



# ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

## PLANNING DEPARTMENT

Chris Bazar  
Agency Director

Albert Lopez  
Planning Director

224 West Winton Ave  
Room 111

Hayward, California  
94544-1215

phone  
510.670.5400  
fax  
510.785-8793

[www.acgov.org/cda](http://www.acgov.org/cda)

**FROM:**

Bruce Jensen, Senior Planner  
Alameda County Community Development Agency  
Planning Department  
224 W. Winton Avenue, Suite 111  
Hayward, CA, 94544

**SUBJECT:** Notice of Availability of a Subsequent Environmental Impact Report for the Proposed Reclamation Plan Amendment for the Eliot Quarry Surface Mining Permit-23 (SMP-23) in Alameda County

**SUMMARY:** The County of Alameda (County) is issuing this Notice of Availability (Notice) to advise other agencies and the public that the County has prepared a Draft Subsequent Environmental Impact Report (Draft SEIR) in compliance with the California Environmental Quality Act (CEQA) for the Eliot Quarry (SMP-23) Reclamation Plan Amendment project (Project) within a portion of unincorporated Alameda County, California (see Attachment A). As the local land use authority, Alameda County authorizes mining activities on unincorporated lands through the issuance of Surface Mining Permits and approval of reclamation plans pursuant to County Code of Ordinances, Title 6: Health and Safety, Section 6.80: Surface Mining and Reclamation. However, no surface mining permit is required for vested mining operations. (Cal. Pub. Resources Code § 2776.) Mining activities at the Eliot Quarry are vested as documented in County Quarry Permits Q-1 (1957), Q-4 (1957), and Q-76 (1969) and later County documents.

In 1987, the County approved SMP-23 as a reclamation plan for a vested rights operation at the Eliot Quarry. The project applicant, RMC Pacific Materials, LLC, a wholly owned entity of CEMEX (CEMEX) proposes to amend the current SMP-23 reclamation plan because changes in circumstances at the site and in applicable regulatory requirements have necessitated the preparation of an amended reclamation plan. The amended reclamation plan addresses those changes needed and provides reclamation objectives that can be feasibly accomplished and permitted by regulatory agencies. CEMEX has therefore applied to the County for a reclamation plan amendment.

**PROJECT DESCRIPTION:** As compared to the approved reclamation plan, the proposed project would:

- 1) reduce surface disturbance associated with mining,
- 2) reduce the overall mine site and reclamation area,
- 3) in a portion of the Lake B area, reroute the Arroyo del Valle to the south of its current location and retain the Arroyo de Valle south of Lakes A and B instead of diverting the Arroyo del Valle into Lakes A and B,
- 4) reclaim Lake A with limited earthmoving and no additional depth in mining,
- 5) provide area for a multiuse public trail along the entire southern portion of the Project site, and
- 6) revise the currently effective reclamation plan to add further specificity to the option that is included in the approved plan of creating an additional lake (Lake J).

The proposed reclamation plan amendment would still achieve the same end use, one that provides for water storage and water conveyance, agriculture, and open space under reclaimed conditions.

The County encourages broad participation in the SEIR process during review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies, organizations, Native American Tribes, and the public at large so that the full range of issues related to the proposed Project and all reasonable alternatives are addressed. For all potentially significant and significant impacts, the SEIR has identified several mitigation measures, where feasible, to reduce or avoid these impacts. Public outreach activities conducted by the County and its representatives were considered in the preparation of the Draft SEIR. Public agencies with jurisdiction over any aspect of the Project are requested to advise the County of the adequacy of content of the environmental information and analysis in the Draft SEIR that is germane to the agency's statutory responsibilities.

**SIGNIFICANT ENVIRONMENTAL EFFECTS:** Only two impacts relating to conflict with the Clean Air Plan and NO<sub>x</sub> emissions, are found to be significant and unavoidable. All remaining impacts would be significant or potentially significant prior to the implementation of mitigation measures but would be reduced to less than significant with mitigation applied.

**PUBLIC REVIEW:** Following the public review and comment period, the County will respond to all written and oral comments received on the environmental analysis in the Draft SEIR. The responses and any other revisions to the SEIR will be prepared as a response-to-comments document. The Draft SEIR and its appendices, together with the response-to-comments document, will constitute the Final SEIR for the proposed project. As required by CEQA (Section 21092.5), the final EIR, including written responses to the comments submitted by public agencies, will be available at least 10 days prior to certification.

The SEIR will not be available at any County office location due to closures relating to Covid-19. Hardcopies may be requested by e-mailing Bruce Jensen, Senior Planner, at

[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org).

The Draft SEIR and all supporting technical and reference documents are available on the County's website at:

<http://nps.acgov.org/Eliot.page>.

**COMMENT PERIOD AND PUBLIC MEETING:** The County will hold one public meeting via teleconference and video conference to receive comments on the Draft SEIR on February 26, 2021. The time and access information are provided below.

**Date:** February 26, 2021

**Time:** 6:30 PM to 8:30 PM

**Access:** Please use the following link to join the meeting on a computer:  
<https://us02web.zoom.us/j/83937301784>

Or call one of the numbers below to join by telephone:

US: 1 (669) 900-9128 or 1 (346) 248-7799  
Webinar ID: 839 3730 1784

The meeting will be held in conformance with the County's Teleconferencing Guidelines for Planning Public Hearings (PDF), at the link provided or at the Planning Department webpage below:

<http://www.acgov.org/cda/planning>

**PUBLIC COMMENT:** Due to the time limits mandated by state law, public agencies are requested to send their responses to this Notice to the County at the address provided below at the earliest possible date, but not later than 45 days after receipt of this Notice. Members of the general public should provide comments on the Draft SEIR by 5:00 PM on March 12, 2021. Written comments on the Draft SEIR or requests for further information should be sent by 5:00 PM on March 12, 2021 to the following address:

Mr. Bruce Jensen, Senior Planner  
Alameda County Community Development Agency  
Planning Department  
224 W. Winton Avenue, Suite 111  
Hayward, CA 94544

or via e-mail with subject line "SMP-23 Reclamation Plan Amendment SEIR" to:

[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)

Please include a return address and contact name with your written comments.

Agency and public comments may also be provided orally or in writing at the public meeting scheduled to be held on February 26, 2021, described above.



SOURCES: ESRI World Shaded Relief accessed Jan. 2020; ESRI World Topographic Map accessed Jan. 2020; ESRI World Streetmap, 2009; compiled by Benchmark Resources in 2020

-  Project Location
-  City Boundary
-  County Boundary
-  Major Highway
-  Major Road