



March 2, 2020

Mr. Steven Valdez  
San Bernardino County  
Land Use Services Department, Planning Division  
385 North Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0187

Governor's Office of Planning & Research

**MAR 02 2020**

**STATE CLEARINGHOUSE**

Copy sent via email: [Steven.Valdez@lus.sbcounty.gov](mailto:Steven.Valdez@lus.sbcounty.gov)

SUBJECT: Area Q Quarry Project Notice of Preparation (NOP) State Clearinghouse (SCH) No. 2020010528

Dear Mr. Valdez:

Thank you for including the Department of Conservation's Division of Mine Reclamation (Division) in the environmental review process for the Area Q Quarry Project NOP. The NOP indicates that the County of San Bernardino (County), as lead agency under the California Environmental Quality Act (CEQA), will be coordinating the preparation of a Draft Environmental Impact Report (DEIR) for Vulcan Materials Company (Vulcan) Area Q Quarry Project (Project or Area Q). The Project as described in the NOP includes the following elements:

- General Plan Amendment from Single Residential to Community Industrial zoning.
- A proposed Mining Conditional Use Permit (CUP) and Surface Mining and Reclamation Plan Amendment for the following operations:
  1. Relocation and expansion of existing operation (Cajon Creek Quarry Area L), located within the City of San Bernardino (City), to Area Q, located within the County
  2. Open pit surface mining of approximately 40,000 tons of aggregate over a 30-year period, to cease in 2053
  3. Temporary stockpiling of excavated materials
  4. Placement of ancillary mining equipment
  5. Transporting excavated materials via conveyor belt to an adjacent processing facility/mine (Cajon Creek Quarry Area L)
  6. Reclamation to open space

The Division has review responsibilities associated with lead agency implementation of the Surface Mining and Reclamation Act of 1975 (SMARA; Public Resources Code Section 2710 et seq.). SMARA provides a comprehensive surface mining and reclamation policy to assure that adverse environmental impacts are minimized, and mined lands are reclaimed. The Division's primary focus is on existing surface mining operations and the return of those mined lands to a usable and safe condition while

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giving consideration to environmental and recreational values; however, the Division also addresses issues related to abandoned (pre-1976) legacy mines. The Division's interest in this project relates to SMARA lead agency determination and any nexus that would have with CEQA document preparation.

The Cajon Creek Quarry (Area L) operation is adjacent to the proposed Area Q Project. Area L operates under a reclamation plan that the City of San Bernardino (City), as SMARA lead agency, approved in 1993. Upon completion of mining activities in Area L, the City would remain as the SMARA lead agency until reclamation is completed pursuant to the approved reclamation plan. However, the NOP indicates that upon completion of mining activities in Area L, relocation and expansion of the operation in Area L (within City jurisdiction) would occur in Area Q (within County jurisdiction).

Pursuant to SMARA Section 2771:

"Whenever a proposed or existing surface mining operation is within the jurisdiction of two or more public agencies, is a permitted use within the agencies, and is not separated by a natural or manmade barrier coinciding with the boundary of the agencies, the evaluation of the proposed or existing operation shall be made by the lead agency in accordance with the procedures adopted by the lead agency pursuant to Section 2774".

Although Division staff have not visited the Area Q site, analysis of recent aerial photography and review of submitted reclamation plan maps demonstrate the lack of a natural or manmade barrier separating Cajon Creek Quarry and the proposed expansion. The Division is concerned that an existing operation permitted by two jurisdictions and two reclamation plans is not consistent with SMARA.

Additionally, the Division requests to be included on the distribution list for this project and sent any subsequent project documents (e.g., the Draft EIR, hearing notices for the Draft and Final EIRs, and any supplemental environmental documents), as well as a copy of the certified final Environmental Impact Report, to the address below, attention Carol E. Atkins, Department of Conservation, Division of Mine Reclamation.

If you have any questions, please contact either of us at (916) 323-9198.

Sincerely,



Carol E. Atkins, Manager  
Environmental Services Unit



Paul Fry, Manager  
Engineering and Geology Unit

cc (copy sent by email):

State Clearinghouse, [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

Department of Conservation, Office of Legislative and Regulatory Affairs,  
[OLRA@conservation.ca.gov](mailto:OLRA@conservation.ca.gov)