel owned by Cold Spring Granite described as follows: All that portion of the North 7/8 of the East 3/4 of the Northwest 1/4, Section 13, Township 12 S, Range 22 E, lying Southeasterly of Tollhouse Road in the County of Fresno, State of California. Reference U.S.G.S. 7.5 minute quadrangle map in Supplement D.

Cold Spring Granite is a family owned company that has been quarrying granite for 101 years. The Academy quarry was purchased in 1964 and is one of 34 active Cold Spring quarries.

AUG 29 2000

PLANNING & RESOURCE MANAGEMENT DEPARTMENT  
DEVELOPMENT SERVICES DIVISION

ENVIRONMENTAL DATA

REVISED COPY

Site Description:

The quarry operation is located on the top of a ridge on a parcel of land containing approximately 142 acres and is known as the Academy Black quarry. This site is located in the Western Sierra Nevada foothills Northeast of Fresno, California. The purpose of the stone quarry is to obtain blocks of a black granite for processing into dimension stone products. The basic activities involved in this operation include: the quarry process, wire sawing blocks into slabs for further processing at other location. ~~and waste rock (grout) crushing.~~ Some blocks quarried from this location are shipped to other locations for further processing.

The saws, maintenance area, and block yard are located on the North side of the quarry area in a valley. There are no streams that flow through this property and there are no natural lakes. The only surface water is a man made storm water retention pond. The area is surrounded mainly by farmland with some residences.

The existing land use of this parcel has been and is currently a dimension stone quarry. This quarry has been under Cold Spring Granite ownership and operation since 1964. The quarry was purchased from Superior Academy Granite Company, who owned and operated the quarry prior to the Cold Spring Granite purchase. Academy Black is in operation today, yielding a highly valued black granite to customers throughout the world. The quarry plan is to continue operations for the next 75 to 100 years.

The distance to one private residence, which is a farm dwelling, is 425 feet to the West from the property line, and 1,175 feet from the working quarry area. A second facility, a deserted ranch complex, is located 100 feet to the Southeast from the property line and 850 feet from the quarry area. A third residence, a house on a hill, is located 1,050 feet South of the property line and 1,800 feet from the quarry area. A fourth residence, another house on a knob, is located 1,400 feet North of the property line. Since C.U.P. #2477 was initiated in 1991, there have been no noise, dust or odor complaints from neighbors, we anticipate that this will not change as the quarry progresses under a new C.U.P.

Water Table Data:

There are two wells located on the property near the main gate. These wells are used to supply the operation with potable water, as well as process water. No information on the water table in these two wells can be located. There is a man-made retention pond on the North side of the property which collects stone cutting water and allows suspended solids to settle out before the water seeps back into the ground. The elevation of this pond is 595 feet above sea level. This pond is separate from the storm water collection pond. There are no natural bodies of water on this property and no streams flow through it.

The quarry is located on the crest of a ridge that is dry. There is no evidence of water seeping out of the rock in the quarry area. The grout pile is located in a depression/valley on the North side of the quarry area. A very limited water shed area drains through this valley and into the retention pond.



### Vegetation:

Reference Botanical Survey, dated May 10, 1991 (Supplement B) and Vegetative Community description, dated March 8, 1991 (Supplement C), both by John G. Stebbins. **Additional work to survey the expansion area done by Hartesveldt Ecological Consulting Services, dated June 16<sup>th</sup>. 2000 (Supplement E) in the latest submission.**

### Soil Description:

The Fallbrook series consists of well-drained to somewhat excessively drained soils that are moderately deep to weathered rock. These soils have a well developed subsoil. They formed in place from the weathering of quartz diorite that has a moderate content of dark minerals, principally pyroxenes and biotite.

The topography ranges from undulating land to very steep ridges, but it is typically hilly and in many places is studded with irregularly shaped outcrops of parent rock.

These soils are in the lower foothills in several large separate areas from the vicinity of Friant to the Tulare County line. They are mainly at elevations of 500 to 1,500 feet, but in some places on a few prominent hills south of Squaw Valley, they are as high as 2,000 feet. A few small areas are at even higher elevations on warm, open exposures of salient ridges southwest of the Miramonte Conservation Camp. According to elevation, average annual rainfall ranges from 14 to 18 inches and average annual temperature from 62 to 59 degrees F. The growing season ranges from about 200 days to 250 days. The natural vegetation consists of annual grasses and forbs, as well as open, uneven-aged stands of blue oak. The oak is absent at the lower elevations.

The surface layer is typically brown, neutral to slightly acid sandy loam about seven inches thick. The subsoil is mainly reddish-brown and brown sandy clay loam that is blocky and grades irregularly, into well-weathered quartz diorite at about 29 inches.

Water sources are limited in the area of these soils. Water for domestic use and for livestock is obtained from springs, intermittent small streams, and some wells that tap water stored in deeply weathered rock. Many of the small streams are blocked by earthen dams to retain some of the runoff in ponds for livestock and for recreational use. Sufficient water for irrigated commercial crops is generally not available locally.

The Fall brook soils are used almost entirely for range. Some small non-rocky areas having gentle slopes are used for dry-farmed barley or grain-hay production. With expansion of irrigation district systems, some of the lower lying areas of these soils that have gentle slopes are favorably located, climatically, and are suitable for citrus crops.

Representative profile in a natural area of hilly range-land on a west-facing slope of 25 percent, at an elevation of 1,015 feet, in an open stand of blue oak and interior live oaks having good ground cover of annual grasses and forbs. (S. of Squaw Valley on the E. side of Sand Creek Road,

approximately ½ mile S. of its junction with Ennis Road in the SE 1/4, SW 1/4 sec. 25, T. 14 S., R.25 E.):

- 01 - Very thin litter of dried and partly decomposed parts of annual grasses and forbs.
- All- 0 to 3 inches, brown (7.5 YR 5/4) sandy loam, dark brown (7.5 YR 3/4) when moist; non-sticky and non-plastic when wet; moderate, medium, granular structure; slightly hard when dry, friable when moist; abundant very fine roots; Many very fine and few fine interstitial pores; many worm holes; neutral (pH 7.0); abrupt, smooth lower boundary.
- A12 - 3 to 7 inches, sandy loam similar in color to A1 1 horizon; massive; hard when dry, friable when moist; non-sticky and non-plastic when wet; abundant very fine roots; occasional coarse roots; few fine and very fine tubular pores; many micro size interstitial pores; many worm holes; slightly acid (pH 6.5); clear, smooth lower boundary.
- B1 - 7 to 11 inches, heavy sandy loam similar in color to All and A12 horizons; massive; very hard when dry; friable when moist, very slightly sticky and non-plastic when wet; plentiful very fine roots, occasional coarse roots; few very fine and fine tubular pores; many worm holes; slightly acid (pH 6.5); clear, smooth lower boundary.
- B2lt - 11 to 20 inches, reddish-brown (5Y YR 4/3) sandy clay loam, dark reddish brown (5 YR 3/3) when moist; strong, medium, angular blocky structure; very hard when dry, fine when moist, slightly sticky and slightly plastic when wet; plentiful very fine roots, occasional coarse roots; many very fine and few fine tubular pores; moderately thick, continuous clay films on ped faces and in pores; slightly acid (pH 6.3); clear, smooth lower boundary.
- B22t - 20 to 29 inches, brown (7.5 YR 5/4 and 4/4) sandy clay loam, dark reddish brown (5 YR 3/3) when moist; massive to very weak coarse blocky structure; very hard when dry, friable when moist, slightly sticky and slightly plastic when wet; roots and pores similar to those in B21t horizon; moderately thick to thin, continuous clay films on ped faces and in pores; scattered fragments of weathered parent rock; slightly acid (pH 6.3); clear, irregular lower boundary.
- C - 29 inches +, weathered quartz diorite with reddish-brown clay films on fracture planes; grades variably with depth to unweathered parent rock.

The commonly brown (10 YR 5/3; 7.5 YR 5/4) dry color of the All and A12 horizons ranges to dark brown or strong brown in places (7.5 YR 4/4, 5/6). On some northerly slopes, the colors tend toward grayish brown (7.5 YR 5/2). Moist colors are dark brown (10 YR 3/3, 7.5 YR 3/4, 4/4) and in some places dark reddish brown (5 YR 3/3). Where slight erosion has occurred, the A1 1 horizon is generally redder than it is in other places. The texture is commonly sandy loam but ranges to coarse sandy loam. The A1 1 and A12 horizons are hard and massive, except in protected areas where the surface layer is thin and granular. When moist, the A horizon is friable and appears to have a weakly granular structure if disturbed. The thickness of the A horizon ranges from about 6 to 14 inches.

The transition to the B2t horizon is generally clear and through a B 1 horizon. Color of the B horizon is generally reddish brown (5 YR 4/4, 5/4), although the B 1 and lower B2t horizons are somewhat more brown (57.5 YR 5/4 or 4/4 in places). When moist, the B horizon is dark reddish brown (5 YR 3/3, 3/4); the B1 horizon is dark brown (7.5 YR 3/4). Structure of the B2t horizons range from weak to strong blocky. Texture is commonly sandy clay loam or clay loam but ranges to heavy sandy loam in places.

The profile is from neutral to slightly acid. The solum grades abruptly or clearly, with a wavy or irregular form, into the C horizon of weathered quartz diorite. The thickness of the solum ranges mainly from about 20 to 40 inches, but in places the solum is as thin as 12 inches. The C horizon grades to unweathered parent rock within a depth of as little as 2 feet to as much as 50 feet. Large unweathered, spheroidal boulders are generally enclosed in the ground mass of weathered rock and detached from the underlying unweathered rock.

A little more than half of the Fallbrook soils in this survey area have significant amounts of rock outcrops. Most of these rocky soils have less than 25 percent of the surface area occupied by outcrops, but some have between 25 and 50 percent of their surface area occupied.

Fallbrook very rocky sandy loam, 3 to 30 percent slopes (FcD). The profile of this soil is very similar to that described as typical for the series. A large area is located in the foothills near Academy. This soil is also east of Friant, northeast of Round Mountain, and in the vicinities of Citrus Cove and Squaw Valley. From about 2 to 25 percent of the surface of each area of soil is occupied by subrounded, irregular rock masses that generally are prominent. Only a few are low-lying. The rock masses range in diameter from about 2 to 30 feet and stand 3 to 15 feet in height. Most occur singly, but some are grouped in clusters. They have a dull-colored or gray appearance from lichen growths. On lichen-free surfaces there is a slight rusty discoloration in many places.

This soil is well drained. The permeability of the subsoil is moderately slow. Runoff is medium to rapid and variable from place to place because of the rock outcrops. The available water holding capacity is low to moderate, and the erosion hazard is slight to high. In places outcrops provide a natural terracing effect, thereby protecting small areas of the soil.

Small areas of Vista and Sesame soils were included with this soil in mapping. In swales or along small watercourses, areas of Hanford, Visalia, Chualar, and Hildreth soils were also included.

This soil is used mainly for grazing, to which it is well suited. The surface rockiness makes tillage difficult or impractical. Fertilization with nitrogen, and possibly phosphorus, for grasses, and sulfur to encourage legume growth, can greatly improve forage production during years of adequate rainfall. Fertilization also improves the palatability of forage. This soil constitutes significant parts if small watersheds in the foothills, and its rockiness affords some protective areas for small wildlife. The parent rock of this soil is quarried in the vicinity of Academy for dark granite monument or building stone. Capability unit Vis-1 (18); range site 6; natural land type E4; Storie index rating 37.

Fallbrook extremely rocky sandy loam, 30 to 45 percent slopes (FeE). This soil is similar to Fallbrook very rocky sandy loam, 3 to 30 percent slopes, but has a greater amount of surface rockiness and steeper slopes. Dark, irregularly shaped rock outcrops occupy from 25 to 50 percent of the surface of this soil. This soil is on steep prominent hills east of Academy.

The natural drainage is somewhat excessive. Runoff is rapid, and the hazard of erosion is high. The rockiness lowers the hazard of erosion somewhat by breaking up the runoff of moving surface water.

The rockiness significantly reduces the amount of forage, production, making this soil less suited to range. Fertilization to improve forage yields is impractical. The rockiness, however, provides a good area for wildlife refuge, and the soil has value as a segment of small watersheds. Capability unit Vlls-7 (17, 18); range site 10; natural land type E12; Storie index rating 9.

The groundwater elevation in the area is unknown for the most part. There are two wells near the entrance to the property. No information on the water table from the two wells can be located.

Surface water consists of runoff from natural precipitation through a couple of valleys. The one to the North has a very limited watershed and will be filled in with non-usable stone. The future water in this area will flow over and into the grout pile and out to the North. The other valley is on the South side and flows to the West.

### **General Geology of Area:**

The following text was taken from a paper on the Academy Pluton by Dr. Seymor Mack, Mr. Jason B. Saleeby and Mr. John E. Farrell. The paper was published in April, 1979.

Introduction: The Academy Pluton is located in the western Sierra Nevada foothills northeast of Fresno, California. It cuts the northern end of the Kings-Kaweah ophiolite belt, which forms a 125-km-long northwest-trending zone of highly deformed mafic and ultramafic country rocks between the Kings and Tule Rivers of the foothills region (Saleeby, 1975, 1976a, 1976b). The

Academy Pluton is one of a number of Jurassic and Early Cretaceous plutons which have intruded and metamorphosed the ophiolitic rocks; these crosscutting plutons form the western margin of the Sierra Nevada Batholith in the latitude of the Kings-Kaweah ophiolite belt. They range in composition from olivine-hornblende melagabbro to hornblende-biotite granodiorite, and many of them appear to have been preferentially emplaced into the structurally weakened zone provided by the disrupted ophiolite belt (Saleeby, 1975, 1976b).

The Academy Pluton is one of the most complexly zoned plutons in the western Sierra Nevada. The earliest reference to the pluton was by Macdonald (1941), who described the pluton as being composed of hypersthene-bearing quartz diorite. His map showed an indefinite contact between hypersthene-bearing quartz diorite and surrounding pyroxene-free quartz diorite and tonalite. The present investigation has established that pyroxene-free quartz diorite and tonalite lying peripherally to the north and east of the Academy Pluton, but tonalite south of the pluton cuts across the

Academy structure and thus represents a later magmatic episode.

General features of the Academy Pluton and Surrounding Rocks: The Academy Pluton lies in the western foothills of the central Sierra Nevada, partially covered on the southwest by sediments of the San Joaquin Valley. The pluton is sickle-shaped in plan, covering an area of about 155 km. In maximum dimensions, it traverses about 21 km in a north-south direction and about 19 km in an east west dimension; the westward-trending horn of the sickle peters out in the vicinity of Dry Creek Reservoir, and the southern stalk of the intrusive extends to near the Kings River, where it is overlapped by alluvial and terrace deposits.

If the pluton is approached from the southwest along Highway 168, the bowl-like setting into which it has been emplaced becomes strikingly apparent. Metamorphic rocks surrounding the pluton have been bowed out strongly, particularly to the east and northeast, in response to the magma having shouldered itself into position at the exposed level of erosion. A distinct topographic break separates the Academy Pluton from encircling metamorphic rocks, which rise sharply above the pluton. The topographic relief of the pluton is on the order of 430m. The lowest elevation, about 200m, is encountered near its southern margin, and the highest elevation of 615m is found near the eastern margin. The average elevation of the pluton is about 300 m. The Academy Pluton consists of a series of contiguous arcuate zones of intrusive igneous rock which lies nested against each other with concave margins directed to the south and west. These margins mimic the contact with the enveloping metamorphic and igneous country rock. The most basic rocks, predominantly hornblende quartz norite, occupy the southwest part of the pluton, and these are partly encircled on the north and east by progressively more silicic rocks, ranging from hypersthene-hornblende quartz diorite to biotite-hornblende tonalite.

In general, the rocks of the pluton are darkest in the innermost southwest noritic segment and become progressively lighter toward the tonalite margin. However, within the various segments of the pluton, rocks may display a heterogeneous appearance due to local variations in color, grain size, and in modal proportions of constituent minerals. Part of the heterogeneity, particularly with respect to color, is due to the presence of inclusions of different units of the

pluton in other segments of the intrusion. This is particularly true of the hypersthene quartz diorite unit of the pluton which displays a bewildering range of rock types, due not only to a facies change within the unit, but also to an abundance of inclusions from other units.

On its eastern boundary, the Academy Pluton is directly in contact with a narrow zone of serpentinite-matrix melange which contains numerous exotic blocks of metabasalt plus a lesser number of blocks consisting of metagabbro and chert. The serpentinite-matrix melange forms part of the Kings-Kaweah ophiolite belt described by Saleeby (1975a). The melange matrix has been metamorphosed by the Academy Pluton to talc-antigorite schist; the melange blocks have been metamorphosed to amphibolite and quartzite. Foliations in the wall rocks wrap concordantly around the northeastern margin of the Academy Pluton. East of the serpentinite melange wall rocks in the Kings River area, a complete ophiolite sequence is found disrupted into four large tectonic slabs which range up to 17.5 km in length. The slabs are each separated by shear zones composed of tectonically broken and mixed ophiolitic material and by cross-cutting plutonic rocks. The rocks of

the ophiolite sequence have been contact-metamorphosed penetratively in the hornblende hornfels facies. The area immediately west of the pluton (Owens Mountain area) has been investigated only in reconnaissance fashion (Macdonald, 1941; this report). It appears to be underlain principally by recrystallized metabasaltic flows and tuffs intercalated with felsic tuffaceous and polytuff layers. These wall rocks appear to show concordant contact relations with the Academy Pluton.

A prominent series of hornblende gabbro bodies trend northwest-southeast through the Academy region in a well-defined linear pattern extending from Round Mountain-Coyote Ridge to the northern part of the mapped area. These gabbroic rocks appear to have once been the continuous southwestern wall of the Academy Pluton, which has since been disrupted along with the original contact by post-Academy intrusions. Geophysical investigations indicate that the gabbroic rocks extends for a considerable distance south of the Academy Pluton. The Academy Pluton and the post-Academy intrusions have disrupted the gravity and magnetic anomalies related to the belt of gabbros (Saleeby, 1975a, 1975b).

### **Detailed Description of Area:**

The Academy Quarry is located within the "Quartz Norite Unit". This text was also taken from Dr. Seymour Mack's paper.

Quartz Norite Unit: The rocks within this unit have a medium-grained hypidiomorphic granular texture. Hornblende quartz norite is the most abundant rock type, but lesser amounts of hypersthene-hornblende quartz diorite, hornblende norite, and hypersthene-hornblende diorite are also present. Variations from one rock type to another usually occur because of only minor changes in anorthite content of plagioclase and in the percentage of quartz. The average modal composition of the unit corresponds to a hornblende quartz norite. Mafic minerals rarely exceed 40% and usually average about 35% of total mineral content.

Plagioclase is the most abundant mineral in the unit. It occurs in anhedral to subhedral lath-like grains, averaging between 1 and 2 mm in length. Most grains are polysynthetically twinned according to the albite law, and some are also twinned according to the pericline and albite-Carlsbad laws. Many grains are compositionally zoned; the overall pattern of zones is progressive from calcic core to sodic rim upon which may be superimposed several oscillatory zones. Anorthite content shows a small average decline of about 7% from core to margin in zoned crystals.

Hypersthene and augite commonly coexist in this unit. Augite is sparingly present, if at all, and usually makes up no more than 2% to 3% of the rock. Hypersthene is a ubiquitous constituent of all rocks within the quartz norite unit, averaging about 13% of total minerals, and exceeding 20% in some samples. Hypersthene occurs as anhedral to subhedral elongate grains whose boundaries are frequently rounded and indented by resorption. Coronas of cummingtonite, hornblende, or biotite are commonly found around hypersthene. Most hypersthene grains range from 1 to 3 mm in length, but occasional grains of 4 and 5 mm are found. The mineral shows a characteristic pleochroic range from pale red (X) to pale yellow (Y) to pale blue green (Z). An optical analysis of 37 samples from this zone indicates an average hypersthene composition of En56. Optical axial angles and NY values of hypersthene are reasonably consistent, indicating a general areal uniformity of

composition.

Hornblende and biotite are believed to have developed under magmatic conditions, but there is compelling textural evidence to indicate that most cummingtonite in the pluton is of subsolidus origin. Cummingtonite and enclosing hornblende corona are invariably observed to be homaxial; cleavages extend through both phases, and extinction is very nearly simultaneous. Cummingtonite is faintly pleochroic from colorless to very pale green. It occasionally has a fibrous habit and in a few cases where late-stage activity has either completely or almost completely replaced hypersthene by cummingtonite, minute needle-like slivers and granules of iron oxide are interlaced with cummingtonite fibers.

Inclusions of cummingtonite within hornblende occasionally contain small vermicular quartz blebs. The vermicular quartz and the iron oxide are undoubtedly products of the chemical readjustment required to alter hypersthene to cummingtonite.

Hornblende is the most abundant mafic component of the quartz norite unit, averaging about 16% of total minerals. It is found in a variety of textural situations, most commonly, it forms anhedral poikilitic grains that enclose all primary mineral phases. These grains frequently have thin web-like extensions that fill interstices between plagioclase. As discussed previously, hornblende is also commonly found in a reaction relationship with hypersthene and similarly with augite where present. The maximum observed diameter of hornblende within this unit is 4.6 mm. The pleochroism of hornblende varies from pale yellow (X) to olive green (Y), to olive green (Z).

Biotite in the quartz norite unit is pleochroic from pale yellow (X) to dark reddish brown (Y=Z). It most frequently occurs as small anhedral grains less than 0.25 mm long adjacent to pyroxene or opaque grains.

Large flakes are found as coronas of pyroxene or as mantles on hornblende. Throughout most of the unit, biotite generally comprises less than 3% of total mineral content, and over a substantial part of the area, it is present only in trace amounts. The generally low modal percentage of biotite, along with an average plagioclase composition approaching An<sub>50</sub>, plus the presence of hypersthene, serves to distinguish this part of the pluton.

Quartz occurs as anhedral grains, interstitial to plagioclase and pyroxene and has an average grain size of 0.4 mm. Modal distribution of quartz averages about 6% and exceeds 10% in only a few areas of the quartz norite unit.

Magnetite and ilmenite are present in amounts averaging about 2% of total mineral content. Grains are invariably rounded and irregular and are generally less than 1mm in diameter. They occur as inclusions within poikilitic hornblende and biotite and also in pyroxenes and less commonly in plagioclase. Accessory minerals include apatite, zircon, rutile, hematite, and sphere. Of these, apatite in the form of euhedral to subhedral grains is clearly the most abundant phase.

The average chemical composition is equivalent to a basaltic andesite. Saleeby has obtained a zircon Pb-U date of 120 + or - 1 m.y. from a sample of quartz norite from this unit.

### Ground Water:

The ground water in the area is capable of producing 10,000 gallons per day, although only 3,000 g.p.d. is used, via the two wells on the property. This occurs five days each week. The water has been tested and is safe for drinking by humans. There is no surface water on the property other than what falls through natural precipitation and the retention pond.

### MINING PLAN

The nature of this operation is to quarry dimension stone granite in the form of blocks and cut some of the blocks into slabs. The Academy Quarry is what the industry calls a boulder quarry. The granite was initially deposited as a large intrusive mass of molten rock. From there it cooled to solid form. Some time later it was fractured and intruded by quartz and feldspar dikes that exist today. Millions of years of weathering caused some of the granite adjacent to the joints and cracks to decompose into a crumbly material with the consistency of very coarse sand and gravel. Today competent granite lies interspersed within the decomposed granite, in the form of large boulders. This operation removes the overburden and decomposed granite to isolate the boulders. This work is done using a large front-end loader and a back-hoe. Some explosives are used to gently dislodge the boulders from their resting place. The boulders are then cut into manageable blocks by drilling one or two holes in the block, scoring the side of the drill holes with a special bit and loading the holes with black powder. This explosive is then set off to split the stone. The large blocks are then pulled over on their side using the loader, and additional holes are drilled to cut the block again. When the piece is small enough, the loader picks the block up and hauls it down to the yard and saw area.

The blocks are washed with water in the block yard and inspected for flaws. Some of the blocks will be placed in the gantry saw where non-useable corners are cut off. Others are placed in the ten-wire saw, or diamond wire saw and cut into slabs. Slab width varies in thickness depending on the method used to saw them, they are generally 1 inch to 6 inches thick. A portion of the blocks are shipped to other plants around the country for similar processing.

The wire saw uses a long piece of twisted wire that is pulled over the rock. The top of the rock is flooded with a mixture of water, silicon carbide and stone dust from previous cuttings. The water allows the silicon carbide to flow into the cut, the wire pulls it through the cut and the silicon carbide actually cuts the stone. The discharge mixture is recycled by running it through a cyclone separator where the larger particles of silicon carbide are recovered and used again. The small particles of silicon carbide, stone dust and water are discharged into the non-useable stone pile and eventually into the retention pond. This method of sawing will be phased out as the saws fail.

Diamond wire saws will replace the wire saws through attrition. Diamond wire saws use cables that have industrial grade diamond impregnated beads attached to them, and water to cut granite. The cable is dragged through the block and makes the cut. Water is used as a cutting aid or lubricant. The water used in this process will be recycled in a closed-loop system. The granite fines will settle out in a settling tank and the water will be recycled back to the saw. The stone dust will be removed from the tank and used as grout pile fill or mixed with topsoil for reclamation purposes.



Other equipment on site includes a stiff-leg derrick that is used to set the blocks onto the saw trucks and load blocks on trailers for transportation out of the area. A compressor provides air for various tools. Buildings include a main repair shop that houses tools and repair parts, an office/lunch room building, a restroom, three explosive magazines, and some structures around the saws, etc.

The type of mining employed is unique as compared to most other types of mining. The useable stone/boulders, must be uncovered using heavy equipment and some explosives. The waste material is transported to storage piles using a large front end loader and off-road haul trucks.

The quarry plan is to work the area down in 30 foot benches to expose the boulders. Since the boulders are not aligned with any specific order, the benches are not nice, flat, surfaces as one encounters in other granite quarries or other types of mining. Quartz and feldspar dikes cut through the quarry on approximately a 45 degree angle. These must also be worked around and removed from time to time. These dikes are not real stable and must not be allowed to reach extended heights where they have a potential to buckle and form a landslide which could injure personnel in the area.

During the course of the quarrying operation, all topsoil is to be removed and if it cannot be placed for immediate reclamation purposes, it will be taken to the soil storage area to the east of the shop buildings. As progress of the quarrying operation dictates and certain areas become available, some areas of the quarry may be used for short term soil storage. This will avoid the added cost of hauling all the way to the long term storage pile only to be hauled back a short time later.

The final limit of the quarry against the hill is designed to have 20 and 30 foot high terraces with slopes between that are no greater than 1 1/2 to 1. Most of the slopes are flatter. With the exception of protruding boulders which may be encountered during excavation, the slopes and flats will be covered with decomposed granite, which acts as soil. For the most part, the stripped slope and bench areas will be suitable for revegetation as is after excavation. Topsoil will be added as needed to meet the requirements as set forth in the reclamation plan.

The quarrying operation has been divided into 2 phases, each phase being approximately 10 years. The following is a description of each phase as the quarrying operation progresses. Due to the random nature of the rock formation within the quarry, quarry layout at future dates is quite unpredictable. Therefore, the phase drawings should be considered as general direction guidelines to meet the criteria set forth in the Conditional Use Permit.

#### **PHASE I (Figure 6) (Details P-0050-b):**

During Phase I the quarry will be worked in various areas between the elevations of 880 feet and 715 feet, covering approximately 17.5 acres. Work between 910 feet and 820 feet is already in progress, following the sequencing plan laid out under our current C.U.P. #2477. It is estimated that Phase I will take approximately ten years to complete. At the end of this period four benches will be completed, one at 880 feet, 850 feet, 820 feet and 790 feet. The benches will generally follow the face of the hillside arcing from the south east section of the property line to the north east section of the same line. These end of bench elevations will be tied into elevations of the natural hill side giving the reclaimed benches a more natural appearance. Quarry operations will stay at least 25 feet

away from any property line at all times, and 50 feet from roadways. Revegetation will be performed as it has been under C.U.P. #2477. As soon as a bench has been completed and operations will not disturb the area, reclamation will be initiated.

**PHASE II (Figure 6) (Details P-0050-b):**

This phase will bring quarry operations down to the 715 foot elevation or yard level, covering 29 acres. This phase will take approximately 10 years to complete. The 30 foot cut at the 760 foot elevation will continue to follow the pattern of the preceding benches, curving around the natural hill side. The final elevation under the new C.U.P. would be 715 feet. This will bring quarry operations down to the same level as the office/shop and sawing operations. A plateau will be created at 715 feet from which future quarrying would continue with the granting of a third C.U.P. at the expiration of the second. The 760 foot bench and the adjacent slope to 715 feet are available for immediate revegetation. The plateau at 715 feet will be reclaimed immediately upon completion, unless quarry operations are extended under another C.U.P.. If another permit is granted, quarry operations would continue in the same 30 foot benching pattern as in the previous permits. See ~~figure 3~~ **Phase II Details P-0050-c** for the final site after closure plan upon termination of the operation.

The use of randomly placed, natural-looking rough backs on the flat terraces will help to blend the engineered terraces into the surrounding terrain and help to warn and/or slow down off-road vehicles that may enter the property.

The roads needed for this quarry operation exist today. The road leading down from the quarry to the shop and grout pile area may be improved in the future by widening it and reducing the slope. All other road areas will be constructed within the quarry area and on top of the grout pile area.

**Anticipated quantity and type of material:**

The material to be mined is a granite identified as Quartz Norite by Dr. Seymour Mack of California State University in Fresno, California. The main constituents are 50 percent Anorthite Feldspar, 16 percent Hornblende, 6 percent Quartz, 19 percent mafic minerals, 9 percent other minerals.

~~Figure 2~~ **Original & Existing Contours P-0050-a** represents a contour plan of the quarry and grout pile as it was in 1998. ~~Figure 3~~ **Phase II Details P-0050-c** represents the final configuration of the mining operation at the end of the proposed 20-year mining term in the year 2020. The final quarry configuration was developed in such a way that a natural ridge to the south of the quarry was left in place as a visual screen. The ridge runs east to west along the entire southern border of Raymond Granite property. The ridge ranges in elevation from 750 feet to 815 feet, thereby acting as an effective visual barrier to neighbors and also to motorists traveling along Highway 168. The high wall on the east side of the pit has been designed as a series of benches at 30-foot intervals with 2:1 side slopes on each face.

The total volume of the mined material between the contours in ~~Figures 2 and 3~~ **Phase I & II Reclamation Limit P-0050-d** is approximately 67,000,000 cubic feet. This volume includes useable product, as well as waste materials. At 7% useable rock, the waste volume is 62,310,000 cubic feet. **No beneficial use for the waste product is being considered.** ~~A beneficial use for the waste product is being researched and may be pursued at a later time, if enough interest is generated from various construction companies to crush the grout for aggregate. With the various road projects in the area, the grout created from quarrying could be a good source of raw material for crushing operations.~~

It is estimated that 20 percent of the mined materials will consist of fines, 20 percent will consist of rough backs (i.e., those pieces of rock blasted off the ends of the larger boulders), and the remaining 60 percent will be mixed materials.

#### **Storage of waste rock (grout):**

The options for handling the grout are: long term storage onsite in grout piles or have contractors haul the grout offsite as is. Any grout piles remaining onsite will be reclaimed as per the reclamation plan.

If grout is not hauled off site, then two grout piles will be needed to store grout in. The first pile would be located in the south east corner of the property. It would tie into the upper benches of the active quarry and to a natural ridge running along the southern border of the property. This pile would top out at the 910 foot bench, as is seen in **figure 8 Phase II Details P-0050-c**. This grout pile would serve as a visual and noise barrier to the private residences located to the south and east of the quarry. The location of this grout pile allows operators to store grout closer to the working area of the quarry, saving time and alleviating long, downhill hauling. This grout pile would contain approximately 28 million cubic feet of grout and would be completed as phase 1 is completed.

The second grout pile would be constructed parallel to Highway 168, with a setback of 50 feet. This pile would tie into the natural ridge on the southern border of the property. Along with providing a grout storage area, it would also act as a visual barrier to neighbors and motorists. The pile would be approximately 1700' long x 300' wide at the base and 100' high. The pile would be constructed in layers, 3 in all. Each layer would be 30 to 35 feet high and set back from the previous layer by 25 feet. The benches created by the setbacks would be reclaimed as the benches in the quarry are planned to be with natural grasses and trees. The side slopes of both piles would be 1.5 to 1, which we have found to be the natural repose of constructed grout piles. The volume of grout this pile will hold is approximately 35,000,000 cubic feet. This pile will take approximately 10 years to complete. Please see **fig-9 Phase II Details P-0050-c**.

#### **Topsoil Storage:**

Stripped topsoil will be stockpiled for later use during reclamation. Based on the thicknesses of topsoil obtained from the test pit investigation performed in 1991, it is estimated that 1,000,000 cubic feet of topsoil will be available for stripping. The stockpile will be developed to the east and

northeast of the office building on site.

The topsoil, stripped from quarry areas which cannot be immediately used for reclamation and revegetation purposes will be stored at the soil storage areas to the east and northeast of the shop buildings. The capacity of the storage pile will be approximately 750,000 ft<sup>3</sup> at a height of 20 feet (740 top elevation) and 1.5 to 1 side slopes.

**Dates of initiation and termination:**

The operation has been in progress since 1964 when the quarry was purchased from Superior Academy Granite Company and it existed before that time. It is operating today and expected to continue in operation for the next 75 to 100 years.

To accommodate the needs of this application, and to build on the previous C.U.P. #2477, an area of the quarry has been defined to provide sufficient material for approximately 20 years of operation based on 13,000 cubic yards (350,000 cubic feet) of net useable stone per year. The termination date for this quarry is listed as the year 2020. The company expects to modify this quarry and reclamation plan in approximately 18 years and amend these permit conditions to fit future projections and anticipated needs at that time.

**Maximum anticipated depth:**

The 20 year quarry plan excavates material from the side of a hill. The top elevation is approximately 940 feet and we anticipate working down to the 715 foot level.

The quartz-feldspar dikes, decomposed granite and non-useable stone accumulated under the initial C.U.P. #2477 has been placed in a large pile adjacent to the quarry area. The sides of these piles will be covered with soil, vegetated and planted with trees and shrubs to make the pile blend in with the surrounding terrain.

**Site Location Description:**

This parcel contains 142 acres more or less and is described as follows: All that portion of the North 7/8 of the East 3/4 of the Northwest 1/4, Section 13, Township 12, Range 22, lying Southeasterly of Tollhouse Road in the County of Fresno, State of California. Reference U.S.G.S. 7.5 minute quadrangle map in Supplement D.

The following maps have been prepared as part of this application:

**Drawings:**

- Fig. 1 Vicinity Map, Scale 1/4" - 8800' and 2 1/2" 1 mile
- Fig. 2 Site plan map (current conditions) Scale 1" - 150'
- Fig. 3 Final Quarry Operations Topography 1" - 150'

- Fig. 4 — Sections showing original and final topography
- Fig. 5 — Sections through: Grout pile 1, Grout pile 2 and Benches
- Fig. 6 — Phase I and II sequencing
- Fig. 7 — Site plan of plant area
- Fig. 8 — Storm water Runoff Plan
- Fig. 9 — Grout pile #1
- Fig. 10 — Grout pile #2

| MAP DESCRIPTION  | DRAWING NUMBER |
|--|----------------|
| ACADEMY BLACK QUARRY - ORIGINAL AND EXISTING CONTOURS  | P-0050-a       |
| ACADEMY BLACK QUARRY - PHASE I DETAILS                 | P-0050-b       |
| ACADEMY BLACK QUARRY - PHASE II DETAILS                | P-0050-c       |
| ACADEMY BLACK QUARRY - PHASE I & II, RECLAMATION LIMIT | P-0050-d       |
| ACADEMY BLACK QUARRY - STORM WATER DRAINAGE            | P-0050-e       |
| ACADEMY BLACK QUARRY - CROSS-SECTIONS A-A' THRU F-F'   | P-0050-f       |

For the purpose of this permit application, a quarry plan of 20 years has been laid out. All the details necessary for final closure have been included to demonstrate Cold Spring Granite Company's commitment to an effective reclamation plan. The plans also show an expanded quarry area that has the same potential as the current plan area. It is anticipated that in approximately 18 years, a new plan will be developed with an application submitted for approval.

**Number of customers or visitors:**

There are no customers that come to this quarry on a regular basis. Occasionally, a party of customers may be brought to the quarry to show them where the stone comes from and how the quarry looks. This may occur five times each year and consist of 2 to 10 people. Visitors may include 1 to 2 company people once each week for approximately a one hour visit. Both groups would arrive between 8 a.m. and 4 p.m.

**Number of employees and hours of operation:**

The operation currently employs 12 people. In the future, it is anticipated that 20 people may be employed. All blasting shall be limited to between 7:00 a.m. and 5:00 p.m., Monday through Friday, and other quarrying operations between 7:00 a.m. and 5:00 p.m. Monday through Saturday. The wire saw personnel operate on two shifts that run from 7 a.m. to 5 p.m. and from 5 p.m. to 3 a.m. These hours may be extended to 12 hour shifts (24 hrs/day, Monday through Saturday) when production demands dictate. There is no caretaker that lives on site at any time.

**Service and delivery vehicles:**

Approximately 40 trucks per week would arrive between 8 a.m. and 5 p.m. to deliver supplies or

pick up granite for shipment to other locations. Thirty-two of these trucks would be semi tractor-trailers, the other eight would be smaller delivery type vehicles.

**Dust control:**

Dust will be controlled by means of a tank truck. The truck sprays water on all dirt roadways and in and around the yard area as needed.

**Number of parking spaces and type of surface:**

There are 20 parking spaces provided for employees and visitors in a parking lot that is surfaced with decomposed granite. Delivery vehicles would unload their merchandise at the appropriate location within the quarry site. Tractor-trailers arriving to pick up granite blocks and slabs have two positions where they can be loaded by the derrick. There is ample parking area around the block yard for two or more semi-trucks to park and wait their turn to be loaded. Tractor-trailers can also be loaded in the block storage yard by the front-end loader. A paved access road leads into the block yard from the adjacent highway. Use of the access road is limited to only quarry operational related use.

**Any goods to be sold on-site:**

There are no goods sold to the public at this location.

**Equipment Used:**

The following equipment is used in the quarrying process:

- \* Two large front end loaders with a removable bucket. A special set of forks and a boom have been designed for quick attachment and use in the quarry operation.
- \* A stiff leg derrick including a hoisting mechanism used to load and unload the saws and load semi-trucks.
- \* Three gantry saws used to square up blocks.
- \* A ten-wire saw used to cut blocks into slabs, to be replaced by two five-wire diamond wire saws.
- \* An air compressor used to provide air to various pneumatic tools.
- \* A tank truck used to apply water to the road and quarry surfaces to control dust.
- \* A backhoe used to excavate decomposed granite and strip overburden.
- \* A tractor drill used to drill holes in the stone.
- \* A large off-the-road dump truck used to haul non-useable stone and decomposed granite to the stockpile site.
- \* Numerous other tools including pneumatic jack-hammers, welders, steam cleaner, hand tools, and pickup trucks.

### **What supplies or materials are used and how are they stored?**

The following materials are used at this operation:

- Explosives, including black powder, fuse and ANFO (ammonium nitrate and fuel oil). These products are stored in locked steel or concrete block buildings called magazines.
- Silicon carbide used in the wire saws is stored in bags or boxes in a sheltered area adjacent to the wire saws.
- Wire for the wire saw comes on spools and is stored in the open, adjacent to the wire-changer rack by the wire saws.
- Drill steel for drilling holes in the granite is stored in the quarry area on a rack.
- Fuel oil is delivered by bulk truck and stored in two large tanks in the quarry area.
- Gasoline is delivered by bulk truck and stored in a large tank in the quarry area.
- Drill bits, hand tools, parts, lubricants, etc., are stored in the maintenance building.

### **Does the use cause an unsightly appearance?**

The operation generates some noise as follows:

- Heavy equipment such as the loaders, grout truck and back-hoe, produce engine noise typical of all heavy equipment including the back-up alarms.
- Blasting produces noise which ranges from a very muffled thud to a fairly loud bang.
- Pneumatic jack-hammers produce noise typical of rapid cycling air piston.
- Tractor drills produce a different vibration resulting from the rapid blows of a hydraulic hammer hitting the steel. At a distance, this will sound like a buzzing noise.
- The wheels of the wire saw produce a low humming sound.
- The air compressor produces a buzzing sound.

The distance to one private residence, which is a farm dwelling, is 425 feet to the West from the property line, and 1,175 feet from the working quarry area. Another is a deserted residence, part of a ranch complex, is located 100 feet to the Southeast from the property line, and 850 feet from the quarry area. A third residence, a house on a hill, is located 1,050 feet South of the property line and 1,800 feet from the Quarry area. A fourth residence, another house on a knob, is located 1,400 feet North of the property line. Based on these distances, none of the noise sources are expected to present a problem with the neighbors. In the 8 years of quarry operation under the current permit, there have been no complaints from neighbors on noise, odor or any other issue.

The operation has twelve lights that are directed at the wire saw operating area where work occurs during the night hours. These lights are directed towards the working area and are far from the highway and other buildings in the area that no problem exists with glare.

The operating area is covered with decomposed granite which produces dust as heavy equipment operates on it. To control this dust, water is applied from a tank truck to appropriate quarry and road areas as conditions dictate.

The hydraulic drills on the tractor drills produce dust which is collected in a plastic bag by a special cyclone system. The same type of system is used with the pneumatic jack hammers.

The only odor produced by this operation is from exhaust combustion products of the heavy equipment and gaseous products of explosive detonation. The equipment does not run continuously and there is not a lot of it, thus the concentration of exhaust products is minimal. Blasting is done several times a day and produces one puff of combustion products that dissipates very quickly.

**List any solid or liquid wastes to be produced:**

There are five sources of waste generated by this operation as follows:

- \* Decomposed granite must be removed from around the boulders for the operation to continue. Included in this material is some non-useable stone, overburden and pieces removed in the sawing process. This material amounts to approximately 220 cubic yards of per day and is transported to the storage pile by off-the-road haul truck or front-end loader on a daily basis.
- \* Stone dust created in the sawing process along with fine silicon carbide. This material amounts to approximately two cubic yards per day and is transported in slurry form by the water to the storage pile.
- \* Water used in the sawing process. Approximately 3,000 gallons of water is used each working day and is discharged into the storage pile. From there it drains down into a holding pond where it seeps into the ground or evaporates.
- \* Lunchroom wrappers, cardboard, and other miscellaneous wastes amounting to 2.25 cubic yards each week are generated and disposed of by being picked up by a local refuse hauler. Rubber tires, worn out wire from the wire saws, equipment batteries, and used lubricants are recycled or disposed of through salvage firms in the area.
- \* Sanitary wastes from the employees is disposed of in a private septic system.

**Estimated volume of water to be used:**

The current wire saws and domestic uses require approximately 3,000 gallons of water each day of operation. This water is obtained from two wells near the entrance of the property. It is tested periodically and passes quality standards for human consumption. The water is pumped by conventional pumps from the wells and through pipes to the working area near the saws. After the water is used, it is discharged into the grout pile where it drops its loads of suspended solids and flows to the man-made pond. The remaining suspended solids settle out and the water seeps back into the ground. There are no chemicals added in the cutting process. When the diamond wire saws are installed, they will require less water for operation because the process water will be re-circulated in a closed-loop system. Granite fines will be settled out in a series of holding tanks, when the tanks fill with solids, they will be cleaned out. The material removed from the tanks will



be placed in the grout piles as fill. Diamond wire sawing also uses no chemicals in the process of cutting granite. At this point the retention pond is anticipated to become a dry basin, becoming wet only during rain events.

**Water Table Data:**

There are two wells located on the property near the main gate. These wells are used to supply the operation with potable water, as well as process water. No information on the water table in these two wells can be located. There is a man-made retention pond on the North side of the property which collects stone cutting water and allows suspended solids to settle out before the water seeps back into the ground. The elevation of this pond is 595 feet above sea level. This pond is separate from the storm water collection pond. There are no natural bodies of water on this property and no streams flow through it.

The quarry is located on the crest of a ridge that is dry. There is no evidence of water seeping out of the rock in the quarry area. The grout pile is located in a depression/valley on the North side of the quarry area. A very limited water shed area drains through this valley and into the retention pond.

**Describe any proposed advertising:**

The only advertising is a small sign, approximately 2 feet by 3 feet, located next to the entrance road that identifies the company name of the operation and some restrictions that are enforced on the property such as "Safety Equipment Required" and "No Tobacco Products Allowed." There is no artificial lighting connected with this sign.

**Will existing buildings be used. or will new be constructed?**

The existing buildings will be used for the operation and described as follows:

- Maintenance Building .This structure is a wood frame building covered with corrugated sheet metal and is approximately 70 feet long by 33 feet wide by 24 feet high. It is silver in color and has a tool/store room in one corner.
- Office/lunchroom .This structure is a metal building that contains a small office on the left and a lunch room on the right. It is approximately 24 feet long by 16 feet wide by 11 feet high and is blue in color.
- Restroom facility .This structure is constructed of concrete block and is approximately 10 feet by 10 feet by 9 feet high and is gray in color.
- Explosive magazine .This structure is constructed of concrete block and is approximately 5 feet by 5 feet by 8 feet high and is gray in color.
- Electrical shelter .This is a wood frame structure covered with corrugated sheet metal. It is approximately 9 feet wide by 18 feet long by 11 feet high and is silver in color.
- Ten wire saw building .This is a metal structure that houses the 10 wire saw and it is approximately 12 feet wide by 33 feet long by 24 feet high. It is gray in color due to cut stone fragments on the outside from the sawing operation.

- \* Saw operators building .This is a wood frame structure covered with corrugated sheet metal and is gray in color. It is approximately 4 feet wide by 21 feet long by 9 feet high and is used by the saw operators to keep records, tools and supplies as well as a place to get out of the elements.
- \* Electrical shelters .There are three more electrical shelters which protect electrical switches and controls from rain. These structures are wood frame with some corrugated sheet metal on the exterior and a roof of corrugated sheet metal. They are not completely enclosed structures and are gray in color. They are approximately 1 foot wide by 6 feet long by 8 feet high.
- \* Hoist house .This is a wood frame structure covered with corrugated sheet metal. The two ends are open and provide shelter for the hoisting mechanism and hoist operator. It is approximately 18 feet wide by 24 feet long by 14 feet high.
- \* Explosive magazines .There are two explosive magazines which are approximately 6 feet on a side and made of steel. These buildings are partially buried on top of the hill in the quarry area and have the exposed areas painted red.

**Other structures include the following:**

- \* Overhead crane which is used to unload cut stone from the saw trucks, load and unload stone and supplies on semi-tractor trailers, and lift items for repair and maintenance. This crane is 42 feet wide by 150 feet long by 16 feet high. It is painted green and made of steel.
- \* A stiff-leg derrick used to set blocks of granite on saw trucks and load blocks on tractor-trailers for shipment to other sites. The derrick has two legs which extend a distance of 60 feet from the mast center point, the mast is 85 feet high with a boom that is 135 feet long. It is painted silver and made of steel.
- \* A gantry wire saw used to cut non-usable pieces off mill blocks. This structure Consists of two moveable towers for positioning the wire at the proper location. They move on two tracks that are 60 feet long. The towers are each about 6 feet wide by 30 feet across and 25 feet high. The structure is painted green and made of steel.
- \* A tail-end for the wire saws. This structure is designed to tension the wires and take up the slack as the blocks are cut. It is located approximately 800 feet to the West-Southwest of the saw area. It is made of steel and is 10 feet wide by 30 feet long by 15 feet high and is painted green.
- \* A wire saw used to trim blocks. It is 12 feet wide by 30 feet long by 15 feet high, made of steel and painted green.
- \* There are some other structures which have wheels attached that guide the wire for the saws. They are all part of the saw equipment and are not individually identified.
- A containment structure for lubricants and fuels should a tank begin to leak, located on the East side of the shop area. This basin structure is 30 feet on a side and constructed of poured concrete, designed to contain all contaminants which might leak from their bulk storage vessels.

**Item 2 – Deel Letter:** Assessors Parcel Number 150-140-06 has no single family residence on site. This structure was demolished in 1968. The two residences, a livestock shade, two shop buildings and a trailer are present on Assessors Parcel Number 150-140-55. Today the following structures exist: two residences (one structure), a livestock shade and a shed (shop building). These structures are shown on the site plan map identified as ACADEMY BLACK QUARRY - ORIGINAL & EXISTING CONTOURS, Drawing No. P-0050-a. The other buildings noted in you letter were gone when Cold Spring Granite Company purchased the property.

The two residences are in a single structure which is now being used as a single residence by an employee. We have no plans to ever use this structure for more than one residence in the future. Our plan would be to cover this area with waste rock by the end of Phase I, within the next 10 years. When this occurs, the buildings will be removed and all appropriate permits acquired to accomplish this. The on-site well will be plugged based on the applicable regulations at the time.

The concrete 10ft. x 9 ft. explosive magazine building, the saw operators building, the two 6ft. x 6ft. steel explosive magazine buildings, the tail end structures designed to tension the sire saws, and the structure for the wire saw used to trim blocks are all shown on the site plan map identified as ACADEMY BLACK QUARRY - ORIGINAL & EXISTING CONTOURS, Drawing No. P-0050-a.

Also shown on the drawing noted above is a heavy line with the notation “Permitted Area” on the north side of the line and “Non-Permitted Area” to the south. This refers to a botanical survey that was done to address a concern of the Department of Conservation. We have no plans to use the portion to the south in our mining operation and chose not spend the time and money to have that area studied.

All of the maps have been redone to address concerns of the Department of Conservation. The grout piles and quarry extent are essentially the same as the first set of maps. The three dimensional views have been eliminated. The original set of prints are no longer relevant to this application and should be noted as such. The table below identifies the maps with this submission:

| MAP DESCRIPTION  | DRAWING NUMBER |
|--|----------------|
| ACADEMY BLACK QUARRY - ORIGINAL AND EXISTING CONTOURS  | P-0050-a       |
| ACADEMY BLACK QUARRY - PHASE I DETAILS                 | P-0050-b       |
| ACADEMY BLACK QUARRY - PHASE II DETAILS                | P-0050-c       |
| ACADEMY BLACK QUARRY - PHASE I & II, RECLAMATION LIMIT | P-0050-d       |
| ACADEMY BLACK QUARRY - STORM WATER DRAINAGE            | P-0050-e       |
| ACADEMY BLACK QUARRY - CROSS-SECTIONS A-A' THRU F-F'   | P-0050-f       |

**Proposed New Structures:** None. However, some of the existing buildings, such as the maintenance building, may need to be upgraded as operations continue.

**Explain which buildings will be used in the operation:**

All of the above described buildings and structures will be used in this operation.

**Will any outdoor lighting or sound system be used:**

The operation has 12 lights that are directed at the wire saw operating area where work occurs during the night hours. These lights are directed towards the working area and are far from the highway and other buildings in the area so that no problem exists with glare.

The only outdoor sound amplification system is a loud ringer attached to the telephone system. This allows employees outside the office to hear the phone ring.

**Landscaping or fencing proposed:**

A fence exists around the entire property. Landscaping will be addressed in the quarry/reclamation plan.

**Storm water Runoff:**

~~Figure #7~~ **Storm Water Drainage P-0050-e** indicates the direction of flow of excess Storm water runoff as it leaves the operation area. Diversion and diking measures are taken to minimize erosion in and around the operation area. Storm water is contained on site, it is diverted to a retention pond that can contain a 100 year event.

**Any other information:**

The area surrounding the quarry site is primarily used for agricultural purposes, along with residential homes on the tops of some of the hills.

Examination of the property provides ample evidence that the site was used extensively as a pasture for cattle and livestock. Numerous cow paths exist to support the position that one would not expect to find rare or endangered plant species existing on the property.

**RECLAMATION PLAN**

The proposed use of this quarry area, after operations have stopped, is as a natural area suitable for wildlife habitat. Because of the terrain of the area, no water impoundment is planned or anticipated.

As larger areas (1 acre or more) of contiguous land becomes available, and it is not intended to be used again throughout the life of the operation, reclamation will take place within one year. Reclamation upon closing of the operation will take place within one year also.

Appearance of the site subsequent to reclamation is an important aspect of the reclamation plan. Architecture and revegetation of the cut slopes has been designed to bring the reclaimed site back to a habitat similar to that prior to mining. Geometric landscapes, cut slopes, and fills will be avoided, and existing, natural topographic highs will be incorporated into the final reclamation design when practical. Attempts have been made to take into account visual aspects and the close proximity to Highway 168, throughout the mining and reclamation design. As oak trees, planted on the terraces, reach heights of 30 to 50 feet, the slopes should become nearly invisible from Highway 168. Furthermore, the terraces will have a free-form style with varying bench widths. Figure 3 illustrates a site perspective (3-dimensional) after site closure.

The use of randomly placed unusable boulders or natural-looking rough backs on the flat terraces will help to blend the engineered terraces into the surrounding terrain and help to warn and/or slow down off-road vehicles that may enter the property.

All buildings and other structures will be removed in the clean-up process. Flat concrete slabs will be left in place and covered with decomposed granite and soil.

At the time of closing, if no other party is interested in taking responsibility, the water wells will be sealed according to prevailing state guidelines.

The implementation of this reclamation plan will have very little impact on future quarrying at this location. Our plan is to cut the side of the hill down, moving the non-useable stone off the side and into the depressions on the property. The dressing of the side-slopes and vegetation is an added cost but does not significantly impact any future quarrying.

The mining method starts from the top of the area and mines in a vertical mode. The majority of the entire area is disturbed early in the sequence with only a very small portion of the final slope to the east becoming available for reclamation until the final years of quarry activity. An examination of the sections will illustrate the overall perspective of the quarry layout.

The final contouring is shown on "Final Quarry Operations Plan", ~~Figure 3~~ **Phase II Details P-0050-c**. This plan shows all areas which were impacted by the quarrying operation as being included as part of the reclamation plan. There are no water features planned for this site so stagnation will not occur.

#### **Revegetation Plan:**

The information and planning reflect the recommendations of Mr. John G. Stebbins, Consulting Botanist.

~~Only native California trees and shrubs will be utilized as identified in Table 1 from John Stebbins' recommendations. These specific plants will be planted at a rate of 650 units per acre for a 30% cover on the flats and moderate slopes.~~

**Only native California trees and shrubs will be utilized as identified in Table 1 from John Stebbins' recommendations. These specific plants will be planted at a rate of 845 units per acre for a 30% cover on the flats and moderate slopes. This allows for a mortality rate of up to 30% of the trees and shrubs.**

Only native and nonnative grasses and forbs existing in the area will be used as identified in Table 2 from John Stebbins' recommendations. These specific species will be mixed by the supplier at the time of use and will be applied at the rate of 7 to 8 pounds per acre. This application rate was supplied by Mr. Stebbins.

**The Plant Cover Standard for this plan shall be an 80% coverage with no bare areas larger than 10 feet by 10 feet.**

Reclamation was monitored by a professional botanist/horticulturist every six months for the first three seasons of operation under C.U.P. #2477, with a summary report provided to the operator. Reports included analysis of on-site observations as well as recommendations for achieving the stated goals.

The soil depth for all plantings will be at least 24 inches deep. This soil will consist of decomposed granite and topsoil.

All plantings will be done in the period October through March to achieve maximum establishment success.

All perennial plantings will be placed in sites that organic amendments (forest humus, peat moss) has been incorporated at a ratio of at least 1:1 with the existing soil. These plantings will be mulched with organic material at the time of planting to prevent excess water loss and reduce competition from aggressive annual weeds. The mulch will extend at least 18 inches out from the base of each planting.

The perennial plantings will be irrigated with an automated drip irrigation system for a minimum of three years after planting. The system will incorporate low volume drip emitters for each planting and be hooked to an automatic valve system and time clock(s). Thorough irrigation will occur at least once a week during the period of March-October for the first three seasons. Physical inspection of the above system and manual weed control will occur during the initial three seasons. Revegetation of the bench at 910 feet is being accomplished. Over 20 Blue Oak trees have already been planted and are being irrigated. Growth has also been monitored with an annual growth rate of 6 inches a year. Blue Oaks have also been planted and are thriving at two other locations at the quarry.

We understand that the trees have to be self-sufficient for two growing seasons before we can be released from financial responsibility.

The annual plantings (forbs and grasses) will be done by hydro seeding the approved seed mix during the fall months. The planting ratios will be determined by the seed supplier depending upon the slope and exposure of the specific sites.

The annual plantings (forbs and grasses) will be done by hydro seeding the approved seed mix during the fall months of October through December. The planting ratio shall be 20 pounds per acre.

Any significant deviation from the revegetation plan will require the consultation and approval of the botanist/horticulturist charged with monitoring the plan.

| <b>Table 1. Native Trees and Shrubs</b> |                            |
|---|----------------------------|
| <b>COMMON NAME</b>                      | <b>SCIENTIFIC NAME</b>     |
| Blue Oak                                | <i>Quercus douglasii</i>   |
| Bush Lupine                             | <i>Lupinus albifrons</i>   |
| Foothill Honeysuckle                    | <i>Lonicera interrupta</i> |

| <b>Table 1. Native Trees and Shrubs</b> |                             |
|---|-----------------------------|
| <b>COMMON NAME</b>                      | <b>SCIENTIFIC NAME</b>      |
| Blue Oak                                | <i>Quercus douglasii</i>    |
| Bush Lupine                             | <i>Lupinus albifrons</i>    |
| Foothill Honeysuckle                    | <i>Lonicera interrupta</i>  |
| Buckeye                                 | <i>Aesculus californica</i> |
| Coffeberry                              | <i>Rhamnus californica</i>  |
| Wedgeleaf Ceanothus                     | <i>Ceanothus cuneatus</i>   |

| <b>Table 2. Grasses and Forbs (Hydroseed Mixture)</b> |                                  |
|---|----------------------------------|
| <b>COMMON NAME</b>                                    | <b>SCIENTIFIC NAME</b>           |
| Red Brome   | <i>Bromus rubens</i>             |
| California Poppy                                      | <i>Eschscholzia californica</i>  |
| Popcorn Flower  | <i>Plagiobothrys nothofulvus</i> |
| Foothill Needle grass                                 | <i>Stipa lepida</i>              |

| <b>Table 2. Native Grasses and Forbs (Hydroseed Mixture)</b> |  |
|--|--|
| <b>COMMON NAME</b>   | <b>SCIENTIFIC NAME</b>   |
| California Poppy   | <i>Eschscholzia californica</i>  |
| Popcorn Flower   | <i>Plagiobothrys nothofulvus</i>   |
| Foxtail barley   | <i>Hordeum jubatum</i>   |
| California melic   | <i>Melica californica</i> , <i>Panicum acuminatum</i> var. <i>acuminatum</i> (= <i>Panicum occidentale</i> ) |
| One-sided blue grass   | <i>Poa secunda</i> ssp. <i>secunda</i> = <i>Poa scabrella</i>  |
| Annual lupines   | <i>Lupinus bicolor</i> , ( <i>Lupinus microcapus</i> ssp. <i>densiflorus</i> )                               |
| Gilias   | <i>Gilia capitata</i> , <i>G. Tricolor</i>   |
| Baby blue eyes   | <i>Nemophila menziesii</i>   |
| Phacelias  | <i>Phacelia cicutaria</i> , <i>P. imbricata</i>  |
| Chia   | <i>Salvia columbariae</i>  |

Our species richness standard for the entire property will be 9 species. Those listed in Table 1, Native Trees and Shrubs and the perennials listed in Table 2, Native Grasses and Forbs (Hydroseed Mixture).

All members of the Tree of heaven (*Ailanthus altissimus*) will be eradicated prior to January 1, 2005.

**Quality Assurance Plan:**

Quality assurance/quality control (QA/QC) of the proposed reclamation plan will consist of regular inspections of the facility to monitor adherence to the design described above. Specific attention will be paid to the placement of erosion resistance material, such as rough backs on outside slopes.

The quarry will submit, on an annual basis, the following documents to Fresno County as part of the QA/QC plan:

- (a) Topographical map showing mined areas which have been reclaimed;
- (b) Volumes of materials mined;
- (c) Planned mining rate and reclamation plans for next calendar year

When areas are available for reapplication, the topsoil will be excavated and reapplied at the same time.



All buildings, concrete slabs and other structures will be removed in the clean-up process.

All metallic equipment and debris will be removed during final clean-up and reclamation of the property.

### RECLAMATION ESTIMATE (@ Closing)

#### Academy Black Bond Assumptions:

Listed below are the assumptions upon which the bond calculations are made for the Academy Black Quarry and plant area.

- \* The site has been abandoned by the company.
- \* All equipment of any value has been removed and sold. The office, maintenance shop & miscellaneous buildings have been sold and removed prior to abandonment.
- \* All wire saws, along with the crane, derrick, water tanks and other scrap steel will have been relocated to another production facility or sold to a scrap iron dealer and removed.
- \* All concrete protrusions above grade will be removed and buried on site.
- \* A Cat 325B backhoe with a breaker will be used to break the concrete slabs and asphalt on the site into chunks no greater than 5 feet on a side. It will also be used to load the dump truck and place soil in selected areas as needed.
- \* A 5-yard dump truck will be used to transfer a small amount of topsoil to areas not accessible by scrapers, and haul broken concrete.
- \* A Cat 621 F scraper (20 cubic yard capacity) will be used to transfer topsoil from the storage piles to the reclamation areas.
- \* A D-8N steel cat will be used to assist in loading the scrapers and contour the terrain where the storage piles exist. Time equal 1/2 scraper hours.
- \* An 81 SB rubber tire dozer will be used to push soil into areas not accessible by the scrapers or by a grader. The dozer time will equal 1/4 of the scraper hours.
- \* A Cat 120G grader will be used to do the final grading of the top soil. Since all of the major working areas are relatively flat, it is expected that the scrapers should be able to place the soil at the appropriate depth with minimal work for the grader. The grader time will equal 1/2 of the scraper hours.
- \* The soil is stored in three areas, one at the building area, one at the west end of the quarry area,

and one at the east end of the quarry area. The majority of the transfer of soil is downhill. The stockpiles will contain all 80,990 cubic yards of material required for reclamation, no soil from off site is required.

- \* All quarrying contours have been constructed as per the reclamation plan. Boulders have been placed at the crest of all rocky slopes during operation. Very limited reshaping of slopes is required.
- \* The intended use of the area after reclamation is as a natural wildlife area.
- \* When the soil has been put in place, the area will be seeded as outlined in the revegetation plan.
- \* The attached work sheet was used to put this estimate together.
- \* Areas to cover only need 1 foot of additional topsoil. It is assumed that an average of 1 foot already exists from the operation.
- \* The scraper hours were calculated based on data from the Caterpillar Performance Handbook Edition 14, and site conditions, i.e. 10% favorable grade under load and 5% rolling resistance.
- \* Other equipment hours were estimated based on the scraper hours and other tasks to be completed outside the soil transfer period:
  - \* The backhoe hours include the time spent using the hydraulic breaker to demolish the concrete slabs.
  - \* Rental values came from the 1998 Rental Rates from CAT Rental Services.
  - \* Fuel usage came from the CAT Handbook.
- \* All areas not impacted by the operation do not need to be addressed except as referenced in the revegetative plan.
- \* Seeding, weed control costs, and contingency percentage were obtained from SURSGA "Proposed Uniform SMARA Compliance Program" suggested unit prices, dated 10-1-91.

**Bond Calculation Tables:**

| <b>TABLE 1: EQUIPMENT ESTIMATES</b> |                        |                     |                      |                    |                   |
|-------------------------------------|------------------------|---------------------|----------------------|--------------------|-------------------|
|                                     | <b>OPERATING HOURS</b> | <b>RENTAL \$/WK</b> | <b>MOB/ DEMOB \$</b> | <b>FUEL GAL/HR</b> | <b>RENT WEEKS</b> |
| <b>SCRAPER</b>                      | <b>168.7</b>           | <b>\$4,300</b>      | <b>\$400</b>         | <b>10</b>          | <b>5</b>          |
| <b>STEEL CAT</b>                    | <b>118.1</b>           | <b>\$3,900</b>      | <b>\$400</b>         | <b>11</b>          | <b>3</b>          |
| <b>PUSH CAT</b>                     | <b>42.1</b>            | <b>\$2,700</b>      | <b>\$400</b>         | <b>7</b>           | <b>2</b>          |
| <b>GRADER</b>                       | <b>84.4</b>            | <b>\$1,767</b>      | <b>\$400</b>         | <b>4</b>           | <b>3</b>          |
| <b>BACKHOE</b>                      | <b>21.6</b>            | <b>\$2,500</b>      | <b>\$200</b>         | <b>7</b>           | <b>1</b>          |
| <b>DUMP TRUCK</b>                   | <b>21.6</b>            | <b>\$ 770</b>       | <b>\$200</b>         | <b>3</b>           | <b>1</b>          |
| <b>BREAKER</b>                      | <b>10.8</b>            | <b>\$1,839</b>      | <b>\$200</b>         | <b>N/A</b>         | <b>1</b>          |
|                                     |                        |                     |                      |                    |                   |

| <b>TABLE 1: EQUIPMENT ESTIMATES</b> |                 |                           |                          |                           |                  |
|-------------------------------------|-----------------|---------------------------|--------------------------|---------------------------|------------------|
|                                     | <b>RENTAL</b>   | <b>SERVICE 10% RENTAL</b> | <b>FUEL @ \$1.00/GAL</b> | <b>OPERATOR @ \$40/HR</b> | <b>TOTAL</b>     |
| <b>SCRAPER</b>                      | <b>\$21,500</b> | <b>\$2,150</b>            | <b>\$8,435</b>           | <b>\$6,748</b>            | <b>\$38,833</b>  |
| <b>STEEL CAT</b>                    | <b>\$11,700</b> | <b>\$1,170</b>            | <b>\$3,897</b>           | <b>\$4,724</b>            | <b>\$21,491</b>  |
| <b>PUSH CAT</b>                     | <b>\$ 5,400</b> | <b>\$ 540</b>             | <b>\$ 589</b>            | <b>\$1,684</b>            | <b>\$ 8,213</b>  |
| <b>GRADER</b>                       | <b>\$ 5,301</b> | <b>\$ 530</b>             | <b>\$1,012</b>           | <b>\$3,376</b>            | <b>\$10,219</b>  |
| <b>BACKHOE</b>                      | <b>\$ 2,500</b> | <b>\$ 250</b>             | <b>\$ 151</b>            | <b>\$ 864</b>             | <b>\$ 3,765</b>  |
| <b>DUMP TRUCK</b>                   | <b>\$ 770</b>   | <b>\$ 77</b>              | <b>\$ 64</b>             | <b>\$ 864</b>             | <b>\$ 1,775</b>  |
| <b>BREAKER</b>                      | <b>\$ 1,839</b> | <b>\$ 183</b>             | <b>N/A</b>               | <b>0</b>                  | <b>\$ 2,022</b>  |
| <b>TOTAL</b>                        |                 |                           |                          |                           | <b>\$ 86,318</b> |

| <b>TABLE 3: PLANTING &amp; SEEDING COSTS</b> |                                 |                                  |                  |
|--|---------------------------------|----------------------------------|------------------|
|  | <b>ACRES</b>                    | <b>COST/ACRE</b>                 | <b>TOTAL</b>     |
| <b>Hydro Seeding Acres</b>                   | <b>21.6</b>                     | <b>\$900/acre</b>                | <b>\$19,440</b>  |
| <b>Broadcast seeding</b>                     | <b>29.1</b>                     | <b>\$200/acre</b>                | <b>\$ 5,820</b>  |
| <b>Trees</b>                                 | <b>29.1 acres @<br/>30/acre</b> | <b>\$3.00/tree<br/>(planted)</b> | <b>\$ 2,619</b>  |
| <b>Weed control</b>                          | <b>50.2</b>                     | <b>\$20/acre</b>                 | <b>\$ 1,004</b>  |
| <b>Total</b>                                 |                                 |                                  | <b>\$28,883</b>  |
| <b>10% Contingency</b>                       |                                 |                                  | <b>\$ 2,888</b>  |
| <b>TOTAL COST</b>                            |                                 |                                  | <b>\$ 31,771</b> |

| <b>TABLE 4: TOTAL COSTS</b>   |                   |
|-------------------------------|-------------------|
| <b>Equipment costs</b>        | <b>\$ 86,318</b>  |
| <b>Planting/seeding costs</b> | <b>\$ 31,771</b>  |
| <b>Total reclamation cost</b> | <b>\$ 118,089</b> |

|           |    |                                     |                |       |    |   |  |
|-----------|----|-------------------------------------|----------------|-------|----|---|--|
| EN-013-00 |    | Mowed about 150' S. A. chg. setback |                | 11-00 | DA | J. KELLY BLACK CONVI<br>ORIGINAL & EXISTING CONTOURS<br>BY DON SACER<br>DATE 7/3/00<br>SCALE 1" = 100'<br>DRAWING NO. P-0050-0<br>APPROVED BY |  |
| DATE      | BY | THICKNESS 8 1/16"                   | WELLER 2 1/2mm |       |    |   |  |

RECEIVED GOVT  
 JUN 22 2001  
 RECEIVED

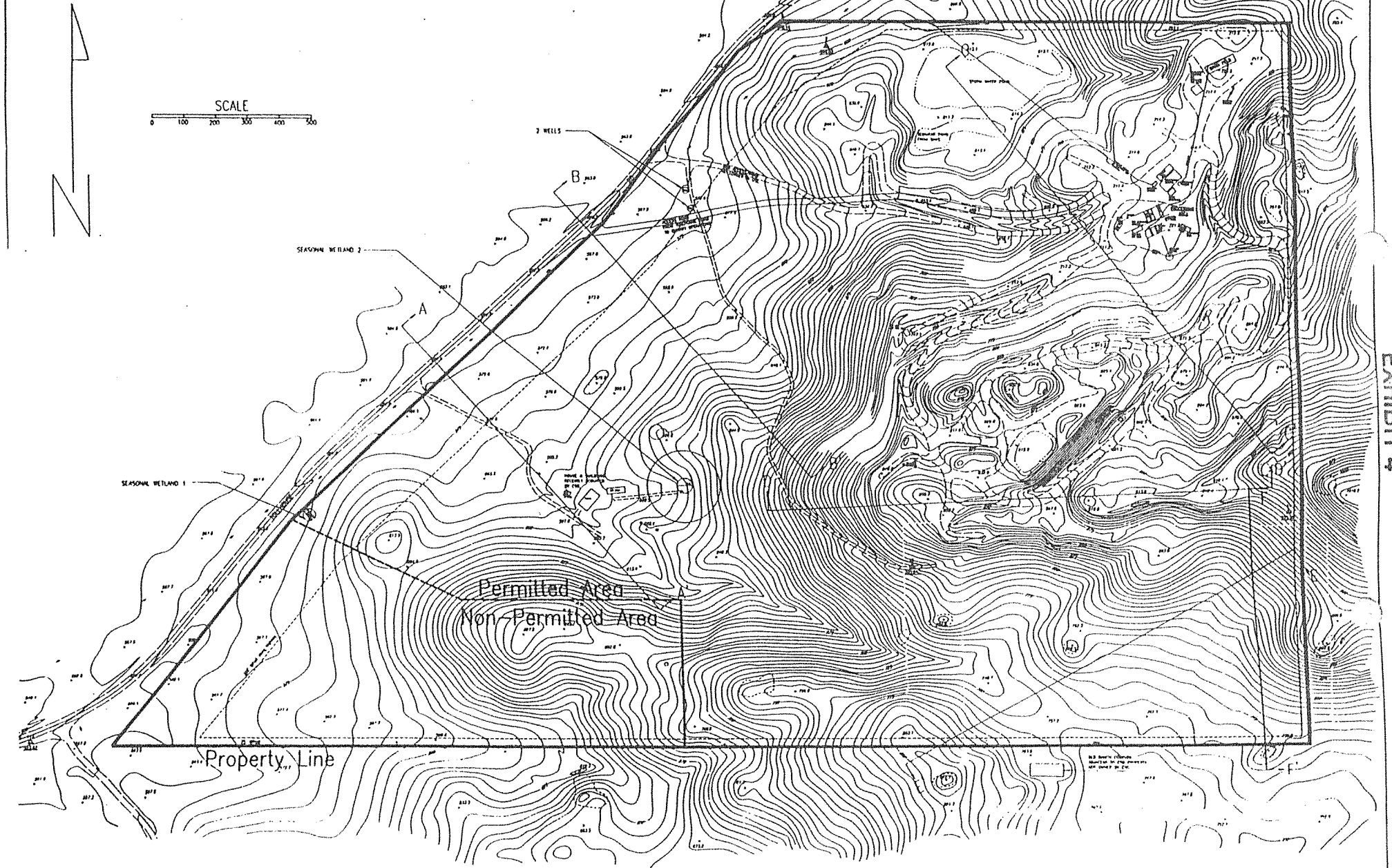
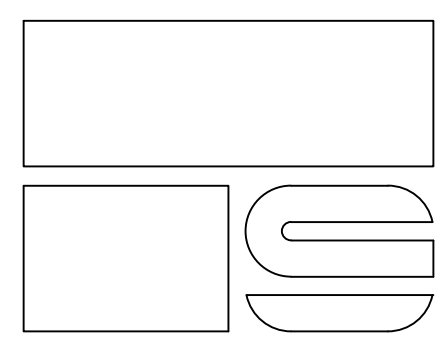
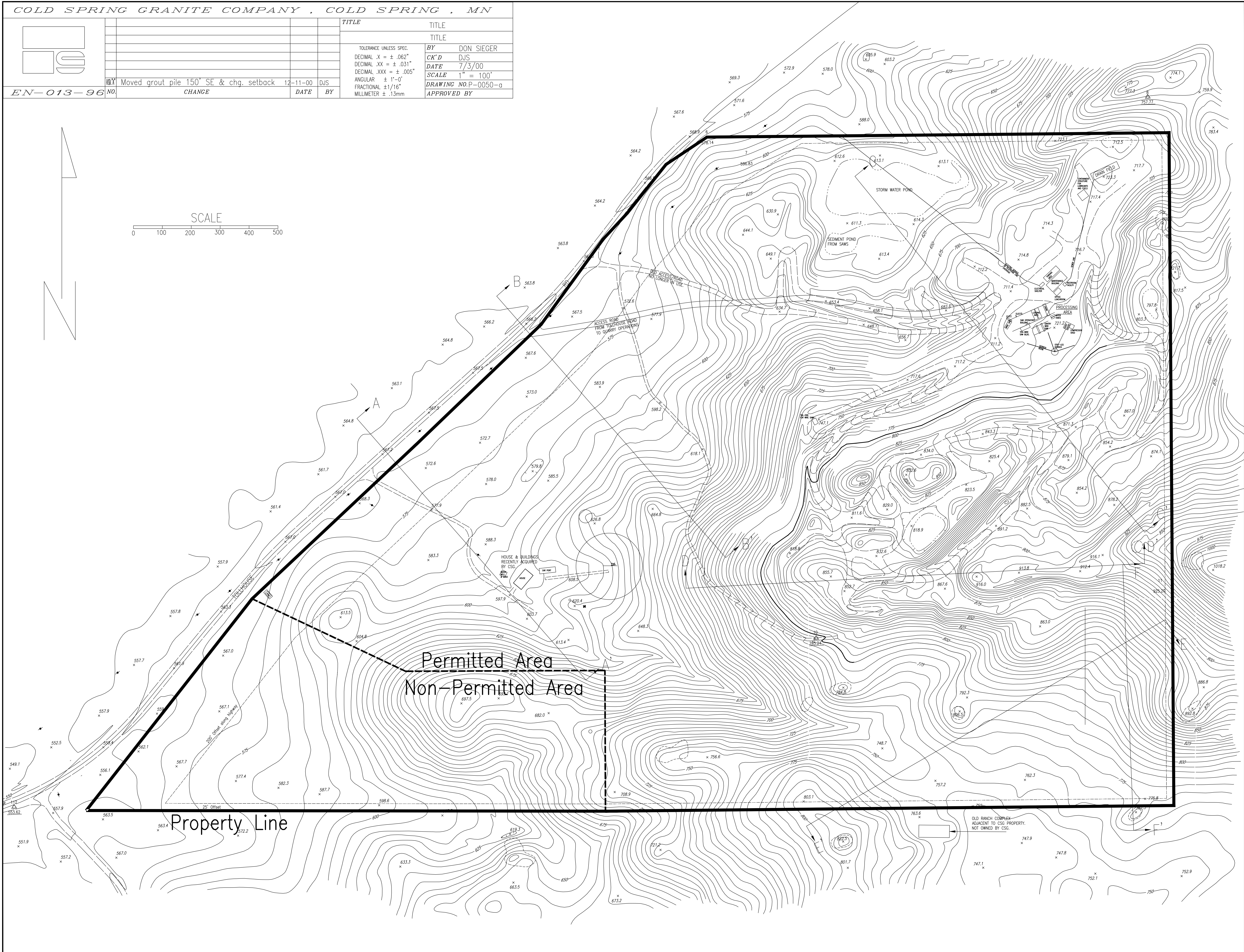
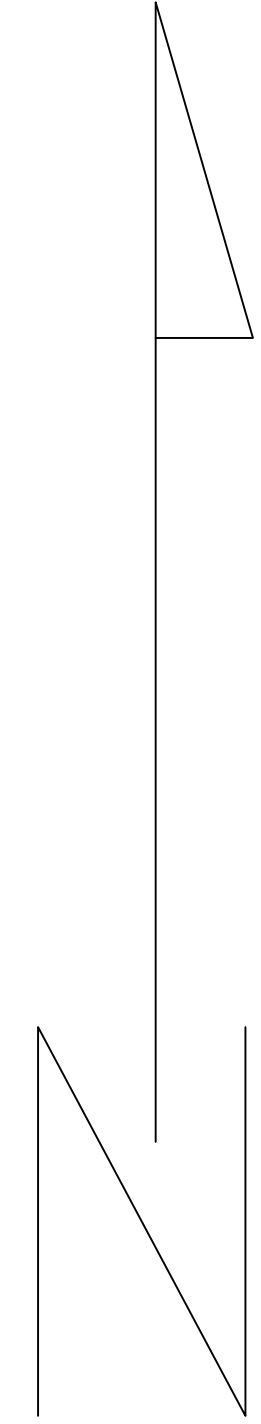
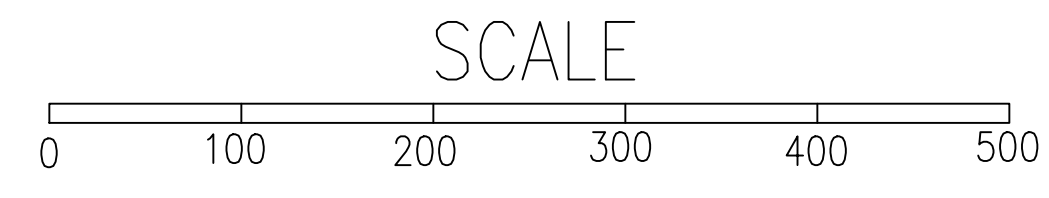


EXHIBIT 4



| TITLE                  | TITLE                |
|------------------------|----------------------|
| TOLERANCE UNLESS SPEC. | BY DON SIEGER        |
| DECIMAL .X = ± .062"   | CK'D DJS             |
| DECIMAL .XX = ± .031"  | DATE 7/3/00          |
| DECIMAL .XXX = ± .005" | SCALE 1" = 100'      |
| ANGULAR ± 1'-0"        | DRAWING NO. P-0050-0 |
| FRACTIONAL ± 1/16"     | APPROVED BY          |
| MILLIMETER ± .13mm     |                      |

| NO.       | DESCRIPTION                             | DATE     | BY  |
|-----------|---|----------|-----|
| EN-013-96 | Moved grout pile 150' SE & chg. setback | 12-11-00 | DJS |
|           | CHANGE                                  |          |     |





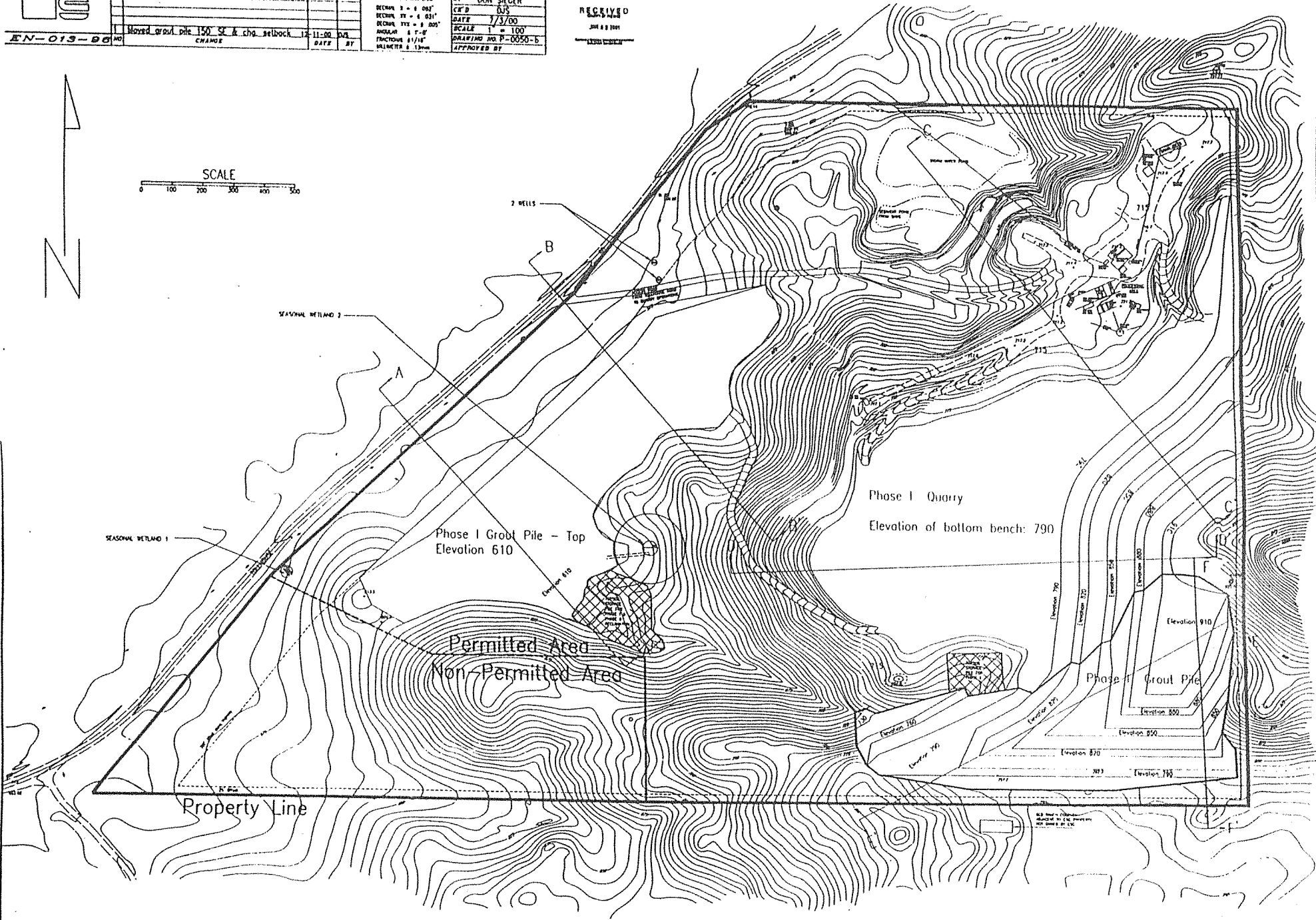
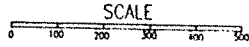
EN-013-00

| NO | CHANGE                                  | DATE     | BY  |
|----|---|----------|-----|
| 1  | Moved grout pile 150' SE & chg. setback | 12-11-00 | DJA |

ACADEMY BLACK QUARRY  
 PHASE I DETAILS  
 DRAWING NO. P-0050-B  
 APPROVED BY

REVISED COPY

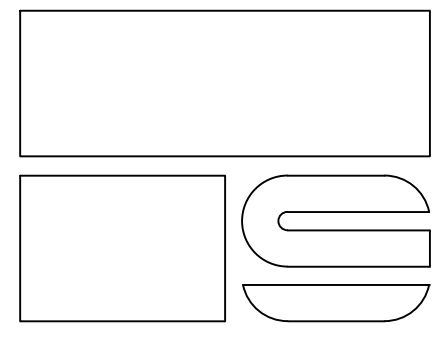
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 LARRY WILSON





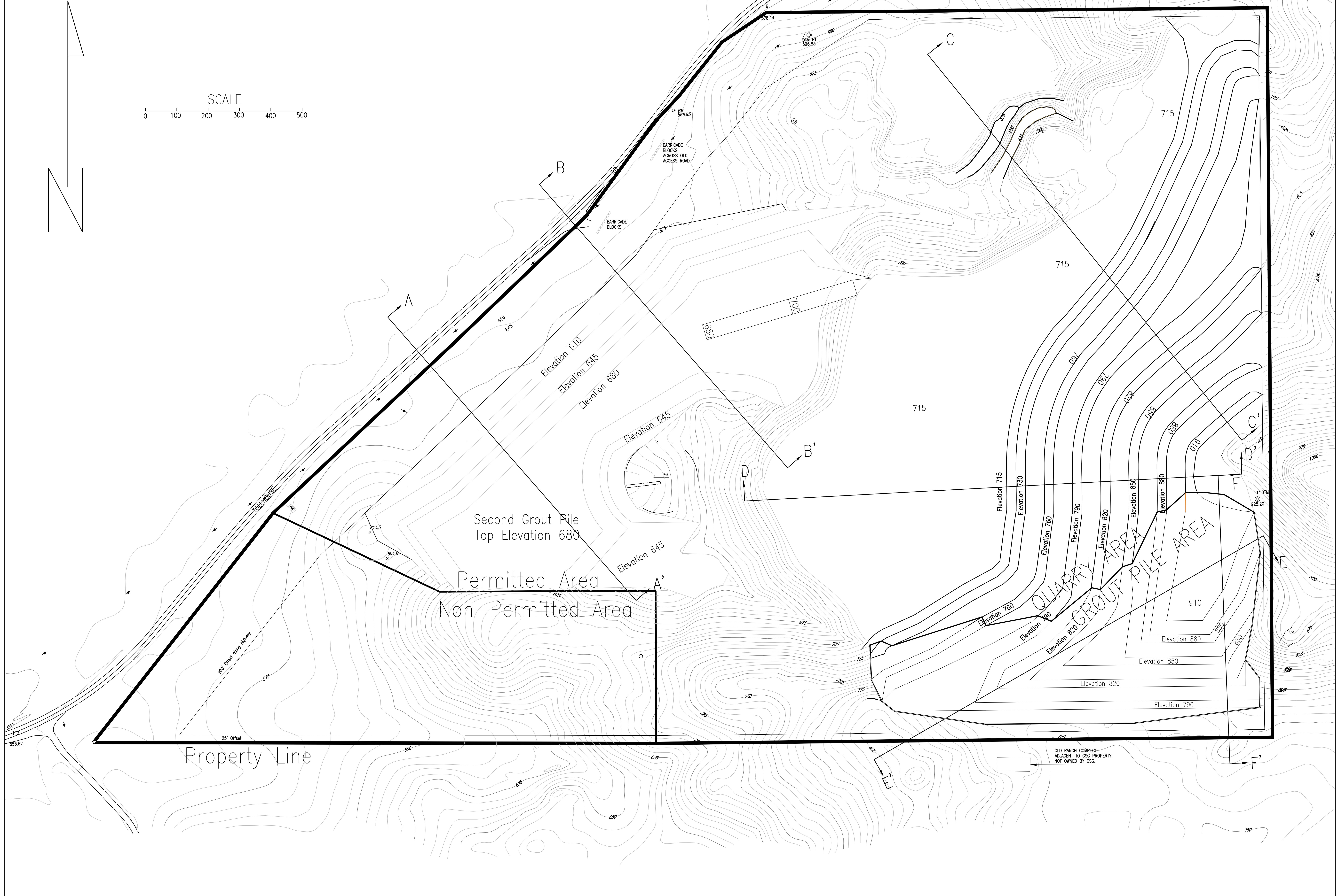
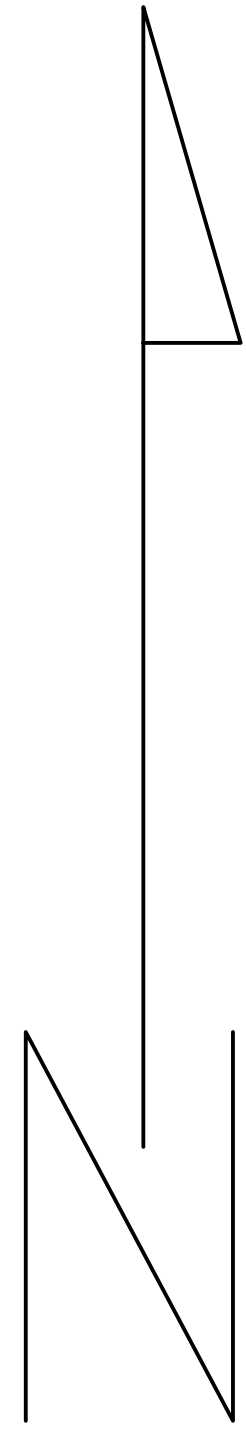
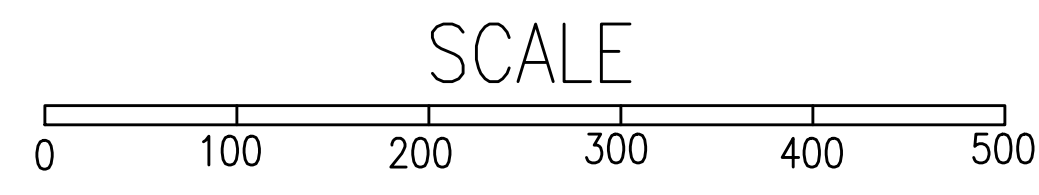


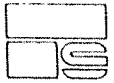




|                        |             |                      |  |
|------------------------|-------------|----------------------|--|
| TITLE                  |             | ACADEMY BLACK QUARRY |  |
| PHASE II DETAILS       |             | BY DON SIEGER        |  |
| TOLERANCE UNLESS SPEC. | CK'D        | DJS                  |  |
| DECIMAL .X = ± .062"   | DATE        | 7/3/00               |  |
| DECIMAL .XX = ± .031"  | SCALE       | 1" = 100'            |  |
| DECIMAL .XXX = ± .005" | DRAWING NO. | P-0050-c             |  |
| ANGULAR ± 1'-0"        | APPROVED BY |                      |  |
| FRACTIONAL ± 1/16"     |             |                      |  |
| MILLIMETER ± .13mm     |             |                      |  |

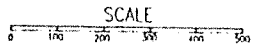
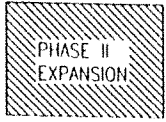
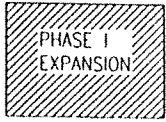
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| EN-013-96 | NO. | 1 | Moved grout pile 150' SE & chg. setback | 12-11-00 | DJS |
|           |     |   | CHANGE                                  |          |     |
|           |     |   |   | DATE     | BY  |





EN-013-86

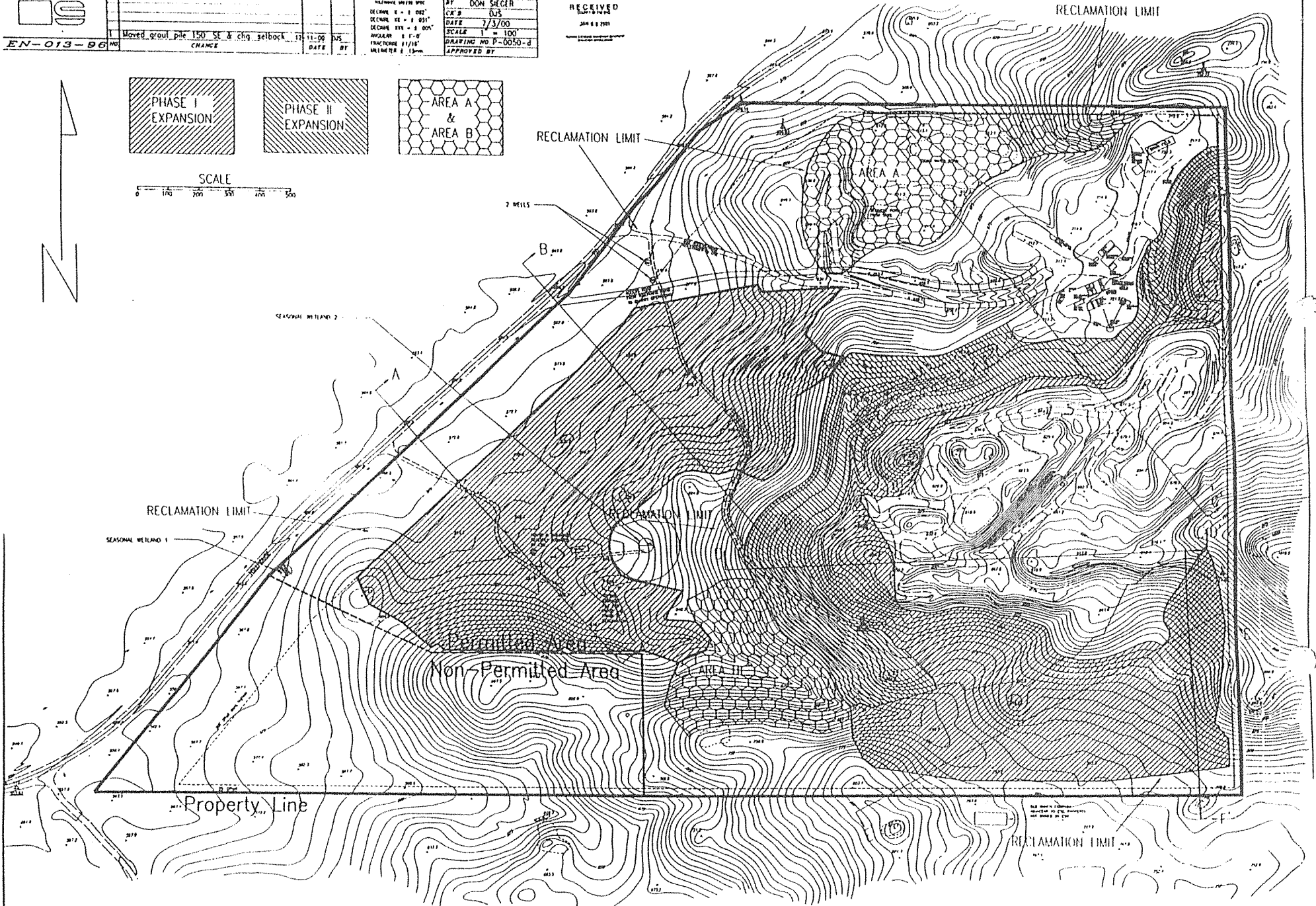
Moved ground pit 150' SE & chg setback




|                                |               |
|--------------------------------|---------------|
| ACADEMY BLACK QUARRY           |               |
| PHASE I & II RECLAMATION LIMIT |               |
| DESIGNED BY                    | BY DON SIEGEL |
| DATE                           | 7/3/00        |
| SCALE                          | 1" = 100'     |
| DRAWING NO                     | P-0050-d      |
| APPROVED BY                    |               |

REVISION 001

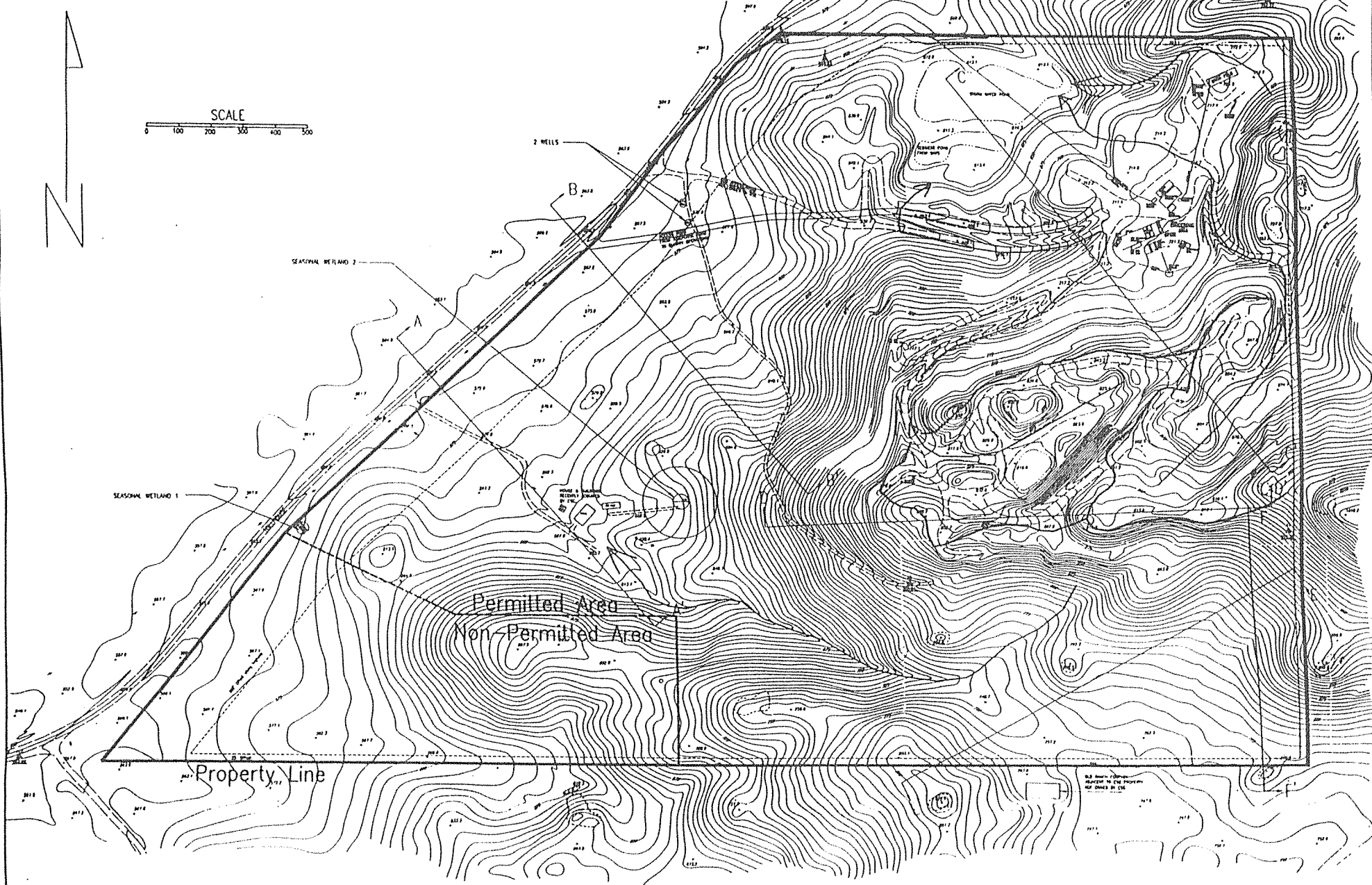
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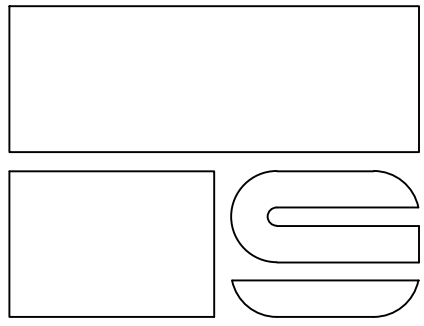




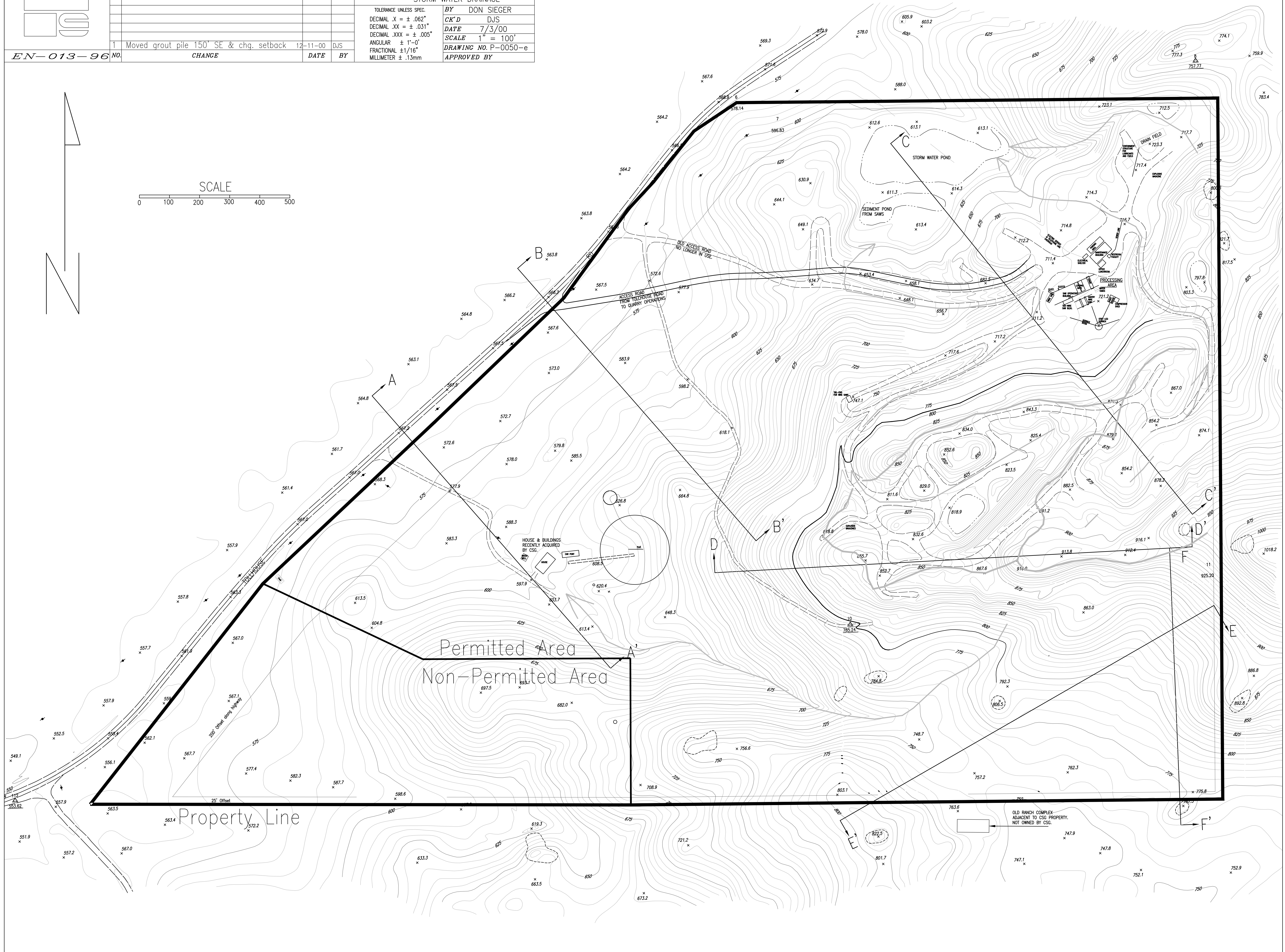
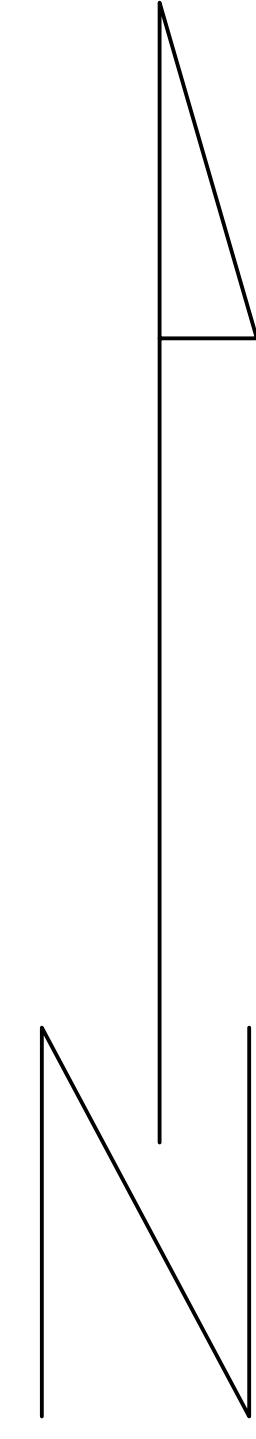
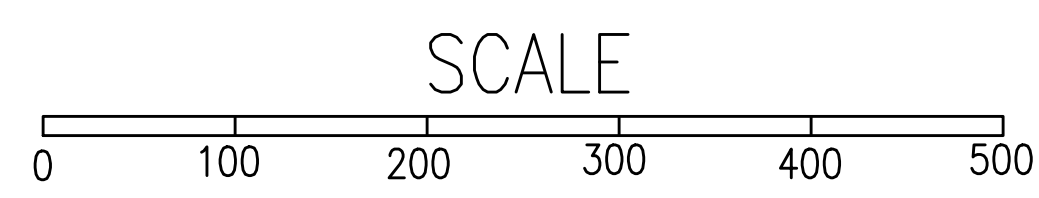
|   |   |                        |                 |
|---|---|------------------------|-----------------|
|  | TITLE<br>ACADEMY BLACK QUARRY<br>STORM WATER DRAINAGE   | DATE<br>11-00          | BY<br>DPH SEGER |
|   | REVISIONS<br>REVISION 1 - 8 001'<br>REVISION 2 - 8 031'<br>REVISION 3 - 8 005'<br>REVISION 4 - 8 005'<br>REVISION 5 - 8 005'<br>REVISION 6 - 8 005'<br>REVISION 7 - 8 005'<br>REVISION 8 - 8 005'<br>REVISION 9 - 8 005'<br>REVISION 10 - 8 005'<br>REVISION 11 - 8 005'<br>REVISION 12 - 8 005'<br>REVISION 13 - 8 005'<br>REVISION 14 - 8 005'<br>REVISION 15 - 8 005'<br>REVISION 16 - 8 005'<br>REVISION 17 - 8 005'<br>REVISION 18 - 8 005'<br>REVISION 19 - 8 005'<br>REVISION 20 - 8 005'<br>REVISION 21 - 8 005'<br>REVISION 22 - 8 005'<br>REVISION 23 - 8 005'<br>REVISION 24 - 8 005'<br>REVISION 25 - 8 005'<br>REVISION 26 - 8 005'<br>REVISION 27 - 8 005'<br>REVISION 28 - 8 005'<br>REVISION 29 - 8 005'<br>REVISION 30 - 8 005'<br>REVISION 31 - 8 005'<br>REVISION 32 - 8 005'<br>REVISION 33 - 8 005'<br>REVISION 34 - 8 005'<br>REVISION 35 - 8 005'<br>REVISION 36 - 8 005'<br>REVISION 37 - 8 005'<br>REVISION 38 - 8 005'<br>REVISION 39 - 8 005'<br>REVISION 40 - 8 005'<br>REVISION 41 - 8 005'<br>REVISION 42 - 8 005'<br>REVISION 43 - 8 005'<br>REVISION 44 - 8 005'<br>REVISION 45 - 8 005'<br>REVISION 46 - 8 005'<br>REVISION 47 - 8 005'<br>REVISION 48 - 8 005'<br>REVISION 49 - 8 005'<br>REVISION 50 - 8 005'<br>REVISION 51 - 8 005'<br>REVISION 52 - 8 005'<br>REVISION 53 - 8 005'<br>REVISION 54 - 8 005'<br>REVISION 55 - 8 005'<br>REVISION 56 - 8 005'<br>REVISION 57 - 8 005'<br>REVISION 58 - 8 005'<br>REVISION 59 - 8 005'<br>REVISION 60 - 8 005'<br>REVISION 61 - 8 005'<br>REVISION 62 - 8 005'<br>REVISION 63 - 8 005'<br>REVISION 64 - 8 005'<br>REVISION 65 - 8 005'<br>REVISION 66 - 8 005'<br>REVISION 67 - 8 005'<br>REVISION 68 - 8 005'<br>REVISION 69 - 8 005'<br>REVISION 70 - 8 005'<br>REVISION 71 - 8 005'<br>REVISION 72 - 8 005'<br>REVISION 73 - 8 005'<br>REVISION 74 - 8 005'<br>REVISION 75 - 8 005'<br>REVISION 76 - 8 005'<br>REVISION 77 - 8 005'<br>REVISION 78 - 8 005'<br>REVISION 79 - 8 005'<br>REVISION 80 - 8 005'<br>REVISION 81 - 8 005'<br>REVISION 82 - 8 005'<br>REVISION 83 - 8 005'<br>REVISION 84 - 8 005'<br>REVISION 85 - 8 005'<br>REVISION 86 - 8 005'<br>REVISION 87 - 8 005'<br>REVISION 88 - 8 005'<br>REVISION 89 - 8 005'<br>REVISION 90 - 8 005'<br>REVISION 91 - 8 005'<br>REVISION 92 - 8 005'<br>REVISION 93 - 8 005'<br>REVISION 94 - 8 005'<br>REVISION 95 - 8 005'<br>REVISION 96 - 8 005'<br>REVISION 97 - 8 005'<br>REVISION 98 - 8 005'<br>REVISION 99 - 8 005'<br>REVISION 100 - 8 005' | DRAWING NO<br>P-0050-a | APPROVED BY     |

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|---|---|----------|-----|--|--|
|  |   |          |     |  |  |
|   |   |          |     |  |  |
| 1   | Moved grout pile 150' SE & chg. setback | 12-11-00 | DJS |  |  |
| EN-013-96   | NO CHANGE                               |          |     |  |  |

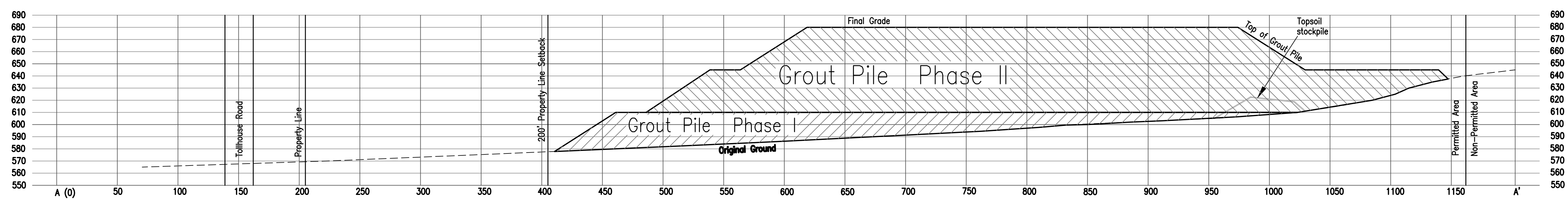
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|------------------------|-------------|----------------------|
| TITLE                  |             | ACADEMY BLACK QUARRY |
|                        |             | STORM WATER DRAINAGE |
| TOLERANCE UNLESS SPEC. | BY          | DON SIEGER           |
| DECIMAL .X = ± .062"   | CK'D        | DJS                  |
| DECIMAL .XX = ± .031"  | DATE        | 7/3/00               |
| DECIMAL .XXX = ± .005" | SCALE       | 1" = 100'            |
| ANGULAR ± 1'-0"        | DRAWING NO. | P-0050-e             |
| FRACTIONAL ± 1/16"     | APPROVED BY |                      |
| MILLIMETER ± .13mm     |             |                      |



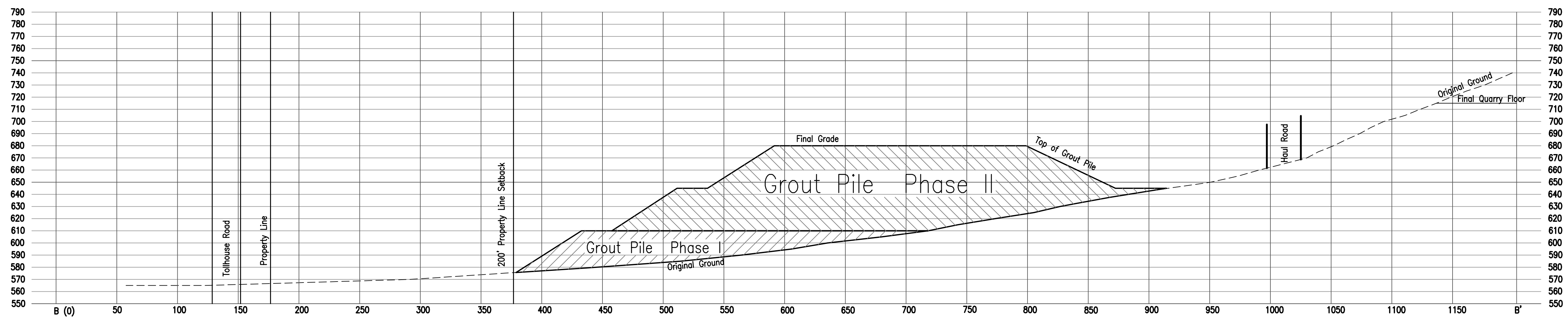
Permitted Area  
Non-Permitted Area

Property Line

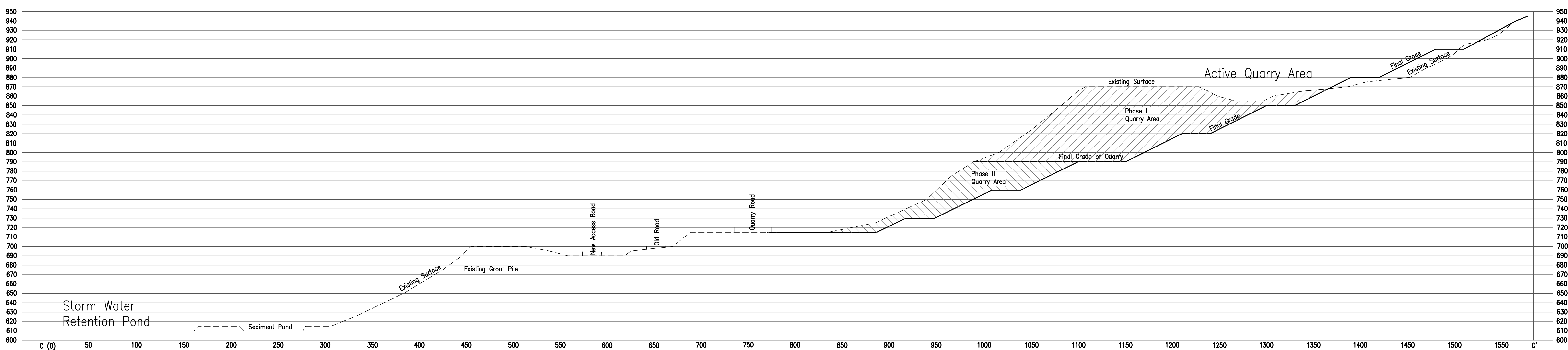




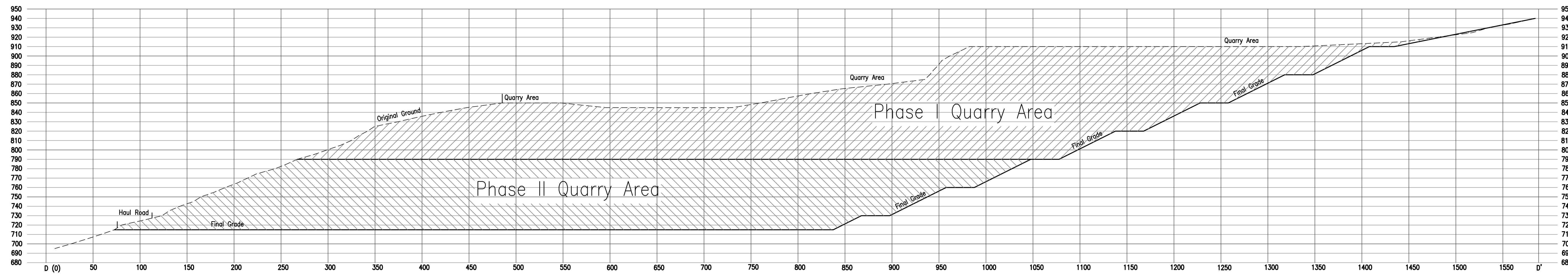
Phase I & Phase II - Grout Pile Section A - A'



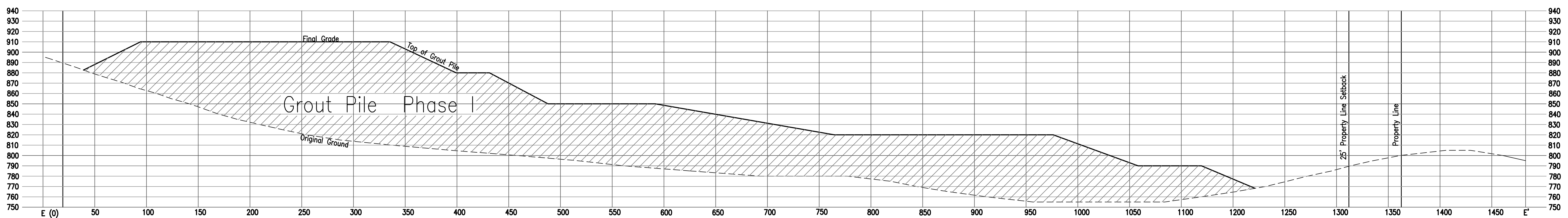
Phase I & Phase II - Grout Pile Section B - B'



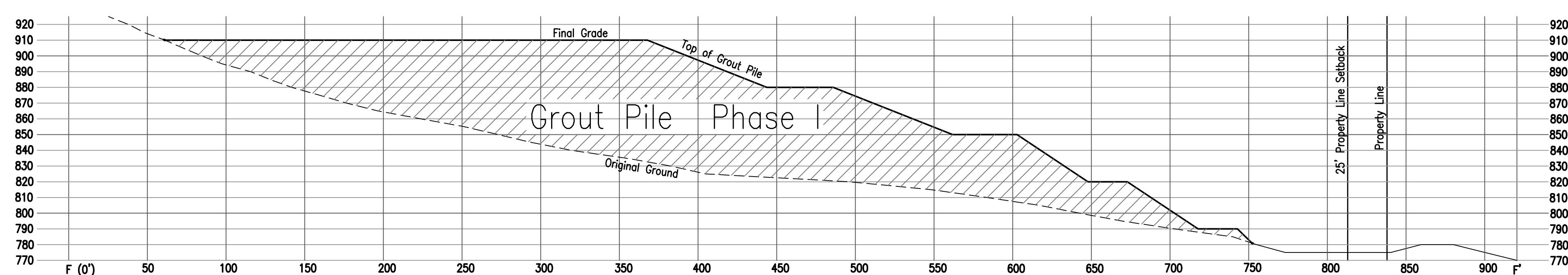
Phase I & Phase II - Quarry Section C - C'



Phase I & Phase II - Quarry Section D - D'



Phase I - Grout Pile Section E - E'



Phase I - Grout Pile Section F - F'

|   |  |   |  |
|---|--|---|--|
| <b>CS</b>   |  | <b>COLD SPRING GRANITE COMPANY · COLD SPRING · MN</b> |  |
| TITLE<br>ACADEMY BLACK QUARRY   |  |   |  |
| CROSS SECTIONS - A-A', THRU F-F'  |  |   |  |
| BY DON SIEGER   |  |   |  |
| DATE 6/29/00  |  |   |  |
| SCALE 1" = 150'   |  |   |  |
| DRAWING NO. P-0050-F  |  |   |  |
| APPROVED BY   |  |   |  |
| TOLERANCE UNLESS SPEC.<br>DECIMAL XX = ± .002"<br>DECIMAL .XX = ± .031"<br>FRACTION X/16" = ± .006"<br>MILLIMETER ± .13mm |  |   |  |
| EN-013-9600   |  | CHANGE  |  |
| 1 Moved grout pile 150' SE & chg. setback   |  | DATE 12-11-00 DJS                                     |  |





# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Cold Spring Granite Company
- APPLICATION NOS.: Initial Study No. 7878 and Unclassified Conditional Use Permit Application No. 3681
- DESCRIPTION: Allow continued surface mining operation (granite quarry) with facilities approved by CUP No. 2928 for an additional 50 years to January 18, 2071, on two contiguous parcels totaling 142 acres in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the southeast side of Tollhouse Road (State Route 168) at its intersection with Newmark Road approximately 10 miles northeast of the City of Clovis (APN: 150-141-33 & 35) (14147 Tollhouse Road) (Sup. Dist. 1).

### I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT:

Approximately 48.4-acre of the 142-acre project site is occupied by an existing surface mining operation which include rock quarry, quarry wastewater runoff basin, paved and dirt access roads, quarry buildings, rock-processing infrastructure. The remainder of the site consists of grassland and scattered clusters of trees but no rock cropping or historical buildings. The surrounding area is made up of grazing land with residential homes. The project site borders with State Route 168 (Tollhouse Road) which is identified as a Scenic highway in the Open Space Element of the Fresno County General Plan.

Under General Plan Policy OS-L.3, development on a Scenic Roadway shall adhere to a 200-foot setback of natural open space. In this case, the existing mining operation is

approximately 336 feet south of SR 168 and maintains the required distance. Most of the operation is not visible to the moving traffic at Tollhouse Road mainly due to gentle rolling hills and vegetations that surrounds the quarry area. The project will not change the current visual character of the area as established by the current mining operation. As such, there will be no impact on scenic resources.

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: NO IMPACT:

This proposal, if granted approval, would allow continuation of mining operation for 50 years (until 2071) within the current project boundaries with the same operational characteristics as approved by CUP No. 2928. No changes in intensity, hours of operation, volume, site extraction boundaries, including excavation depth (linear or vertical), will occur from this proposal. Likewise, there will be no substantial changes to the visual character of the project area as established by the current operation. Most of the mining area particularly quarry is obscured from view from State Route 168 due to area landscape and existing vegetations.

- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

According to the Applicant's Operational Statement, the shop area on the property has outdoor lighting. To minimize light and glare impacts resulting from mining activities, a mitigation measure would require that all lighting be hooded and directed as to not shine toward adjacent properties and public streets.

\* **Mitigation Measure**

1. All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.

## II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the

Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

FINDING: NO IMPACT:

The project site has land classifications of Grazing Land (Fresno County Important Farmland Map 2016) and does not have Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

Although designated as Specific Plan Reserve in the Sierra-North Regional Plan, historical use of the project site has been surface mining. The site has been used for rock quarry prior to 1964 and the quarry operation was first recognized/approved by the County in 1991 with the approval of CUP No. 2477. The project will not convert actively farmed land to non-agricultural uses and if approved will allow the current mining operation to be extended for 50 years without any changes to the parameters of the approved Use Permits No. 2477 and 2928. No impact would occur.

- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

The proposed project is not in conflict with the current agricultural zoning on the property. Surface mining is an allowed use on land designated for agriculture with Unclassified Conditional Use Permit per the County's surface mining ordinance (Section 858, Regulations for Surface Mining and Reclamation in All Districts). The site has been mined for a minimum of 56 years, does not have prime or unique farmlands, is not under a Williamson Act contract, and is not currently used or intended to be used for agricultural purposes.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or

- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not identified as forest land (as defined in Public Resources Code section 12220[g]) or timberland (as defined by Public Resources Code section 4526) and is not zoned Timberland Production (as defined by Government Code section 51104[g]). Therefore, the proposed Project would not result in the conversion of forest land and would not conflict with forest land, timberland, or Timberland Production zoning.

- 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 forestland to non-forest use?

FINDING: NO IMPACT:

The proposed project is to allow an existing mining operation to be continued 50 more years beyond the current cessation date of January 18, 2021. There are no changes proposed to the operation which was authorized by Use Permits and is consistent with the County General Plan and with the approval of a Use Permit. See discussion in Section XI LAND USE PLANNING below.

The project includes no activities that could, because of their location or nature, result in conversion of farmland to non-agricultural use. Contrarily, the reclaimed site would be converted to a condition that will be readily acceptable and compatible for limited agricultural use. Therefore, no impact would occur.

The Fresno County Agricultural Commissioners' Office reviewed the proposal and offered no comments.

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

*Air Quality and Greenhouse Gas Analysis, dated November 10, 2020* was prepared for the project by LSA Associates.

According to the *Analysis*, the California Environmental Quality Act requires that projects be analyzed for consistency with the applicable air quality plan. For a project to be consistent with San Joaquin Valley Air Pollution Control District (SJVAPCD) air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. In addition, emission reductions achieved through implementation of offset requirements are a major component of the SJVAPCD air quality plans.

As discussed in III. B. below, the proposed project would allow an existing mining operation to be continued beyond year 2021. As no changes to the current mining operation would occur, the project would not result in any new emissions. The project would continue existing use of the site, which is consistent with the County General Plan designation for the site. As such, the proposed project would not conflict with or obstruct implementation of SJVAPCD air quality plans.

- B. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

In developing thresholds of significance for air pollutants, the SJVAPCD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Per the *Air Quality and Greenhouse Gas Analysis*, the following analysis assesses the potential project-level construction-and operation-related air quality impacts.

Construction-related effects on air quality are associated with the release of particulate matter emissions (i.e., fugitive dust) generated by demolition, grading, hauling, and other activities. Emissions from construction equipment are also anticipated and would include CO, NOx, ROG, directly emitted particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>), and toxic air contaminants (TACs), such as diesel exhaust particulate matter. The proposed project would extend life of an existing mining operation (granite quarry) approved by CUP No. 2928 for 50 more years beyond January 2021 and would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). Therefore, the proposed project would not generate any construction emissions and would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State Ambient Air Quality Standards.

Long term operational emissions on air quality are associates with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment). As discussed above, the proposed project would allow an existing mining operation to be continued beyond its expiration date of January 2021 with no changes. The proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). As the subject proposal would continue the current operations with no changes to current production levels, hours of operations or materials to be mined, the project would not result in new air pollutant emissions. Therefore, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State Ambient Air Quality Standards.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The closest sensitive receptors include the single-family residences

located adjacent to the southern border of the project site along Tollhouse Road, Academy Oaks Lane, and Oak Ridge Lane. The proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). As the proposed project would allow continued mining operation at the project site with no changes to the use, the project would not expose sensitive receptors to new substantial pollutant concentrations.

- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

As noted earlier, the proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access) and would not change current production levels, hours of operations or materials to be mined. The proposed project would not be a source of new odors and odors are not considered an issue when it comes to the quarrying process. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

#### IV. BIOLOGICAL RESOURCES

Would the project:

- 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 Wildlife Service; or
- 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 U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The project site is pre-disturbed with the current mining operation (granite quarry). The subject proposal would allow continued surface mining from 2021 to 2071 within the footprint of approved excavations approved by CUP No. 2928. The proposed time extension would not change the current production levels, hours of operation, materials to be mined, equipment types, or mining methods occurring at the site and will continue to adhere mitigation measures related to wetlands and raptor nestling habitat approved for CUP No. 2928.

The project was routed to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for comments. No response was received from USFWS, and the response received from CDFW indicated that special-status resources (the State threatened Swainson's hawk, the Federally and State threatened

California tiger salamander, and the State species of special concern western pond turtle, American Badger, Burrowing Owl, and Western Spadefoot) that may utilize the project site may need to be evaluated and addressed through protocol-level surveys. The CDFW recommended that a qualified biologist conduct surveys for these species to determine their presence or absence in or near the project site. In most cases, such surveys would be conducted prior to each new phase of surface mining operations. But in the case of Swainson's hawk, the CDFW recommended conducting protocol surveys prior to approval of the subject application (CUP 3681) and for western spadefoot, the CDFW recommended conducting focused surveys to evaluate ongoing ground and vegetation disturbing activities.

A *Biological Habitat Assessment* (BHA) was prepared for the project by Colibri Ecological Consulting, LLC., and dated October 10, 2022. Per BHA, based on field observations and habitat suitability analysis, there are 11 ponds within 1.5 miles of the project site that appear to hold water for more than 2 years including a basin within the project site that holds quarry wastewater runoff. Although the quarry wastewater runoff basin might have a suitable hydroperiod in some years, it is unlikely to provide breeding habitat for the species due to the density of woody vegetation and evidently poor water quality. The BHA further stated that because some of the ponds within 1.5 miles of the project site may provide appropriate conditions for California tiger salamander breeding, the undeveloped portion of the project area contains gopher burrows that could provide upland refugia, and upland areas between the upland refugia and potential breeding pools would allow for migration, California tiger salamander could occur within the project site. The BHA recommends that CDFW recommended surveys and other measures for California Tiger salamander (CTS) shall be implemented for the project. To minimize the impact on CTS, the project shall adhere to the following mitigation measure:

\* **Mitigation Measure:**

1. A minimum 50-foot no-disturbance buffer shall be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the project site, unless a qualified biologist shall conduct protocol-level surveys for California Tiger Salamander (CTS) in accordance with the USFWS "Interim Guidance on Site Assessment and Field. Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW and the USFWS is required to occur well in advance of beginning the surveys and prior to any planned vegetation or ground-disturbing activities. The protocol-level survey includes a 100-foot buffer around the project area in all areas of wetland and upland habitat that could support CTS. Potential or known breeding habitat within and/or adjacent to the project site shall be delineated with a minimum 250-foot no-disturbance buffer.

These surveys are required to be repeated any time the disturbance area of the project expands or there is the potential to eliminate small mammal burrows.

Alternatively, the applicant can assume presence of CTS within the project site and obtain an ITP from CDFW in accordance with Fish and Game Code section 2081 subdivision (b).

If through surveys it is determined that CTS are occupying or have the potential to occupy the project site, consultation with CDFW is warranted to determine if the project can avoid take. If take cannot be avoided, take authorization would be warranted prior to initiating ground-disturbing activities to comply with California Endangered Species Act. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081 subdivision (b).

The BHA indicates that Swainson's Hawks that could potentially nest within a half mile of the existing active mining operation would already be impacted by the existing operations so as to not nest on the project site, that conducting protocol surveys prior to approving the new CUP is not warranted." They would only be needed if the CUP were to be expanded to include new acreage.

According to the *Biological Habitat Assessment* (BHA) due to the lack of habitat in the project area, surveys are not warranted for western spadefoot, western pond turtle, burrowing owl, or American badger.

- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

The Army Corps of Engineers (ACOE) reviewed the proposed project and required that a Wetland Delineation Report be prepared to ascertain the extent of the waters of the United States on the property. An *Aquatic Resource Delineation Report, dated July 2020*, was prepared by Colibri Ecological Consulting, LLC and provided to ACOE for comments.

Per the *Report*, Aquatic resources in the survey area consisted of an artificially created quarry wastewater runoff basin with two contiguous tiers, one about 5 vertical feet below the other. The basin collects quarry wastewater runoff from active quarry operations and serves as a settling basin for water produced from cutting granite slabs. An additional feature classified as R45BC, meaning riverine, intermittent, streambed, seasonally flooded was mapped on the National Wetlands Inventory (NWI) near the southern property boundary. However, this feature lacked a defined bed and bank, channel, riparian vegetation, an ordinary high-water mark, scouring, or other signs of hydrology aside from topographical sloping, and therefore, was not considered an aquatic resource.

No new impacts to the basin are anticipated. Activities consistent with past use are expected with the subject proposal. The basin as mapped consisted of a wetland feature with two elevation tiers. The west side of the basin, or upper tier, was covered



in white granite dust (sediments washed down from the quarry) up to at least 18 inches deep and supported dense stands of hydrophytic vegetation including mule fat and Gooding's willow as well as Fremont cottonwood. The east side of the basin had a concave bottom with deep soil cracks. It also showed accumulations of dried granite dust, but those were isolated to the deepest parts of the basin. It was also densely vegetated, and supported primarily Gooding's willow, common spikerush, and Fremont cottonwood

The ACOE reviewed the *Delineation Report*, concurred with its finding, and expressed no concerns with the project.

- 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?

FINDING: NO IMPACT:

The project site is disturbed by an existing surface mining operation (granite quarry). There are no wildlife or fish movement features (e.g., waterways, arroyos, ridgelines) or any wildlife nursery sites present on the property. The project will not impact these resources.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

The project is not subject to any local policies or ordinances protecting biological resources.

- 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?

FINDING: NO IMPACT:

The project site is within an area defined as PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP) which applies to PG&E's activities and not the subject proposal. Therefore, the project will not be against HCP, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

## V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or

- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
 INCORPORATED:

The project site is in an area that has a moderate degree of archeological sensitivity. The site was surveyed by Donald G. Wren Consulting Archeologist in May 1991 to identify any onsite cultural resources. The survey was conducted for Conditional Use Permit (CUP) No. 2477 and found no resources. During the review of CUP No. 2928 in 2001, the Southern San Joaquin Valley Information Center (SSJVIC) stated that although no cultural resources were discovered in 1991, it is recommended that if cultural resources are unearthed during project activities, all work must halt in the area of find and a qualified, professional archeologist should be called out to assess the findings and make the appropriate mitigation recommendations. During the review of the subject proposal (CUP No. 3681), SSJVIC made the same recommendation. The SSJVIC recommendation has been included as a mitigation measure and upon its implementation, impact to cultural resources would be less than significant.

\* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project would allow the continuation of an existing mining operation (granite quarry) 50 years beyond year 2021. As such, the intensity of operations

(mining and transport) and associated energy use will be consistent with existing conditions, as no production increase is being requested.

The project will not result in inefficient, wasteful, or unnecessary energy to impact environment. There are no unusual project characteristics that would cause the use of mining equipment to be less energy efficient compared with other similar mining sites in other parts of the State. Therefore, it is expected that fuel consumption associated with the mining would not be any more inefficient, wasteful, or unnecessary than at other similar sites in the region.

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 1. 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?
  - 2. Strong seismic ground shaking?
  - 3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the California Department of Conservation, the project site is not in an Alquist-Priolo earthquake fault zone. The site is several miles southwest of the nearest fault zone.

Per Figure 9-5 of the Fresno County General Plan Background Report, the project site is in an area which has 10 percent probability of seismic hazard in 50 years with peak horizontal ground acceleration of zero to 20 percent.

Within the project area, the mining operation will continue to use existing structures and no other buildings are anticipated. Any new structures will be required to conform to the latest Building Code for structural standards regarding earthquake hazards. As such, the proposed project would result in a less than significant exposure of people or structures to potential substantial adverse effects from seismic activity.

- 4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in an area of landslide hazards.

- B. Result in substantial soil erosion or 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site appears to be near or within a generalized area of erosion hazards. The project is an existing mining operation which complies with all necessary erosion control measures which are part of the current mining operation.

Any topsoil removal will only be necessary to access new mining areas and will be used for reclamation. For the current mining operations, topsoil stockpiles for reclamation are located around the quarry and will continue to grow when good soil is found. The existing soils and the soils to be removed during future phase of the project will be used for reclamation. During reclamation, stockpiled topsoil will be redistributed on disturbed surfaces and revegetated pursuant to a re-vegetation plan. Due to the site conditions and erosion control measures, and because topsoil would be stored on site for future use in accordance with the Surface Mining and Reclamation Plan, there will be a less than significant impact.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. Expansion is measured by shrink-swell potential, which is the relative volume change in soil with a gain in moisture. If the shrink-swell potential is rated moderate to high, damage to buildings, roads, and other structures can occur.

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. No structures that require soil analysis per Uniform Building Code Section 18 (e.g., building foundation footings, roadways, and sidewalks) are proposed in the project area; therefore, there will be no impact from expansive soils.

- E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project requires no new septic tanks or alternative wastewater disposal systems on the property.

Per the Fresno County Department of Public Health, Environmental Health Division review of the project, a Project Note would require that the applicant consider having the existing septic tank systems pumped and have the tanks and leech fields evaluated by

an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years and install any new sewage disposal system under permit and inspection from the Department of Public Works and Planning Building and Safety Section.

- F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Analysis* prepared for the project, greenhouse gases (GHG) are emitted through the operation of construction equipment and from worker and supply vendor vehicles, each of which typically use fossil-based fuels to operate. Long-term operational GHG emissions are typically generated from mobile sources (e.g., cars, trucks and buses), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). Mobile-source GHG emissions associated with the project would include project-generated vehicle trips to and from the project site. Area-source emissions would be associated with activities such as any landscaping or maintenance on the project site. Energy source emissions would be generated at off-site utility providers as a result of electricity demand generated by the project. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project generated waste. In addition, water source emissions associated with the proposed project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

As discussed above, the proposed project would allow the current mining operation (granite quarry) to be extended for 50 years beyond year 2021. As the project would allow for the mining operation to continue within current operational characteristics, there will be no additional GHG emissions. Therefore, the project would not generate significant GHG emissions that would have a significant effect on the environment.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Analysis* prepared for the project, the San Joaquin Valley Air Pollution Control District adopted Climate Change Action Plan (CCAP) contains Greenhouse Gas reduction measures which are intended for commercial, residential, and mixed-use projects and wouldn't be applicable to the proposed project. As the proposed project would allow continuation of an existing operations within current operational characteristics, the project would not conflict with any applicable plans, policies or regulations adopted for the purpose of reduction the emissions of GHGs.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- 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; or
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project would not change the current production levels, hours of operation, materials to be mined, equipment types, or mining methods. Because the proposed project would not increase the routine transport, use, or disposal of hazardous materials from existing mining operation which include lubricant and fuel (diesel and gasoline) and waste material and dirt, the project would not result in any increase in the associated potential to create a significant hazard to the public or the environment. Public health and safety precautions are currently in place at the project site in accordance with State of California, Health and Safety Code and State of California, Code of Regulations. In addition, Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations and standards are presently employed to protect both the public and on-site employees and would continue to be employed under the project.

Per the Fresno County Department of Public Health, Environmental Health Division review of the project within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) there is a 100 percent or more increase in the quantities of a previously-disclosed material; 2) the facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts; and 3) changes to building structures and/or hazardous materials/wastes storage areas. Additionally, all hazardous waste shall be

handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, and an Underground Storage Tank Removal Permit be obtained to remove any underground storage tank, if found during construction.

The nearest school, Bud Rank Elementary School, is approximately 6.4 miles west of the project site.

- 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?

FINDING: NO IMPACT:

The project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

- 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, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not within an airport land use plan, two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Kindsvater Ranch Airport, is approximately 2.8 miles south of the site.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT:

The proposed project would not modify the current access to the project site, or the existing street system in the area. Therefore, interference with any adopted emergency response plan or emergency evacuation plan would not occur. The Fresno County Sheriff's Department and the Fresno County Fire Protection District identified no concerns related to emergency access. The project will not impact an adopted emergency response plan or emergency evacuation plan.

- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is outside of an established wildland fire area. The native vegetation of the area is not of the density that typically supports wildfire. Further, the project would

not add vegetation that would support wildfires. As such, the project will not expose persons or structures to wildfire.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Mining and reclamation activities under the proposed project would be like those currently ongoing at the project site and were previously analyzed and approved for the existing operations. Per the applicant Operational Statement, all liquid waste from current mining operation is recycled on site and is used for diamond wired saws. Likewise, saw mud from the recycle tanks is drained and goes to a sediment settling pond and remains there to settle out.

Due to the project design elements and site-specific conditions, it is not anticipated that continuation of the existing mining operation as proposed by the subject application, would violate any water quality standards or waste discharge requirements or otherwise degrade water quality, or conflict with or obstruct the implementation of a Sustainable Groundwater Management Plan.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the project a Project Note would require that: 1) to protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed; 2) permits shall be obtained to destroy water well(s) from Health Department, prior to commencement of work; and 3) if any underground storage tank(s) are found during mining activities, an Underground Storage Tank Removal Permit shall be obtained from Health Department.

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: NO IMPACT:

The project site is located within the North Kings Groundwater Sustainability Area (NKGSA). The NKGSA reviewed the proposed project and offered no comments.

The project site is in a low water area of Fresno County. Water used during the current quarry operations comes from an onsite well. Average water usage is 8,017 gallons per working day. The proposed project will not increase the current water consumption.



The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and offered no comments regarding water availability/sustainability for the project.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
1. Result in substantial erosion or siltation on or off site; or
  2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
  3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
  4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No natural drainage channels run through the project site. Dog Creek runs northwesterly along the northern tip of the project boundaries. The project site is not affected by the Creek.

No storm water runoff leaves the site. Runoff water from the site run naturally down the driveway from the quarry area and saw area. The water flows down the south side of the entrance road and then passes through a culvert under the roadway and goes down to the settling pond which is large enough to handle most storm events. Surface water run-off is also diverted from the quarry to the settling pond.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in Flood Zone A per FIRM Panel 1500B which requires that any development within the areas identified as flood prone be in accordance with Fresno County Flood Hazard Ordinance.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

Fresno County has no Water Quality Control Plan. As such, not conflict with any water quality control plan would occur. The project is located within the North Kings Groundwater Sustainability Area. See discussion in Section X. B. above.

## XI. LAND USE AND PLANNING

Would the project:

### A. Physically divide an established community?

FINDING: NO IMPACT:

The project site is located approximately 10 miles northeast of the City of Clovis in a rural area comprised of grazing land with sparse single-family residences. No public road traverses the project site nor does it block any designated roads or pathways. The project would not divide any established communities and no impact would occur.

### B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project does not require General Plan amendment or zone change for the project site and is outside of the Sphere of Influence (SOI) of any incorporated community.

The project site is designated as Specific Plan Reserve in the Sierra-North Regional Plan and is zoned AL-40 (Limited Agriculture). The proposed project (time extension for an existing mining operation) is subject to approval of a conditional use permit (Ordinance Section 853.B-5) and the mining restrictions as set forth in the Ordinance Section 858 - Regulations for Surface Mining and Reclamation in All Districts.

The project complies with the Mineral Resources Section of the Open Space and Conservation Element of the General Plan adopted in 1969 and allowed non-conforming mineral extraction operations to continue. The existing mining operation (granite quarry) was recognized as a non-conforming use by CUP No. 2477 in 1991 and expanded in 2001 by CUP 2928 and is shown as an established location for decomposed granite in Figure 7-8 of the Fresno County General Plan Background Report.

Policies of the Mineral Resources Section of the Open Space and Conservation Element encourage the development of mineral resources when conflict with surrounding uses and natural environment can be minimized. The project involves no changes to the existing mining operation which will continue to operate for an additional 50 years beyond year 2021 within the framework authorized by prior Use Permits.

## XII. MINERAL RESOURCES

Would the project:

- 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?

FINDING: NO IMPACT:

No geothermal or other leasable mineral resources occur at or near the project site. The project entails continued excavation of an existing surface mining operation (granite quarry) and would result in no impact related to the loss of availability of a known mineral resource of value to the region and 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?

FINDING: NO IMPACT:

The proposed project would not result in adverse impact related to the loss of availability of a locally important mineral resource recovery site delineated on the County General Plan. Approval of the project would facilitate the development of the balance of the mine site as previously authorized by Use Permits and would more fully utilize existing mineral resources that would not be tapped into otherwise. This would allow the mine to continue to be an important contribution to the County's overall economy. Thus, the project would result in recovery of additional resources (granite) that would no longer be available if mining ceased at the site after January 2021. The value and benefits derived from the mining, processing, and selling of the granite would outweigh the loss of these resources.

### XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in a rural area comprised of grazing land with sparse single-family residences. There are five (5) homes within one-half mile radius and over 20 homes within a one-mile radius of the project site.

Per the Applicant's Operational Statement, the existing mining operation (granite quarry) on the project site is year-round and takes place in outdoor. Operational hours are from 7 AM to 3:30 PM Monday through Friday for 40 hours per week.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and required that an acoustical analysis be prepared for the project to analyze the potential noise impacts resulting from mining onto nearby sensitive receptors. 4

A *Noise Analysis Memorandum*, dated November 10, 2020, was prepared by LSA Associates and provided to Health Department for comments. Per the *Memorandum*, short term construction-related noise occurs as a result of construction crew commutes and the transport of construction equipment and materials to the site, which would incrementally increase noise levels on roads leading to the site. The second type of construction noise impact is related to noise generated during excavation and trenching activities. The proposed project would allow current operations to continue and would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access). Therefore, the proposed project would not generate additional construction-related noise than the current mining operations produces. The project would not result in the generation of a substantial temporary increase in ambient noise levels in the vicinity of the project more than standards established in the county noise ordinance.

Long term noise-generating uses associated with the proposed project occur as a result of vehicle traffic and equipment and operations.

Regarding traffic noise impact, the proposed project would allow the current operation to continue and would not result in any physical changes to the existing site. The project assumes a maximum of 78 trips per day whereas the adjacent Tollhouse Road (State Route 168) carries approximately 5,700 average daily trips. As such, project trips represent a small increase in noise levels and would not result in a perceptible noise increase along any roadway segment in the project vicinity. Regarding operational noise, during mining operation, all factory installed and custom-made sound suppression attachments to the equipment are kept in proper maintenance in an effort to keep noise levels as low as possible and several practices are maintained to minimize the amount of noise generated by blasting.

Per the *Memorandum*, the closest sensitive receptors include single-family residences located adjacent to the southern border of the project site along Tollhouse Road, Academy Oaks Lane, and Oak Ridge Lane. However, the closest operations would be located approximately 1,800 feet from the closest residence. The project would meet the County's noise ordinance requirements of 50 dBA Leq or less for more than 30 minutes in any hour. Compliance with the noise ordinance would reduce operational noise impacts to a less-than-significant level. Therefore, the project would not result in the generation of a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local noise ordinance.

The *Memorandum* concludes that the proposed project would not result in construction noise impacts on nearby residential uses and long-term operation of the project would not create a significant increase in operational noise, including noise associated with vehicle traffic and equipment and operations.

The Fresno County Department of Public Health, Environmental Health Division reviewed the *Noise Analysis Memorandum*, concurred with its findings, and stated that the mining activities should conform with the Fresno County Noise Ordinance. This requirement will be included as a Project Note.

- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Noise Analysis Memorandum*, typical sources of ground borne vibration are construction activities (e.g., pavement breaking and operating heavy-duty earthmoving equipment), and occasional traffic on rough roads. In general, ground borne vibration from standard construction practices is only a potential issue when within 25 feet of sensitive uses. As the proposed project would not result in any physical changes to the existing site (e.g., demolition, construction, modification of site access), potential structural damage from heavy construction activities would not occur. The project would not generate significant ground borne vibration.

- C. For a project located within the vicinity of a private airstrip or 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?

FINDING: NO IMPACT:

See discussion in Section IX. E, HAZARD AND HAZARDOUS MTERIALS above.

#### XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned 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)?

FINDING: NO IMPACT:

Mining is unrelated to population growth. The project would not induce population growth, displace housing, or displace a substantial number of people, necessitating the construction of replacement housing elsewhere.

- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project site contains no residential dwelling, and none is proposed by this application. Accordingly, the proposed project would not displace housing or a substantial number of people necessitating the construction of replacement housing elsewhere.

#### XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the 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 following public services:

- 1. Fire protection?

FINDING: NO IMPACT:

The Fresno County Fire Protection District reviewed the proposed project and expressed no concerns related to fire.

- 2. Police protection?

- 3. Schools; or

- 4. Parks; or

- 5. Other public facilities?

FINDING: NO IMPACT:

The project will have no impact on police, park, school or other public facilities.

## XVI. RECREATION

Would the project:

- A. 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; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities. No impact would occur.

## XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: NO IMPACT:

The proposed project would allow continuation of an existing mining operation (granite quarry) with no changes to the current operation. The operation does not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system or any applicable congestion management program, for designated roads or highways that directly or indirectly serve the project site.

According to the Applicant's Operational Statement, the existing mining operation generate 14 one-way daily trips (7 round trips) by employees; maximum 10 one-way daily trips (5 round trips) by customers/visitors; and 50 one-way daily site trips (25 round trips) by service or delivery trucks.

The Design and Road Maintenance & Operations Division of the Fresno County Department of Public Works and Planning and California Department of Transportation reviewed the proposal and expressed no concerns related to traffic. No impact would occur.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The existing mining operation on the project site gains access off State Route 168 (Tollhouse Road) via an existing private access road. This access point was approved by previous Use Permits.

As there will be no change to the existing access point, the proposed project would not increase hazards due to a design feature, such as a sharp curve or dangerous intersection, or inadequate emergency access.

The California Department of Transportation (Caltrans) expressed no concerns with the project given the project site is an existing mining site provided with an existing access connection to State Route 168.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
  2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

FINDING: LESS THAN SIGNIFICANT IMPACT:

Pursuant to Assembly Bill (AB) 52, the project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested for consultation within the comment period. However, in the unlikely event, potential impacts associated with the tribal cultural resources that may be encountered during project activities will be reduced to less than significant with implementation of Mitigation Measure included in Section V. CULTURAL RESOURCES above.

#### XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project will not result in the relocation or construction of new electric power, natural gas, or telecommunications facilities.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?



FINDING: NO IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

- C. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Due to no change to the existing solid waste generation quantities or collection procedures is anticipated from the subject proposal less than significant impact related to solid waste services would result. The project site is served by permitted solid waste landfills that have enough capacity to meet the project's need. Also, all activities at the site would comply with Federal, State, and local solid waste statutes and regulations.

## XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

The proposed project would not modify the current access to the project site off State Route 168, or the existing street system in the area. As such, there will be no interference with any adopted emergency response plan or emergency evacuation plan. No impact would occur.

- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

FINDING: NO IMPACT:

The project site is disturbed with the existing mining operation since 1964. Vegetation cover includes sparse cluster of trees at the outskirts of the existing mining area which is below grade. Since the proposed project entails continuation and not expansion of an existing mining operation, the project does not pose added risk of wildfire hazard to project occupants, people, or structures to wildfire hazard. Therefore, no impact would occur.

- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

FINDING: NO IMPACT:

The existing access road to the project site is asphalt concrete paved. All existing structure on the mining site are subjected to Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations, and standards. Therefore, a less than significant impact would occur related to wildfire risk resulting from maintenance of project infrastructure related to the existing mining operation on the property.

- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

The project site is a non-agricultural land that has been utilized for surface mining (granite quarry) for decades. Areas of the project site not disturbed by existing mining activities are made up of ruderal vegetation. The proposed project would only increase time extension for the mining and therefore, would not increase the potential for people or structures to be exposed to risks involving flooding, landslides or drainage change from existing conditions resulting in no impact.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially 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, substantially 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Impacts to quality of the environment would be minimal because the proposed project would only allow continuation of an existing mining operation for an additional 50 years

beyond 2021. The current operation was allowed/recognized by CUP No. 2477 and later expand by CUP No. 2928. The project would not degrade the quality of the environment, substantially reduce habitats or species, or eliminate important examples of the major cultural periods of the state. Impacts to biological resources and cultural resources as identified in Section IV, BIOLOGICAL RESOURCES and Section V, CULTURAL RESOURCES will be mitigated to a less than significant level.

- B. 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)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project would not modify the existing production levels, hours of operation, materials to be mined, equipment types, number of employees, or mining methods for an existing mining operation (granite quarry) on the property. As such, the project would not cause an increase in the cumulative impacts in the area. With implementation of the required Mitigation Measures included in this Evaluation of Environmental Impact, the project-level impacts would not be cumulatively considerable and the project’s incremental contribution to cumulative impacts would be less than significant.

- C. Have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project entails continuation of an existing surface mining operation consistent with current practices at the Applicant’s existing surface mining operation at the project site. Given the project will remain within the existing baseline approved by previous use permits, the project is not expected to result in any new environmental effects, such as significant increases in air pollutant or GHG emissions, risk related to geological hazards, exposure to hazards or hazardous materials, or exposure to excessive noise levels, that would cause adverse effects on human beings. Because adverse effects on human beings, either directly or indirectly, would not occur because of the implementation of the proposed project, a less-than-significant impact would result.

## **CONCLUSION/SUMMARY**

Based upon Initial Study No. 7878 prepared for Unclassified Conditional Use Permit Application No. 3681, staff has concluded that the proposed project will not have a significant effect on the environment.

It has been determined that there would be no impacts to agriculture and forestry resources, mineral resources, population and housing, recreation, transportation, or wildfire.

Potential impacts related to air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics, biological resources and cultural resources have been determined to be less than significant with the identified Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Streets, Fresno, California.

EA:

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**EXHIBIT 9**

|  |  |   |                    |
|--|--|---|--------------------|
| File original and one copy with:<br><b>Fresno County Clerk<br/>2221 Kern Street<br/>Fresno, California 93721</b>   |  | Space Below for County Clerk Only.<br><br>CLK-2046.00 E04-73 R00-00 |                    |
| Agency File No:<br>IS 7878   | <b>LOCAL AGENCY<br/>PROPOSED MITIGATED<br/>NEGATIVE DECLARATION</b>        | County Clerk File No:<br><b>E-</b>                                  |                    |
| Responsible Agency (Name):<br>Fresno County  | Address (Street and P.O. Box):<br>2220 Tulare St. Sixth Floor              | City:<br>Fresno   | Zip Code:<br>93721 |
| Agency Contact Person (Name and Title):<br>Ejaz Ahmad, Planner   | Area Code:<br>559  | Telephone Number:<br>600-4204                                       | Extension:<br>N/A  |
| Applicant (Name): Cold Spring Granite Company.   | Project Title:<br>Unclassified Conditional Use Permit Application No. 3681 |   |                    |
| Project Description:<br>Allow continued surface mining operation (granite quarry) with facilities approved by CUP No. 2928 for an additional 50 years to January 18, 2071, on two contiguous parcels totaling 142 acres in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District. The project site is located on the southeast side of Tollhouse Road (State Route 168) at its intersection with Newmark Road approximately 10 miles northeast of the City of Clovis (APN: 150-141-33 & 35) (14147 Tollhouse Road) (Sup. Dist. 1).   |  |   |                    |
| Justification for Mitigated Negative Declaration:<br>Based upon the Initial Study (IS) No. 7878 prepared for Unclassified Conditional Use Permit Application No. 3681, staff has concluded that the project will not have a significant effect on the environment.<br><br>No impacts were identified related to agriculture and forestry resources, mineral resources, population and housing, recreation, transportation, or wildfire.<br><br>Potential impacts related to air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant.<br><br>Potential impacts related to aesthetics, biological resources, and cultural resources have been determined to be less than significant with the included Mitigation Measures.<br><br>The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California. |  |   |                    |
| FINDING:<br>The proposed project will not have a significant impact on the environment.  |  |   |                    |
| Newspaper and Date of Publication:<br>Fresno Business Journal – October 17, 2022   |  | Review Date Deadline:<br>Planning Commission – November 17, 2022    |                    |
| Date:<br>October 14, 2022  | Type or Print Name:<br>David Randall, Senior Planner                       | Submitted by (Signature):   |                    |

State 15083, 15085

County Clerk File No. \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**



EXHIBIT 10

**Conditions of Approval No. 2477**

1. Unclassified Conditional Use Permit No. 2477 shall expire 17 years from the effective date of approval.
2. Development and operation shall be in accordance with the site plan, cross sections, operational statement and rehabilitation plan approved by the Commission, except as modified by other conditions of this permit.
3. Within 30 days of the effective date of approval, a Site Plan Review application shall be submitted to and approved by the Director of the Public Works & Development Services Department in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance. All conditions of the Conditional Use Permit and Site Plan Review shall be met within 90 days from the date of approval of the Site Plan Review.
4. The extraction operation shall consist of not less than six separate phases. Each phase shall be numbered and shown on the approved Site Plan.
5. A dust palliative shall be applied to all haul roads as frequently as necessary to control dust. Dust palliatives may include road oil, water, magnesium chloride, or other proven materials.
6. Operating hours for the excavation of granite shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Saturday. The hours of operation for the cutting process shall be limited to the hours of 7:00 a.m. to 3:00 a.m., Monday through Saturday. The hours for the cutting process may be extended to 24 hours when required to meet demands of clients and/or projects.
7. The use shall be operated in conformance with the Fresno County Noise Ordinance. If necessary, operational and/or physical mitigation measures shall be provided to ensure compliance.
8. The use shall be operated in such a manner as to avoid creating a dust or noise nuisance.
9. A detailed rehabilitation plan shall be submitted as part of the Site Plan Review Application. The plan shall show the proposed final slopes and contours of the site.
10. Security, as herein specified, shall be deposited during the Site Plan Review process. Said security shall be in the form of cash deposited by the operator with the County in an approved irrevocable escrow or

its equivalent and shall be in an amount determined by the Director equal to 100 percent of the total cost of completing the subject phase of rehabilitation. Said security may be partially released during the progress of rehabilitation as long as the same ratio of security is maintained for all incomplete work.

11. Each year a qualified geologist or soils engineer shall complete a geotechnical report to the satisfaction of the Director of the Public Works & Development Services Department certifying that the slopes of the extraction area and grout piles are stable and are not impacted by erosion. If certification of the proposed slopes cannot be made, the report shall specify modifications as conditions of approval. The report shall be updated if geologic conditions encountered during excavation are significantly different from those identified in the report.
12. The revegetation plan shall include the recommendations of the October 31, 1991, report prepared by John C. Stebbins, consulting botanist.
13. The granite cutting operation shall cease operation upon completion of the extraction activities on the site, or upon expiration of this Conditional Use Permit, whichever occurs first.
14. Rehabilitation of the site shall be completed within one year after excavation ceases and shall include removal of all equipment and structures.



## Conditions of Approval No. 2928

1. Unclassified Conditional Use Permit No. 2928 shall expire 20 years from the effective date of approval.
2. All conditions of approval under Unclassified Conditional Use Permit No. 2477 shall remain in full force and effect.
3. Development and operation shall be in accordance with the site plan, cross sections, operational statement and rehabilitation plan approved by the Commission, except as modified by other conditions of this permit.
4. A Site Plan Review application shall be submitted to and approved by the Director of the Planning & Resource Management Department in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance.
5. The extraction operation shall consist two separate phases. Each phase shall be numbered and shown on the approved Site Plan.
6. A dust palliative shall be applied to all haul roads as frequently as necessary to control dust. Dust palliatives may include road oil, water, magnesium chloride, or other proven materials.
7. Operating hours for the excavation of granite shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Saturday. The hours of operation for the cutting process shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Saturday. The hours for the cutting process may be extended to 24 hours when required to meet demands of clients and/or projects.
8. The use shall be operated in conformance with the Fresno County Noise Ordinance. If necessary, operational and/or physical mitigation measures shall be provided to ensure compliance.
9. The use shall be operated in such a manner as to avoid creating a dust or noise nuisance.
10. A detailed rehabilitation plan shall be submitted as part of the Site Plan Review Application. The plan shall show the proposed final slopes and contours of the site.
11. Security, as herein specified, shall be deposited during the Site Plan Review process. Said security shall be in the form of cash deposited by the operator with the County in an approved irrevocable escrow or its

equivalent and shall be in an amount determined by the Director equal to 100 percent of the total cost of completing the subject phase of rehabilitation. Said security may be partially released during the progress of rehabilitation as long as the same ratio of security is maintained for all incomplete work.

12. Each year a qualified geologist or soils engineer shall complete a geotechnical report to the satisfaction of the Director of the Public Works & Development Services Department certifying that the slopes of the extraction area and grout piles are stable and are not impacted by erosion. If certification of the proposed slopes cannot be made, the report shall specify modifications as conditions of approval. The report shall be updated if geologic conditions encountered during excavation are significantly different from those identified in the report.
13. The revegetation plan shall include the recommendations of the report prepared by John C. Stebbins, consulting botanist, dated October 31, 1991, and the recommendations of the report prepared by Hartesveldt Ecological Consulting Services, dated June 16, 2000.
14. The granite cutting operation shall cease operation upon completion of the extraction activities on the site, or upon expiration of this Conditional Use Permit, whichever occurs first.
15. Rehabilitation of the site shall be completed within one year after excavation ceases and shall include removal of all equipment and structures.
- \*16. In order to mitigate potential impacts to wetlands, raptor nesting habitat and other wildlife resources the following requirements shall be met:
  - a. Potential impacts to wetlands shall be addressed by prohibiting surface mining operations within a 100-foot wide no-construction/no-disturbance buffer area that begins at the outer edge of the two wetland areas identified in the Biotic Ecological Resources Survey conducted by Hartesveldt Ecological Consulting Services dated June 16, 2000.
  - b. Potential impacts to nesting raptors shall be addressed by prohibiting mining operations during the breeding season of February through July. If surface mining activities must occur during the breeding season, the applicant shall retain a qualified ornithologist to survey the project site for nesting raptors within 30 days of the onset of mining activities. In the event nesting raptors are located within or immediately adjacent to the mining activities, a qualified ornithologist shall consult with the California Department of Fish and Game to

develop suitable construction setbacks that will protect the nest(s) until after the conclusion of the breeding season.

17. Blasting activities shall be limited to weekdays between the hours of 8:15 a.m. to 5:00 p.m.