

**THE PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. 92-32 - AT MEETING HELD NOVEMBER 16, 1992

**Introduced by Commissioner Peixoto
Seconded by Commissioner Pappas**

WHEREAS the Alameda County Planning Commission did receive the application of Santa Clara Sand and Gravel Company for approval of a Surface Mining Permit to expand mining operations permitted under Surface Mining Permit, SMP-26 to an adjacent 45-acre site, the total 330± acre area located west of Calaveras Road, Sunol area, unincorporated Alameda County, portions of Assessor's Parcel Designations 96-375-11-5 and 96-80-8; and

WHEREAS Section 8-117.5 of the Alameda County Surface Mining Ordinance (ACSMO) requires periodic review of Surface Mining Permits and Reclamation Plans to consider new or changed circumstances within the general area of mining operations; and

WHEREAS Condition 38 of Surface Mining Permit and Reclamation Plan SMP-26 requires the Planning Commission to review compliance with conditions of the Surface Mining Permit and Reclamation Plan, considering any new or changed circumstances within the general area of mining operations that should be accommodated by the plan; and

WHEREAS the application for expansion has been reviewed in accordance with provisions of the California Environmental Quality Act and although the 45-acre mining expansion could have a significant effect on the environment, there will not be a significant effect in this case because the project sponsor has agreed to mitigation measures, which measures have been incorporated into the project, which eliminate or reduce impacts to a less than significant level and a CEQA review is not required for the Five Year Review of the existing mining operations; and

WHEREAS this Planning Commission did hold a public hearing on the proposed expansion and Mitigated Negative Declaration on Monday, October 19, 1992 in the Auditorium of the Alameda County Public Works Building, 399 Elmhurst Street, Hayward California, which hearing was continued to November 16, 1992; and

WHEREAS this Planning Commission did hold a public hearing on the Five Year Review of SMP-26 and on the combined permit, SMP-30, and the proposed Mitigated Negative Declaration on Monday, November 16, 1992 in the Auditorium of the Alameda County Public Works Building, 399 Elmhurst Street, Hayward California; and

WHEREAS SMP-30 and the Five Year Review of SMP-26 were duly noticed as required by law; and

WHEREAS this Planning Commission finds that changed circumstances warrant revising this Surface Mining Permit and Reclamation Plan in the following manner: Conditions 16 and 41 from Resolution 86-44 have been deleted, Conditions 1, 3, 4, 6, 9, 30, 35, 37, 38 and 40

from Resolution 86-44, Condition 47 from Resolution 87-38 and Conditions 10 and 19 from Exhibit A, "Santa Clara Sand & Gravel Expanded Initial Study and Proposed Mitigated Negative Declaration", 1992, have been revised, and the following conditions have been combined: 33 and 34, 19 and 46 of Resolution 86-44; 16 and 17 of Exhibit A with Condition 46 of Resolution 87-38; 11 and 13 of Exhibit A with Condition 28 from Resolution 86-44; 36 from Resolution 86-44 with 10 of Exhibit A; and 22, 23 and 24 from Exhibit A with 27 from Resolution 86-44; and

WHEREAS, under the conditions listed below, the application conforms to requirements of:

- (a) the Alameda County Surface Mining Ordinance;
- (b) the Alameda County General Plan; and
- (c) the public health, safety, and welfare;

NOW THEREFORE BE IT RESOLVED that this Planning Commission approves the Five Year Review of SMP-26, adopts the Mitigated Negative Declaration for the 45-acre expansion area, and approves the combined Surface Mining Permit, SMP-30, which incorporates the existing mining operations permitted under SMP-26 and the 45-acre expansion, subject to the following conditions:

CONDITIONS OF APPROVAL

SURFACE MINING PERMIT & RECLAMATION PLAN SMP-30 SANTA CLARA SAND AND GRAVEL COMPANY

(These conditions replace and supersede conditions for SMP-26.)

THE FOLLOWING CONDITIONS APPLY TO THE ENTIRE SITE:

General

1. Surface mining operations, reclamation and grades shall be in substantial conformance with the various maps, information and recommendations labelled: "Exhibit A", being the maps labelled "Plot Plan & Cross Sections for Surface Mining Permit, Santa Clara Sand and Gravel Company, as approved by the Planning Commission on July 7, 1986"; "Exhibit B", being the Applications dated May 23, 1986; "Exhibit C," being the maps labelled "Site Plan", (Sheet 1), dated January 2, 1991 and "Reclamation and Revegetation Plan" (Sheet 2), dated October 1990, Santa Clara Sand and Gravel Company, and "Exhibit D," being the application dated November 13, 1990.
2. Surface mining operations and the reclamation plan shall conform to the Alameda County Surface Mining Ordinance (ACSMO) except as hereinafter more specifically provided.

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3. The permittee shall guarantee timely performance of reclamation requirements of the ACSMO, the Surface Mining and Reclamation Act and these conditions. The permittee shall provide financial assurances in the form of performance bonds and a cash escrow account in the maximum combined amount of 150 percent of the total of the estimated cost of completing reclamation currently in progress or the estimated cost of final reclamation required upon closure to leave the disturbed area in a safe, stable, and revegetated condition, whichever is greater, during the following five years of operation.

The permittee may submit any combination of bond and escrow to satisfy the financial assurance requirement, except that the cash escrow account must at all times contain not less than \$40,000 or 10 percent of the combined amount of the total financial assurances calculated in the first paragraph of this condition (Condition 3), whichever is greater. If the permittee desires to increase the percentage of cash escrow, the combined amount required will be reduced according to a directly proportional sliding scale; therefore, in the event that the cash escrow is increased to cover the entire cost of reclamation, the account shall be required to equal not more than 100 percent of the total as described in the first paragraph.

4. A report estimating the cost of reclamation for closure during the current year, and of all reclamation components yet to be accomplished in the next five years, shall be prepared annually by a registered engineer and submitted for approval by the Planning Director before July 1 of each year. This report, when approved, shall be used to calculate necessary modifications to the value of the combined amount of financial assurances for the following year.
5. The permittee shall pay a surcharge of \$0.01 per ton of excavated material to the Planning Department to help cover the Department's costs in administering Alameda County's surface mining and reclamation program. This surcharge shall be paid into a Planning Department account at the time that the annual escrow account deposit for reclamation is paid in accordance with Condition 3, except that the surcharge account shall not require a specific initial balance, and the surcharge shall be paid beginning February 1, 1993. The tonnage on which the surcharge is based shall be the total tonnage of material extracted from January 1 through December 31 of the previous year. The amount of the surcharge shall be considered at each Five Year Review for SMP-30, and in any event may be adjusted annually by the Planning Commission to reflect inflation.
6. The permittee shall furnish the Director of Public Works with a report describing compliance with these conditions by July 1 of each year, beginning July 1, 1993. With each report, the permittee shall provide a map at the same scale as the approved mining

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and reclamation plans, showing current progress of mining and reclamation; drainage, erosion and sedimentation control facilities to be provided and those already in place; and landscaping installed during the reporting period and the condition of all prior landscaping.

The Director of Public Works shall review the report and inspect the mining operations to determine and assure continuing compliance with the regulations of the ACSMO. The permittee shall pay the County the actual cost of conducting the periodic inspection of operations and shall make available to the Director of Public Works such information as necessary for determination of compliance. The Director of Public Works shall state the findings of the inspection in a final report that shall be made available to the public. One copy of said report shall be sent to the Planning Director and the permittee within 45 days after the inspection.

7. The permittee and all lessees shall provide a written statement that they accept responsibility for reclaiming the site as indicated on the mining and reclamation plan, and shall guarantee all reclamation in accordance with said plan. Said responsibility shall run with the land under permit as a covenant thereupon until release of the covenant is recorded by Alameda County.
8. Grading and erosion control shall conform to design standards (Sections 7-115.0 through 7-115.19) and geotechnical requirements (Sections 7-114.2 through 7-114.10) of Alameda County Grading Ordinance No. 82-17. An annual erosion and sedimentation control plan shall be submitted to the Director of Public Works prior to July 1 of each year.
9. If problems develop regarding mining or reclamation as may be determined by the Planning Director, permittee shall take corrective action with all due haste, in good faith. Permittee shall implement solutions as approved by the Planning Director.
10. Work within or adjacent to a watercourse is subject to the conditions of Alameda County Ordinance No. 82-18 and shall require a permit from Alameda County Flood Control and Water Conservation District.
11. The perimeter of the property shall be fenced and the fence shall be maintained in good condition.
12. No explosives shall be used.
13. The permittee shall defend, indemnify, and hold harmless Alameda County or its agents, officers, or employees from any claim, action, or proceeding against Alameda County,

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or its agents, officers, or employees to attach, set aside, void, or annul this Surface Mining Permit, including any amendments thereto, or underlying environmental documents and actions taken pursuant to the California Environmental Quality Act, Alameda County Surface Mining Ordinance, the California Surface Mining and Reclamation Act, other County ordinance requirements, and any combination thereof. Such indemnification shall include but not be limited to any such proceeding. If permittee shall fail to adequately defend the County of Alameda, the County may provide its own legal defense and permittee shall be responsible for the County's reasonable attorneys' fees.

14. The permittee shall pay to the County of Alameda reasonable and actual costs incurred by the County for review, approval, administration and monitoring of all programs, including inspections required pursuant to these Conditions. This may require the hiring of additional personnel on either a part-time or full-time basis. The Planning Director and/or Director of Public Works are hereby expressly authorized to utilize their own employees, other agencies, and/or private consultants, as necessary, to conduct such reviews, inspections, and administration, and to make necessary approval determinations. The permittee shall be notified prior to any unusual or extraordinary expenditure of funds.
15. At approximately five year intervals after approval of SMP-30, the Planning Commission shall review compliance with the Surface Mining Permit and reclamation plan, and consider any new or changed circumstances that should be accommodated by the permit or plans. The review shall include a public hearing by the Planning Commission. Permittee shall pay actual cost of reviews. As a result of this process, the Planning Commission may modify the mining or reclamation plan or guarantees thereof to conform with the ACSMO, and such modified permit or plan shall be binding upon the operation.
16. This Surface Mining Permit shall terminate June 1, 2021 or upon completion of reclamation, whichever occurs first, and final reclamation shall occur not later than two years after completion of surface mining. Permittee shall notify the Director of Public Works upon completion of mining. All stockpiles and equipment shall be removed from the site upon completion of reclamation. This permit shall be subject to revocation or suspension as specified in Section 8-121.2 of the ACSMO.
17. The end use of the site upon complete reclamation is hereby assumed to be agriculture and water storage. Any other use must be approved by the County of Alameda.

Visual Quality

18. Height of stockpiles throughout the permit boundaries shall be restricted to two tiers, or $25 \pm$ feet, to minimize obstruction of distant views from Calaveras Road and to increase safety of on-site workers.
19. Topsoil and overburden stockpiles shall be placed in a way to make them resemble a natural, non-angular landform, to the extent feasible.
20. The oak tree located within the 7.3 acre stockpile area located immediately south of the entrance road to the quarry along Calaveras Road shall be preserved and protected from disturbance from equipment and stockpiles. An area of at least five feet beyond the drip line of the tree shall be fenced, and soil within this fenced area shall not be disturbed.
21. In order to mitigate visual impacts, as indicated in "Santa Clara Sand & Gravel Expanded Initial Study and Proposed Mitigated Negative Declaration" (1992) the permittee shall prepare and implement a landscape planting, irrigation, and maintenance plan to ensure that the proposed landscape buffers provide a maximum visual filter from Calaveras Road. The plan shall, at a minimum, include the following measures:
 - a) The visual screen shall be dense enough to filter views from Calaveras Road;
 - b) Trees shall be planted, placed in containers, or a combination of planted and containers, subject to the approval of the Planning Director;
 - c) If trees are planted, there shall be a preference for native species (refer to "Santa Clara Sand & Gravel Expanded Initial Study and Proposed Mitigated Negative Declaration" (1992) for examples of acceptable native species, spacing between trees, size of plantings and elevation from roadway). Different species or tree placement schemes may be used if approved in writing by the Planning Director; if alternative species are selected, they shall be non-invasive;
 - d) Trees shall not interfere with water or electrical transmission lines;
 - e) The visual screen shall terminate at the north end of the existing meadow. Evergreen oak trees (*Quercus agrifolia*) shall be planted in the meadow area on 25 foot to 30 foot centers to filter the view of the office and plant unless determined by the Planning Director to be impractical or infeasible;

- f) Riparian screening shall be planted along San Antonio Creek. (Refer to "Santa Clara Sand & Gravel Expanded Initial Study and Proposed Mitigated Negative Declaration," (1992) for examples of native species and spacing between them). In addition to providing a visual filter from Calaveras Road, the plantings shall be selected to soften the visual effects of the stockpiles, as viewed from I-680 and other locations to the north and west of the site, and provide a natural wildlife habitat. Species or planting schemes other than those recommended in the 1992 Mitigated Negative Declaration may be used if approved in writing by the Planning Director, and

- g) A monitoring plan with an implementation schedule shall be prepared and submitted to the Planning Director for approval within 90 days of approval of SMP-30. The plan shall include the provision that planting shall be established prior to excavation of additional mining pits.

The successful growth and health of trees shall be monitored by the Public Works Agency during their annual review and by the Planning Department during their five year review, or as needed by the Planning Department to ensure its success as a visual filter; if proved unsuccessful, then permittee shall replant with the same or different species approved by the Planning Director.

Air Quality and Noise

- 22. Engines on dirt moving equipment used for surface mining operations shall be equipped with mufflers, and no muffler or exhaust system shall be equipped with a cutout, bypass, or similar device intended to thwart noise suppression.

- 23. All surface mining and processing operations emitting smoke, vapors, dust, and other airborne contaminants shall be provided with all necessary control measures and devices as required by the Alameda County Health Care Services Agency and the Bay Area Air Quality Management District to prevent the occurrence of nuisance and undue pollution of the air.

- 24. The driver of a weighed vehicle, loaded beyond current State of California maximum legal weights, shall be notified by the permittee and required to reduce the load to the legal limit. If loaded materials are subject to dust generation, permittee is responsible for requiring drivers to moisten loads. Moistening facilities shall be conveniently located and maintained on site. All loaded vehicles shall be required to pass over a material shakedown area with berm, bumper or ditches provided. The permittee shall require all vehicle permittees to have noise attenuating mufflers as required by the State of

California Vehicle Code. Signs notifying drivers of these requirements shall be posted at the scale location. Drivers not cooperating with this provision shall be prohibited from hauling materials from the site.

25. To control dust during the stripping and subsequent transporting of the overburden and topsoil, the permittee shall take measures, such as watering the soil or applying soil binders or chemical stabilizers, as approved by the Public Works Agency. New cut slopes shall be watered as they are created to the extent necessary to minimize dust. Main access roads shall be paved with asphalt for a minimum width of 25 feet from County roads to within 100 feet of the loading point within the sand and gravel pit. All other haulage roads and loading areas within the site shall be paved, oiled, or watered to be maintained in a dust-free condition, as may be determined by the Director of Public Works.

Traffic

26. Access must meet Calaveras Road at grade.
27. The permittee shall maintain stop signs at all exits to County roads. The Public Works Agency and Planning Department will continue to monitor whether trucks are stopping before exiting the site onto Calaveras Road. If the condition is determined by Public Works Agency to be hazardous, then a program to find additional ways to stop trucks other than the existing stop sign, will be developed and implemented by the permittee and approved by the Director of the Public Works Agency to remedy the situation.
28. Permittee shall post a \$5,000.00 cash bond with Alameda County to clean up any spillage that may occur on, or repair any extraordinary deterioration to, the County haul routes lying between the site and I-680. Said bond is to be replenished to its full amount when it diminishes to \$2,000.00. A certificate of deposit may be utilized in lieu of a cash bond, subject to approval of the Director of Public Works.

As part of the regular inspection of the quarry required under the Surface Mining Permit, the Public Works Agency will annually inspect the pavement condition of Calaveras Road between the quarry access and the I-680 ramps. Required repairs will be identified by the County. The permittee shall contribute to the cost of maintaining, repairing, strengthening, or reconstructing the subject segment of Calaveras Road, if the County inspection shows a need for such pavement improvements. Participation by the permittee in the cost of such pavement improvements shall be in proportion to the percentage of heavy truck traffic on Calaveras Road contributed by the quarry operations and 100 percent towards any road damage directly attributable to the operations.

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29. Permittee shall contribute to the costs of reconstructing and widening Calaveras Road, when determined necessary by the Director of Public Works. Costs will be shared proportionately by other quarries that gain access from Calaveras Road, based on use.
30. A program to reduce speed and accidental spillage of trucks leaving the quarry site shall be designed by the permittee's engineer. Program shall include, but not be limited to, a redesign of the access road to rectify the problem of trucks failing to stop before turning onto Calaveras Road.

Safety

31. An annual fire plan shall be prepared and filed with the State Division of Forestry to mitigate fire hazards.
32. Should any problems develop regarding slope stability, erosion control, groundwater or related matters, an engineering geologist shall prepare an investigation detailing the problem and possible solutions to be approved by the Planning Director.
33. If an earthquake occurs on the Calaveras Fault in the proximity of the project site, the permittee shall inspect the quarry for potential slope failures prior to allowing employees to resume work in the quarry pits.
34. The permittee shall obtain PG&E's written consent to any development plans that may have an impact on PG&E's easements.
35. No trees shall be planted under San Francisco Water Department or PG&E's transmission lines nor within 50 feet of the center line of water transmission lines.

Water and Septic

36. A potable water supply and adequate toilet facilities shall be provided for employees according to requirements of the Alameda County Health Care Services Agency.

Water Quality and Drainage

37. No discharge of turbid water or pollutants shall be permitted off site from the active quarry area. All process waters shall be retained and/or recycled on site. All runoff from active quarry areas and exposed slopes shall be diverted to a settling pond for re-use with no discharge to the creek. Rising groundwater encountered in active excavation pits shall be returned to a process or settling pond and not be discharged into the creek,

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- except that rising groundwater that does not exceed the turbidity of background levels as measured in the creek upstream of the quarry may be discharged to the creek. Dikes, levees, or other barriers shall be maintained to prevent silting of creeks and drainage channels by any surface mining operation.
38. Changes in drainage and/or sedimentation control facilities shall be submitted in advance to Alameda County Flood Control and Water Conservation District for approval.
 39. Project site is within Special Drainage Area 7-1 and is subject to conditions imposed at the time of issuance of building permits.
 40. Any work within creek areas will require a Streambed Alteration Agreement with the California Department of Fish and Game.
 41. Mining shall not occur within 100 feet of the banks of Alameda Creek nor within 50 feet of San Antonio Creek.
 42. Runoff from the intercepted drainage area east of Calaveras Road shall be picked up and transported around the site or otherwise controlled to the satisfaction of the Flood Control District.
 43. Any new structure within the Federal Insurance Administration's A-2 flood zone will be subject to special building requirements.

Archaeology

44. If cultural material is uncovered during earth removal, including removal of topsoil or overburden, work within 10 meters shall cease until the find can be examined by a qualified professional and his or her recommendations are followed, subject to approval by the Planning Director. If human remains are uncovered, the Coroner shall be called.

THE FOLLOWING CONDITIONS APPLY ONLY TO THE 285-ACRE PARCEL
(portions of APNs 96-375-11-5 and 96-80-8, formerly the subject of SMP-26,
i.e., entire site exclusive of northeastern 45 acres):

Slope Stability

45. Cut or fill slopes above seepage or groundwater levels shall be no steeper than 2 to 1 (horizontal to vertical). Fill slopes shall be constructed of "pit run" materials and compacted to a relative compaction of 90%. Cut slopes below groundwater level shall be no steeper than 2½ to 1. Cut slopes, where the groundwater level has been lowered

causing seepage through the slope, shall be no steeper than 4 to 1. Permittee may request modification of these gradients at any time during the term of the permit. The request shall explain the reason for the proposed change and shall, at a minimum, be accompanied by a) evidence that the property owner agrees with the proposed changes, and b) an engineering and geotechnical report that demonstrates that the new slope gradients will be safe, stable and otherwise consistent with the intent, standards and requirements of the ACSMO. The Planning Director, after consultation with the Public Works Agency, may modify these gradients consistent with the ACSMO.

Reclamation

46. Detailed methods and specifications of revegetation and restoration of the site, prepared by a professional agronomist, shall be submitted to and approved by the Planning Director before being implemented by the permittee.
47. Free movement of groundwater through the site in present quantities, as detectable in filter galleries of San Francisco Water Department, shall not be impeded by mining or reclamation activities.
48. Use of the 7.3 acres immediately south of the entrance road to the quarry along Calaveras Road shall be limited to storage of excess processed material excavated from this site. No material from off-site sources may be stored here, nor shall this area be used for storage of equipment.

**THE FOLLOWING CONDITIONS APPLY ONLY TO
THE 45-ACRE PARCEL ON THE NORTHEAST CORNER OF PROPERTY,
(portion of APN 96-375-11-5, not formerly the subject of SMP-26,
as outlined in "Santa Clara Sand & Gravel Expanded Initial Study and
Proposed Mitigated Negative Declaration" (1992) only:**

Visual Quality

49. Permittee shall begin mining as far away from Calaveras Road as possible.
50. The permittee shall complete mining Pit III, on the northeastern portion of the property along Calaveras Road, within five years of commencement of mining of that pit.

Slope Stability

51. Recommendations contained in the slope stability analysis (Geomatrix, 1990) that are pertinent to the 45-acre expansion site, including those summarized below, shall be

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incorporated into the project, as determined appropriate and approved by Alameda County Public Works Agency:

- a) To enhance slope stability, all roads and benches on the quarry slopes shall be constructed in accord with recommendations of Geomatrix's 1990 report entitled "Geotechnical Study to Evaluate Slope Inclinations for the Santa Clara Sand and Gravel Quarry, Proposed 45-Acre Parcel, Sunol, California." Roads shall be a minimum of 15 feet wide, with 1:1 side slopes and shall not be formed by cutting into the permanent quarry slopes unless otherwise approved by the Director of the Public Works Agency.
- b) A qualified professional¹ shall inspect the stability of cut slopes and fill slopes constructed for roads. Inspections shall take place either annually, or as deemed necessary by the Public Works Agency. The permittee shall repair or otherwise remedy identified problems including those identified during the annual and five-year review of the Surface Mining Permit, such as recurring slope stability problems or the need for slope maintenance on- or off-site.

Soils

52. The permittee shall follow recommendations from the agronomist's report (SCS, May 1990) regarding topsoil stripping, stockpiling, soil re-application, and replanting, as approved by the Public Works Agency. A vegetation and planting plan shall be developed and implemented for the long-term stabilization of topsoil and overburden stockpiles.
53. A qualified professional shall monitor topsoil stripping and stockpiling to determine that soil erosion or slope stability problems are being remedied as per the recommendations of the agronomist's report, at a frequency to be determined by the Public Works Agency. Inspection shall continue periodically (frequency to be determined by a qualified professional) until vegetation has been established and proven to be adequately self-sustaining on stockpiled soils. The re-application of topsoil and revegetation process shall also be inspected by a qualified professional during site reclamation.

¹ All qualified professionals referred to in this resolution may be County or other agency employees, outside consultants or employees of the permittee, subject to approval by the County Planning Department or Public Works Agency.

Safety

54. A setback of not less than 50 feet from the edge of the quarry slope to all buried utilities and pipelines shall be maintained.
55. A setback of 50 feet shall be provided from the top of the quarry slope to the transmission tower foundations. Alameda County Public Works Agency shall monitor the stability of the slopes in their annual review, or as needed.

Vegetation and Wildlife Habitat

56. All final, reclaimed banks and bare soil areas shall be planted with native grassland grass and forb species to the extent feasible in order to mitigate habitat and erosion concerns. A qualified professional familiar with native grassland re-establishment shall recommend a seed mix, rates and methods of application, preparation of soil, and the best time of year for planting. The latter should take into account the fact that xeric varieties should be established on the upper bank area. The permittee shall guarantee grass re-establishment. The County Public Works Agency shall monitor the revegetation as part of the annual review, or as needed. The Soil Conservation Service shall review selected plant species to ensure they adequately stabilize the site.
57. The permittee shall extend the native grassland planting plan to include the presently barren banks of the quarry pond directly west of the project site. A qualified professional in native grassland re-establishment shall recommend a planting mix, rates and methods of application, preparation of soil, and the best time of year for planting. The selected plant mix should take into account the fact that more hydrophilic species will be needed in the zone closest to the water's edge while more xeric varieties should be established on the upper bank area. The permittee shall guarantee grass re-establishment. The County Planning Department shall approve the planting plan and monitor the revegetation during the five-year review, or as needed.
58. The permittee shall provide and maintain a 50-foot buffer zone measured southward from the top of the San Antonio Creek upper bank along the 45-acre mining area. Before any grading begins on site, a temporary barrier fence shall be erected along the edge of the 50-foot buffer zone and remain in place throughout the active mining phase. The barrier fence shall have a limited number of access points and personnel shall be informed by the permittee that the 50-foot buffer zone shall not be entered except as approved by the County of Alameda.

59. A qualified professional familiar with native plant community enhancement shall recommend a native tree and shrub planting scheme for the entire bank area of San Antonio Creek between Calaveras Road and Alameda Creek. The enhancement plan should be based on a preliminary survey of relatively undisturbed segments of San Antonio Creek east of the project site on the San Francisco Water Department's watershed land. The riparian community shall be self supporting and composed of native vegetation appropriate for the region, to the extent feasible.

Tree selection and density should be able to accommodate the variety of mammal and bird species that still move along this travel route. (The revised landscaping plan shown in Chapter 7, Visual Quality of "Santa Clara Sand and Gravel Expanded Initial Study, SMP-30, Proposed Mitigated Negative Declaration" (1992) proposes native tree species along San Antonio Creek.) The permittee shall guarantee tree and shrub establishment for five years. The planting plan shall be approved by the Planning Director and monitored by the Planning Department during the annual or five-year review, or as needed.

60. The reclamation plan shall specify the amount of vegetative cover and density, plant health, natural reproduction, and species diversity required for adequate reclamation. The permittee shall evaluate success of reclamation treatments and refine the reclamation plan as requested by Alameda County Planning Department. Existing information about plant species diversity at the site shall be used as baseline information to compare reclamation success.
61. Prior to commencement of mining, a program shall be agreed to between the permittee, the Alameda County Planning Department and the property owner that addresses the possibility of the lease terminating prior to the expiration of the permit. The program will assure that the land shall be adequately reclaimed in a manner consistent with ACSMO.
62. Prior to commencement of mining in the 45-acre expansion area, permittee shall submit a copy of the lease agreement with the San Francisco Water Department to the Alameda County Planning Department.

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ADOPTED BY THE FOLLOWING VOTE:

AYES: Commissioners Burdusis, Cartwright, Hamlin, Paisal, Pappas,
Peixoto, Schilling

NOES: None

ABSENT: None

EXCUSED: None

ABSTAINED: None

**ADOLPH MARTINELLI - PLANNING DIRECTOR AND SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY**

