



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
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Planning Division
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**Draft Environmental Impact Report for Pacific Rock Mine Expansion
Project (Case Number LU-10-0003)**

Dear Mr. Bertoline:

The Mountains Recreation and Conservation Authority (MRCA) offers the following comments on the Draft Environmental Impact Report (DEIR) for the Pacific Rock Mine Project (Case Number LU-10-0003) that proposes to extend the Conditional Use Permit (CUP) No. 3817-3 for an additional 30-year period, increase operational days to from six to seven days per week, operate a concrete and asphalt recycling plant, and expand the mining area to more than triple the previously approved Project Area, among other requests.

The MRCA reiterates the comments provided to the Ventura County Planning Division by the Santa Monica Mountains Conservancy (Conservancy) on September 25, 2017. Specifically, the Conservancy requested that "DEIR alternatives include a permanently protected contiguous habitat area along the northern, eastern, and southern boundaries of the property." Upon review of the DEIR and alternatives, it appears that Mitigation Measure (MM) BIO-6(c) attempts to address the significant environmental impact to wildlife migration corridors by establishing an approximate 800-foot-wide north-south Wildlife Passage (WP) running along the easterly boundary of the proposed Project.

However, the MM BIO-6(c) proposed 800-foot-wide WP relies nearly exclusively on existing MRCA and Conejo Open Space Conservation Agency (COSCA) property. Based on DEIR Figure 2-3, the "Proposed Mine Area Boundary" approaches within 50 feet of the "Proposed CUP Boundary" along this same eastern property line. MM BIO-6(c) continues:

A WP shall be provided to the east of the Project mine area and shall be a minimum of 800 feet in width between the Project disturbance area and the nearest developed residential property. In these areas, all development (e.g., construction, placement, or erection of any solid material or structure, grading, paving, vegetation removal, installation of fencing or walls, and

removing, dredging, or disposal of any materials) is prohibited and only restoration of native plants as a component of reclamation shall be permitted within the WP area. Outdoor lighting on the Project site shall not illuminate the WP area.

Existing MRCA and COSCA protected open spaces already comprise most of the area MM BIO-6(c) appears to be offering for mitigation of DEIR-established significant environmental impacts. Thus, MM BIO-6(c) is inadequate and must be amended to provide *additional* buffer of protected open space to mitigate for the Project's proposed impacts to habitat connectivity and wildlife passage.

The MRCA supported Ventura County's 2019 adoption of the Habitat Connectivity and Wildlife Corridor Overlay Zone recognizing Critical Wildlife Passage Areas are necessary for the survival of several species including mountain lion (*Puma concolor*) in the Santa Monica Mountains. Conejo Mountain and the area between the proposed Project and the Dos Vientos neighborhood is the last remaining undeveloped connection in the western Santa Monica Mountains and the Santa Rosa Valley. The current width for WP through this choke point is approximately 980-feet with steep east-west trending slopes. Reducing this width to 720-feet (the distance from Proposed Mine Area Boundary to the fuel modification zone and light impact zone of the Dos Vientos neighborhood) results in an additional 25-percent loss of width to an already extremely constricted WP. No easterly expansion of mining operations should be contemplated or approved.

Since the California Fish and Game Commission accepted the southern and central coast mountain lion as a California Endangered Species Act (CESA) "candidate species" affording mountain lion in the Santa Monica Mountains full protection of a threatened species under CESA, MRCA recommends no loss of existing habitat east of the Existing Disturbance Area Boundary to preserve the remaining habitat in support of this protected species.

MRCA is also concerned with the apparent disregard for comments offered by the California Department of Fish and Wildlife (CDFW) in its October 2, 2017 letter the Notice of Preparation for the EIR as provided on page 3.5-1 of the DEIR:

Notwithstanding CDFW's comments, the environmental baseline for the purposes of the biological resources evaluation in this EIR is existing conditions at the site at the time the NOP was circulated. Thus, non-compliance issues that may have occurred prior to circulation of the NOP are not germane to the description of the environmental setting or the impact analysis presented in this section.

CDFW concerns regarding impacts to numerous ephemeral and intermittent streams within the Project area and habitat disturbances beyond the perimeter of the existing CUP should be of paramount concern for County staff to evaluate baseline conditions at the

time of NOP circulation. For the County to accept potentially unpermitted impacts as “not germane” because those impacts would be subsumed within the currently proposed Project impacts sets a bad precedent for future applicants. Unless the County and/or Project applicant can prove the impacts identified by CDFW were authorized under the appropriate jurisdictional authority, the County must analyze the Project as if those impacts have not yet occurred and factor those impacts into appropriate compensatory mitigation requirements.

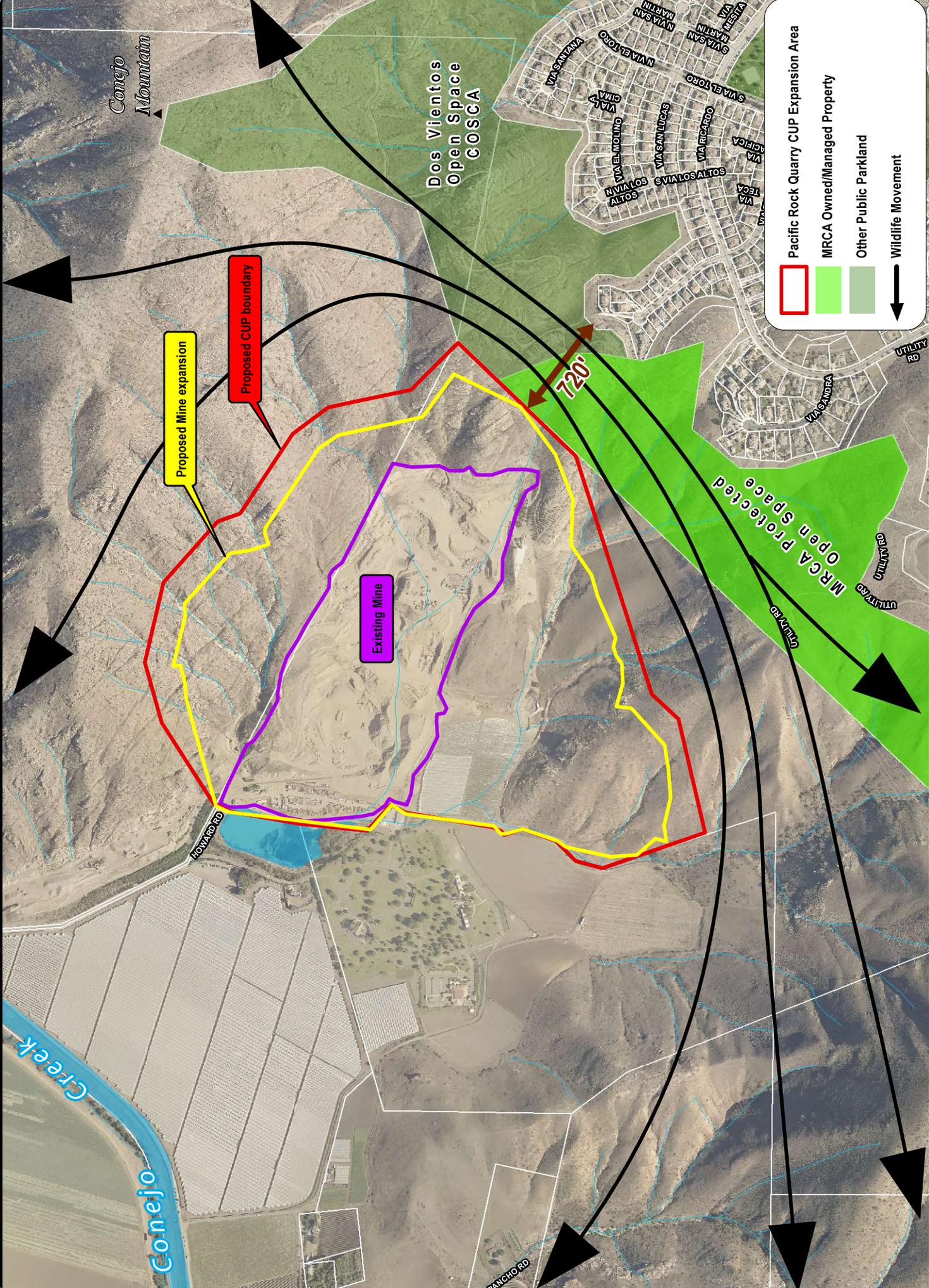
The MRCA has extensive experience performing habitat mitigation and restoration projects and questions the long-term success of the proposed grassland-pasture mine reclamation plan to support cattle grazing. While this proposed reclamation plan may be the most cost-efficient for the applicant, an alternative reclamation plan using native vegetation and natural slope contours must be required. If need be, a large bond or endowment sufficient to accrue interest in excess of inflation to ensure adequate reclamation is also recommended.

Please address any questions or future correspondence to me by phone at (310) 589-3200 ext. 128, by email at edelman@smmc.ca.gov, or at the above letterhead address.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Edelman", is centered on the page.

Paul Edelman
Chief of Natural Resources and Planning



Legend

- Pacific Rock Quarry CUP Expansion Area
- MRCA Owned/Managed Property
- Other Public Parkland
- Wildlife Movement

Scale and Orientation

North Arrow

Scale: 0, 150, 300 Feet

Logos:
 Rancho Santa Ana Park District
 City of San Juan Capistrano
 City of Orange