John Vidovich handed out to each member of Commission 5/31/2012

Modifications to conditions for Hanson Permanente Cement, Inc.

Rile Number 2250-13066-10P-10EIR(M1)

1. Any and all references to the size of the reclamation area being 1,238 acres shall be deleted and the reclamation area shall be increase to include the area considered the cement plant, the area north of the proposed reclamation line and extending the southern boundary out by 1000 feet. The new area is somewhat close to 2,000 acres. The proposed reclamation for the cement plant is to leave it as an operating cement plant. The other areas that have been added will be left native but due to slides on the north and interference with the county easement this area is included to make sure reclamation tools are available to mitigate impacts.
2. The east materials stockpile shall be place first into the North Quarry prior to placing any material from the west storage site. The east materials stockpile area shall be reclaimed so that its finished surface does not include a massive steep slope protruding towards the east end. Fill created contours will be straightened and the proposed fill will be substantially reduced. Currently this fill area is creating a mountain with 2:1 slopes near housing and the slopes should be reduced to 4:1 with the height reduced to the natural height on either side. There is an 870, then a 840 and then a 900 foot elevation plateau going from east to west and I suggest that the 870 elevation would be better in at 800 elevation. The mountain created is imposing and the material can be used to fill the North Quarry.
3. Due to the complexity and work involved the reclamation plan should last for 30 years as opposed to 20. However biannually an estimated topographical plan should be produced that estimates the grades if the mining stopped and reclamation took place at that time and a topographical plan of where it would be in two years at the same rate of extraction took place. This way the community can visualize biannually what reclamation would do to the land forms. This can also alert the county of run away mining where material is not available to create the present approved plan
4. The planning commission shall have the authority to adjust the grading plan, time lines for reporting, minor adjustments to the approvals upon a request from the Mine operator. Such changes will be noticed to the public.

5. The Applicant shall provide an engineered drawing of a pipe from Steven Creek Dam to the "Cement Plant area" which is the closest place over the hill to the Applicants reclamation project area. A drilling point through the hill will be shown to allow pumping at different elevation lifts. A preliminary design should show what it take to move 500, 1000, and 2000 cubic feet per second of flood water from Stevens Creek dam to a to be created water impoundment area in and near the cement plant area. The purpose is to examine a flood control feature as an alternative use of a portion of the site as required by CEQA. The Applicant has violated the counties open space easement and this may be mitigation for this violation since the mountain cannot be replaced. This is only a preliminary study. It is known that Stevens Creek has historically flooded many years with the loss of homes to the creek at different times and at times Permanente creek water is put into the downstream portion of Stevens creek.
6. Please explain condition 45, as to proof of a care takers residence?? It references conditions 42 and 43. As I read it these conditions seem to not be relevant.
7. The selenium solution in the reclamation plan is represented as the BMP and it is further represented that control of selenium is in the tens of millions of dollars.
8. Condition 42 seems to indicate that no night lighting shall be allowed that is visible from the valley floor or the roadways and this needs to be eliminated or modified. Currently night lighting is visible and I think that the lighting should be moderated as opposed to eliminated. Elimination is impossible.