



June 9, 2021

Governor's Office of Planning & Research

Mr. Steven Valdez
County of San Bernardino
Land Use Services Department
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187

June 09 2021

STATE CLEARING HOUSE

Copy sent via email: Steven.Valdez@lusd.sbcounty.gov

**SUBJECT: ORO GRANDE QUARRIES EXPANSION PROJECT; INITIAL STUDY/MITIGATED
NEGATIVE DECLARATION, STATE CLEARINGHOUSE NO. 2021050222**

Dear Mr. Valdez:

Thank you for including the Department of Conservation's Division of Mine Reclamation (Division) in the environmental review process for the Oro Grande Quarries Expansion Project (Proposed Project) Initial Study/Mitigated Negative Declaration (IS/MND). San Bernardino County (County), as lead agency under the California Environmental Quality Act (CEQA), has prepared the IS/MND for the Proposed Project.

As described in the IS/MND, Cal Portland (Operator) is proposing to amend the existing use permit and Reclamation Plan (RP) to expand the Sparkhule, Original Canyon, Shay-Klondike, and Mack's Peak Limestone Quarries, collectively known as the Oro Grande Quarries (84M-009), re-open and incorporate the Superior Quarry (91M-01), and extend the Proposed Project for 100 years. The County submitted an amended RP for this Proposed Project October 25, 2019, which Division staff reviewed and provided a comment letter dated December 24, 2019. The description of the Proposed Project includes the following elements that have a nexus with the Surface Mining and Reclamation Act of 1975 (SMARA; Public Resources Code Section 2710 et seq.):

- Expand mining operations on the existing five quarries by 315 acres for a total disturbed area of 1,165 acres
- Re-open the Superior Quarry (CA Mine ID #36-0037) and merge the RP into the amended RP for the Oro Grande Quarries (CA Mine ID #36-0023)
- Extend mining operations and reclamation by 100 years, culminating December 31, 2121

The Division's primary focus is on active surface mining; however, the Division also addresses issues related to abandoned (pre-1976) legacy mines. The Division has reviewed responsibilities associated with lead agency implementation of SMARA. SMARA provides a comprehensive surface mining and reclamation policy to assure that:

Mr. Steven Valdez
Oro Grande Quarries Expansion Project
June 9, 2021

- Adverse environmental effects of surface mining operations are prevented or minimized and mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.
- Production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.
- Residual hazards to the public health and safety are eliminated.

Division staff has reviewed the subject IS/MND pursuant to CEQA statutes and guidelines and offers the following comment at this time:

- The IS/MND should be revised to reflect current protective status for the Western Joshua Tree under the California Endangered Species Act (CESA). Western Joshua Tree (*Yucca brevifolia*; aka *Yucca brevifolia* var. *brevifolia*) is currently a candidate for listing under CESA. Division staff acknowledges that a tree removal permit from the County on August 11, 2020 for removal and/or transplanting of this species from the site was obtained; however, this permit precedes the California Fish and Game Commission's acceptance of the Center for Biological Diversity's petition on September 22, 2020 to list the Western Joshua Tree as a candidate threatened species under CESA. Currently, Western Joshua Tree has full protection under CESA, which would preclude relocation or removal of a plant without appropriate permissions (i.e., an incidental take permit) from the California Department of Fish and Wildlife.

The Division requests to be included on the distribution list for this Proposed Project. Additionally, the Division requests that any subsequent project documents (e.g., hearing notices and any supplemental environmental documents), as well as a copy of the approved IS/MND, be sent to the Division at the mailing address on the bottom of page 1 of this letter or to DMR-Submittals@conservation.ca.gov. If you have any questions, please contact either of us at (916) 323-9198.

Sincerely,

DocuSigned by:

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Carol E. Atkins
Manager
Environmental Services Unit

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