# 3.0 PROJECT DESCRIPTION

This section provides all of the information required of an EIR Project Description by CEQA Guidelines § 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's technical, economic, and environmental characteristics; and a description of the intended uses of this EIR, including a list of the government agencies that are expected to use this EIR in their decision-making processes; a list of the permits and approvals that are required to implement the Project; and a list of related environmental review and consultation requirements.

The existing Nichols Canyon Mine comprises approximately 199 acres located both north and south of Nichols Road, in the northeastern portion of the City of Lake Elsinore. Approximately 156 acres of the Nichols Canyon Mine is located north of Nichols Road **(**Nichols North) and approximately 43 acres of the Nichols Canyon Mine is located south of Nichols Road (Nichols South). The Nichols North and Nichols South sites are both subject to an approved Reclamation Plan (RP 2006-01A1). Under existing conditions, the Nichols North site primarily encompasses stockpiles, excavated mining pits, interior unpaved roads, and support equipment for aggregate mining operations, with a drainage basin located in the southwest corner of the site. The Nichols South site has largely been disturbed by the prior removal of overburden from the site and is regularly disked as part of on-going fire abatement activities.

This EIR analyzes the physical environmental effects associated with all components of the Project, including planning and ongoing operation. The governmental approval requested from the City of Lake Elsinore to implement the Project consists of (1) approval of a surface mining permit (SMP No. 2015-01); and (2) the second amendment to an existing approved Reclamation Plan (Reclamation Plan No. 2006-01A1 [RP 2006-01A1]) for an existing aggregate mining site known as the Nichols Canyon Mine (CA Mine ID # 91-33-0098). The Nichols Canyon Mine is a vested mining operation, as the City has previously confirmed. As will be discussed in detail in this section, in response to comments received during the scoping process for this EIR, the City has requested and the project applicant has agreed to apply for a surface mining permit notwithstanding the Mine's vested status in order to more clearly define and condition the activities proposed as part of the Project. In agreeing to apply for a surface mining permit, the project applicant expressly does not waive and reserves all vested mining rights at the Mine to the fullest extent under the law. For purposes of this EIR, the proposed SMP No. 2015-01 and RP 2006-01A2 are amendments to valid, existing affecting operations at an existing vested mining operation.

The proposed approval of SMP No. 2015-01 and RP 2006-01A2 includes: 1) authority to conduct mining operations in the 24 acre EDA; 2) an increase in mining equipment operational hours from between 7:00 a.m. and 12:00 a.m. (Monday through Friday, excluding Federal Holidays) and between 7:00 a.m. and 7:00 p.m. (Saturdays only) to between 4:00 a.m. and 12:00 a.m. (Monday through Saturday, excluding Federal Holidays) for mining equipment operation and 24 hours per day (Monday through Saturdays, excluding Federal Holidays) for aggregate and asphalt batch plant export activities; and 3) reduction of the Mine's annual permitted tonnage from 4,000,000 tons per year (tpy) to 856,560 tpy. The proposed revisions to the approved RP 2006-01A1 describe reclamation requirements applicable to the EDA, in compliance with the Surface Mining and Reclamation Act (Public Resources Code, § 2710 *et seq.*) ("SMARA") and the City's certified

surface mining ordinance (Municipal Code Chapter 14.04, *Surface Mining and Reclamation*) (Lake Elsinore, 1999).

The applications for SMP No. 2015-01 and RP 2006-01A2, as submitted to the City of Lake Elsinore by the Project Applicant, is herein incorporated by reference pursuant to CEQA Guidelines § 15150 and is available for review at the City of Lake Elsinore City Hall, Planning Division; 130 South Main Street, Lake Elsinore, California 92530. All other discretionary and administrative approvals that would be required of the City of Lake Elsinore or other government agencies are also within the scope of the Project analyzed in this EIR.

## 3.1 PROJECT LOCATION

The Nichols Canyon Mine comprises approximately 199 acres (APN Nos. 389-200-035, -036, and-038) and is located in the northeastern portion of the City of Lake Elsinore (see Figure 3-1, *Regional Map*). From a regional perspective, the Nichols Canyon Mine is located north of the City of Wildomar, east of I-15, and south of the Temescal Valley, with areas to the east located within unincorporated Riverside County. I-15 abuts the Mine's western boundary. SR-74 is located approximately 1.0 mile south, I-215 is located approximately 9.1 miles to the east, and SR-91 is located approximately 16.8 miles to the north. Specifically, the Nichols Canyon Mine is located east of I-15 and north and south of Nichols Road, as illustrated on Figure 3-2, *Vicinity Map.*

Refer to EIR Section 2.0, *Environmental Setting*, for more information related to the regional and local setting of the Mine.

## 3.2 STATEMENT OF OBJECTIVES

The primary objectives of the proposed Project are to (1) expand current mining operations by 24 acres; (2) accept a reduction in the Mine's permitted annual production level from 4,000,000 tons per year (tpy) to 856,560 tpy (inclusive of aggregate materials); and (3) lengthen the hours of operation for mining, processing, and export activities from between 7:00 a.m. and 12:00 a.m. (Monday through Friday, excluding Federal Holidays) and between 7:00 a.m. and 7:00 p.m. (Saturdays only) to between 4:00 a.m. and 12:00 a.m. (Monday through Saturday, excluding Federal Holidays) for mining equipment operation and 24 hours per day (Monday through Saturdays, excluding Federal Holidays) for aggregate and asphalt batch plant export activities. The following is a list of specific objectives that the proposed Project is intended to achieve.

A. To increase the available high-quality aggregate reserves available on the property in order to help meet the regional demand for aggregate material, to make the best use of the Mine's aggregate resources, and by revising approved Reclamation Plan 2006-01A1 to accommodate an expansion to the approved limits of aggregate mining activities.

B. To facilitate more efficient export processing of aggregate materials from the Mine site by extending the permitted operational hours for mining activities on-site.

C. To better reflect actual mining capacity for the Mine site by reducing the annual tonnage allowed to be mined and exported from the Nichols Canyon Mine site.

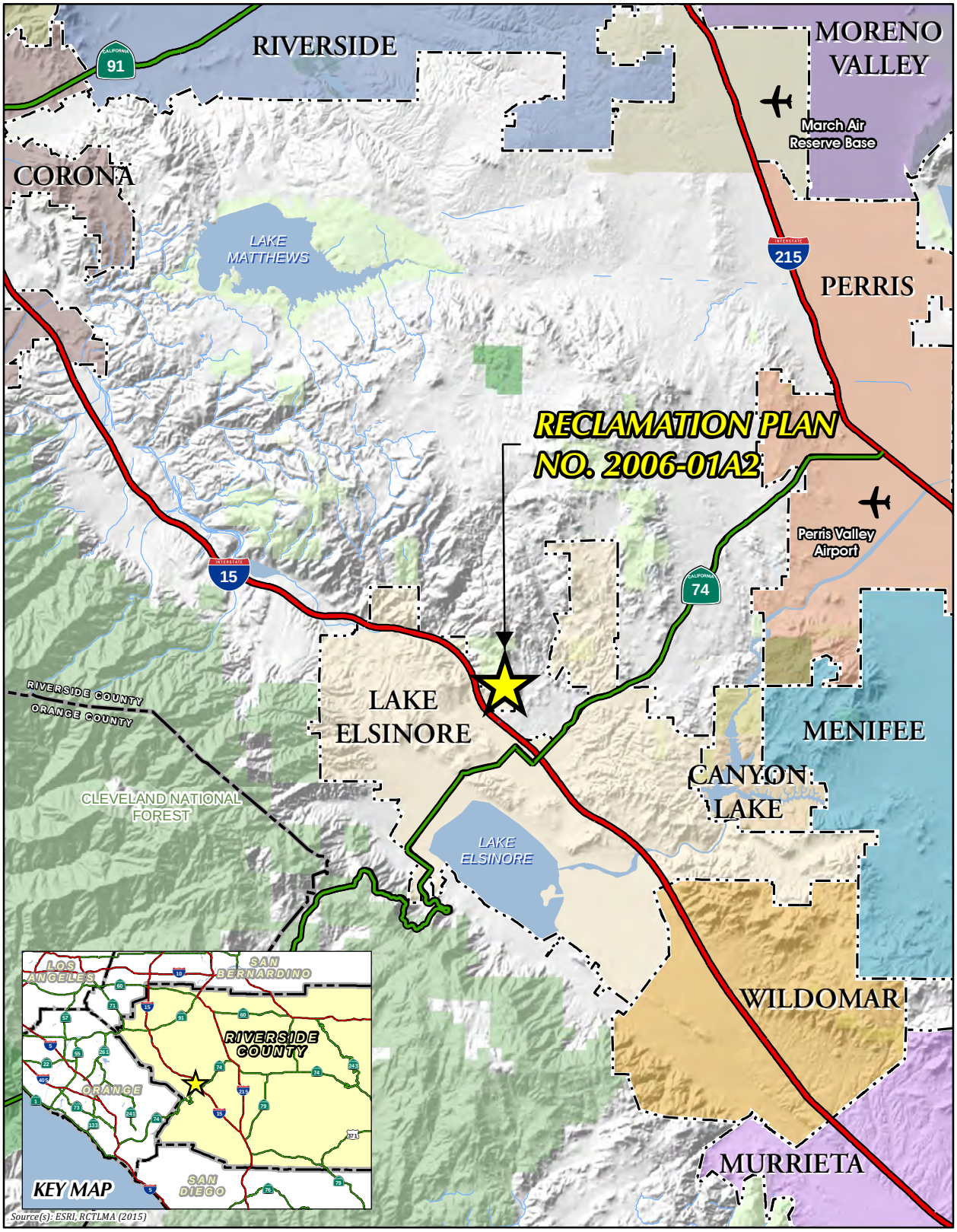



Figure 3-1

**REGIONAL MAP**

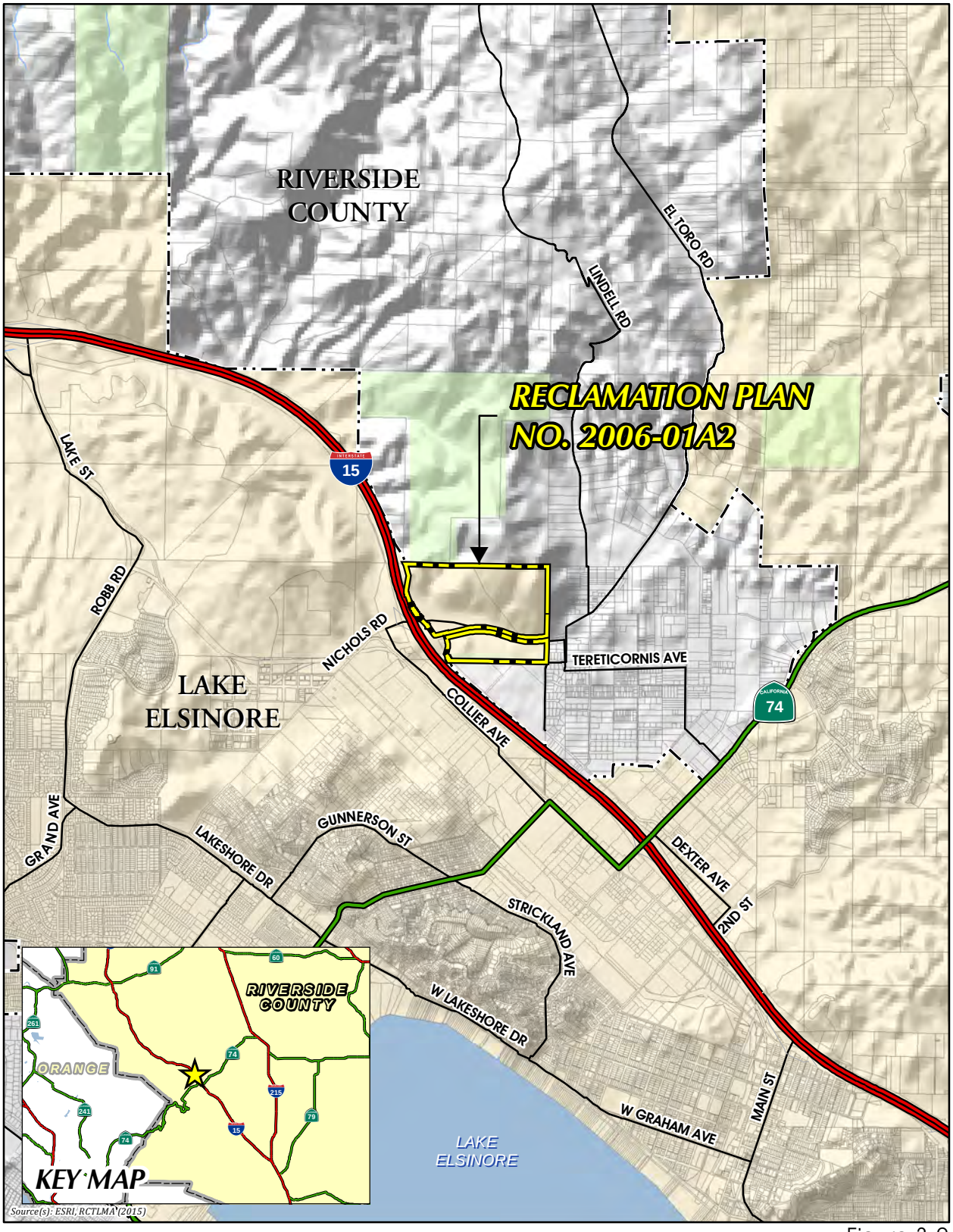



Figure 3-2

**VICINITY MAP**

D. To reclaim the 199-acre Mine site to a usable condition by revising Reclamation Plan 2006-01A1 to identify ultimate site elevations in conformance with the Surface Mining and Reclamation Act of 1975 (SMARA) and the regulations and requirements of the City of Lake Elsinore.

E. To minimize environmental impacts associated with mining and reclamation activities at the Nichols Canyon Mine site in conformance with the requirements of SMARA and the City of Lake Elsinore.

F. To establish updated standards for operational mining activities at the Nichols Canyon Mine site in a manner that complies with all applicable federal, state, and local regulations and requirements.

G. To maximize the use of aggregate reserves and create the most usable space from the Mine's disturbance by designing slopes that accomplish this objective.

## 3.3 PROJECT'S COMPONENT PARTS

The proposed Project consists of approval of a surface mining permit (SMP No. 2015-01) and the second amendment to an existing approved Reclamation Plan (Reclamation Plan No. 2006-01A1 [RP 2006-01A1]) for an existing aggregate mining site (Nichols Canyon Mine). The proposed approval of SMP No. 2015-01 includes: 1) authority to conduct mining operations in the 24-acre EDA; 2) an increase in mining equipment operational hours from between 7:00 a.m. and 12:00 a.m. (Monday through Friday, excluding Federal Holidays) and between 7:00 a.m. and 7:00 p.m. (Saturdays only) to between 4:00 a.m. and 12:00 a.m. (Monday through Saturday, excluding Federal Holidays) for mining equipment operation and 24 hours per day (Monday through Saturdays, excluding Federal Holidays) for aggregate and asphalt batch plant export activities; and 3) reduction of the Mine's annual permitted tonnage from 4,000,000 tons per year (tpy) to 856,560 tpy. The proposed revisions to the approved RP 2006-01A1 (RP 2006-01A2) describe reclamation requirements applicable to the EDA, in compliance with the Surface Mining and Reclamation Act (Public Resources Code, § 2710 *et seq*.) ("SMARA") and the City's certified surface mining ordinance (Municipal Code Chapter 14.04, *Surface Mining and Reclamation*) (Lake Elsinore, 1999). These terms also refer to the changes that would result from approval of the proposed Project, such as increased traffic and additional employees, pursuant to CEQA's requirements for evaluating revisions to on-going permits Figure 3-3, *Reclamation Plan No. 2006-01A2*, depicts the reclamation plan associated with proposed RP 2006-01A2.

The entire 199-acre Nichols Canyon Mine is a vested mining operation, as the City has previously confirmed. As will be discussed in detail herein, in response to comments received during the scoping process for this EIR, the City has requested and the Project applicant has agreed to apply for a surface mining permit notwithstanding the Mine's vested status in order to more clearly define and condition the activities proposed as part of the Project. In agreeing to apply for a surface mining permit, the project applicant expressly does not waive and reserves all vested mining rights at the Mine to the fullest extent under the law. The Project would not affect the existing vested mining areas for the Nichols Canyon Mine, which encompasses the entire 199-acre site. The proposed change to the Mine's operating hours also would apply to the asphalt batch plant on-site. Under the existing Conditional Use Permit No. 2014-07 (CUP 2014-07), operation of the asphalt batch plant may occur between the hours of 7:00am to 12:00am Monday through Friday, and between the hours

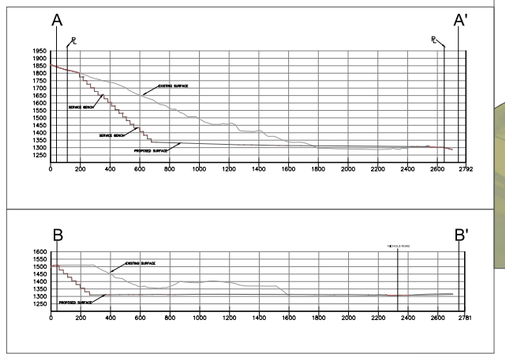
# RECLAMATION PLAN 2006-1, AMENDMENT 2
# NICHOLS ROAD PARTNERS, LLC
## LAKE ELSINORE, CA
## EXHIBIT 'A'

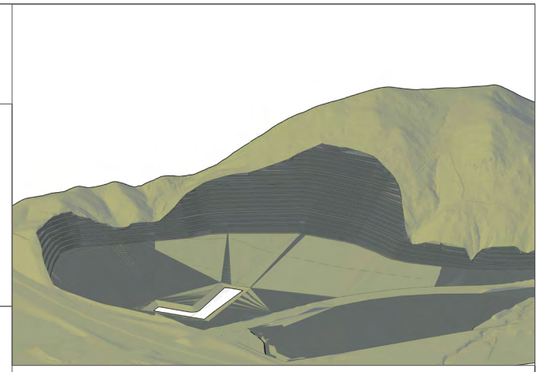
TABLE 1 - VOLUMES TABULATION

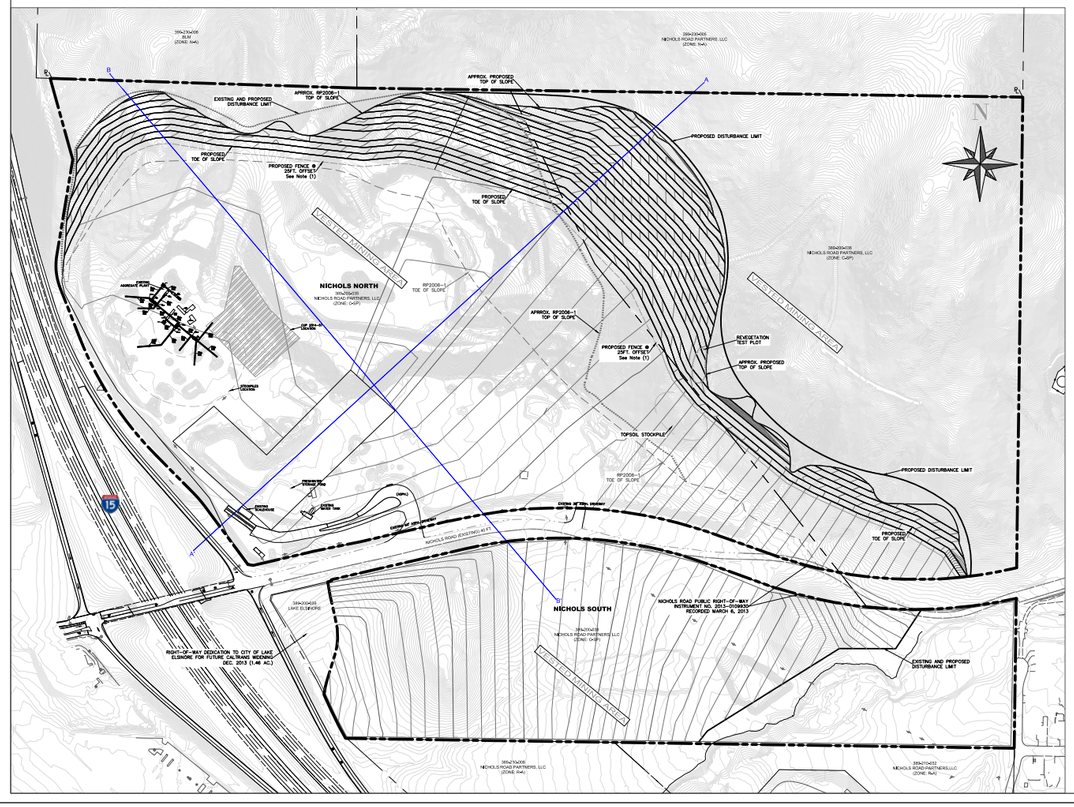
| PERMIT YEAR | AVERAGE CY/YEAR | CUMULATIVE CY | AVERAGE TONS/YEAR | CUMULATIVE TONS | WASTE CY/YEAR | CUMULATIVE WASTE |
|---|---|---|---|---|---|---|
| 2016 | 571,040 | 571,040 | 856,560 | 856,560 | 11,667 | 11,667 |
| 2018 | 571,040 | 1,713,120 | 856,560 | 2,569,680 | 11,667 | 35,001 |
| 2020 | 571,040 | 2,855,200 | 856,560 | 4,282,800 | 11,667 | 58,335 |
| 2022 | 571,040 | 3,997,280 | 856,560 | 5,995,920 | 11,667 | 81,669 |
| 2024 | 571,040 | 5,139,360 | 856,560 | 7,709,040 | 11,667 | 105,003 |
| 2026 | 571,040 | 6,281,440 | 856,560 | 9,422,160 | 11,667 | 128,337 |
| 2028 | 571,040 | 7,423,520 | 856,560 | 11,135,280 | 11,667 | 151,671 |
| 2030 | 571,040 | 8,565,600 | 856,560 | 12,848,400 | 11,667 | 175,005 |
| 2032 | 571,040 | 9,707,680 | 856,560 | 14,561,520 | 11,667 | 198,339 |
| 2034 | 243,973 | 10,766,667 | 365,960 | 15,293,440 | 11,667 | 221,673 |
| 2036 | Reclamation | Reclamation | Reclamation | Reclamation | Reclamation | Reclamation |
| | | | | | | |
| TOTAL | 571,040 | 10,766,667 | 856,560 | 16,150,000 | 11,667 | 221,673 |

NOTES:

1) TABLE 1 IS INTENDED TO DEPICT THE LIKELY MINING QUANTITIES ON AN ANNUAL BASIS. TABLE 1 IS NOT INTENDED TO IDENTIFY ANNUAL OR CUMULATIVE PRODUCTION LIMITS.
2) 1 CUBIC YARD = 1.5 TONS
3) WASTE BASED UPON 5' OF OVERBURDEN






Source(s): Project Applicant (09-03-2015)

NOT TO SCALE

## PROJECT INFORMATION

1. NAME OF MINE:
   NICHOLS CANYON MINE
2. MINERAL COMMODITY TO BE MINED:
   CRUSHED AGGREGATE
3. CONTACTS:

MINE APPLICANT:
NICHOLS ROAD PARTNERS, LLC
P.O. BOX 77850
CORONA, CA 92877

CONTACT: ERIC WERNER
(951) 277-3900 OFFICE
(951) 277-3339 FAX
EMAIL: ewerner@wernercorp.net

LAND OWNER/OWNER OF MINERAL RIGHTS:
NICHOLS ROAD PARTNERS, LLC
P.O. BOX 77850
CORONA, CA 92877

CONTACT: ERIC WERNER
(951) 277-3900 OFFICE
(951) 277-3339 FAX
EMAIL: ewerner@wernercorp.net

MINE OPERATOR/LESSEE:
CHANDLER AGGREGATES, INC.
10000 NICHOLS ROAD
LAKE ELSINORE, CA 92530

CONTACT: TODD PENDERGRASS
(951) 277-3900 OFFICE
(951) 277-3339 FAX
EMAIL: tpendergrass@wernercorp.net

MAP PREPARER:
WERNER CORPORATION
25555 MAITRI RD.
TEMESCAL VALLEY, CA 92883

CONTACT: TRAVIS COOKE
(951) 277-3900 OFFICE
(951) 277-3339 FAX
EMAIL: tcooke@wernercorp.net

GEOLOGY/SOILS ENGINEER:
CHJ CONSULTANTS
1355 E. COOLEY DRIVE, SUITE C
COLTON, CA 92324

CONTACT: JAY J. MARTIN, E.G.
(909) 824-7311 OFFICE
(909) 503-1126
EMAIL: jaymartin@chjconsultants.com

4. ACREAGE:
   GROSS ACREAGE OF PROPERTY: 199.22

   ACREAGE TO BE MINED: 139.66
   TOTAL COMMERCIAL ACREAGE: 113.52
   - NICHOLS NORTH COMMERCIAL ACREAGE: 80.37
   - NICHOLS SOUTH COMMERCIAL ACREAGE: 33.15

   NOTE: SOURCE OF BASE MAPPING IS RIVERSIDE COUNTY MAPS & RIVERSIDE COUNTY GIS. EXISTING TOPOGRAPHY PER ALLIED AERIAL SURVEYS DATED 7-7-2006
5. ZONING:
   SEE TABLE 2, BELOW
6. LAND USE:
   EXISTING: SEE TABLE 2, BELOW
   PROPOSED: MINE/QUARRY
7. UTILITY PURVEYORS:

| | |
|---|---|
| WATER: | EVMWD |
| SEWER: | EVMWD |
| GAS: | TGC |
| TELEPHONE: | VERIZON |
| ELECTRICITY: | SCE |
| TRASH: | CR&R |

## LEGAL DESCRIPTION

APN 389-200-035, 389-200-036, AND 389-200-037

MAP LEGEND:

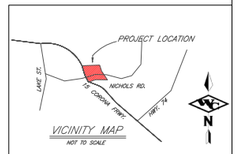
- PROJECT BOUNDARY
- PARCEL BOUNDARIES
- EXISTING INDEX CONTOURS
- EXISTING INTERVAL CONTOURS
- PROPOSED INDEX MINING CONTOURS
- PROPOSED INTERVAL MINING CONTOURS
- EXISTING DISTURBANCE LIMITS
- PROPOSED DISTURBANCE LIMITS
- NICHOLS ROAD (EXISTING)
- NICHOLS ROAD PUBLIC RIGHT-OF-WAY
- CHAINLINK FENCE
- EXISTING EASEMENTS
- LOCATION OF STOCKPILES

TABLE 2 - PARCELS INFORMATION:

| APN | ACRES | OWNER OF RECORD | EXISTING USE | EXISTING ZONING | LAND USE DESIGNATION |
|---|---|---|---|---|---|
| 389-200-035 | 95.16 | Nichols Road Partners, LLC | MINE/QUARRY | Commercial Specific Plan C-SP | GENERAL COMMERCIAL |
| 389-200-036 | 66.58 | Nichols Road Partners, LLC | OPEN SPACE | Commercial Specific Plan C-SP | OPEN SPACE |
| 389-200-038 | 45.01 | Nichols Road Partners, LLC | MINE/QUARRY | Commercial Specific Plan C-SP | GENERAL COMMERCIAL |

NOTES:

1) PROPOSED FENCE AT 25FT. OFFSET FROM TOE OF SLOPE PER *REPORT OF SLOPE STABILITY INVESTIGATION PROPOSED NICHOLS MINE EXPANSION LAKE ELSINORE CALIFORNIA* PREPARED BY CHJ CONSULTANTS




NICHOLS ROAD PARTNERS, LLC.
PO BOX 77850
Corona, CA 92877
Office: (951) 277-3900 Fax: (951) 277-3339

AMENDED RECLAMATION PLAN
2006-1R2

150 0 150 300
SCALE IN FEET

| | | | |
|---|---|---|---|
| DRAWN BY | TC | SCALE | 1" = 150' |
| CHECKED BY | | JOB NO. | 1509 |
| REVISION DATE | September 3, 2015 | | |

Figure 3-3

**RECLAMATION PLAN NO. 2006-01A2**

of 7:00am through 7:00pm on Saturday, with no operation of the asphalt batch plant allowed on Sundays or legal holidays. Under the proposed Project, asphalt batch plant operations would be allowed to occur during the same hours of mining activities (i.e., between 4:00 am and 12:00 am [Monday through Saturday, excluding.

All other components of mining and processing activities at the Mine site would be identical to what was permitted pursuant to the Mine's existing entitlements. With approval of the proposed Project, the total aggregate reserves that would be available at the Nichols Canyon Mine, inclusive of existing reserves, would total approximately 16,150,000 tons.

The Mine is subject to the SCAQMD Permit to Operate (PTO Permit No. A/N 5604010). The PTO imposes standard conditions of approval on activities at the Mine, and prohibits on-site equipment from processing more than 149,970 tons of material per month (or approximately 5,500 to 6,000 tons per working day) (SCAQMD, n.d.)

### 3.3.1 SCOPE OF PHYSICAL DISTURBANCE

As indicated in Subsection 3.3.2, the Project involves continued physical disturbance within areas that have in the past and/or are currently subject to mining activities, and an expansion of mining areas on the Nichols North site to encompass an additional 24 acres. Areas subject to new disturbance as part of the Project would occur along the eastern limits of the existing approved mining limits for the Nichols Canyon Mine. Mining activities would occur on the sides of hillsides and not in an open pit, which ultimately would achieve the final grades of the proposed Reclamation Plan RP 2006-01A2. The Project would not affect the existing vested mining areas for the Nichols Canyon Mine, which would continue to encompass the entire 199-acre Nichols Canyon Mine site (refer to EIR Section 2.6.1, *Land Use*, for a discussion of vested rights). Accordingly, for purposes of analysis herein, the physical limits of new disturbance attributable to Project-related mining activities would be limited to the proposed 24-acre expansion area. Figure 3-4, *Existing and Proposed Limits of Physical Disturbance*, depicts the existing limits of disturbance and the proposed limits of disturbance associated with the proposed Project. The difference between the existing and proposed limits of physical disturbance is 24 acres.

### 3.3.2 SCOPE OF OPERATIONAL CHARACTERISTICS

#### *A. Project-Related Annual Tonnage Estimates*

Although the proposed Project would reduce the permitted annual tonnage of exported materials from 4,000,000 tpy to 856,560 tpy, historical data recorded by the Mine operator indicates that the Mine produced an average of approximately 556,348 tpy between 2007 and 2014. As more fully described in EIR Subsection 2.1, and in consideration of CEQA requirements for proposed projects that seek to modify existing on-going permits, the difference between the proposed permitted quantities must be compared to the historical baseline average. The Project proposes a total annual production limit of 856,560 tpy, inclusive of operation associated with the existing asphalt batch plant. Because the historical baseline average for the Nichols Canyon Mine is 556,348 tpy (see Table 2-1), the annual production amount attributable to the Project would be 300,212 tpy. Although the Mine has not produced at the proposed production limit in recent years, for purposes of providing a complete, conservative analysis this EIR assumes that the Mine will produce at that level. Where daily tonnage is necessary for analysis of Project-related impacts in this EIR, the daily tonnage estimates are utilized in lieu of the annual tonnage estimates.

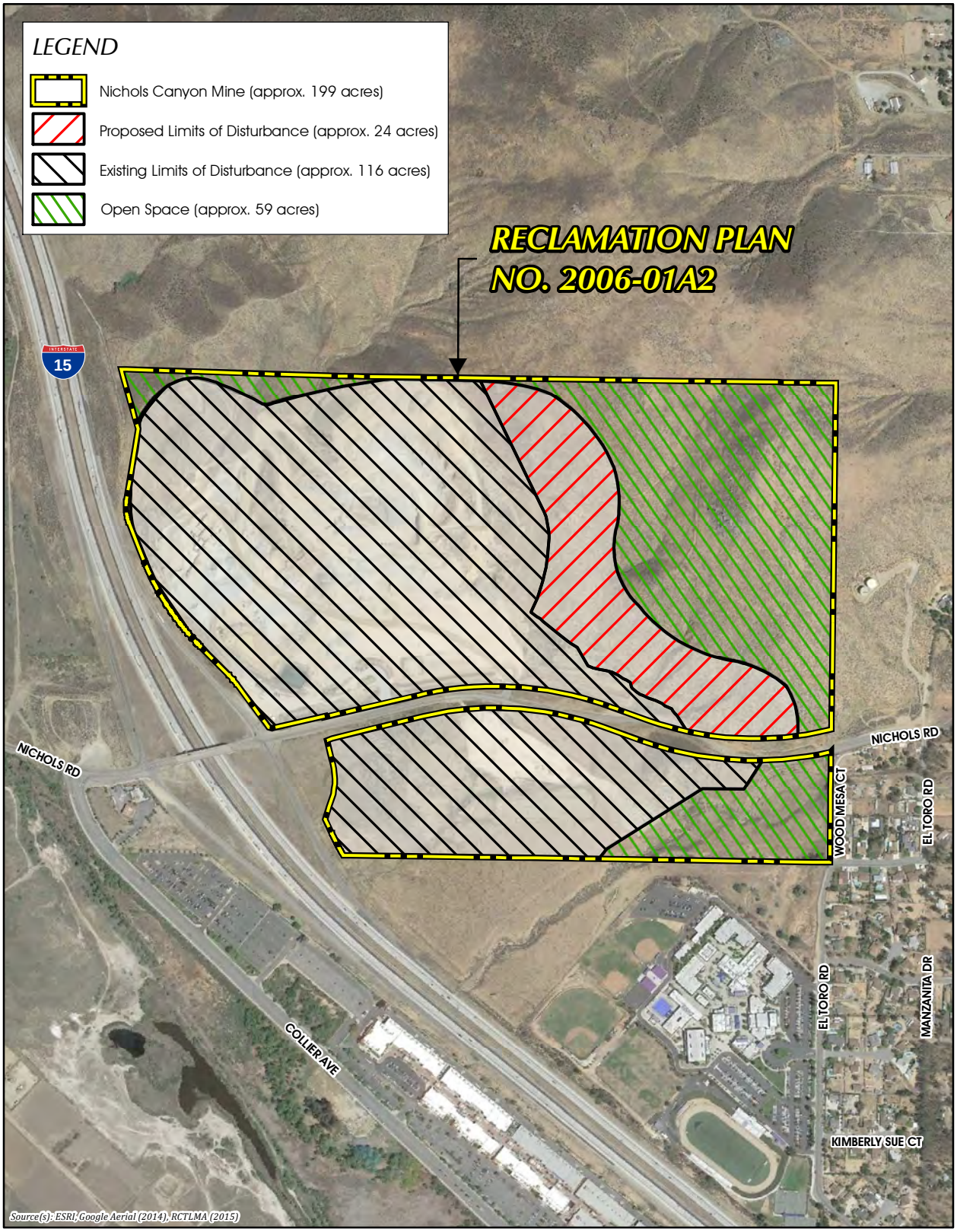



Figure 3-4

**EXISTING AND PROPOSED LIMITS OF PHYSICAL DISTURBANCE**

### B. Project-Related Daily Tonnage Estimates

Based on the physical and operational characteristics of the Nichols Canyon Mine, the Mine operator estimates that a maximum total of 5,000 tons of material per day (inclusive of both aggregate mining and asphalt material) could be processed on the site. Because increased tonnage attributable to the proposed Project would comprise approximately 35% of the total 856,560 tpy that would be permitted under the proposed Project (as described in Subsection 3.3.2.A, *Project-Related Annual Tonnage Estimates*, above), then for purposes of analysis it is estimated that the Project would account for up to 1,752 tons per day (tpd) of aggregate and asphalt material processing.

### C. Operational Hours

Under existing conditions, mining, processing, and export activities on-site are limited to between 7:00 a.m. and 12:00 a.m. (Monday through Friday, excluding Federal Holidays) and between 7:00 a.m. and 7:00 p.m. (Saturdays only). Under the proposed Project, the time limits for both mining and asphalt batch plant operation would be extended to between 4:00 a.m. and 12:00 a.m. (Monday through Saturday, excluding Federal Holidays) for mining equipment operation and 24 hours per day (Monday through Saturdays, excluding Federal Holidays) for aggregate and asphalt batch plant export activities.

### D. Mine Employees

Under the proposed Project, two new workers would be employed on-site, in addition to the eight workers that are employed on-site under existing conditions. (Urban Crossroads, 2015d, Table 4-5).

### E. Project-Related Traffic Volumes

In recognition of the environmental baseline requirements of CEQA, and based on the existing average annual tonnage at the Mine (i.e., 556,348 tpy; refer to Subsection 3.3.2.A), the Nichols Canyon Mine is calculated to produce approximately 16 passenger car trips and 260 truck trips per day under existing conditions, which equates to 795 passenger-car-equivalent (PCE) trips per day. Assuming a maximum of 856,560 tpy, the total number of employee trips would increase from approximately 16 to 20 trips per day, while truck trips would increase from approximately 260 truck trips to a maximum of 400 truck trips per day. As shown in Table 3-1, *Project Trip Generation Summary*, the total amount of traffic generated by the Mine would be 1,220 PCE trips, representing an increase of 425 net new PCE trips as compared to baseline conditions. The increased traffic volumes are inclusive of asphalt materials produced at the Mine. (Urban Crossroads, 2015d, Table 4-5)

### F. Operational Equipment

Table 3-2, *Baseline vs. Proposed Operational Equipment Summary*, summarizes the equipment utilized at the Nichols Canyon Mine on a daily basis during the baseline operating period (i.e., between 2007 and 2014) and under current ownership since 2014. As shown, mining activities during the baseline period required the equivalent of approximately 20,316 horsepower hours per day. However, during the baseline operating period, the Nichols Canyon Mine was under different ownership, and the equipment utilized during that period is not reflective of the equipment that would be utilized under the proposed Project. Table 3-2 also provides a summary of the equipment that would be utilized on a daily basis under the proposed Project and under the current ownership,

**Table 3-1 Project Trip Generation Summary**

| Proposed Project Trip Generation Summary | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | AM Peak Hour | | | PM Peak Hour | | | |
| Land Use | Quantity | Units[1] | In | Out | Total | In | Out | Total | Daily |
| Amendment No. 2 to Reclamation Plan 2006-01 | 0.857 | MTPY | | | | | | | |
| Passenger Cars | | | 3 | 2 | 5 | 2 | 3 | 5 | 20 |
| Truck Trips[2] | | | 31 | 30 | 61 | 25 | 25 | 50 | 400 |
| Project Trips (PCE)[3] | | | 96 | 92 | 188 | 77 | 78 | 155 | 1,220 |
| **Net New Project Trips (Passenger Cars)** | | | **1** | **0** | **1** | **0** | **1** | **1** | **4** |
| **Net New Project Trips (Trucks)** | | | **11** | **10** | **21** | **9** | **9** | **17** | **140** |
| **Net New Project Trips (PCE)[3]** | | | **34** | **30** | **65** | **26** | **27** | **53** | **425** |

1. MTPY = Million Tons Per Year
2. Total Project truck trips based on typical peak operating day of 5,000 tons per day.
3. Based on passenger car equivalent (PCE) factor or 3.0 PCE per truck.

(Urban Crossroads, 2015d, Table 4-5)

based on information provided by the Project Applicant. As shown, equipment used under the proposed Project would require the equivalent of approximately 25,158 horsepower hours per day, reflecting a 23.8% increase in horsepower hours as compared to the baseline condition.

## *G. Project-Related Water Consumption*

Water used on-site for dust control and aggregate processing would be obtained from Elsinore Valley Municipal Water District (EVMWD). Based on historical operating data from the Mine between 2008 and 2012 the water usage on-site averaged approximately 64,000 gallons per day for dust control. Figure 3-5, *SMP 2015-01 Proposed Dust Control Measures*, depicts the dust control measures that are included in RP 2006-01A2. As shown, under existing conditions approximately 20.33 acres of the Project site are watered for dust control purposes. As shown on Figure 3-5, dust control measures on 3.49 acres would instead consist of proposed chemical binders (such as $Soil_2O$®) or pavement, while another 5.83 acres would utilize alternative aggregate stabilization measures. With approval of the proposed Project, water would be used for soil stabilization on only 11.01 acres of the Project site, representing a 45.84% of the areas subject to watering under existing conditions. Based on the reduced areas subject to watering as compared to existing conditions, it can reasonably be assumed that under the proposed Project water usage would drop by approximately 45.84%, resulting in a total demand for 34,660 gallons of water per day.

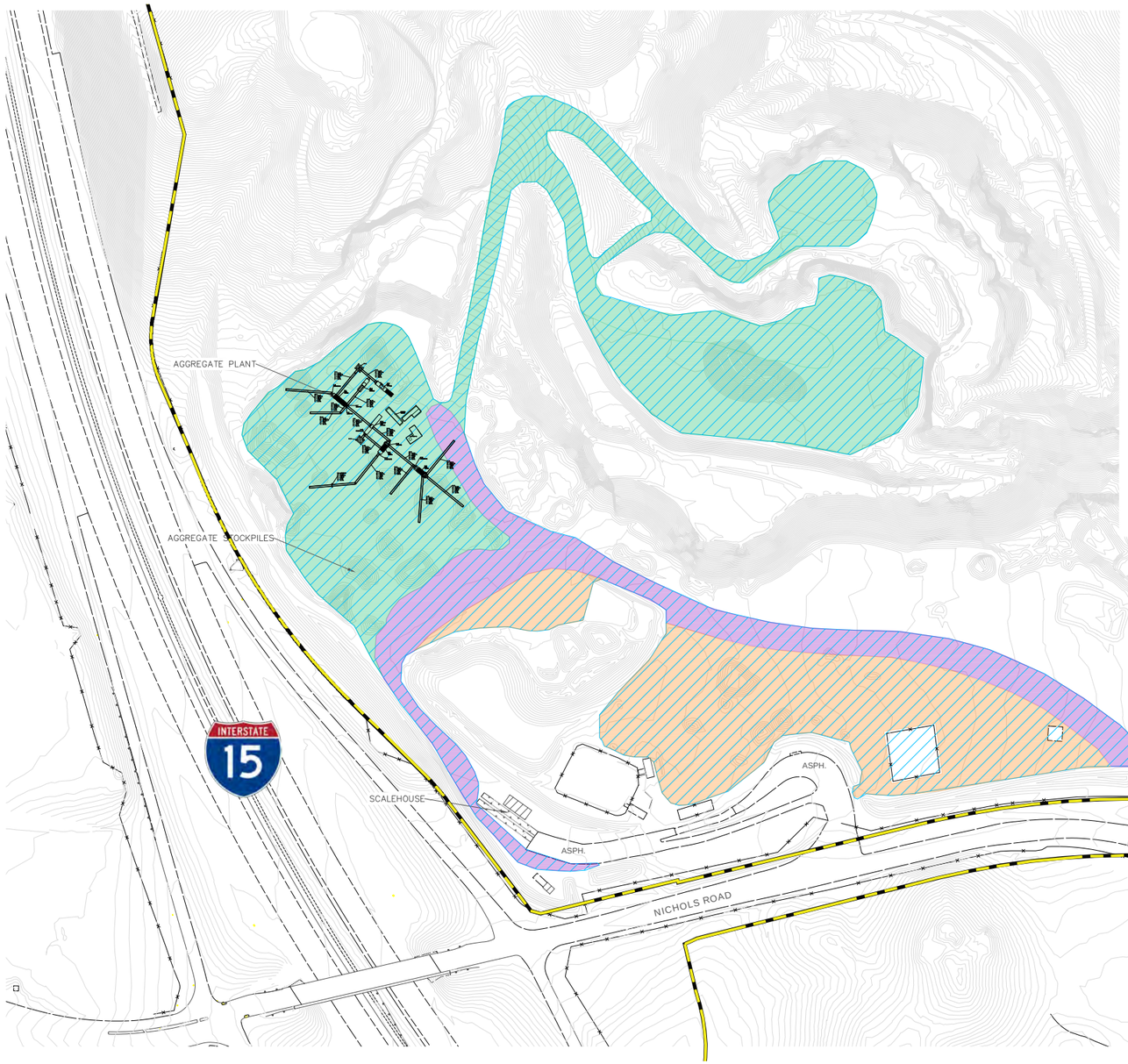
## *H. Erosion and Sediment Control*

The Nichols Canyon Mine site is located within the Lee Hydrologic Subarea of the Lake Mathews Hydrologic Area of the Santa Ana River Hydrologic Unit (Bonadamin, 2015, p. 4). Under existing conditions, runoff from the western, disturbed portions of the Nichols Canyon North site flows in a southwesterly direction into an on-site retention basin at the southwest corner of Nichols North. The Nichols North site is graded to capture and retain all on-site surface flows within the western portions

## Table 3-2 Baseline vs. Proposed Operational Equipment Summary

| Baseline Operational Equipment Summary | | | | |
|---|---|---|---|---|
| Hours/Day | Description | Quantity | Horsepower | Total Horsepower Hours Per Day |
| 2 | Skidsteer | 1 | 51 | 102 |
| 6 | 769C Haul Truck | 1 | 474 | 2,844 |
| 10 | 980K Wheel Loader | 1 | 406 | 4,060 |
| 10 | 980H Wheel Loader | 1 | 393 | 3,930 |
| 10 | 988G Wheel Loader | 1 | 520 | 5,200 |
| 4 | D8R Dozer | 1 | 337 | 1,348 |
| 8 | Water Truck 4000 Gal | 1 | 354 | 2,832 |
| **Total Baseline Horsepower Hours** | | | | **20,316** |
| Proposed Project Equipment Summary | | | | |
| Hours/Day | Description | Quantity | Horsepower | Total Horsepower Hours Per Day |
| 4 | Skidsteer | 1 | 51 | 204 |
| 8 | 769C Haul Truck | 2 | 474 | 7,584 |
| 10 | 980K Wheel Loader | 1 | 406 | 4,060 |
| 10 | 980H Wheel Loader | 1 | 393 | 3,930 |
| 10 | 988G Wheel Loader | 1 | 520 | 5,200 |
| 4 | D8R Dozer | 1 | 337 | 1,348 |
| 8 | Water Truck 4000 Gal | 1 | 354 | 2,832 |
| **Total Project Horsepower Hours** | | | | **25,158** |
| Net New Project Equipment Summary | | | | |
| Hours/Day | Description | Quantity | Horsepower | Total Horsepower Hours Per Day |
| 2 | Skidsteer | 1 | 51 | 102 |
| 2 | 769C Haul Truck | 1 | 474 | 948 |
| 8 | 769C Haul Truck | 1 | 474 | 3,792 |
| **Total Net New Project Horsepower Hours** | | | | **4,842** |

(Urban Crossroads, 2015d, Table 3-2)




| | ZONE | ACREAGE |
|---|---|---|
| | CURRENT WATERING | 20.33 |
| | | |
| | PROPOSED CHEMICAL/PAVED | 3.49 |
| | ALTERNATIVE AGGREGATE STABILIZATION | 5.83 |
| | PROPOSED WATERING | 11.01 |
| | | |
| | REDUCTION IN WATERING | 45.84% |

*Source(s): Project Applicant (08-26-2015)*

NOT TO SCALE

Figure 3-5

**SMP 2015-01 PROPOSED DUST CONTROL MEASURES**

of the site. The eastern and northern portions of the Nichols North site, as well as the majority of the Nichols South site, also flow in a southwesterly direction via Stovepipe Creek and to the west beneath I-15 via an existing culvert beneath I-15. A small portion of the runoff from the northern portions of the Nichols South site is conveyed northerly into a swale located along the northern edge of Nichols Road. (Bonadamin, 2015, Exhibit G)

Upon completion of mining activities and once the final grades pursuant to RP 2006-01A2 have been achieved, runoff on the Nichols North site would be conveyed to a proposed sediment basin located in the southwestern portion of the Nichols North site, and eventually conveyed westerly beneath an existing culvert underneath I-15. Similarly, the Nichols South site also would achieve the final grades specified by RP 2006-01A2 upon completion of mining activities, and the majority of drainage from this portion of the site would be conveyed to a proposed sedimentation basin located in the northwestern portion of the Nichols South site and ultimately west beneath I-15. Runoff from the portions of the Nichols South and Nichols North sites that are not subject to mining activities would continue to be conveyed by Stove Pipe Creek, located in the southeast corner of the Nichols South site, and ultimately west beneath I-15. (Bonadamin, 2015, Exhibit H)

The maximum water depth in both proposed siltation basins would not exceed six feet and access to the basins would be gated and locked. If basin infiltration rates do not allow for percolation of the basin volume within 72 hours, an outflow pipe may be required and would be designed in accordance with California Stormwater Quality Association (CSQA) Sedimentation Basin requirements. Due to the rocky nature of the Mine, the potential for sedimentation is considered low, and the proposed sedimentation basins have been designed in accordance with RWQCB requirements to ensure runoff from the Mine does not result in any new violations of water quality objectives. (Bonadamin, 2015, p. 16)

## *I. Blasting*

Blasting is a component of current Mine operations under the Mine's vested rights, and would continue under the Project and as described in SMP No. 2015-01. Specifically, blasting would be conducted on-site in a planned and intermittent basis. The blasting operations are required to be conducted at a time and manner so that disturbance or distraction would be minimized by and to any sensitive receptors that would or could be proximate to the blasting area. The mining operator is required to obtain blasting permit(s) from the State, and to notify the Sheriff's Department and the City of Lake Elsinore within 24 hours of planned blasting events.

## *J. Revegetation*

The reclamation seed mix specified for the proposed Project would consist of the species identified in Table 3-3, *Reclamation Seed Mix*. The revegetation mix is based on a sample test plot as documented by the Project's biologist (Alden Environmental). The species identified in Table 3-3 would be used to revegetate the slopes on the Mine site after completion of mining activities. An erosion control grass mix would be utilized on the pads of both the Nichols North and Nichols South sites to ensure that revegetation of the site does not cause or contribute to increased erosion rates post-reclamation.

Table 3-3 Reclamation Seed Mix

| Scientific Name | Common Name | Pound/Acre |
|---|---|---|
| *Acmispon glaber* | Deerweed | 2 |
| *Artemisia californica* | California sage brush | 5 |
| *Deinandra fasciculata* | Fascicled tarweed | 3 |
| *Encelia Californica* | California encelia | 3 |
| *Encelia farinosa* | Brittlebush | 5 |
| *Eriogonum fasciculatum* | Flat-top buckwheat | 3 |
| *Eriophyllum confertiflorum* | Golden yarrow | 3 |
| *Lasthenia californica* | Goldfields | 2 |
| *Lupinus bicolor* | Lupine | 2 |
| *Mimulus aurantiacus* | Monkey-flower | 2 |
| *Plantago erecta* | Dot-seed plantain | 3 |
| *Salvia apiana* | White sage | 3 |
| *Salvia columbariae* | Chia | 1 |
| *Stipa pulchra* | Purple needlegrass | 5 |
| | **Total:** | **42** |

## 3.4 STANDARD REQUIREMENTS AND CONDITIONS OF APPROVAL

The proposed SMP No. 2015-01 and amendment to RP 2006-01A1 (RP 2006-01A2) and its technical aspects have been reviewed by various City of Lake Elsinore divisions. These divisions are responsible for reviewing land use applications for compliance with City codes and regulations. These divisions also were responsible for reviewing all or parts of this EIR for technical accuracy and compliance with CEQA. The City of Lake Elsinore divisions that are responsible for technical review include:

- Community Development Department, Planning Division
- Community Development Department, Fire Services Division
- Community Development Department, Building & Safety Division
- Public Works Department, Engineering Division

Review of the proposed Project by the entities listed above will result in the production of a comprehensive set of draft Conditions of Approval that will be available for public review prior to consideration of the proposed Project by the City of Lake Elsinore Planning Commission. These conditions will be considered by the Planning Commission in conjunction with their consideration of the Project. If approved, the Project would be required to comply with all imposed Conditions of Approval.

Conditions of Approval, applicable mitigation measures from the City of Lake Elsinore General Plan EIR, and other applicable regulations, codes, and requirements that the Project is required to comply with as a matter of law and that result in the reduction or avoidance of an environmental impact are specified in EIR Section 4.0, *Environmental Analysis.*

## 3.5 SUMMARY OF REQUESTED ACTIONS

The City of Lake Elsinore has primary approval responsibility for the proposed Project. As such, the City serves as the Lead Agency for this EIR pursuant to CEQA Guidelines § 15050. (The role of the Lead Agency was previously described in detail in Subsection 1.4 of this EIR). The City's Planning Commission will consider the Project as part of a publicly-noticed public hearing. The Planning Commission will consider the information contained in this EIR and this EIR's Administrative Record in its decision-making processes. At the conclusion of the public hearing, the Planning Commission will approve, approve with changes, or deny the proposed Project, and the revised financial assurances pursuant to Public Resources Code Section 2770(d). If, within 15 days of the Planning Commission's decision, an aggrieved person files a written appeal with the City Clerk, then an additional publicly-noticed public hearing would be held before the City Council, during which the City Council would hear written and oral testimony and would consider all information contained in the Project's Administrative Record. At the conclusion of the public hearing, the City Council would either affirm or set aside the decision of the Planning Commission. A list of the primary actions under City jurisdiction is provided in Table 3-4, *Matrix of Project Approvals/Permits*.

## 3.6 RELATED ENVIRONMENTAL REVIEW AND CONSULTATION REQUIREMENTS

Subsequent to approval of the proposed Project described herein, additional discretionary and/or administrative actions would be necessary to implement the proposed Project. Table 3-4 lists the government agencies that are expected to use this EIR and provides a summary of the subsequent actions associated with the Project. This EIR covers all federal, state, local government and quasi-government approvals which may be needed to implement the Project, whether or not they are explicitly listed in Table 3-4 or elsewhere in this EIR (CEQA Guidelines § 15124(d)).

## Table 3-4 Matrix of Project Approvals/Permits

| Public Agency | Approvals and Decisions |
|---|---|
| **CITY OF LAKE ELSINORE** | |
| **City of Lake Elsinore Discretionary Approvals** | |
| City of Lake Elsinore Planning Commission | • Approve, conditionally approve, or deny the proposed Surface Mining Permit No. 2015-01 and amendment to Reclamation Plan 2006-01A1 (RP 2006-01A2) and associated revised Financial Assurances.<br>• Reject or certify this EIR along with appropriate CEQA Findings.<br>• Consider compliance with the City of Lake Elsinore Climate Action Plan. |
| **City of Lake Elsinore Subsequent Discretionary and Ministerial Approvals** | |
| City of Lake Elsinore Community Development Department | • Issuance of Blasting Permit |
| **OTHER AGENCIES-SUBSEQUENT APPROVALS AND PERMITS** | |
| U.S. Army Corps of Engineers (USACE) | • Issuance of a Section 404 Permit<br>• Section 7 Consultation (for coastal California gnatcatcher) |
| California Department of Conservation (CDC) | • Review of Reclamation Plan 2006-01A2 |
| U.S. Fish and Wildlife Service (USFWS) | • Section 7 Consultation/Issuance of Biological Opinion (for coastal California gnatcatcher) |
| California Department of Fish and Wildlife (CDFW) | • Issuance of a Section 1602 Streambed Alteration Agreement (SAA) |
| Santa Ana Regional Water Quality Control Board (RWQCB) | • Compliance with National Pollutant Discharge Elimination System (NPDES) Permit.<br>• Filing of an Amended Notice of Intent (NOI) for the existing NPDES Permit<br>• Issuance of a Clean Water Act Section 401 Water Quality Certification. |
| Riverside County Flood Control & Water Conservation District (RCFCWCD) | • Approvals for construction of stormwater sedimentation basins. |