



COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 969-8181

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
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Contra Costa County
Department of Conservation & Development
Community Development Division
30 Muir Road Martinez, California 94553
Attention: Francisco Avila

April 14, 2020

RE: NOP for a Draft EIR on the proposed CEMEX Clayton Quarry Reclamation Plan Amendment
County File No.: LP15-2030/31

Dear Mr. Avila,

Please accept this letter from the Clayton City Council on behalf of Clayton residents on the NOP for the CEMEX Quarry Reclamation Plan Amendment. This letter supplements, and is in addition to, the letter that was already submitted by Dana Ayers - Interim Community Development Director on March 16, 2020, and Mathew Feske - Community Development Director on April 14, 2020, the City Council echoes the comments provided by our staff.

The proposed amendment of the Reclamation Plan that would eliminate the backfill of the quarry pit and instead allow the pit to eventually become a stormwater lake is a change that results in very different timeline and outcome for the quarry reclamation. The City Council requests that the evaluation of project alternatives include the original backfill of the quarry pit and/or that the backfilling of the pit be analyzed as a project variant, providing the County the necessary information to evaluate the relative benefits and cons of the two approaches and the ability to adopt an environmentally superior option.

Please include a thorough project description as part of the DEIR, which should clarify whether any changes are proposed to the operation of the quarry prior to the reclamation, and if yes, what those changes are and whether any such operational changes trigger any different reclamation needs and/or more significant environmental impacts. The project description should include a detailed explanation of changes proposed to any buildings and structures on the quarry site.

The project description should also explain in detail the changes to the ingress road to the quarry. The proposed ingress would appear to bring the quarry operations closer to the nearby residential homes and thus could result in noise, dust, air quality and traffic circulation impacts to the project vicinity, including the nearby residential homes, all of which should be evaluated.

The DEIR should comment on whether the quarry is currently in compliance with BAAQMD's Regulation 6 (Particulate Matter), Rule 6 (Prohibition of Trackout) that became effective August 1, 2018 (or alternatively whether the quarry is grandfathered from these regulations), and more specifically Rule 6-6-301 regarding prohibition of trackout onto paved roadways.

The DEIR should also include a vetted list of project objectives so that the public is able to understand the requested amendment, including e.g. the reason for the proposed quarry pit lake request in lieu of the original plan to backfill the pit.

Among other analysis, the DEIR should evaluate noise, lighting and air quality impacts caused by the proposed project, particularly to the nearby sensitive uses (i.e. residential homes in close proximity to the site). For project alternatives, we would suggest that the alternatives evaluate an option that returns the quarry site to its natural state as quickly as possible, providing adequate information on the estimated timeline of any construction activities related to the reclamation. For informational purposes we would like the DEIR to address whether a nearby creek was recently dammed, whether such damming was done in accordance with existing permits, and what, if any, environmental impacts the damming has had on the site baseline.

Lastly, we urge the applicant to work closely with nearby residential neighbors, and to provide timely and adequate information as well as opportunities for the neighbors to be heard. To the extent that any changes are also proposed to the existing quarry operations, we ask that that the City of Clayton and the nearby neighbors be informed, and we hope that CEMEX considers any ways in which it can minimize the impacts caused by the existing operations to the nearby residents. Clayton residents would appreciate a community meeting in Clayton, perhaps after the publication of the draft EIR, regarding the proposed project and reclamation changes.

Sincerely,

A handwritten signature in blue ink that reads "Julie Pierce". The signature is written in a cursive, flowing style.

Julie Pierce
Mayor