



December 3, 2021

Mr. Randall Cates
Kern County
Planning and Natural Resources Department
2700 M Street Suite 100
Bakersfield, CA 93301

Governor's Office of Planning & Research

Dec 03 2021

STATE CLEARINGHOUSE

Copy sent via email: CatesR@kerncounty.com

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
GEM HILL PROJECT (SCH# 2021110076)

Dear Mr. Cates:

Thank you for including the Department of Conservation's Division of Mine Reclamation (Division) in the environmental review process for the proposed Gem Hill Quarry Project (Proposed Project) Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR). The NOP indicates that Kern County (County), as lead agency under the California Environmental Quality Act (CEQA), will prepare a draft EIR for the Proposed Project.

As described in the NOP, the County seeks written comments regarding the scope and content of the environmental information to be included in the draft EIR. The Proposed Project is for approval of a Conditional Use Permit application to mine 35 acres within an approximately 210-acre area, with a total disturbance and reclamation area of 82-acres and approval of a reclamation plan for the 210-acre mine and reclamation plan boundary. CalPortland Cement Company is the project proponent and plans to mine volcanic tuff. The proposed surface mining operation will include the quarry, two overburden stockpiles, stormwater basins, an equipment storage area, a water well and conveyance pipe, truck scale, and access roads.

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

- 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

Mr. Randall Cates
NOP for draft EIR (SCH No. 2021110076)
December 3, 2021

Division staff has reviewed the subject NOP and Initial Study pursuant to CEQA Statutes and Guidelines and offers the following comments regarding scoping of the draft EIR:

Comment 1:

The Division recommends that the draft EIR includes:

- A biological assessment including identification of state and federal special status species and that incorporates appropriate avoidance and mitigation measures. Typically, the special status species evaluation includes a 9-quadrant evaluation using the California Department of Fish and Wildlife's Biogeographic information and Observation System (a.k.a. BIOS).
- Any special status species surveys, as appropriate for the site.
- An evaluation of proposed RP, including RP requirements such as test plots (initiating them concurrent with mining as per SMARA requirements)

Comment 2:

Division staff will provide specific comments on the RP for this proposed mining activity once the Division receives the complete RP and any supporting documents, along with the statement from the County that certifies the submission as complete and in accordance with PRC Section 2772.1(a)(3)(A-C). Additionally, Division staff will provide comments on the financial assurance cost estimate for the Proposed Project in accordance with PRC Section 2773.4(a-d).

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., 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 EIR, be sent to the Division at DMR-Submittals@conservation.ca.gov or the mailing address on the bottom of page 1 of this letter. If you have any questions, please contact me at (916) 323-9198.

Sincerely,

DocuSigned by:

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Claire Meehan
Environmental Scientist
Environmental Services Unit

ec: State Clearinghouse, state.clearinghouse@opr.ca.gov

Department of Conservation, Office of Legislative and Regulatory Affairs,
OLRA@conservation.ca.gov