



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
NEIGHBORHOOD PRESERVATION & SUSTAINABILITY DEPARTMENT

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FROM:

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SUBJECT: NOTICE OF AVAILABILITY OF AN INITIAL STUDY/SUBSEQUENT MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED RECLAMATION PLAN AMENDMENT FOR THE NILES QUARRY SURFACE MINING PERMIT-34 (SMP-34) 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 an initial study/subsequent mitigated negative declaration (IS/SMND) for the Niles Canyon Quarry (SMP-34) Reclamation Plan Amendment (the “project”). Niles Canyon Quarry is located within a portion of unincorporated Alameda County, California. As the local land use authority, the County authorizes mining activities on unincorporated lands through the issuance of surface mining permits (SMPs) and approval of reclamation plans pursuant to County Code of Ordinances, Title 6: Health and Safety, Section 6.80, Surface Mining and Reclamation.

The project was previously approved under the 1996 initial study/mitigated negative declaration (IS/MND). The previous 1996 IS/MND is available for review on the County’s website in the link provided below or by request from the County. Under the Supreme Court standard set out in *College of San Mateo Gardens v. San Mateo County Community College District*, the County determined that the 1996 IS/MND is relevant and retains informational value. A review was conducted under Section 15162, and the County determined that none of the standards requiring the preparation of an EIR exist, because any impacts resulting from the change of project can be mitigated to a less-than-significant level. Accordingly, use of an IS/SMND is appropriate.

The Niles Canyon Quarry site, owned by SRDC, Inc., is not in compliance with many of the its SMP conditions of approval (COAs), the California Surface Mining and Reclamation Act (SMARA), County Surface Mining Ordinance (SMO), and County zoning requirements, which has led to County enforcement actions, including notices of violation and an order to comply. A key element of bringing the site into compliance is the development and processing of a reclamation plan amendment. This IS/SMND provides a description of the major elements of the reclamation plan amendment. The county will use the IS/SMND to evaluate the environmental impacts of the construction and implementation of the project. SRDC, Inc. is seeking approval of an amended reclamation plan for Niles Canyon Quarry, which includes the following elements:

- reclaiming the quarry to be suitable for agricultural use;
- importing fill material for use as backfill;
- grading and/or backfilling mined surfaces to provide slope stability and erosion control;
- reconstructing and restoring the seasonal creek channel by removing human-made features to provide habitat connectivity, slope stability, and erosion control;

- vegetating disturbed surfaces with plants native to regional upland (i.e., grasslands and chaparral) and wetland habitats (i.e., upper riparian, lower riparian, and freshwater emergent wetlands); and
- monitoring the vegetation and slopes after completion of final reclamation to ensure successful establishment and erosion control.

In considering the application and the discretionary action of approving the proposed project, the County is required to conduct environmental review pursuant to the California Environmental Quality Act (CEQA) and has determined that an IS/SMND is required. The IS/SMND for this project has been prepared in compliance with CEQA and all relevant federal and state laws. The County will serve as the lead agency under CEQA for preparation of the IS/SMND. The County is issuing this Notice to alert interested parties and to solicit public and agency input on the contents of the IS/SMND.

The County encourages broad participation in the IS/SMND process during this public review process. 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 are addressed and that all significant issues are identified and appropriately mitigated. In particular, the County is interested in learning whether areas of environmental concern exist where a potential exists for significant impacts. For all potentially significant impacts, the IS/SMND identifies mitigation measures to reduce or avoid these impacts. Public agencies with jurisdiction over any aspect of the project are requested to advise the County of the applicable permit and environmental review requirements of each agency and the content of the environmental information germane to the lead agency's statutory responsibilities. Public agencies are requested to advise the County if they anticipate taking jurisdictional actions in connection with the proposed project.

DATES: As a result of 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 30 days after receipt of this Notice. Members of the general public should provide comments on the IS/SMND by December 16, 2019.

ADDRESSES: Written comments on the IS/SMND or requests for further information should be sent to:

Mr. James D. Gilford, Director
Alameda County Community Development Agency
Neighborhood Preservation & Sustainability Department
224 W. Winton Avenue, Suite 110
Hayward, CA 94544

or via e-mail with subject line "SMP-34 Reclamation Plan Amendment IS/SMND" to:

James.Gilford@acgov.org

This Notice and the IS/SMND will also be made available through the County's website at <http://nps.acgov.org/npspending.page>.