



COUNTY OF SAN BENITO
RESOURCE MANAGEMENT AGENCY
NOTICE OF PREPARATION

Date: March 24, 2023
To: Responsible Agencies, Trustee Agencies, and Other Interested Parties
Subject: Notice of Preparation of an Environmental Impact Report for the Nash Road Quarry Reclamation Plan Project (Mine ID# 91-35-0015)
Lead Agency: San Benito County
From: San Benito County Resource Management Agency
Attn.: Arielle Goodspeed, Principal Planner
2301 Technology Parkway
Hollister, CA 95023

NOTICE IS HEREBY GIVEN that San Benito County (County) will serve as the Lead Agency under the California Environmental Quality Act (CEQA) in preparing an Environmental Impact Report (EIR) for the Proposed Nash Road Quarry Reclamation Plan submitted to the County by Sandman, Inc. (Applicant). The proposed reclamation plan would supersede the previously approved 1977 Hillsdale Rock Company Reclamation Plan and provides for reinitiation of mining, processing activities, and reclamation of the site.

In accordance with CEQA Guidelines Section 15082, the County has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties information about the proposed project, advise of the County's intent to prepare an EIR for the project, and invite agencies and interested parties to provide input to the County on the scope of issues to be addressed in the EIR. Responsible and trustee agencies will need to use the EIR prepared by the County when considering issuance of permits or other approvals for the project, and the County is requesting input on the scope and content of the environmental information germane to each commenting agency's statutory responsibilities in connection with the project.

On May 29, 2013, the County circulated an NOP announcing the County's intent to prepare an EIR for a then-proposed reclamation plan amendment for the Nash Road Quarry. That previously proposed reclamation plan amendment is superseded by the currently proposed project. Comments that were submitted in response to the 2013 NOP will not be considered by the County in its review of the current project.

PUBLIC REVIEW PERIOD: Pursuant to CEQA Guidelines Section 15082(b), this NOP is available for a 30-day public review and comment period during which San Benito County will receive comments on the scope of the EIR. The review and comment period begins March 24, 2023, and ends on April 24, 2023. Responses must be sent at the earliest possible date, but not later than the end of the 30-day comment period. Comment submittal information is provided at the end of this NOP.

PUBLIC SCOPING MEETING: The San Benito County Resource Management Agency (RMA) and the County Planning Commission will hold a public scoping meeting for the project during a Planning Commission meeting on April 5, 2023. The scoping meeting will include a presentation providing an overview of the proposed project and environmental review process, and

will invite public input on the scope of the EIR analysis. Responsible agencies and members of the public are invited to attend the meeting and provide oral comments on the scope of the EIR.

Date and Time: April 5, 2023 at 6 PM or as soon thereafter as the item may be heard during the Planning Commission meeting.

Location: Administration - Board of Supervisors Chambers
481 Fourth Street, 1st Floor
Hollister, California 95023

Virtual Participation: The public may also join this meeting using Zoom by visiting the web address

<https://us06web.zoom.us/j/83510156394?pwd=OE5FR1JqUEQzQWUweW5IcTJMenlOQT09>

or dialing one of the following telephone numbers:

+1 408 638 0968 US (San Jose) or +1 669 900 6833 US (San Jose).

To access the meeting, please enter the Webinar ID and Passcode:

Webinar ID: 835 1015 6394

Passcode: 944646

PROJECT LOCATION: The Nash Road Quarry project site is located in San Benito County at 1070 Nash Road, west of the city of Hollister and south of Nash Road, as shown on Figure 1, “Project Location and Site Boundary.” The site is approximately 131 acres composed of eight contiguous parcels (Assessor’s Parcel Numbers [APNs] 021-040-010, 021-050-011, 021-050-012, 021-050-013, 021-050-019, 021-050-025, 020-060-042, 020-060-043).

PROJECT DESCRIPTION: The Applicant, Sandman, Inc., requests the County’s approval of a proposed reclamation plan for the Nash Road Quarry (CA Mine ID #91-35-0015) that would allow resumption of sand and gravel mining at the site which ceased in the river channel in 1989 and other areas of the site in 1996. The proposed reclamation plan describes proposed mining operations and reclamation actions at the site. If approved by the County, the proposed reclamation plan would supersede the 1977 Hillsdale Rock Company Reclamation Plan and would also supersede an Interim Management Plan approved by the County on June 16, 2021.

The proposed reclamation plan provides for mining of an approximately 32.95-acre portion of the 131-acre site within and adjacent to the San Benito River channel. Mining is proposed to be performed in phases pursuant to an adaptive management plan such that the depth of mining may be increased incrementally to a maximum depth of five feet below the existing thalweg elevation (i.e., the elevation of the lowest point along the length of the riverbed) if monitoring between each phase of mining indicates that no significant impacts to river channel conditions attributable to mining have occurred.

The phased adaptive management plan provides for assessment of river system conditions (e.g., stream bank erosion, bridge footing scour) prior to increasing the depth of mining and restricts further mining if adverse effects attributable to mining are observed. The mine plan provides for seasonal mining operations during periods with low or no surface water flow, with provisions to avoid work in the river during flow periods. A low-flow channel would be created each mining

season and an upstream transition slope with rock armoring would be installed to reduce upstream erosion (head cutting).

The proposed mine plan would initially mine sand and gravel from the along the river channel and lateral bank and adjacent areas without mining below the river thalweg (i.e., a line defining the lowest point along the length of the riverbed). The initial phase of mining may take place over several mining seasons and would extract an estimated 419,527 cubic yards of aggregate. No further mining would occur until a winter with a two-year recurrence interval stream discharge, after which an assessment of river conditions would be performed to determine if the initial mining phase resulted in adverse impacts. If adverse impacts are not observed, a second phase of mining would be then permitted to proceed to a depth of 2.5 feet below the established thalweg elevation, extracting an estimated 78,233 cubic yards of aggregate. This second phase would be followed by another period of no mining until at least two winters, with at least one winter including a minimum 4.3-year flow, after which an assessment of river conditions would be performed to determine if adverse effects attributable to mining have occurred. If adverse impacts to the river are not observed, a third phase of mining would then be permitted for an additional depth of 2.5 feet, resulting in a maximum of depth of 5 feet below the established thalweg elevation. An estimated 97,112 cubic yards of aggregate would be available in this third phase of mining. Subsequent mining would be dependent on replenishment of sand and gravel into the mining area from upstream areas.

The proposed mine plan includes measures to reduce biological resources impacts of mining, provides for groundwater monitoring and a commitment to maintain a minimum three-foot separation between surface mining and the underlying groundwater table, and includes additional impact avoidance and mitigation provisions.

As proposed, approximately 45.26 acres of riparian and upland scrub and associated habitats on the east and west banks of the river in the northern portion of the site would be preserved (i.e., not disturbed by mining or reclamation activities) and approximately 2.24 acres of buffer habitat around the west and northern boundaries of the aggregate processing area in the southeast portion of the site would be preserved. Approximately 31.82 acres of previously mined lands on the southern end of the site are proposed to be cleared and graded to reclaim the area for agricultural uses.

Sand and gravel extracted during mining would be crushed, washed, and sorted within the aggregate processing area in the southeastern portion of the site. Process water would be directed to a settling/containment pond.

The Applicant proposes that all mined material removed from the site would be transported via specifically defined routes to a concrete batch plant and supply yard in the City of Hollister (151 Hillcrest Road), from where it would be sold. The Applicant also proposes that all trucks entering and leaving the Nash Road Quarry site to transport mined material would be powered by compressed natural gas to reduce air pollutant emissions and noise.

The County's review and action on the proposed reclamation plan will be performed in consideration of the 2001 direction of the San Benito Superior Court, on remand in *Sandman, Inc., dBA Star Concrete v. County of San Benito et al.* (San Benito County Superior Court, Civil Case No. 22107) during which case the County stipulated and the court found that, "accepting the County's stipulation, Sandman's historical vested right to remove sand and gravel from the San Benito River is hereby determined to have extended to a depth up to five (5) feet in the flow

channel only[,] ... defined as that portion of the San Benito Riverbed that regularly carries water, excluding flood or drought years.” In reviewing the project, the County has not yet determined whether the mine area identified in the currently proposed reclamation plan is consistent with the extent of the historical vested right as stipulated by the County and affirmed by the Superior Court. An assessment of the proposed mine area and area of historical vested right will be performed by the County concurrent with the environmental review process. If Applicant’s proposed mine plan involves mining in areas that are determined to be outside of the affirmed area of vested rights, such mining would be subject to the County’s issuance of a use permit pursuant to Chapter 19.13, “Surface Mining Operations and Reclamation,” of the San Benito County Code of Ordinances.

ENVIRONMENTAL ISSUES: In preparing the EIR, the County will assess the potential for the proposed project to result in significant impacts associated with the resources and subtopics identified in Appendix G, “Environmental Checklist,” of CEQA Guidelines as well as other issues of environmental concern that may be identified during scoping and preparation of the EIR.

The EIR will include evaluation of potential impacts associated with the following resource topic areas:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Public Services and Facilities
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

COMMENTING ON THE SCOPE OF THE EIR

The County is requesting input from agencies and other interested parties on the scope and content of the environmental information appropriate to each agency’s statutory responsibilities or of interest an individuals or organization. Specifically, the County is requesting the following:

1. Identify significant environmental effects and mitigation measures that you believe need to be explored in the EIR with supporting discussion of why you believe these effects may be significant;
2. Describe special studies and other information that you believe are necessary for the County to analyze the significant environmental effects, alternatives, and mitigation measures you have identified;
3. For public agencies that provide infrastructure and public services, identify any facilities or improvements that will be required to provide services to the proposed project;
4. Indicate whether staff from your agency would like to meet with County staff to discuss the scope and content of the EIR’s environmental documentation;
5. Provide the name, title, and contact information for the designated person from your agency or organization that we can contact regarding your comments; and

6. Identify alternatives that you believe need to be explored in further detail in the EIR.

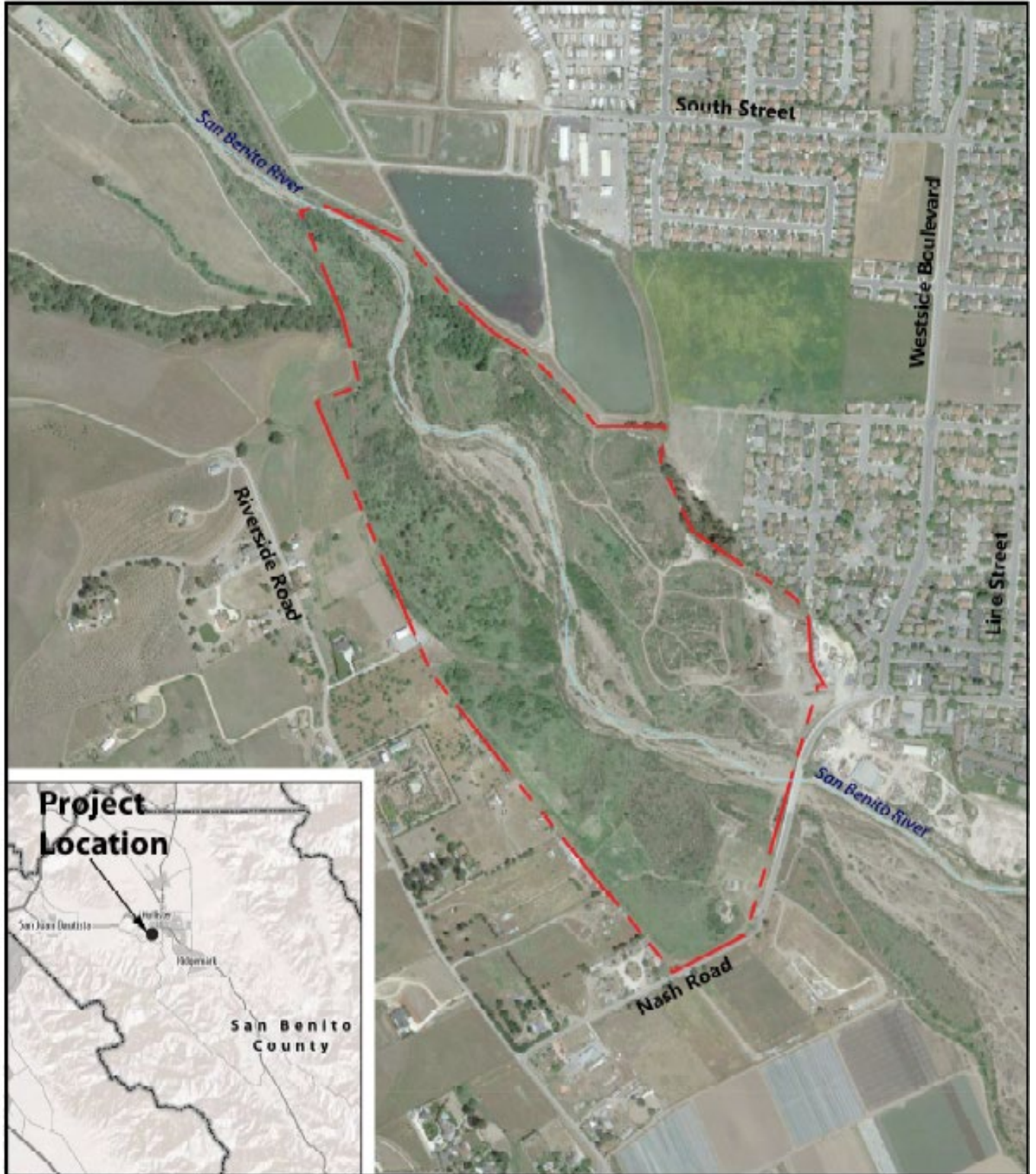
Following the scoping period, the County will perform environmental analyses and prepare a draft EIR that will be circulated for review and comment. Following the draft EIR review process, the County will respond to comments on the draft EIR and prepare a final EIR for consideration by County decisionmakers. County decisionmakers will consider certification of the final EIR at a public hearing and, after certification of the EIR, may take action on the proposed project.

San Benito County welcomes all comments regarding the potential environmental impacts of the proposed project. All comments will be considered in the preparation of the EIR. Written comments will be accepted through 5:00 P.M. on April 24, 2023. Comments may be submitted: (1) by U.S. mail; (2) by electronic mail (email); and/or (3) by attending and providing oral comments at the public scoping meeting.

Comments provided by email should include “Nash Road Quarry Scoping Comments” in the subject line, and the name and physical address of the commenter should be contained in the body of the email. Please email comments to Arielle Goodspeed at: agoodspeed@cosb.us.

Comment submitted via U.S. mail should be sent to:

San Benito County Resource Management Agency
Attn: Arielle Goodspeed, Principal Planner
2301 Technology Parkway
Hollister, California 95023



AERIAL IMAGE SOURCE: Google Earth Pro (2012-05-05)

--- Site Boundary



SCALE (in feet)

0 500 1,000
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Nash Road Quarry Reclamation Plan Amendment Project