



November 27, 2024

Brenda Magana, Planning Manager
City of Palmdale
Economic and Community Development Department
38250 Sierra Highway
Palmdale, CA 93550

Subject: SCH No. 2024101390 – Draft Mitigated Negative Declaration – California Sand and Gravel Company, LLC – Conditional Use Permit 21-010, Site Plan Review 21-011, Reclamation Plan 21-002 – Los Angeles County

Dear Ms. Magana:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

Project Description

The City of Palmdale, Economic and Community Development Department, acting as Lead Agency, has prepared and circulated a Notice of Completion (NOC) of a Draft Mitigated Negative Declaration (MND) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The proposed Conditional Use Permit (CUP) 21-010, Site Plan Review (SPR) 21-011, Reclamation Plan (RP) 21-002 (project) is located in the City of Palmdale, Los Angeles County, CA. The proposed project is adjacent to the north side of East Avenue S and approximately 600/1,300 (see Comments below) feet east of the intersection of 75th Street East and East Avenue S. The project site is bordered to the north and east by vacant parcels. Existing aggregate mines are located to the west and south of the project site. The Assessor Parcel Numbers (APNs) are 3024-016-003 and 3024-016-004.

The project applicant/operator, California Sand and Gravel Company, LLC., is seeking approval of CUP 21-010, SPR 21-011, and RP 21-002. The operator proposes to develop and reclaim a sand and gravel mine. The currently vacant and undeveloped site is located within an area designated as Mineral Resource Extraction (MRE), per Land Use under the General Plan. The approximately 80-acre site consists of two

rectangular shaped parcels. Ground surface cover consists of exposed soil with moderate native grass and brush growth and western Joshua trees.

The site will be accessed from East Avenue S. The access route from East Avenue S will be a 28-foot-wide, paved, entrance consisting of two, 14-foot-wide lanes to allow safe access to and from the site. Avenue S and 75th Street East will intersect approximately 1,300 feet west of the site.

The proposed project is the development of a sand and gravel mine, concrete batch plant, and ancillary operations. Project components include: site development; establishing a mining and reclamation operation; aggregate processing, including crushing, screening, washing, recycling, and stockpiling; and a construction materials recycle facility, concrete batch plant facility, water well, support facilities, and site access, including electrical utility lines to power the facility, or other electrical line access routes designated by Southern California Edison.

Mining and material processing hours are anticipated to typically be between 4:00 am and 9:00 pm, six days per week (Monday through Saturday), and 52 weeks per year. The site would generally be closed on Sundays and holidays, except in the case of customer demand, emergency circumstances or maintenance. The Ready-Mix Concrete Plant hours of operation will support customer demands and will take into consideration elevated temperatures, and project specific operational requirements. Recycling plant operations would also typically occur Monday through Saturday.

The project would employ up to 10 people directly, not including delivery truck drivers, at the site to perform the necessary work relating to mining, processing, ready mix concrete production, recycle plant operation, safety, environmental, operations management, and administration tasks.

Initial on-site operations would be expected to commence within 12 months following commencement of site development. The project life would be affected by geologic factors, sand and gravel quality, market conditions, and economic factors. Although the proposed average annual mining rate is approximately 855,000 cubic yards per year, the above factors may extend the life for an additional 20 years beyond the original estimated 20 years.

The project site encompasses approximately 80 acres, of which approximately 66/77 acres (see Comments below) will be excavated over approximately 20 years. The approximate maximum mining, or extraction, depth of the project will be 225 feet below existing ground surface. Estimated total reserves are 14,800,000 cubic yards (22 million tons).

The estimated production of aggregate (sand and gravel) at the project site is approximately 855,000 cubic yards annually. Based on current forecasts for future

product demands and the Antelope Valley Air Quality Management District Authority to Construct Permit Applications, the excavated material will be crushed, screened, and washed to produce an annual maximum quantity of approximately 1,300,000 tons/year (855,000 cubic yards/year aggregate which includes 250,000 cubic yards/year of concrete aggregates). For calculation purposes, it is assumed there is 1.5 tons to every cubic yard of aggregate. The project site will also accept concrete and asphalt for recycle and reuse. The annual production for recycled concrete and asphalt is estimated to be 400,000 tons.

Comments

CalRecycle staff's comments on the proposed project are listed below. Where a specific location in the document is noted for the comment, please ensure the comment is addressed throughout all sections of the Draft MND, in addition to the specific location noted.

Page 11, Section 3. Environmental Checklist, A. Background, 4. Project Location – The project location is stated to be approximately 600 feet east of 75th Street East. However on Page 3, Section. 2 Project Description, A. Project Location, it states the same description but with a different measurement of 1,300 feet. Please ensure the information is accurate and consistent throughout the document regarding this distance.

Page 13, Section 3. Environmental Checklist, A. Background, 7. Description of Project, 7.1 Project Overview – It is stated that the approximate acreage to be mined will be 77 acres. However on page 17, section 7.5 Mining Size, it states, “The Project Site encompasses approximately 80 acres, of which approximately 66 acres will be excavated over approximately 20 years.” Shouldn't these numbers (66 acres/77 acres) be consistent?

Based on the project description, some of the activities may be subject to the Construction and Demolition and Inert Debris Transfer/Processing Regulatory Requirements, found in Title 14 California Code of Regulations (14 CCR). If the aggregate processing plant, Ready-Mix Concrete Plant and recycling plant (plants) do not meet the requirements of a “Construction and Demolition Debris and Inert Debris (CDI) Recycling Center” or an “Inert Debris Recycling Center,” as provided in 14 CCR, Section 17381.1, otherwise known as the “Three-Part Test,” then they would be subject to the Construction and Demolition and Inert Debris Transfer/Processing Regulatory Requirements.

Three-Part Test

The first part of the Three-Part Test is that a CDI recycling center receives only CDI Debris [14 CCR, Section 17831(c)] that has been separated at the point of generation or an inert debris recycling center only receives Type A inert debris [14 CCR, Section 17381(k)] that has been separated for reuse or source separated prior to receipt [14 CCR, Section 17381.1(a)(1-2)].

“Separated at the point of generation” is defined in 14 CCR, Section 17381.1(a)(1)(A) as follows:

For the purposes of this Section, “separated at the point of generation” means that the material has been separated from the solid waste stream by the generator of that material or by a processor prior to receipt at a CDI recycling center and has not been commingled with other solid waste or recyclable materials. For example, each material type must be transferred in separate containers to the recycling center.

Notwithstanding, cardboard, lumber and metal may be commingled in a single container.

Separated for reuse material is defined in 14 CCR, Section 17381(y) as follows:

"Separated for Reuse" means materials, including commingled recyclables, that have been separated or kept separate from the solid waste stream for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace, and includes materials that have been "source separated."

Source separated material is defined in 14 CCR, Section 17381(dd) as follows:

"Source Separated" means materials, including commingled recyclables, that have been separated or kept separate from the solid waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

The second part of the Three-Part Test is the determination that the residual is less than 10% by weight of the amount of debris received, calculated on a monthly basis [14 CCR, Section 17381.1(b)(1)].

Residual is defined in 14 CCR, Section 17381(x), in part, as follows:

"Residual" means the solid waste destined for disposal, further transfer/processing as defined in 14 CCR, Section 17402(a)(30) or (31), or transformation which remains after processing has taken place, and is calculated in percent as the weight of residual divided by the total incoming weight of materials.

The third part of the Three-Part Test is the determination that the amount of putrescible wastes in the CDI debris is less than 1% by volume of the amount of debris received, and the putrescible wastes do not cause a nuisance, as determined by the Enforcement Agency (EA) [14 CCR, Section 17381.1(b)(2)].

Putrescible wastes is defined in 14 CCR, Section 17381(w) as follows:

"Putrescible Wastes" means solid wastes that are capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances because of odors, vectors, gases, or other offensive conditions, and include materials such as, but not limited to food wastes, offal and dead animals. The EA shall determine on a case-by-case basis whether or not a site is handling putrescible wastes.

Additionally, there are storage time limits for CDI recycling centers [14 CCR, Section 17381.1(d)] and inert debris recycling centers [14 CCR, Section 17381.1(e)]. These regulations, and the regulations previously cited, may be viewed at [Browse - California Code of Regulations \(westlaw.com\)](#). Additional information on CDI debris may be viewed on the CalRecycle website at: [Construction and Demolition Debris Recycling - CalRecycle Home Page](#).

The EA is responsible for making a determination as to whether the proposed operation at the plants meet the requirements of a "CDI Recycling Center" or an "Inert Debris Recycling Center" per 14 CCR, Section 17381.1(f-g). Per 14 CCR, Section 17381.1(h), if the proposed operation at the plants is determined not to be a "CDI Recycling Center" or an "Inert Debris Recycling Center," then it would be subject to the Construction and Demolition/Inert Debris Transfer/Processing Regulatory Requirements. The Local Enforcement Agency should be contacted for potential permitting requirements.

CDI Debris and/or Type A Inert Debris Handling

1. Hours of Operation – What will be the hours of operation for the Ready-Mix Concrete Plant and recycling plant?
2. Maximum Tonnage – What will be the daily maximum tonnage (tons per day) of CDI debris/Type A inert debris received at the aggregate processing plant and at the recycling plant?
3. Design Capacity – What is the design capacity (i.e., potential maximum amount of CDI debris/Type A inert debris that can be stored on site) for the aggregate processing plant, Ready-Mix Concrete Plant and recycling plant?
4. Traffic – What is the anticipated maximum daily traffic (vehicles per day) for the aggregate processing plant, Ready-Mix Concrete Plant and recycling plant?
5. Acreage – What will be the acreage for the aggregate processing plant, Ready-Mix Concrete Plant and recycling plant?

Solid Waste Regulatory Oversight

The Los Angeles County Department of Public Health is the Local Enforcement Agency (LEA) for Los Angeles County and responsible for providing regulatory oversight of solid waste handling activities, including permitting and inspections. Please contact the LEA, Dorcas Hanson-Lugo, at 626.430.5540 or dlugo@ph.lacounty.gov, to discuss the regulatory requirements for the proposed project.

Draft MND - California Sand and Gravel Company, LLC – CUP21-010, SPR21-011, and RP21-002

November 27, 2024

Page 6 of 6

Conclusion

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency in preparing the Final MND and in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

If the environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.323.1799 or by e-mail at nai.teurn@calrecycle.ca.gov.

Sincerely,



Nai Teurn, Environmental Scientist
Permitting & Assistance Branch – South Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Benjamin Escotto, Supervisor, Permitting & Assistance Branch – South Unit
Dorcas Hanson-Lugo – LEA