

EXHIBIT “F”

CONDITIONS OF APPROVAL

REVISED SURFACE MINING PERMIT & RECLAMATION PLAN for SMP-30 SUNOL VALLEY AGGREGATE MINE OLIVER de SILVA, INC. (Permittee)¹

These Conditions replace and supersede all Conditions for SMP-30 as approved by Alameda County pursuant to Resolution No. 92-32 for the Santa Clara Sand and Gravel Company, November 16, 1992 and/or all Conditions for other former Surface Mining Permits at this quarry as issued by Alameda County

General

1. Until such time as the approvals and executed agreements listed below have been fully completed, surface mining operations, reclamation and grades shall continue to be conducted in substantial conformance with the various maps, information and recommendations labeled; “Exhibit A”, being the maps labeled “Plot Plan & Cross Sections for Surface Mining Permit, Santa Clara Sand & 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 labeled “Site Plan”, (Sheet 1), dated January 2, 1991 and “Reclamation and Revegetation Plan” (Sheet 2), dated October 1990, Santa Clara Sand & Gravel Company, and “Exhibit D” being the application dated November 13, 1990; and any and all Conditions for SMP-30 as approved by Alameda County pursuant to Resolution No. 92-32 for the Santa Clara Sand and Gravel Company, November 16, 1992 (SMP-30). Approvals and executed agreements necessary prior to these Revised SMP-30 Conditions of Approval included herein taking effect are the following:
 - a. Approval and issuance of Revised SMP-30 Surface Mining Permit by Alameda County,
 - b. Approval of the Revised SMP-30 Lease by the San Francisco Public Utilities Commission and the City and County of San Francisco Board of Supervisors, and
 - c. The execution of a revised Lease for Revised SMP-30 by and between Oliver de Silva, Inc. and the San Francisco Public Utilities Commission.
2. Upon completion of all approvals and executed agreements identified in Condition 1 above, surface mining operations, reclamation and grades shall be in substantial conformance with the various maps, information, recommendations and agreements labeled:
 - a. Surface Mining Permit Map (Sheet 1), dated August 26, 2011;
 - b. Site Conditions (Sheet 2), dated August 26, 2011;
 - c. Mine Plan (Sheet 3), dated August 26, 2011;
 - d. Phasing and Reclamation Plan (Sheet 4), dated August 26, 2011;
 - e. Revised SMP-30 Application, dated August 30, 2011; and

¹ As used in these conditions, “Permittee” shall also be defined as “Operator” as has been used in certain Surface Mining and Reclamation Act correspondence and reporting, and/or “Applicant” as has been used for certain CEQA documentation purposes.

- f. Conservation Plan for Sunol Quarry SMP-30 Site, A Conservation Plan by Oliver de Silva, Inc. to Enhance the Biological Resources of the Sunol Quarry SMP-30 Project Area in Alameda County, California, December 15, 2008.
3. Surface mining operations and the Reclamation Plan shall conform to the Alameda County Surface Mining Ordinance (ACSMO) except as may hereinafter be more specifically provided.
4. The Permittee shall furnish the Community Development Director with a report describing compliance with these conditions by July 16 of each year, beginning July 16, 2013. With each report, the Permittee shall provide a map at the same scale as the approved Mining and Reclamation Plans, showing current progress of mining and reclamation; drainage, erosion and sedimentation control facilities to be provided and those already in place; landscaping installed during the reporting period and the condition of all prior landscaping.
 - a. The Community Development Director shall review the report and inspect the mining operations to determine and assure continuing compliance with the regulations of the ACSMO. The Permittee shall make available to the Community Development Director such information as necessary for determination of compliance.
 - b. The Community Development Director 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 Commission and the Permittee within 45 days after the inspection.
5. At approximately five year intervals after approval of Revised SMP-30 beginning on or about July 16, 2017, the Planning Commission shall review compliance with the Revised SMP-30 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 to the ACSMO, and such modified permit or plan shall be binding upon the operation.
6. 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.
7. The Permittee shall provide a written statement that they accept responsibility for reclaiming the site as indicated on the approved 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. The Permittee shall guarantee timely performance of reclamation requirements of the Alameda County Surface Mining Ordinance and these conditions of approval by providing a mechanism for financial assurance of reclamation as described in, and in accordance with, Surface Mining and Reclamation Act (SMARA) and the Alameda County Surface Mining Ordinance. The mechanism shall be of sufficient value to cover the full costs of reclamation in any specific year for which it is calculated, and may take any form acceptable within the requirements of SMARA, including but not limited to escrow accounts, trust accounts, performance / surety bonds and/or Irrevocable Letters of Credit.
9. The Permittee shall pay an administrative fee as required by Section 6.80.242 of the Alameda County Health and Safety Code, Surface Mining Ordinance Code.
10. 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 Community Development Director is hereby expressly authorized to utilize his 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.

11. Permittee shall maintain the \$5,000 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 Community Development Director.
12. Permittee shall contribute to the costs of reconstructing and widening Calaveras Road when determined necessary by the Community Development Director. Costs will be shared proportionately by other quarries that gain access from Calaveras Road based on use.
13. This Surface Mining Permit shall terminate July 16, 2042 or upon completion of reclamation, whichever comes first, and final reclamation shall occur not later than two years after completion of the surface mining. Permittee shall notify the Community Development Director 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.
14. The end use of the site upon complete reclamation is hereby assumed to be water management, water storage and recreational trails. Any other use must be approved by the County of Alameda.
15. Permittee shall submit a copy of the lease agreement with the San Francisco Water Department to the Alameda County Community Development Agency.
16. In addition to the conditions specified herein, the Permittee shall implement all conservation strategies including avoidance, minimization and mitigation measures as specifically described in the Conservation Plan for Sunol Quarry SMP-30 Site as prepared by and between Oliver de Silva, Inc., the Alameda Creek Alliance and the Center for Biological Diversity intended to protect and enhance the biological resources in the vicinity. Implementation of all Conservation Plan strategies as contained in that Plan are hereby made conditions of approval for the Revised SMP-30 permit.
17. Commencing ten (10) days after the "Approval" of Revised SMP-30², the Permittee shall pay the total sum of \$50,000 per year to a Community Improvement Fund established by the County of Alameda for the benefit of Sunol. These payments shall be made and adjusted as follows: the annual payment amount shall begin at \$50,000 per year with no adjustment for a period of five years; increased by two percent (2%) per year for years six through ten; and commencing on the tenth anniversary of Approval of Revised SMP-30, adjusted annually by the increase (if any) of the Consumer Price Index – All Urban Consumers (or equivalent substitute index) during the immediate preceding year. The purpose of the Community Improvement Fund will be to enhance the community environment of Sunol through projects initiated by the community that will enrich and enhance the

² As used in this condition, "approval" shall include approval and issuance of Revised SMP-30 Surface Mining Permit by Alameda County, approval of the Revised SMP-30 Lease by the San Francisco Public Utilities Commission and the City and County of San Francisco Board of Supervisors, the execution of a revised Lease for Revised SMP-30 by and between Oliver de Silva, Inc. and the San Francisco Public Utilities Commission; and the receipt of any other federal, state or local permits, agreements, contracts, certifications, entitlements or other approvals reasonably necessary for the development, construction and operation of Revised SMP-30.

environment for the residents of Sunol. The Sunol Citizens' Advisory Committee (SCAC) will facilitate implementation of the Community Improvement Fund program by overseeing the application process, evaluating proposals for funding and making recommendations to the County based on Alameda County-established criteria and guidelines. All proposals reviewed by the SCAC and submitted to the County shall be placed before the Board of Supervisors for its final determination.

18. 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, 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 attorney's fees.

Prior to or During Site Preparation and Construction Activities

For purposes of the following conditions, the following activities are specifically defined as either site preparation and/or construction activities as opposed to on-going quarry operations:

- removal of vegetation (including trees), topsoil and overburden from areas previously undisturbed by mining activity
 - removal and relocation of utility lines and water transmission lines
 - Grading, construction of platforms and other surfaces, as well as the construction of new on-site equipment (e.g., the new asphalt plant, concrete batch plant, clarifiers, etc.),
 - Installation of slurry walls,
 - Removal and/or construction of new structures (e.g., offices, truck scales, quality control labs, etc.), and/or
- Grading and paving of new roads and on-site circulation routes.
19. The fence installed at least five feet beyond the drip line of the oak tree located immediately south of the existing entrance road to the quarry along Calaveras Road shall be maintained to preserve and protect the tree from disturbance from equipment and stockpiles, and soil within this fenced area shall not be disturbed.
 20. The removal of vegetation and overburden from the 58-acre expansion site shall occur no more than one month prior to commencement of excavation and raw aggregate harvesting activities from the expansion of the quarry pit into this area. Alternatively, if vegetation and overburden removal is to occur more than one month prior to excavation, the Permittee shall take measures such as watering the soil or applying soil binders or chemical stabilizers, as approved by the Community Development Director to control dust during the stripping and subsequent transporting of the overburden and topsoil
 21. Not more than one week prior to tree removal or removal of any abandoned structure, a County-approved qualified biologist (i.e., one familiar with the identification of bats and signs of bats) shall survey the tree or structure to be removed in the Project area for the presence of roosting bats. Bats may be present any time of the year. The biologist shall thoroughly search trees or structures that

provide appropriate habitat (trees with foliage or cavities or that are hollow) for the presence of roosting bats or evidence of bats.

- a. If no roosting bats or evidence of bats are found, the removal of trees or structures may proceed.
 - b. If bats are found or evidence of use by bats is present, the biologist shall map and mark the tree or structure with flagging. The Permittee shall ensure that the trees or structures are not removed until the CDFG has been consulted for guidance on measures to avoid and minimize disturbance of the special-status bats. Measures may include monitoring trees or structures and excluding bats from a tree or structure until it is removed and/or timing tree or structure removal and use of a construction buffer to avoid disturbance of young before they are able to fly.
22. At the beginning of each workday that includes initial site preparation and/or construction activity as defined above, a USFWS- and CDFG-approved biologist shall conduct on-site monitoring for the presence of California tiger salamander and California red-legged frog in the area where ground disturbance shall occur, as follows:
- a. Exclusion fencing shall be inspected to ensure it does not have any tears or holes, that the bottoms of the fences are still buried, and that no individuals have been trapped in the fences.
 - b. Any California tiger salamander and California red-legged frog along and outside the fence shall be closely monitored until they move away from the construction area.
 - c. All open trenches or holes and areas under parked vehicles shall be checked for the presence of California tiger salamander and California red-legged frog.
 - d. All excavated or deep-walled holes or trenches greater than 2 feet in depth shall be covered at the end of each workday using plywood or similar materials, or escape ramps shall be constructed of earth fill or wooden planks. Before such holes are filled, they shall be thoroughly inspected for trapped animals.
 - e. Project personnel shall be required to immediately report any harm, injury, or mortality of a special-status species during construction (including entrapment) to the construction foreman or biological monitor, and the construction foreman or biological monitor shall immediately notify the Permittee. The Permittee shall provide verbal notification to the USFWS Endangered Species Office in Sacramento, California and/or to the local CDFG warden or biologist (as applicable) within one working day of the incident. The Permittee shall follow up with written notification to the USFWS and/or CDFG (as applicable) within five working days of the incident. All observations of federally and state-listed species shall be recorded on CNDDDB field sheets and sent to the CDFG by the Permittee or representative biological monitor.
 - f. While it is not necessary that the biological monitor stay on-site for the entire day, the monitor shall remain on-call in case any of these animals are discovered and it is necessary to move them. The Permittee shall designate a representative as the point of contact in the event that a California tiger salamander or California red-legged frog is discovered on-site when the biological monitor is not present.
 - g. If the biological monitor or construction personnel find any of these species within the work area, construction activities shall cease in the immediate vicinity of the individual until: (1) the USFWS and/or CDFG are contacted and/or the animal has been removed from the construction area, in accordance with permits, by a USFWS- and CDFG-approved biologist

asphalt; and to operate and maintain on-site equipment, facilities and operations) 24 hours per day, 7 day per week.

Setbacks

26. No future mining excavations shall occur in any closer proximity to Alameda Creek or San Antonio Creek than the existing (July 2012) edge of the quarry slope, as shown on the most recently available aerial photographs (photos dated October 11, 2011).
27. The existing barrier fence along San Antonio Creek shall 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.
28. Mining shall not occur within 250 feet from the edge of the quarry slope to the edge of travel way on Calaveras Road.
29. A setback of not less than 50 feet from the edge of the quarry slope to all buried utilities and pipelines shall be maintained.
30. A setback of 100 feet, or no closer than existing setbacks where such existing setbacks may be less than 100 feet, shall be provided from the top of the quarry slope to the transmission tower foundations. Alameda County Community Development Agency shall monitor the stability of the slopes in their annual review, or as needed.
31. A setback of 25 feet shall be provided and maintained from the top of the quarry slope to the southern boundary of the site adjacent SFPUC properties.
32. The permittee shall obtain PG&E's written consent to any development plans that may have an impact on PG&E's easements.
33. No trees shall be planted under San Francisco Water Department or PG&E's transmission lines or within 50 feet of the center line of water transmission lines.

Excavation and Slope Design

34. Recommendations contained in the Berlogar Stevens Associates' *Geotechnical Investigation, Amended Reclamation Plan for the Sunol Quarry (SMP-30), Calaveras Road, Sunol, California* for Oliver De Silva, Inc., dated May 25, 2012 (Berlogar, 2012) shall be incorporated into the Project. 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.
 - c. The Community Development Director, after consultation with the Public Works Agency, may modify these gradients consistent with the ACSMO.
35. To enhance slope stability, all roads and benches on the quarry slopes shall not be formed by cutting into the permanent quarry slopes unless otherwise approved by the Community Development Director.

36. A qualified professional 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 Community Development Director..
37. 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. Should any problems develop regarding slope stability, erosion control, ground water or related matters, an engineering geologist shall prepare an investigation detailing the problem and possible solutions to be approved by the Community Development Planning Director.

Safety Precautions

38. An annual fire plan shall be prepared and filed with the State Division of Forestry to mitigate fire hazards.
39. The Permittee shall engage a Fire Protection Engineer to perform a Code analysis and submit a Comprehensive Fire Protection Plan for the proposed Project for review by the County Fire Marshall. The submittal shall include an evaluation of the Project's compliance with the Uniform Fire Code requirements relating to storage of hazardous materials (including aboveground tanks), the need for fire suppression system, alarm systems, storage of flammable or combustible materials, containment basins around hazardous materials, and compliance with hazardous materials regulations. Hazardous materials at the proposed asphalt plant shall be specifically considered in the review.
40. If substantial groundshaking occurs at the site during an earthquake, the Permittee shall inspect the quarry for potential slope failures prior to allowing employees to resume work in the quarry pits.
41. Prior to construction of any structures intended for human occupancy (i.e., expected to be occupied for more than 2,000 person-hours per year) within the Alquist-Priolo zone, a detailed geologic investigation of the structure location shall be prepared by a geologist registered in the State of California. This report shall address the potential for surface fault displacement at the structure site, based on a geologic investigation designed to identify the location, recent activity and nature of faulting that may have affected the structure site in the past and may affect the structure site in the future. If, based upon the findings of the geologic investigation, the site of the proposed structure is underlain by an active fault trace, the structure shall be located at least 50-feet away from such an active fault trace.
42. Stockpiles shall be managed such that they do not become over-steepened or undercut, and the faces of stockpiles shall be maintained to prevent steep, high faces from forming. Where front-end loaders have to carry out undercutting in front of high faces, a cab should be fitted to enclose an operator overhead and on at least three sides.
43. The Project shall not include any underground storage tanks, and only above-ground storage tanks that have been approved by the U.S. EPA shall be used for storing petroleum products and other regulated substances. Any new above-ground tanks shall be double walled and meet all ballistic and flame impingement requirements in CFC Article 79. The containment structures shall not be equipped with any valves or drains.
44. All delivery, maintenance, and repair trucks containing petroleum products will be required to comply with the California Department of Transportation's regulations for transport of hazardous materials. All trucks carrying petroleum products shall be equipped with quick-connect couplings and automatic shut-off valves to prevent spills. Trucks shall carry appropriate absorbent materials to contain and recover spillage, or such materials shall be available on site.

45. The Permittee shall not allow trucks to be sprayed with diesel fuel or any other petroleum hydrocarbon-containing liquid as a means to prevent asphalt from sticking to the beds of the truck beds. Suitable bio-degradable surfactants may be utilized by the truck operators, if desired. The County's annual inspections and review shall ensure that soil contamination has not occurred at the site due to spraying of truck beds with diesel fuel or other petroleum hydrocarbon-containing liquids.
46. The Project site equipment and servicing materials shall be maintained in a neat and orderly manner to aid in accounting for and detecting potential sources of contamination;
 - a. Non-functional equipment, scrap metal, construction debris, used batteries and tires, and similar objects shall be removed from the site on a regular basis and disposed of at appropriately licensed facilities;
 - b. Best Management Practices specific to the storage of spare equipment such as heavy equipment parts, conveyor belts, tires and other replacement or extra equipment pieces, shall be established pursuant to the Project's NPDES General Mining Permit to ensure that runoff from storage areas does not result in surface water contamination. Spare parts containing petroleum products (i.e., lubricants, hydraulic oil, etc.) shall be stored using Best Management Practices (BMPs) to prevent contamination of soil or storm water runoff; and
 - c. Storage areas shall be inspected by the Permittee monthly. Any petroleum leaks shall be documented and cleaned up. Leaking equipment shall be repaired. Inspection and monitoring documentation shall be retained for a minimum of five years and be available to County staff during site inspections.
47. The perimeter of the property shall be fenced and the fence shall be maintained in good condition. A fence along the boundary of Alameda Creek shall be installed following lease approval by the SFPUC.
48. No explosives shall be used.

Visual Quality

49. Height of stockpiles throughout the permit boundaries shall be restricted to 50 feet.
50. The Permittee shall retain a professional lighting consultant to design a lighting plan for the site. The lighting plan shall ensure that night time lighting and security lighting is placed so that it is no higher than necessary to illuminate the area of security concern, and the lighting shall be directed toward the area. Under no circumstances shall areas beyond the Project site boundaries be directly illuminated nor shall general lighting radiate above the horizontal, but shall be shielded to illuminate only the area of concern.
 - a. Any lighting placed on areas nonessential for security or active operations shall be placed on a motion detector circuit so illumination only occurs as necessary.
 - b. Any lighting for operations in the quarry pit shall be placed as low into the pits as possible.
 - c. Monitoring shall include occasional inspection of night time conditions by County staff to ensure that lighting is directed toward the area of concern and that areas beyond the site boundaries are not directly illuminated
 - d. The Permittee shall immediately respond to complaints about excessive night lighting.
51. Upon the SFPUC's completion of the placement of "spoils material" landform berms along the edge of Calaveras Road within the Revised SMP-30 site, the Permittee shall retain a professional

agronomist or qualified landscape architect to recommend detailed methods and specifications of revegetation of these landform berms.

- a. The berm revegetation and planting plan shall be approved by the Community Development Director and monitored by the County during the annual or five-year review, or as needed.
- b. Revegetation of the landscape berms shall be completed within five (5) years of completion of the berm construction by the SFPUC and any and all necessary regulatory permits have been obtained.
- c. The Permittee shall guarantee vegetation establishment during a period of five years.

Air Quality

52. The Permittee shall implement measures such as watering the soil or applying soil binders or chemical stabilizers, as approved by the Community Development Director to control dust.
53. 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 Service Agency and the Bay Area Air Quality Management District to prevent the occurrence of nuisance and undue pollution of the air.
54. 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.
55. 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. All other haulage roads and loading areas within the site shall be paved or watered to be maintained in a dust-free condition, as may be determined by the Community Development Director.

Noise

56. 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.

Traffic and Circulation

57. The new southern driveway intersection must meet Calaveras Road at grade.
58. The area around the new southern driveway intersection shall be kept free of visual obstructions such as tall landscaping and signage, which would obstruct line of sight for drivers exiting the site.
 - a. Vegetation fronting the site along Calaveras Road shall be trimmed as necessary to allow at least 550 feet of sight distance, which is the minimum corner sight distance required per the California Highway Design Manual.

- b. The location of the southern driveway may shift north or south along Calaveras Road to best accommodate the required sight distance.
 - c. If necessary to improve sight lines at the intersection, the elevation of the southern driveway approach to Calaveras Road shall be raised to reduce the grade difference.
59. The Permittee shall maintain stop signs at all exits to County roads. The Community Development Agency will continue to monitor whether trucks are stopping before exiting the site onto Calaveras Road. If, in consultation with the Public Works Agency, the Community Development Director determines the condition is 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 Community Development Director to remedy the situation.
60. If a hiking trail is accommodated on site during mining operations, it shall follow a western trail alignment along Alameda Creek rather than an eastern alignment along Calaveras Road as the western alignment provides less pedestrian/vehicle conflict points.
61. Due to the presence of recreational cyclists along Calaveras Road, the Permittee shall install "Share the Road" signs in conjunction with Bicycle Warning signs along Calaveras Road and on the Project site driveways to warn drivers to watch for bicyclists, who generally travel at slower speeds. Placement of these signs shall be determined by the Community Development Director in consultation with the County Public Works Department.
62. The Permittee shall prepare and deliver a driver education program to employees and truck drivers, making them aware of the use of Calaveras Road by recreational bicyclists, the legal rights of bicyclists using the roadway, reminding them of the rules of the road prohibiting crossing the double yellow line to pass bicyclists, and required safe passing distance from bicyclists. Educational materials may include pamphlets handed to all truck drivers entering the site, signs posted near the exit driveway, and other potential measures that may be identified.
63. The Permittee shall sponsor a bicyclist education and outreach effort, potentially conducted through local recreational and racing clubs whose members regularly ride Calaveras Road. This effort may include, but is not limited to use of available educational curricula sponsored by the East Bay Bicycle Coalition and Silicon Valley Bicycle Coalition, reminding bicyclists how to operate legally and safely when operating in mixed traffic flow.
64. The Permittee shall work with Alameda County to develop and install signing improvements along Calaveras Road in accordance with the Alameda County Bicycle and Pedestrian Master Plan for Unincorporated Areas.
65. Consistent with current practice and requirements, the Permittee shall commit to clearing spilled debris and oil as needed, related to quarry truck movements on the section of Calaveras Road between I-680 and the SMP-30 driveway(s).
66. The Permittee shall coordinate with the County and the SFPUC (as may be needed outside of the road right-of-way) to provide for trimming brush and tree limbs near the sides of the road, to maximize sight distance, and preserve maximum available roadway width and narrow shoulder width for bicyclists for the section of Calaveras Road between I-680 and the Project driveway(s).

Water and Septic

67. 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

68. 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. 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.
69. Changes in drainage and/or sedimentation control facilities shall be submitted in advance to Alameda County Flood Control and Water Conservation District for approval.
70. Project site is within Special Drainage Area 7-1 and is subject to conditions imposed at the time of issuance of building permits.
71. Any work within creek areas will require a Streambed Alteration Agreement with the California Department of Fish and Game.
72. 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.
73. The Permittee shall be responsible for obtaining any necessary amendments and/or updates to the currently applicable NPDES permit for water management within the Project.
74. 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.
75. Work within or adjacent to a watercourse shall require a permit from Alameda County Flood Control and Water Conservation District pursuant to the Watercourse Protection Ordinance (Chapter 13.012 of the Alameda County Code of Ordinances).

Cultural Resources

76. 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.
77. The Permittee shall provide a Worker Cultural Resources Awareness Training Program prior to construction to assist in worker compliance with cultural resource identification and protection procedures. The training will provide illustrations and/or photographs of common types of historic and prehistoric artifacts that may be encountered during construction activities, and a protocol to be followed in the event of an unanticipated discovery of archaeological materials and/or human remains.
78. Should any previously unknown historic or prehistoric resources be discovered during ground-disturbing activities, ground disturbance within 100 feet of these resources shall be stopped until a professional archaeologist meeting the Secretary of the Interior's Standards has an opportunity to evaluate the significance of the newly discovered resource.
 - a. If a find is determined to not be potentially significant by the consulting archaeologist, construction activities within the area can continue.

- b. If a find is determined to be potentially significant by the consulting archaeologist, a mitigation plan meeting State requirements will be developed and implemented in consultation with the lead agency. If the resource cannot be avoided, a data recovery plan, aimed at collecting sufficient data to address prehistoric or historic research questions, will be prepared and carried out.
 - c. A professional technical report detailing the data recovery methods and results, and a discussion of the findings in terms of the research questions provided in the data recovery plan will be prepared by the consulting archaeologist.
 - d. All collected prehistoric and historic artifactual material will be curated at a qualified curation facility. Copies of field notes, and other relevant documentation, will also be provided with the artifact collection.
 - e. All prehistoric and historic discoveries will be documented on appropriate Department of Parks and Recreation forms (Form DPR 523) and filed with the NWIC.
79. In the event that Native American human remains or funerary objects are discovered, the provisions of the California Health and Safety Code should be followed. Section 7050.5(b) of the California Health and Safety Code states that all excavation or disturbance of the site or nearby area cease, and that the coroner of the county in which the human remains are discovered should be contacted. If the remains are determined by the coroner to be Native American, the coroner must contact the NAHC. The NAHC will assign a Most Likely Descendant, who will make recommendations regarding the treatment of the remains.

Biological Resources and Wildlife

80. A qualified professional familiar with native plant community enhancement shall recommend a native tree and shrub planting enhancement plan for the entire bank area of San Antonio Creek on both sides of the Creek between Calaveras Road and Alameda Creek, and for the entire bank area of Alameda Creek on both sides of the Creek between San Antonio Creek and the site's southern boundary as defined pursuant to the SFPUC lease. 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 these travel routes.
- a. The planting plan shall be approved and monitored by the Community Development Directory during the annual or five-year review, or as needed.
 - b. Revegetation of both banks shall be completed within two years of approval of the Revised SMP-30 permit, final lease approval by SFPUC and/or final approval of the Sunol Valley Restoration Plan.
 - c. The Permittee shall guarantee tree and shrub establishment for five years.
81. The Permittee shall ensure that the following general measures are implemented as part of quarry operations to minimize or avoid impacts on biological resources:
- a. Project-related vehicles shall observe a 15-mile-per-hour speed limit on unpaved roads in the work area, or as otherwise negotiated with the applicable regulatory agencies.
 - b. The Permittee shall provide closed garbage containers for the disposal of all food-related trash items (e.g., wrappers, cans, bottles, food scraps). All garbage shall be collected daily

- from the Project site and placed in a closed container, from which garbage shall be removed weekly.
- c. Construction personnel shall not feed or otherwise attract fish or wildlife in the Project area.
 - d. No pets or firearms shall be allowed in the Project area.
 - e. Staging areas shall be located at least 50 feet from aquatic areas.
 - f. If vehicle or equipment fueling or maintenance is necessary, it shall be performed in designated staging areas.

Conditions Specific to Each Annual Review

82. Upon approval of the Project, the Permittee shall initiate implementation of a NOx Monitoring and Reduction Plan (NOx Plan).

- a. Throughout the first year of operation and then subsequently throughout each following year, the Permittee shall prepare an annual audit of the total aggregate, concrete and asphalt production from the Project. Based on that audit, the Permittee shall prepare a calculation of all Project-related NOx emissions from all Project sources including the aggregate plant, the concrete plant, the asphalt plant, on-site off road equipment and mobile sources (i.e., haul trucks). This calculation shall be used to compare the Project's actual annual NOx emissions, as a net increase over the baseline emissions established in the EIR, to the applicable significance threshold.³
 - i. Beginning in the first year (through June 2013), if the total annual aggregate production rate does not exceed 1.5 million tons, the threshold for NOx emissions is not expected to be exceeded and no further emission calculations or mitigation would be required for that year.
 - ii. In subsequent years, new emission standards promulgated by the US EPA and California Air Resources Board are expected to result in a substantial reduction in NOx emissions from the on-road truck fleet. With implementation of ARB emission standards by year 2016, if the annual total annual aggregate production rate does not exceed 2.25 million tons, the threshold for NOx emissions are not expected to be exceeded and no further emission calculations or mitigation would be required for that year.
 - iii. With implementation of ARB emission standards by year 2020, the thresholds for NOx emissions is not expected to be exceeded even at 3.0 million tons of total aggregate production per year (the Project maximum), and no further emission calculations or mitigation would be required.
- b. If the Project's NOx emissions, measured as the net increase over the EIR-established baseline, exceed the applicable threshold, the NOx Plan shall demonstrate how the Project

³ At the time of preparation of the EIR, the significance threshold used was 10 tons/year for NOx emissions. This threshold was used in the County's EIR based on guidance from the BAAQMD CEQA Guidelines, which are the subject of legal challenge as of May 2012. If this threshold is subsequently adjusted upwards (i.e., more permissive), then the threshold against which subsequent annual reviews shall be compared shall similarly be adjusted. Otherwise, the threshold used in the EIR shall remain in effect for the Project.

will reduce or off-set those net emissions exceeding the threshold. Reductions may be achieved by any combination of, but not limited to the following:

- i. replacing or retrofitting engines for on-site rolling stock or haul trucks,
 - ii. reducing overall production rates at the Project site so as to not exceed the threshold,
 - iii. providing off-site compensation by reducing NOx emissions elsewhere in the air basin as a "credit" against project emissions, and/or
 - iv. purchasing NOx offset credits. For example, the Permittee could off-set their emissions through the Bay Area Air Quality Management District's (Air District) Carl Moyer Memorial Air Quality Standards Attainment Program (CMP) or other Air District emission reduction incentive programs. Under this example, the Permittee would provide funding for the emission reduction projects in an amount up to the emission reduction project's cost-effectiveness limit set by the California Air Resources Board (ARB) for the CMP during the year that the emissions from material hauling are emitted, and the funding would be used to fund projects eligible for funding under the CMP guidelines or other Air District incentive programs meeting the same cost-effectiveness threshold that are real, surplus, quantifiable, and enforceable.
- c. The NOx Plan will be submitted to the Alameda County Community Development Agency on an annual basis.
 - d. Upon County approval of the NOx Plan, the Permittee shall implement specified measures as necessary.
83. Upon approval of the Project, the Permittee shall initiate implementation of a Stationary Source GHG Monitoring and Reduction Plan (SS GHG Plan).
- a. Throughout the first year of operation and then subsequently throughout each following year, the Permittee shall prepare an annual audit of the total throughput of asphalt through the plant. Based on that audit, the Permittee shall prepare a calculation of all stationary source emissions of GHGs from the drum mixer and the hot asphalt oil heater. This calculation shall be used to compare the Project's actual annual stationary source GHG emissions to the applicable significance threshold.⁴
 - i. If the total annual throughput of asphalt does not exceed 750,000 tons per year, the threshold for stationary source GHG emissions is not expected to be exceeded and no further emission calculations or mitigation would be required for that year.
 - b. If the Project's stationary source GHG emissions, measured as the net increase over the EIR-established baseline, exceed the applicable threshold, then the SS GHG Plan must demonstrate how the facility will reduce or offset those net emissions exceeding the threshold. Reductions may be achieved by any combination of, but not limited to the following:

⁴ At the time of preparation of the EIR, the significance threshold for stationary source GHG emission was 10,000 MT CO₂e per year. This threshold was used by the County in the EIR based on BAAQMD CEQA Guidelines, which are the subject of legal challenge. If these thresholds are subsequently adjusted upwards (i.e., more permissive), then the threshold against which subsequent annual reviews shall be compared to shall similarly be adjusted. Otherwise, the thresholds used in the EIR shall remain in effect for the Project.

- i. limiting total asphalt production at the plant to levels that would not result in exceeding the threshold,
 - ii. achieving on-site reductions in emissions through such means as more energy-efficient equipment, production of on-site sustainable energy or use of cleaner burning (i.e., bio-diesel) fuels.
 - iii. providing off-site compensation by reducing GHG emissions elsewhere as a "credit" against project stationary source emissions, and/or
 - iv. purchasing offsetting "carbon credits" as an off-site compensation. For example, the Permittee may be able to off-set their emissions through a Bay Area Air Quality Management District (Air District) grant program whereby the funding would be used to fund projects eligible for funding under the program's guidelines meeting the same cost-effectiveness threshold that are real, surplus, quantifiable, and enforceable.
 - c. The SS GHG Plan will be submitted to the Alameda County Community Development Agency on an annual basis.
 - d. Upon County approval of the SS GHG Plan, the Permittee shall implement specified measures as necessary.
84. Upon approval of the Project, the Permittee shall initiate implementation of a Mobile Source GHG Monitoring and Reduction Plan.
- a. Throughout the first year of operation and then subsequently throughout each following year, the Permittee shall prepare an annual audit of the total aggregate, concrete and asphalt production from the Project. Based on that audit, the Permittee shall prepare a calculation of all Project-related mobile source GHG emissions from all Project sources including the aggregate plant, the concrete plant, the asphalt plant, on-site off road equipment and mobile sources (i.e., haul trucks). This calculation shall be used to compare the Project's actual annual mobile source GHG emissions, as a net increase over the baseline emissions established in the EIR, to the applicable significance threshold.⁵
 - b. If the Project's mobile source GHG emissions, measured as the net increase over the EIR-established baseline, exceed the applicable threshold, the Mobile Source GHG Plan shall demonstrate how the Project will reduce or offset those net GHG emissions exceeding the threshold. Reductions may be achieved by any combination of, but not limited to the following:
 - i. achieving on-site reductions in emissions through such means as more energy-efficient equipment, production of on-site sustainable energy or use of cleaner burning (i.e., bio-diesel) fuels,
 - ii. providing off-site compensation by reducing GHG emissions elsewhere as a "credit" against project mobile source GHG emissions, and/or

⁵ At the time of preparation of the EIR, the significance threshold used was 1,100 metric tons CO₂e per year. This threshold was used in the County's EIR based on guidance from the BAAQMD CEQA Guidelines, which are the subject of legal challenge as of May 2012. If this threshold is subsequently adjusted upwards (i.e., more permissive), then the threshold against which subsequent annual reviews shall be compared shall similarly be adjusted. Otherwise, the threshold used in the EIR shall remain in effect for the Project.

- iii. purchasing off-setting 'carbon credits' as an off-site compensation. For example, the Permittee may be able to off-set their emissions through a Bay Area Air Quality Management District (Air District) grant program whereby the funding would be used to fund projects eligible for funding under the program's guidelines meeting the same cost-effectiveness threshold that are real, surplus, quantifiable, and enforceable.
 - c. The Mobile Source GHG Plan shall be submitted to the Alameda County Community Development Agency on an annual basis.
 - d. Upon County approval of the Mobile Source GHG Plan, the Permittee shall implement specified measures as necessary.
85. 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 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 as compared to the total traffic on the road, and 100 percent towards any road damage directly attributed to the operations.
86. Based on the recommendations of the Project geologists, an annual review of the stability of cut slopes is recommended to determine if exposed conditions indicate that the proposed quarry slopes should be modified.

Conditions Specific to Phase II Operations

87. A noise survey shall be conducted within 30 days after the plant site and its processing facilities have been moved to the south. At that time, with the final plant layout in place, a determination shall be made as to whether or not additional noise barriers or other noise control measures for the equipment are required to reduce noise levels at affected sensitive receptors to acceptable levels (i.e., to 50 dBA in the daytime and 45 dBA at nighttime), and the exact locations and types of noise control measures, as may be needed, shall be determined.
88. The method to be used to mitigate Phase II noise impacts shall be noise barriers. Normally, noise barriers are located close to, or on the equipment itself. Typically, the barriers are wood, metal, or quilted noise control blankets. Sometimes, material stockpiles can also be used as a noise barrier.
89. During Phase II, which assumes only one access point to/from the site, consider keeping the existing driveway as a secondary access for emergency vehicles only.
90. Upon initiation of Phase II of the Project's operations the Permittee shall initiate implementation of a Toxic Air Contaminant Monitoring and Reduction Plan (TAC Plan).
- a. Throughout the first year of Phase II operations and then subsequently throughout each following year, the Permittee shall prepare an annual audit of the total aggregate, concrete and asphalt production from the Project. Based on that audit, the Permittee shall prepare a risk assessment for lifetime cancer risk for a lifetime resident from all Project sources including the aggregate harvesting operations, aggregate plant, the concrete plant, the asphalt plant, on-site off road equipment and mobile sources. This risk assessment calculation shall

- be used to compare the Project's actual incremental lifetime cancer risk, as a net increase over the baseline risk established in the EIR, to the applicable significance threshold.⁶
- b. If risk assessment indicates that the Project's net increase in incremental health risk exceeds the applicable threshold, the TAC Plan shall demonstrate how the Project will reduce emissions to below the threshold level. Reductions may be achieved by any combination of, but not limited to the following:
 - i. replacement or retrofit of engines used in one of the two scrapers, such that they meet a minimum of US EPA Tier 4 interim emissions standard, or
 - ii. replacement or retrofit of engines used on other on-site rolling stock, such that they meet a minimum of US EPA Tier 4 interim emissions standard and result in maintaining risk levels below the applicable standards, or
 - iii. reducing overall production rates at the Project site so as to not exceed the threshold.
 - c. The TAC Plan shall be submitted to the Alameda County Community Development Agency on an annual basis.
 - d. Upon approval, the Permittee shall implement specified measures as necessary.
91. To prevent the inundation of the processing area and the potential release of hazardous materials to water in the basin (once the processing area is relocated to the south end of the mining basin at an elevation of 220 ft. msl) due to a 100-yr storm event, one or more of the following measures shall be taken:
- a. Bulk storage for Portland cement, asphalt oil, fuels, and other chemicals shall be maintained outside of the basin perimeter. Only those materials needed for daily operations shall be stored and maintained in the processing area once it is relocated to the south end of the basin. If reliable weather predictions call for the potential for a 100-year storm event, or a series of events that could potentially yield equivalent flood flows, then all hazardous materials shall be removed from the processing area; or
 - b. The processing area should not be relocated to the south end of the basin until sufficient excavation has been completed such that the basin volume below the elevation of the processing area (approximately 220 ft. msl) is greater than at least 6,000 acre-feet. At a volume of 6,000 acre-feet, the basin would be capable of holding the total volume of water that could potentially enter the basin during a 100-year storm, without overtopping into the processing area.

⁶ At the time of preparation of the EIR, the significance threshold used was 10 excess incremental cancer risks per million people. This threshold was used in the County's EIR based on guidance from the BAAQMD CEQA Guidelines, which are the subject of legal challenge as of May 2012. If this threshold is subsequently adjusted upwards (i.e., more permissive), then the threshold against which subsequent annual reviews shall be compared shall similarly be adjusted. Otherwise, the threshold used in the EIR shall remain in effect for the Project.

Conditions Pursuant to the Reclamation Plan

Concurrent Reclamation Activity

Although mining and processing operations are planned as a continuous activity throughout the site and opportunities for concurrent reclamation are limited, the following concurrent reclamation activities shall occur:

92. Mining operations shall be conducted in such a manner that the South Basin quarry pit and the North Basin wash water pond can be converted to use for SFPUC water storage at any period of operations, although the reclamation goal is to maximize water storage capacity by expanding and deepening the quarry pit to the maximum allowed under the Revised SMP-30 permit.

Post-Mining Reclamation Activity

93. Unless further revised, this Surface Mining Permit shall terminate July 16, 2042 or upon completion of reclamation, whichever comes first. The following post-mining reclamation activities shall occur not later than two years after completion of surface mining.
94. Upon completion of mining and processing operations at the Project site and pursuant to implementation of the Reclamation Plan, all mobile equipment associated with mining, any conduits and wiring not used as part of the ultimate Reclamation Plan, and stationary structures and foundations at the processing plant (including the scale and administration buildings), shall be removed.
95. Upon completion of mining and processing operations at the Project site and pursuant to implementation of the Reclamation Plan, all hazardous materials and above ground storage tanks shall be removed and the site shall be cleaned of hazardous material.
 - a. Prior to closure of any above ground storage tank used to hold hazardous material, the Permittee shall obtain a tank closure permit from the County DEH and shall comply with all applicable tank closure guidelines.
 - b. The Permittee shall obtain a closure permit for all above ground hazardous materials storage facilities.
 - c. Fuel tanks and other hazardous materials containers shall be transported by licensed haulers to an approved disposal or recycling facility in accordance with all applicable laws and regulations.
 - d. Any reported releases of hazardous substances which may have occurred during Project operations shall be fully remediated according to the corrective actions proscribed by the identified lead agency, and a case closure letter from the lead agency obtained.
96. Site preparation and reclamation of on-site roads shall occur as follows:
 - a. Surfaces created by mining (i.e., the North Basin and the South Basin) are intended to accommodate subsequent land use as managed water storage reservoirs for use by the San Francisco Public Utilities Commission (SFPUC). No revegetation within these basins shall occur, as vegetated surfaces would be contrary to the intended post-reclamation use.
 - b. The East Basin (used as a settling basin during mining and processing operations) shall be backfilled as necessary to match existing grade.
 - c. Areas surrounding the basins shall be scarified and de-compacted as necessary for revegetation and to control erosion into the water storage reservoirs.

- d. Main roads used to access the site shall remain at the conclusion of mining operations to facilitate use and management of the post-reclamation water storage reservoirs.
97. Erosion control facilities shall be constructed as required. Temporary measures such as silt fences, berms, hay bales or similar means to deter erosion may be employed as necessary at locations of identified concern depending upon the final configuration of the grading work and roadways.
 98. Detailed methods and specifications of revegetation and restoration of the site shall be prepared by a professional agronomist and submitted for approval by the Community Development Director before being implemented by the Permittee.
 - a. 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 reduce erosion.
 - b. 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.
 99. The success of revegetation effort shall be as specified on the Phasing and Reclamation Plan (Sheet 4) for Revised SMP-30, shall be guaranteed by the Permittee and shall be achieved prior to release of revegetation financial assurances, and shall include:
 - a. The amount of vegetation cover (75%) and density,
 - b. plant health,
 - c. natural reproduction (if pure live seed falls below 80%, seeding rates shall be increased), and
 - d. species diversity (minimum of two species)
 100. The Permittee shall implement the following measures to prevent the spread of new populations of noxious weeds and invasive plants, and to reduce existing infestations in the quarry to the extent feasible:
 - a. Inactive, disturbed areas shall be seeded to reduce the potential for the spread and establishment of noxious weeds and invasive plants.
 - b. Seed mixtures shall be certified weed-free.
 - c. Only introduced materials that are free of noxious and invasive plants shall be accepted.
 - d. Where feasible, perimeter roads shall be graded and kept clear to maintain a buffer along property lines as an additional means to contain the spread of noxious weeds.
 101. The Permittee shall evaluate the success of revegetation treatments and refine the Reclamation Plan as necessary to achieve the success ratios specified. Existing information about plant species diversity at the site shall be used as baseline information to compare reclamation success.
 - a. Test plots consisting of planted surfaces shall be used to confirm that the recommended application rates and specific seed mix meets the intended surface stabilization goals for erosion control and the revegetation success rates.
 - b. The re-application of topsoil and revegetation process shall be inspected by a qualified professional during site reclamation.
 - c. The Community Development Director shall monitor the revegetation as part of the annual review, or as needed. The success of revegetation shall be evaluated and determined by the County.