

RESOURCE MANAGEMENT AGENCY PLANNING DEPARTMENT

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NOTICE OF AVAILABILITY MADERA RANCH QUARRY AND RECLAMATION PROJECT [CUP#2002-20] DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) [SCH #2003102128]

The Madera County Planning Department hereby announces that the Madera Quarry Draft Revised Environmental Impact Report (DREIR) is now available for public review. The DREIR is also available on the Madera County's website at www.madera-county.com/rma/planningdept. Copies of the DREIR can be acquired for a fee (\$100) or compact disc at no charge at the Planning Department, 2037 West Cleveland Avenue, Madera, California or by contacting the County Planning Department at (559) 675-7821. Copies of the DREIR are also available for review at the Planning Department's front counter.

The Madera Quarry is located in central Madera County, approximately two miles west of State Route (SR) 41 and four miles north of SR 145, and 16 miles northeast of the City of Madera. The Applicant proposes to excavate and process 45 million tons (approximately 26.7 million cubic yards) of aggregate material by: (1) mining approximately 131± acres of the 540-acre Madera Ranch property; (2) to a maximum pit depth of approximately 570 feet; (3) for approximately 50 years (at maximum annual production of 900,000 tons a year), (4) with concurrent reclamation of mined areas where feasible, and (5) adoption a final reclamation plan with open space and grazing as the end use.

The initial application was submitted in October 2002. The County conducted a Public Scoping Meeting on October 27, 2003. The County then circulated the DEIR for public review from late June through early August 2005. The FEIR (consisting of the DEIR, minor revisions thereto, and the Responses to Comments) was prepared in February 2006. After a series of Planning Commission and Board of Supervisor hearings, the County's Board approved the Project and certified the FEIR as adequate.

Opponents to the Project filed a Petition for Writ of Mandate and Complaint for Injunctive and Declaratory Relief regarding the adequacy of the FEIR. The County prevailed in the Madera County Superior Court. However, on October 24, 2008, the Court of Appeal for the Fifth Appellate District (Court of Appeal) reversed the judgment and remanded the matter to the Madera County Superior Court. The Court of Appeal concluded that there were deficiencies in the FEIR's hydrology mitigation measures, traffic mitigation measures, cumulative noise impact evaluation, cumulative impact evaluation, and required that the County to consider whether it was obligated to provide an SB 610 Water Supply Assessment (WSA) to the extent the Project, as mitigated, involved the construction and operation of a public water system.

On January 20, 2009, Judge Charles A. Wieland of the Superior Court for Madera County issued the Judgment Granting Petition for a Writ of Mandate (Judgment). The Opinion and the Judgment shall collectively be referred to as the Judicial Decisions. The Judicial Decisions determined that only limited portions of the Final EIR were inadequate. The County and the EIR author have accepted the direction of the Appellate Court, and the subsequent Writ issued by the Trial Court, as set forth in the Judicial Decisions. This DREIR will address the deficiencies outlined above, minor revisions in background conditions and components of the Project. Based on a review of the previously circulated FEIR, the County determined to evaluate those issues outlined in the Judicial Decisions, any changes to the Project which resulted from the studies undertaken to address the Judicial Decisions and anything mandated by changed legislation, such as the Project's impacts on greenhouse gas emissions. Other sections of the FEIR which were found to be adequate in the Judicial Decisions are incorporated by reference into the Draft Revised EIR and are available on disk and on the County's website.

On December 23, 2008, the County circulated a Notice of Preparation of a Draft Revised Environmental Impact and Notice of Scoping Meeting. A scoping meeting was held on January 16, 2009 at 6:00 p.m. at the Coarsegold Community Center.

The Judicial Decisions outlined those matters of which this DREIR would need to adequately address to comply with CEQA requirements. Based on a review of the previously circulated FEIR, the County determined to evaluate the issues outlined in the Judicial Decisions as well as the Project's impacts on greenhouse gas emissions. An overview of the scoping process completed for this Project is provided in Sections 1.1.6 and 1.1.7.

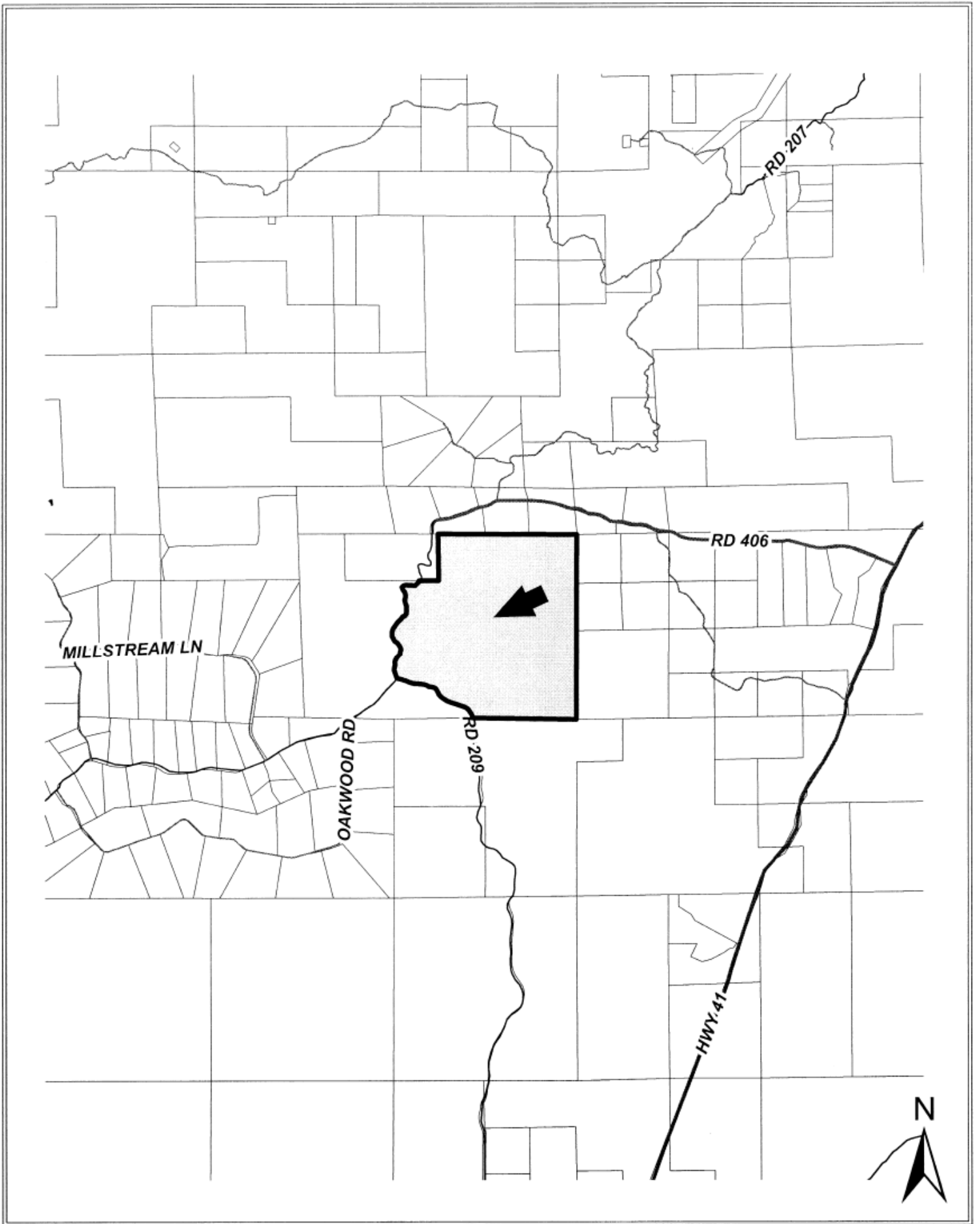
This DREIR contains the following sections:

- **Summary** (substantially revised since the FEIR);
- **Section 1.0:** Introduction (superseding 2006 DEIR);
- **Section 2.0:** Revisions to Project Description in Response to Judicial Decisions, Entitlements, and Contracts Subsequent to the FEIR (amendment to DEIR and FEIR);
- **Section 3.1:** Revisions to Hydrology and Water Quality Section in Response to Judicial Decisions (replaced previous version);
- **Section 3.2:** Revisions to Noise and Vibration Section in Response to Judicial Decisions (replaced previous version);
- **Section 3.3:** Revisions to Traffic Section in Response to Judicial Decisions (replaced previous version); and
- **Section 4.0:** New Legislative Mandate.

Due to the time limits mandated by state law, comments on the Draft EIR must be sent at the earliest possible date but not later than 45 days after receipt of this notice. The comment period opens on December 3, 2009 and closes on January 18, 2010.

Please send your comments regarding this document to the following contact person. Please provide your name and an address or telephone number where you may be contacted.

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LOCATION MAP