

County of Santa Clara

Department of Planning and Development
Planning Office

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May 21, 2008

Marvin E. Howell
Hanson Aggregates West, Inc.
P.O. Box 639069
San Diego CA 92163-9069

**Subject: Compliance Schedule Modification of the
Notice of Violation Issued October 10, 2006, by the
County of Santa Clara to
Hanson Permanente Quarry, State Mine ID 93-41-0004
(Public Resources Code §2774.1)**

Dear Mr. Howell,

This letter serves as notification that the Compliance Schedule of the Notice of Violation issued by the County of Santa Clara on October 10, 2006, and modified in a report to the State Mining & Geology Board dated August 14, 2007, is hereby modified. The new schedule is contained in the attached table. The schedule incorporates time needed to complete the environmental review associated with the proposed amendment to the Hanson Permanente Quarry's reclamation plan. As you know, this proposed reclamation plan amendment is intended, among other things, to abate SMARA violations reported in the 2006 and 2007 SMARA inspections conducted by the County.

The revised schedule is based in part on a timeframe you provided in a letter (copy enclosed) dated December 11, 2007, addressed to Val Alexeeff, Director of the Department of Planning & Development. This timeframe outlines the time and tasks necessary to complete preparation of an in-depth geology report of the Hanson Permanente quarry site. It also suggests time needed to complete CEQA review.

The attached compliance schedule estimates that the environmental impact report, written in compliance with the California Environmental Quality Act (CEQA), will be completed in phases, with the first phase, the geologic evaluation, being completed by December 2009, the Draft Environmental Impact Report being completed by March 2011, and the public hearing regarding the Final Environmental Impact Report and project proposal being conducted in August or September 2011. This schedule may be subject to change depending on the complexity of the environmental review under CEQA and the subsequent public hearing process to consider both the CEQA document and the project proposal.

Please note that, as stated in our last SMARA inspection report, the reclamation plan amendment process is the means by which certain SMARA violations are to be abated. Until the process is complete the violations will continue to be reported each year to the State Office of Mine Reclamation. If you have any questions regarding this matter you may call me at (408) 299-5747.

Sincerely,



Gary Rudholm
Senior Planner

ATT / ENCL

cc: Cy Oggins, State Office of Mine Reclamation
Stephen M. Testa, Executive Officer, State Mining & Geology Board
Sylvia Gallegos, Deputy County Executive, Santa Clara County
Jody Hall Esser, Interim Director, Planning & Development, Santa Clara County
Michael M. Lopez, Planning Manager, Santa Clara County
Lizanne Reynolds, Deputy County Counsel, Santa Clara County
John Giovanola, Hanson Permanente Quarry

Compliance Schedule – Hanson Permanente Quarry

County File 2250-13-66-06PAM

State Mine ID 91-43-0004

Revised May 21, 2008

Deadline	Action
11/15/06 – 11/30/06	Pre-application meeting between County Planning Department and Hanson concerning reclamation plan amendment
12/15/06 – 12/31/06	Hanson to submit an application for an amended reclamation plan and interim financial assurance calculations
1/15/07 – 1/31/07	The County to complete its 30-day review of the application, and inform Hanson in writing whether the application is complete for processing or additional information is required
No later than 3/16/07	Hanson to resubmit a revised application containing additional information required by the 30-day review letter
4/16/07	The County to inform Hanson that the application is complete for processing. The County to provide approval for interim financial assurances for immediate posting The County to forward the amended reclamation plan and financial assurances to OMR for comments pursuant to Public Resources Code section 2774, subdivision (c)
4/20/07	The County to begin CEQA review of the amended reclamation plan proposal
5/21/07	OMR to provide any comments regarding the amended reclamation plan, pursuant to the 30-day review period of Public Resources Code section §2774, (d)(1)
6/4/07	OMR to provide any comments regarding the updated financial assurances, pursuant to the 45-day review period of Public Resources Code §2774(d)(1)

Compliance Schedule – Hanson Permanente Quarry
 County File 2250-13-66-06PAM
 State Mine ID 91-43-0004

Deadline	Action
May 25, 2007	Notice of Preparation of a Draft Environmental Impact consistent with CEQA requirements issued by the County.
August 2, 2007	Close of public comment, which included two public scoping meetings, under the Notice of Preparation. At the close of the comment period for the Notice of Preparation, the County received more than 200 letters listing issues that should be addressed in the project EIR.
Geologic Investigation Phase	
12/31/07	Hanson to provide schedule for geologic investigation for use in CEQA document associated with the reclamation plan amendment proposal.
6/30/08	Status meeting with County staff on progress of geologic investigation.
9/30/08	Status meeting with County staff on progress of geologic investigation.
12/31/08	Status meeting with County staff on progress of geologic investigation.
3/31/09	Status meeting with County staff on progress of geologic investigation.
6/30/09	Status meeting with County staff on progress of geologic investigation.
9/30/09	Status meeting with County staff on progress of geologic investigation.
12/01/09	Completion of geologic field investigation, monitoring, analysis, and reporting.
12/31/09	Status meeting with County staff on completion of geologic investigation.

Compliance Schedule – Hanson Permanente Quarry
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Continued CEQA Review Phase	
2/01/10	Hanson to submit revised reclamation plan amendment plans, maps, and supporting documents, as required.
3/01/10	The County to county its review of the revised amendment for completeness and compliance with SMARA.
4/15/10	Hanson to resubmit any further revisions to the amendment, if necessary.
5/15/10	The County to inform Hanson whether the amendment application is complete for processing.
6/01/10	<p>The County to forward the reclamation plan amendment proposal and financial assurance cost estimates to OMR for comments pursuant to Public Resources Code §2774(c).</p> <p>The County to continue CEQA review of the proposed reclamation plan amendment. (The County will issue a new Notice of Preparation if the project changes.)</p> <p>The County to contract and hire new consultant, complete a draft environmental impact report (DEIR).</p>
7/01/10	OMR to provide any comments regarding the amended reclamation plan, pursuant to the 30-day review period of Public Resources Code sources §2774(d)(1).
7/15/10	OMR to provide comments regarding the updated financial assurances, pursuant to the 45-day review period of Public Resources Code §2774(d)(1).
03/15/11	Public release of the draft environmental impact report (DEIR) and beginning of the public comment period.

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Public Hearing Phase and Final EIR	
05/05/11	Public hearing before the County Planning Commission to receive comments on DEIR.
5/15/11	Close of CEQA public comment period. County to commence preparation of Responses to Comments on the DEIR.
7/01/11	The County to prepare early notification to OMR of public hearing on reclamation plan amendment proposal, revised financial assurances, and Final EIR (FEIR).
August / September 2011	County to hold public hearing concerning application for the proposed reclamation plan amendment and FEIR.
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