

**AGENDA  
REGULAR MEETING  
CITY OF BANNING  
BANNING, CALIFORNIA**

February 10, 2015  
5:00 p.m.

Banning Civic Center  
Council Chambers  
99 E. Ramsey St.

*Per City Council Resolution No. 2010-38 matters taken up by the Council before 9:00 p.m. may be concluded, but no new matters shall be taken up after 9:00 p.m. except upon a unanimous vote of the council members present and voting, but such extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.*

**I. CALL TO ORDER**

- Invocation – Pastor Jona Campos, Canaan Assembly of God
- Pledge of Allegiance
- Roll Call – Councilmembers Miller, Moyer, Peterson, Welch, Mayor Franklin

**II. REPORT ON CLOSED SESSION**

**III. PUBLIC COMMENTS/CORRESPONDENCE**

PUBLIC COMMENTS – *On Items Not on the Agenda*

*A three-minute limitation shall apply to each member of the public who wishes to address the Mayor and Council on a matter not on the agenda. A thirty-minute time limit is placed on this section. No member of the public shall be permitted to “share” his/her three minutes with any other member of the public. (Usually, any items received under this heading are referred to staff or future study, research, completion and/or future Council Action.) (See last page. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.*

**CORRESPONDENCE:** Items received under this category may be received and filed or referred to staff for future research or a future agenda.

*The City of Banning promotes and supports a high quality of life that ensures a safe and friendly environment, fosters new opportunities and provides responsive, fair treatment to all and is the pride of its citizens.*

PRESENTATIONS

Introduction of New Electric Apprentice Employees

APPOINTMENTS

- 1. Planning Commission Appointments .....1

**IV. CONSENT ITEMS**

*(The following items have been recommended for approval and will be acted upon simultaneously, unless a member of the City Council wishes to remove an item for separate consideration.)*

**Motion: That the City Council approve Consent Item 1 through 6**

**Items to be pulled \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ for discussion.**

*(Resolutions require a recorded majority vote of the total membership of the City Council)*

- 1. Approval of Minutes – Special Meeting – 01/27/15 *(Closed Session)*.....16
- 2. Approval of Minutes – Regular Meeting – 01/27/15 .....17
- 3. Approval of 2013-14 Annual Report of Development Impact Fees.....24
- 4. Approval of Accounts Payable and Payroll Warrants for Month of December 2014 .....28
- 5. Report of Investments for December 2014.....31
- 6. Resolution No. 2015-08 Initiating Proceedings to Update Landscape Maintenance District No. 1 for Fiscal Year 2015/2015 .....38

- **Open for Public Comments**
- **Make Motion**

**V. REPORTS OF OFFICERS**

- 1. Resolution No. 2015-10, Consideration of Consultant Services Agreement for Professional Environmental Services  
Staff Report.....44

**Recommendations: That the City Council adopt Resolution No. 2015-10, Approving a Contract Services Agreement with CASC Engineering and Consulting of Colton, California, to prepare the Initial Study and Environmental Documents for the Robertson’s Mine New Reclamation Plan for Compliance with the State Mining and Reclamation Act for an amount not to exceed \$188,940.00.**

**VI. ANNOUNCEMENTS/REPORTS *(Upcoming Events/Other Items if any)***

- City Council
- City Committee Reports
- Report by City Attorney
- Report by City Manager

## **VII. ITEMS FOR FUTURE AGENDAS**

New Items – None

### **Pending Items – City Council**

1. Discussion on how the City Council handles donations to the City (*Feb. 2015*)
2. Discussion regarding City's ordinance dealing with sex offenders and child offenders (*2/2015*)
3. Discussion to move "Announcements" (events) up on the agenda after Public Comments (*1/15*)
4. Discussion regarding Animal Control Services (*Midyear Budget*)
5. Discussion regarding Police Staffing (*Midyear Budget*)
6. Golf Cart Lanes
7. Bond Workshop (*Midyear Budget*)
8. General Plan Update & Housing Element
9. Discussion regarding change in time for Council Meetings

## **VIII. ADJOURNMENT**

*Pursuant to amended Government Code Section 54957.5(b) staff reports and other public records related to open session agenda items are available at City Hall, 99 E. Ramsey St., at the office of the City Clerk during regular business hours, Monday through Thursday, 7 a.m. to 5 p.m.*

**NOTICE:** Any member of the public may address this meeting of the Mayor and Council on any item appearing on the agenda by approaching the microphone in the Council Chambers and asking to be recognized, either before the item about which the member desires to speak is called, or at any time during consideration of the item. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public.

Any member of the public may address this meeting of the Mayor and Council on any item which does not appear on the agenda, but is of interest to the general public and is an item upon which the Mayor and Council may act. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public. The Mayor and Council will in most instances refer items of discussion which do not appear on the agenda to staff for appropriate action or direct that the item be placed on a future agenda of the Mayor and Council. However, no other action shall be taken, nor discussion held by the Mayor and Council on any item which does not appear on the agenda, unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.

**In compliance with the Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk's Office (951) 922-3102. **Notification 48 hours prior to the meeting** will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.02-35.104 ADA Title II]

## CITY COUNCIL AGENDA

**DATE:** February 10, 2015  
**TO:** City Council  
**FROM:** Brian Guillot, Acting Community Development Director  
**SUBJECT:** Planning Commission Appointments

**RECOMMENDATION:** That the City Council adopts Resolution No. 2015-11 appointing two candidates to fill the positions on the Planning Commission (Attachment 1).

**BACKGROUND:** The Planning Commission consists of five members appointed by the City Council. The Commissioners each serve a four year term, which is staggered every two years concurrent with the City's elections. Two planning commission member positions expire in January of 2015. The City Clerk advertised the Planning Commission openings and received only two applications, both of them from previous commissioners, Ray Briant and James Price (see Attachment 2).

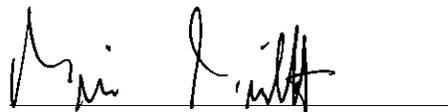
The City advertised the positions on the City's website, and in Record Gazette newspaper, which published on two separate dates. Additionally, application forms were placed at the City Hall counter, City Council chambers, and at the Banning Public Library. The final date to submit applications was January 29, 2015.

The Commission's rules and responsibilities are governed by Chapter 2.28 of the Municipal Code (see Attachment 3). The Commission's two (2) main functions are to review land development applications for compliance with the Zoning Code and to recommend policies changes to the General Plan or Zoning Code.

**RECOMMENDED BY:**

  
James E. Smith  
Interim City Manager

**PREPARED BY:**

  
Brian Guillot  
Acting Community Development Director

**Attachment:**

1. Resolution No. 2015-11
2. Planning Commission applications received-City Clerk report dated February 2, 2015
3. Chapter 2.28 of the Banning Municipal Code

**ATTACHMENT 1**

**(Resolution No. 2015-11)**

**RESOLUTION NO. 2015-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPOINTING RAY BRIANT AND JAMES PRICE MEMBERS OF THE CITY OF BANNING PLANNING COMMISSION FOR FOUR-YEAR TERMS**

**WHEREAS**, Banning Municipal Code Section 2.28 directs that the bylaws and ordinances governing the Planning Commission and are adopted and amended by the City Council of the City of Banning; and

**WHEREAS**, the Planning Commission consists of five (5) members and serves for a four-year terms, which shall be staggered every two years concurrent with the City elections; and

**WHEREAS**, the terms of two Planning Commissioners expire in January 2015; and

**WHEREAS**, the appointment of the a Planning Commissioner will ensure continuity of the Planning Commission as a five-member board so it can conduct the planning agency business as designated by the Municipal Code Chapter 2.28; and

**WHEREAS**, the solicitation for the recruitment of the Planning Commission was sent to Record Gazette and Press Enterprise newspapers; and, was published by the Record Gazette on November 28, 2014, and December 5, 2014; and, published on the City's website.

**WHEREAS**, two applications were received from Ray Briant and James Price; and, the applications were reviewed by staff; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Banning as follows:

**SECTION 1.** Ray Briant is hereby appointed to the Planning Commission for a four-year term.

**SECTION 2.** James Price is hereby appointed to the Planning Commission for a four-year term.

**SECTION 3.** The Mayor shall sign this resolution and the City Clerk shall attest thereto.

**PASSED, ADOPTED AND APPROVED** this 10<sup>th</sup> day of February, 2015.

\_\_\_\_\_  
Deborah Franklin, Mayor  
City of Banning, California

**APPROVED AS TO FORM  
AND LEGAL CONTENT:**

\_\_\_\_\_  
David J. Aleshire, City Attorney  
Aleshire & Wynder, LLP  
City of Banning, California

**ATTEST:**

\_\_\_\_\_  
Marie A. Calderon, City Clerk  
City of Banning

**CERTIFICATION:**

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that Resolution No. \_\_\_\_\_ was duly introduced at a regular meeting of the City Council of the City of Banning, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, and was duly adopted at a regular meeting of said City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Marie A. Calderon, City Clerk  
City of Banning  
Banning, California

**ATTACHMENT 2**  
**(Applications Received-City Clerks Report)**

February 2, 2015

TO: Brian Guillot, Acting Community Development Director  
Rita Chapparosa, Deputy Human Resources Director

FROM: City Clerk *mae*

SUBJECT: Planning Commission Applications Received

This is to inform you that I have received only two applications for the upcoming vacancies on the Planning Commission. The applications received were from James L. Price and Ray Briant.

These two applicants already sit on the Planning Commission at this time and attached are their applications for your use. I do not believe the Council needs to interview them since there are no other applications received in my office.

Please let me know how you would like to proceed.



Rec'd 1/22/15  
mac  
City Clerk's office

### COMMITTEE/BOARD APPLICATION FORM

Name of Committee or Board on which you would like to serve: PLANNING COMMISSION

Name: RAY BRIANT

Address: 5387 BRECKENRIDGE AVE, BANNING

Telephone Numbers: Home 951-769-0383 Office 951-288-0886

If employed, where you work and position RETIRED

Length of residence in Banning 11 YEARS

Are you a registered voter in Banning? Yes  No

Requested below is information that will be used by the City Council as a screen process to determine which applicants will be interviewed for membership on City committees and boards. Ample space is provided; please do not submit supplemental materials.

Provide a Biographical sketch, including education, work experience, civic involvement and other background relevant to duties of the position you seek:

1. BA DEGREE IN ECONOMICS, SAN DIEGO STATE UNIVERSITY
2. MA DEGREE IN EDUCATION, PEPPERDINE UNIVERSITY
3. SIX YEARS OF LOCAL GOVERNMENT ADMINISTRATION, INCLUDING TWO YEARS AS EXEC ASST TO PLANNING DIRECTOR, SAN DIEGO
4. FOUR YEARS AS A COMPUTER MANAGER FOR A PRIVATE FIRM IN SAUDI ARABIA.
5. ONE YEAR AS A COMPUTER TRAINER SHELL OIL CO, NIGERIA
6. OVER 20 YEARS AS A COMPUTER MANAGER FOR A VARIETY OF INDUSTRIES

What types of major issues should this committee or board deal with?

1. MAINTAINING ADEQUATE WATER RESOURCES
2. DEVELOP & MAINTAIN EDUCATIONAL AND EMPLOYMENT OPPORTUNITIES FOR A GROWING POPULATION
3. MAINTAIN LIVABLE AND BUSINESS OPPORTUNITIES FOR GROWTH.

Please identify specific problems facing the committee or board on which you would like to serve and explain how you feel they might be resolved:

1. IMPROVEMENT OF DOWNTOWN: RECRUIT MORE BUSINESS-FRIENDLY SERVICE AND SUPPORT ORGANIZATIONS FOR THE DOWNTOWN AREA.

2. INDUSTRIAL AND LOW-INCOME ZONING: REQUEST A STUDY OF THE PROBLEM TO SEEK A SOLUTION THAT WORKS TO THE BENEFIT OF BOTH SIDES.

Your name will be considered by the City Council upon receipt of your application.

Please return to: City Clerk's Office/City of Banning  
99 E. Ramsey Street  
P. O. Box 998  
Banning, CA 92220

**RETURN BY:**

JAN 29, 2015  
~~APR 8, 2015~~  
5:00 p.m.

Thank you for your willingness to serve your local government.

Date:

1-22-2015

Signed:

Ray Brant

RECEIVED  
DEC 23 2014  
BY: City Clerk's Office



**COMMITTEE/BOARD APPLICATION FORM**

Name of Committee or Board on which you would like to serve: PLANNING COMMISSION

Name: JAMES L. PRICE

Address: 3120 Summer Set Circle, Banning, CA 92220

Telephone Numbers: Home 951-922-4565 Office \_\_\_\_\_ Cell 951-505-2350

If employed, where you work and position N/A

Length of residence in Banning 9 years

Are you a registered voter in Banning? Yes  No \_\_\_\_\_

Requested below is information that will be used by the City Council as a screen process to determine which applicants will be interviewed for membership on City committees, commissions and boards. Ample space is provided; please do not submit supplemental materials.

Provide a Biographical sketch, including education, work experience, civic involvement and other background relevant to duties of the position you seek:

High School grad with some college, spent nearly fifty years in retail management with Target, Costco Wholesale and Home Depot.

I am the founder of Banning Pass Little League which provides for around five hundred kids. I have served on the Banning Planning Commission as an appointee, I am very proud of Banning and it is a high honor to work with the Commission while working with the City Council.

*James L. Price*

What types of major issues should this commission, committee or board deal with?

We should consider issues that support the general long range plan. I am interested in the development of Banning as a destination for visitors as well as those seeking residency and employment. We have a strategic location along the 10. As we develop downtown, airport businesses and rec. facilities, we give travelers a reason

Please identify specific problems facing the commission, committee or board on which you would like to serve and explain how you feel they might be resolved: To stop in Banning.

Specific Problems:

As we consider these issues we need to protect our current resources. Some issues will be decided by the commission while others will be decided by the City Council. We should consider the long term effect our decisions have on our tax base and make sure decisions will contribute to the economic development of Banning and not deplete our natural resources. Comm. and transparency are always needed. The Commission, City Council and staff need to be unified on decisions already made.

Your name will be considered by the City Council upon receipt of your application.

**This is a volunteer position. You must be a registered voter and reside in the city of Banning. You will also need to be fingerprinted and pass a background investigation.**

Please return to: City Clerk's Office/City of Banning  
99 E. Ramsey Street  
P. O. Box 998  
Banning, CA 92220

**RETURN BY: January 29, 2015  
5:00 p.m.**

Thank you for your willingness to serve your local government.

Date: 12/11/2014

Signed: James L. Price

**ATTACHMENT 3**  
**(Chapter 2.28 of the Banning Municipal Code)**

**Chapter 2.28 - PLANNING COMMISSION**

**Sections:**

**2.28.010 - Planning commission—Membership requirements.**

- A. Members of the planning commission shall be residents of the City of Banning who hold no other municipal office in the city. Members may not be employees of the city.
- B. Proof of residency shall be submitted at time of application to the commission through voter registration, utility bill at a physical address within the city boundaries. Residency shall be confirmed prior to appointment and maintained throughout the term served.

*(Code 1965, § 2-5.)*

**2.28.020 - Term and vacancies.**

- A. The planning commission shall consist of five members.
- B. Planning commissioners shall serve four-year terms, which shall be staggered every two years concurrent with the city elections. Appointments shall be made by the city council. Applications shall be made available and the closing date announced at least two months prior to the expiration of the commissioner's term to be filled.
- C. Members shall serve at the pleasure of the council and may be removed at any time by a majority vote of the entire council.
- D. Any member who is unexcused for two consecutive regular meetings of the commission or six meetings within a twelve-month period, whether the six meetings are excused or not, will be deemed to have resigned their office and the city council may appoint a new member to serve in the resigned commissioner's place for the remainder of their term.
- E. To be excused from any such meeting, a member shall notify the planning department, at least forty-eight hours prior to any such meeting. If a member is unable to attend due to illness, injury or family matters, a statement by the member at the next regular meeting of the commission shall constitute an excused absence.

*(Code 1965, § 2-6.)*

**2.28.030 - Compensation.**

- A. Members of the planning commission shall not receive compensation; reasonable traveling expenses to and from conferences and/or special field trips and training sessions shall be reimbursed.
- B. Upon authorization by the city manager, the planning commission and members of its staff, may attend city planning conferences or meetings, or hearings on city planning legislation, or matters affecting the planning of the city. The reasonable expenses of such attendance shall be charged upon the funds allocated to the commission.
- C. All fundings shall be established through the City of Banning budget, which shall be approved by the city council.

*(Code 1965, § 2-7.)*

**2.28.040 - Rules of procedure.**

- A. A quorum of the planning commission shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the planning commission to hold a meeting.
- B. In the event that only three commissioners are present, any actions recommending amendment to the Municipal Code or general plan must be unanimous; all other actions would require a majority vote of the commission in attendance. A tie vote shall constitute a denial of the matter or request brought before the planning commission.
- C. The commission shall adopt rules for the transaction of business and shall keep a record of its transactions, findings, and determinations. The Brown Act and "Robert's Rules in Plain English" by Doris P. Zimmerman (Harper Perennial) shall be incorporated into such rules.
- D. The commission shall follow all applicable city fiscal and administrative policies and procedures.  
(Code 1965, § 2-8.)

#### **2.28.050 - Duties and responsibilities.**

- A. The planning commission shall exercise those functions of the planning agency of the city delegated to it in the Banning Municipal Code.
- B. At the regular February meeting, the planning commission shall choose a chairperson and a vice-chairperson from among the planning commission members. The chairman and vice-chairman shall serve for one term. Both positions shall rotate every year. All members must be present to conduct this business.
  - 1. The chairperson shall preside at all regular and special meetings and rule on all points of order and procedure during the meetings.
  - 2. The vice-chairperson shall assume all duties of the chairperson in his or her absence.
  - 3. In the event the chairperson and vice-chairperson are both absent, an acting chairperson shall be appointed from the commission for the meeting from those present.
- C. The planning commission's scope of responsibility is to:
  - 1. Prepare, review, adopt, and recommend to the city council for its adoption, a long range, comprehensive general plan to guide the future physical development and conservation of the city and its adjoining environs based on geographic, social, economic and political characteristics of the community;
  - 2. Prepare, review, adopt and recommend to the city council for its adoption of special area specific plans for identifiable areas, wherein more detailed guidelines are needed to supplement the objectives of the general plan;
  - 3. Review development applications submitted to the city for consistency with adopted plans and ordinances. Approve or deny applications when final authority is granted to the planning commission by the Municipal Code. Make a recommendation on those actions for which the city council is the final reviewing approval body;
  - 4. Act as the appeal body on decisions made by the community development director;
  - 5. Perform such other functions and duties as the city council may from time to time direct and/or provide within the Banning Municipal Code.
- D. The commission may form ad-hoc subcommittees in accordance with the Brown Act, and make appointments to that subcommittee, as it deems necessary. A quorum of commission members may not be appointed to serve in a single subcommittee. Before forming a subcommittee, the commission shall establish a specific mission and term for the subcommittee.

- E. The planning commission is an important function within the City of Banning, and as such, certain expectations are held by the city council in making the appointment of individuals to the commission. These expectations include the following:
1. Commissioners will attend all regular meetings and special meetings as they arise;
  2. Commissioners will communicate expected and unexpected absences to the planning department, prior to the meeting;
  3. Commissioners will communicate any potential conflicts of interest on agenda items to the planning department in advance of the hearing to allow confirmation of a quorum;
  4. Commissioners will arrive on time to each meeting, fully participate, and remain in attendance until the end of each meeting;
  5. Commissioners will prepare themselves for each meeting by reading the agenda, reports and other materials, and visiting the site, as necessary, and communicate any questions to the secretary in advance of the hearing.

Pursuant to Resolution 2000-41, if a commissioner visits the site prior to a hearing on the matter, the commissioner shall disclose at the hearing such evidence and observation gathered during the site visit;

6. Commissioners are encouraged to attend the annual planner's institute (Monterey and Southern California) or an equivalent planning training program given by a University of California campus (or approved equivalent) and may attend other planning conferences and or training classes as the need and opportunities arise. The city will also provide regular in-service training and make-up training where attendance is required;
  7. New commissioners are expected to become familiar with the city's general plan, the "Planning Commission Handbook" (prepared by the State of California), and relevant Municipal Code sections particularly those relevant to zoning to become familiar with these documents. The "Guide for New Members" distributed by the Planning Commissioners Journal and [www.plannersweb.com](http://www.plannersweb.com) are other valuable resources for new commissioners;
  8. Applicants to the planning commission will be expected to attend a brief orientation session explaining the role of commissioners, the planning process, and the expectations of commissioners that are appointed; and
  9. New commission members will attend an expanded orientation session with the liaison to the commission and other staff, as deemed necessary, to provide new appointees with a solid understanding immediately upon appointment. The orientation will include an overview of the planning process, a review of the commission's structure, policies and bylaws, a summary of available documents and resources, and a review of the commission's relationship with citizens, staff, developers, and the governing body.
- F. The planning commission may serve on regional boards or commissions as directed by the city council.
- G. The planning commission shall participate in annual meetings with the city council to discuss development activity, development doctrine, policies, etc.

*(Code 1965, § 2-8.1.)*

**2.28.060 - Conflict of interest requirements.**

A.

The State of California Political Reform Act requires planning commission members to disclose interests in investments, real property, and income derived within the City of Banning or from sources doing business within the City of Banning. Filings are required within ten days of assuming office and on an annual basis.

- B. Members shall not work for the "pass" cities, which include Beaumont, Calimesa, and Riverside County in roles, such as economic development, planning, or redevelopment.
- C. If an apparent conflict of interest arises, the member shall inquire of the city attorney or staff prior to the meeting.

*(Code 1965, § 2-8.2.)*

**2.28.070 - Staff liaison.**

- A. The staff liaison to the planning commission shall be the community development director.
- B. The planning commission liaison, supported by the secretary to the planning commission (a staff position), shall be responsible for:
  - 1. Confirming that a quorum will be present prior to each meeting;
  - 2. Receiving and recording all exhibits, petitions, documents, or other material presented to the planning commission in support of, or in opposition to, any issue before the planning commission;
  - 3. Signing all meeting minutes and resolutions upon approval;
  - 4. Preparing and distributing agendas and agenda packets;
  - 5. Facilitating the tape recording of meetings and preparation of minutes; and
  - 6. Responding to all questions from planning commission members regarding agenda items in advance of meetings.

*(Code 1965, § 2-8.3.)*

**2.28.080 - Meeting times and places.**

- A. The planning commission shall meet on the first Wednesday of each month at 6:30 p.m. at the city council chambers located at 99 E. Ramsey Street, or at such time and place as the commission may designate by resolution.
- B. Commissioners will attend special meetings as they arise.

*(Code 1965, § 2-8.4.)*

*(Ord. No. 1427, § 1, 9-14-10)*

**2.28.090 - Adoption.**

- A. This document, as adopted and amended by council resolution, shall serve as the bylaws for the commission.

*(Code 1965, § 2-9.)*

MINUTES  
CITY COUNCIL  
BANNING, CALIFORNIA

01/27/15  
SPECIAL MEETING

A special meeting of the Banning City Council was called to order by Mayor Franklin on January 27, 2015 at 3:01 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT:            Councilmember Miller  
   Councilmember Moyer  
   Councilmember Peterson  
   Councilmember Welch  
   Mayor Franklin

COUNCIL MEMBERS ABSENT:    None

OTHERS PRESENT:            James E. Smith, Interim City Manager  
   David J. Aleshire, City Attorney  
   Colin Tanner, Attorney – Aleshire & Wynder, LLC  
   Stephen Onstot, Attorney – Aleshire & Wynder, LLC  
   Rita Chapparosa, Deputy Human Resources Director  
   Marie A. Calderon, City Clerk

CLOSED SESSION

City Attorney said the items on the closed session agenda involve four cases of potential initiation of litigation pursuant to Government Code Section 54956.9 (d)(4); existing litigation matter pursuant Government Code Section 54956.9 (d)(1) - Robertson's Ready Mix, Lt., v. City of Banning and the Banning City Council; City of Banning Mayor Debbie Franklin, City of Banning Council Members Edward Miller, Art Welch, Don M. Peterson and Jerry Westholder – Case No. RIC 1409828; real property negotiations pursuant to Government Code Section 54956.8 regarding Fire Memories Museum; and labor negotiations pursuant to the provisions of Government Code Section 54957.6 with International Brotherhood of Electrical Workers (IBEW) – Utility Unit and General Unit, Banning Police Officers Association (BPOA), and San Bernardino Public Employees Association (SBPEA).

Mayor Franklin opened the closed session item for public comments; there were none.

Meeting went into closed session at 3:02 p.m. and reconvened at 4:57 p.m.

ADJOURNMENT

By common consent the meeting adjourned at 4:57 p.m.

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Marie A. Calderon, City Clerk

A regular meeting of the Banning City Council and was called to order by Mayor Franklin on January 27, 2015, at 5:03 p.m. at the Banning Civic Center Council Chambers, 99 E. Ramsey Street, Banning, California.

COUNCIL MEMBERS PRESENT: Councilmember Miller  
Councilmember Moyer  
Councilmember Peterson  
Councilmember Welch  
Mayor Franklin

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: James E. Smith, Interim City Manager  
David J. Aleshire, City Attorney  
Dean Martin, Interim Administrative Services Director  
Fred Mason, Electric Utility Dir.  
Duane Burk, Public Works Director  
Alex Diaz, Interim Chief of Police  
Heidi Meraz, Community Services Director  
Brian Guillot, Acting Community Development Director  
Rita Chapparosa, Deputy Human Resources Director  
Sonja De La Fuente, Office Specialist  
Marie A. Calderon, City Clerk

The invocation was given by Suffragan Bishop Preston Norman Jr., Praise Tabernacle Community Church. Councilmember Peterson led the audience in the Pledge of Allegiance to the Flag.

#### REPORT ON CLOSED SESSION

City Attorney said the Council met in closed session and there were four cases of potential initiation of litigation and those items were not discussed. In regards to the existing litigation matter regarding Robertson's Ready Mix a status report was given and there was no reportable action taken. In regards to real property negotiations a status report was given concerning the Fire Memories Museum located at 5261 W. Wilson and there was no reportable action taken. In regards to labor negotiations with the City's bargaining units direction was given for further negotiations and there was not reportable action taken.

#### PUBLIC COMMENTS/CORRESPONSE/PRESENTATIONS

#### PUBLIC COMMENTS – On Items Not on the Agenda

Frank Burgess, 2021 W. Cottonwood addressed the Council stating that he appeared before the Council on January 13<sup>th</sup> requesting some information regarding the permit fees that was granted to Pardee and no one has gotten back to him. He simply wants to know what the development impact fee amounts that we have waived on 500 homes. Do you know what is going to be done or what?

Mayor Franklin said that staff will get back to him by the end of February.

Frank Burgess also said that when he looks and sees no audience and you wonder why no one comes to the Council Meetings and he looks at his watch and it is 5:00 p.m. most people are just getting off work. When he was on the Council they met at 7:30 p.m. and yes the meeting may end late but he believes that each of the Council Members is retired and so you can sleep in the next day. But in order to get the public out here you are going to have to make it more convenient from what it is today. You should consider changing your hours to a decent hour for the citizens of the city of Banning. He suggested 7:30 p.m. so that maybe you would get a better turnout for the meetings.

Ann Price, 3127 Summer Set Circle, thanked the City for allowing them to use Lions Park for Banning Pass Little League. She said that she is the treasurer of that group and they are doing registrations right now. She said that they will be having a fundraising event on Saturday, January 31<sup>st</sup> at the Banning Community Center from 8 to 11 a.m. to support the Little League. They also have an Eagle Scout Project that is being done at Lions Park to improve it and they have painted the dugouts and are in the process of putting up helmet cubbies and they appreciate the work of Jacob Valencia on that. The fundraising event is a Pancake Breakfast and the Sportsman's Club will be cooking. The cost is \$6.00 for adults and \$3.00 for children 13 and under.

CORRESPONDENCE -- None at this time.

CONSENT ITEMS

Mayor Franklin pulled consent Item No. 4 as requested.

1. Approval of Minutes – Special Meeting – 01/13/14 (*Closed Session*)

Recommendation: That the minutes of the Special Meeting of January 13, 2015 be approved.

2. Approval of Minutes – Special Meeting – 01/13/15 (*Workshop*)

Recommendation: That the minutes of the Special meeting of January 13, 2015 be approved.

3. Approval of Minutes – Regular Meeting – 01/13/15

Recommendation: That the minutes of the Regular Meeting of January 13, 2015 be approved.

**Motion Peterson/Moyer to approve Consent Items 1 through 3.** Mayor Franklin opened the item for public comment; there were none. **Motion carried, all in favor.**

4. Update on Mathewson Building Demolition – 260 W. Ramsey Street

Councilmember Peterson said he would like staff to give a brief summary of this item so that the public knows what is going on in regards to this building.

Interim City Manager stated that we have contracted with Belfor Construction and have started their pre-construction meeting with the City last week. This Monday they started the excavation and demolition process. The superintendent for the job is in close contact with the City and he expects to have the job done by the end of the week if there are no problems.

Mayor Franklin opened the item for public comment; there were none.

**Motion Moyer/Peterson to approve Consent Item 4. Motion carried, all in favor.**

#### REPORTS OF OFFICERS

1. Resolution No. 2015-09, Awarding the Construction Contract for Project No. 2014-04EL, Demolition of the Building Located at 215 E. Barbour Street.  
(Staff Report – Fred Mason, Electric Utility Director)

Director Mason gave the staff report on this item as contained in the agenda packet in regards to Council's request to do wider bid advertising which they did and they ended up getting a lower bid. The bid received by Wreck Age is about \$5,000 less than the original bid received back in November. Staff is recommending approval of this item.

Councilmember Miller asked if staff would continue the wider circulation. Director Mason said absolutely.

Mayor Franklin opened the item for public comment; there was none.

**Motion Welch/Miller That the City Council adopt Resolution No. 2015-09, Awarding the Construction Contract for Project No. 2014-04EL, Demolition of the Building Located at 215 E. Barbour Street to Wreck Age Demolition, Inc. of Chino, CA for an amount not to exceed \$23,500.00 plus a 10% Contingency for a Total of \$25,850.00. Motion carried, all in favor.**

2. Information Report on Public Works Analyst Job Duties  
(Staff Report – Jim Smith, Interim City Manager)

Interim City Manager gave the staff report on this items as contained in the agenda packet in regards to the duties related with this new Public Works Analyst position in regards to compliance with AB 341 and 939 and also if the contract with WRCOG (Western Riverside Council of Governments) was reasonable. In discussion with staff they determined that a majority of the analyst duties were spent on preparing contracts, request for proposals for the

engineers and a very small amount of her duties were related to any compliance work and most of that is done by Director Burk. They determined that to do a fully-benefitted analyst position it would be roughly \$120,000 with benefits for a person to be full-time dedicated to compliance issues. At this time in looking at the \$50,000 dollar contract to do these duties and to remain compliant as being the most cost-efficient way of doing it versus going out and trying to have this position do other duties while letting some of our more important projects go by the wayside. Staff recommendation is to continue the WRCOG contract funding through the remainder of fiscal year 2014/2015 and if the Council chooses at the time we do our budget for 2015/2016 to look at it again they can do that.

Councilmember Peterson said that he still has many numerous questions but he is willing to go forward with this here. He asked if it has been determined how many actual hours it takes the analyst to actually do this particular assignment annually.

Interim City Manager said that we do not have WRCOG's specified hourly rate and they could probably back into the number of hours by doing that but they don't share the information in terms of specific times spent on compliance issues.

Mayor Franklin opened the item for public comment; there was none.

Don Smith said that he thinks we need to consider what this is all about. He agrees that we need to do it in the most cost-effective way. In the last agenda we had the trash rates for every jurisdiction in Riverside and San Bernardino Counties and we were tied with Upland for the lowest rate charged to our customers in the entire Inland Empire. If you look at our contract a portion of that money Waste Management sends back to the City for franchise fees and billing fees and the amount that gets sent back to us is in fact, the highest percentage in the Inland Empire. We have the best trash hauling contract in Southern California and we need to remember that when we think about entering into negotiations to change it because it would then open up to them the opportunity to raise those rates. Part of the money that goes from Waste Management back to us goes into the Refuse Account; it doesn't go into the General Fund. It is that refuse money that we then spend the \$50,000 a year to pay WRCOG for their services. That money is not available to the General Fund; it has to be spent in refuse or be a violation of all sorts of rules. WRCOG was specifically created by the cities for the sole purpose of finding things that we could do together that we could then therefore do better and do cheaper. As the Interim City Manager just told you by using WRCOG for this particular service we are doing it cheaper. This is one of those jobs that no city can really afford to do by themselves which is why WRCOG was created. He encouraged the Council to go forward with this unless they can actually find another provider who will do these services cheaper.

Mayor Franklin closed the item for further public comments.

**Motion Welch/Moyer that the WRCOG position be funded throughout the remainder of the fiscal year 2014/15. Motion carried, all in favor.**

ANNOUNCEMENTS/REPORTS (Upcoming Events/Other Items if any)

City Council

Councilmember Moyer –

- On January 14<sup>th</sup> he attended a New Mayors and Council Members Academy in Sacramento. It was a three-day seminar that covered subjects such as: How to Address Advocates and City Issues; Defining a Council Person's Legal Powers; A Council Person's Role As Far As Land Use Planning; Defining the Relationship between the City Manager, Staff and the Council; and Practical Ethics and Law which is required by the State. He found it very informative and he is sure that the information and instruction he received at the academy will serve him well in his efforts to serve the resident of Banning.
- He has also been appointed and attended an organizational meeting for the League of California Cities Environmental Quality Committee. This committee consists of about 40 representatives from throughout the state. Their task is to review issues and propose legislation related to air, water, and water quality; climate change; CEQA; integrated waste management; hazardous materials; costal issues; and utilities. Then they are to make recommendations to the League Board of Directors and if adopted, the League Board will then authorize an official stance and issue instructions to lobby and support of that stance. Their next meeting is in April which they will be discussing all the legislation that could be affecting these issues and he will bring back a more thorough report at that time.

Councilmember Welch–

- On Saturday, January 31<sup>st</sup> at the Beaumont City Hall starting at 9 a.m. is the Annual Veteran's Expo. They are expecting somewhere in excess of 500 to 600 people to attend. It is an opportunity for veterans who are really not sure of their benefit programs to be brought up to date. They will have representatives there from the VA on computers to help enroll people in the benefit programs. He encouraged everyone that is a veteran, a family member, or spouse to attend this event and it is free.

Councilmember Miller –

- The Environmental Protection Agency is finally considering whether or not to try to remove all contaminants that exist in the Lockheed area basically behind Sun Lakes and are considering various procedures. There are two burn areas that are very contaminated and he is mentioning this because many people wonder through the hills behind Sun Lakes and in looking at the maps that indicate where the pollution areas are he would urge everyone to stay on the paths which are away from those areas. If you look at the list of contaminants it is enough to scare anyone.

Mayor Franklin –

- She said that she also went to the League of California Cities and has a different committee assignment and that is Community Services. They had a very extensive report on a project that has been tried for helping the homeless to become housed in more permanent housing. It is done in the Sacramento area. They removed 78 people and put them in a motel and at their next meeting in April or June hopefully they give them an update.
- In regardless to the homeless for anybody who is willing to get up early in the morning they will be doing the biannual homeless count in the city of Banning and we are participating along with not only other cities in the country but evidently this is a program that is going on across the country. It is a moment in time count of the homeless within our city boundaries. They will be meeting at the police department at 5:00 a.m. and they will be going out to different locations. The police, not only our staff, but also their volunteers will be assisting with the count and they

will try to be as accurate as they can. The purpose of being accurate in the count is so that we can try to obtain more services for the people who are actually in our city.

- She went to Washington, D.C. last week for the United States Mayors Conference. The best part of the conference she thinks was being able to hear from our different Cabinet Secretaries to find out what is out there and there are a ton of programs that are available and a lot of services that are available. They heard from some noted keynote speakers such as Vice President Joe Biden who came to where they were to give a presentation and they went to the White House and heard from Dr. Joan Biden, as well as, various Cabinet Secretaries that day and the President was their final speaker. The Cabinets they heard from included HUD, Department of Labor, Department of Transportation, and Department of Agriculture. The one thing that she came away with and they did talk about in regards to not only collecting the contact information but also there were a couple of messages that were repeated over and over again. We do not have enough money across the country to pay for our infrastructure or transportation. Those are the two key areas that they really want us to get in touch with our Congressional representatives to ask them to support conversation in those two areas; that is something that affects all of us. So unless there is any decent from the Council she would like to send a letter to say that we do support asking them to negotiate on those items so that we can get something coming for hopefully our city and our region especially as it relates to transportation because the Transportation Trust Fund expires in May and we need to have our roads maintained all the time. It was a really good conference and the City did not pay a dime for this trip.
- She went to a tree planting ceremony this morning at Young Scholars with the police chief and at the end of the ceremony they heard a very nice compliment about our police department. The director of the school mentioned that they had reported that somebody was stealing gas from one of their employee's car and they called the police department and they were able to come and apprehend them on the spot. They were very thankful for our police department being available, quick and very cooperative and courteous in dealing with the staff at the school.

City Committee Reports - None

Report by City Attorney – None

Report by City Manager – None

## ITEMS FOR FUTURE AGENDAS

New Items –

Councilmember Miller said that a comment was made that the time of our Council Meetings is inappropriate for people who are working and he remembers that in the past the Council Meetings were indeed at 7:30 p.m. and he thinks it is worth discussing whether or not that change in time would be beneficial. **There was Council consensus to put this on the agenda for future items.**

Pending Items – City Council

1. Discussion on how to handle loans or distributions to charities. (*Midyear budget*)
2. Discussion on how the City Council handles donations to the City. (*Feb. 2015*)
3. Grocery Cart Policy (*In planning process.*)

4. Discussion regarding City's ordinance dealing with sex offenders and child offenders. (2/2015)
5. Discussion to move "Announcements" (events) up on the agenda after Public Comments. (1/15)
6. Discussion regarding Animal Control Services (Midyear Budget)
7. Discussion regarding Police Staffing (Midyear Budget)
8. Golf Cart Lanes
9. Bond Workshop (Midyear Budget)
10. Report on 33-day Billing Cycle
11. Report on process used to collect unpaid utility bills.
12. Report on Electric Rates
13. Report on Code Enforcement and taking care of vacant properties.
14. Discussion of a change in the General Plan.

Dr. David Berman addressed the Council hoping to bring a water resources project to the City of Banning that will not be funded by the City. They are in the development stage and are working to raise capital with no expectations that the City will pay for anything; it will be their responsibility to prove the water resource. He believes that he has discovered a new water resource that has been completely overlooked in this region. During the past five years he has been working on developing this because he is very aware of the water shortage. He said that they are hoping to approach the City about a letter of intent for no obligation other than if they bring the water resources to the surface, if they prove that the environmental impact is appropriate, if they bring it to the City with a cost that is very favorable for water management that the City would consider a letter of intent that would help them go to raise capital to provide the extra water resources to the City of Banning. He asked that the Council consider that for a future agenda.

Mayor Franklin said that once you are able to bring the information forward to City staff, then they would bring it forward to the Council at that time.

Mayor Franklin said that in regards to water they will be having a water meeting tomorrow night at 6:00 p.m. in the Council Chambers and the presentation will be on the flume and the public is invited.

#### ADJOURNMENT

By common consent the meeting adjourned at 5:36 p.m.

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Marie A. Calderon, City Clerk

**THE ACTION MINUTES REFLECT ACTIONS TAKEN BY THE CITY COUNCIL. A COPY OF THE MEETING IS AVAILABLE IN DVD FORMAT AND CAN BE REQUESTED IN WRITING TO THE CITY CLERK'S OFFICE.**

## CITY COUNCIL AGENDA

**Date:** February 10, 2015  
**TO:** Mayor and City Council  
**FROM:** Dean Martin, Interim Administrative Services Director  
**SUBJECT:** 2013-14 Annual Report of Development Impact Fees

**RECOMMENDATION:** “That the City Council review and approve the 2013-14 Annual Report of Development Impact Fees as required by the Mitigation Fee Act.”

**JUSTIFICATION:** The Mitigation Fee Act requires an annual report on the receipt, use and retention of development impact fees.

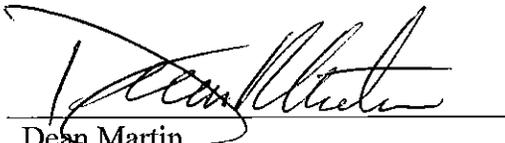
**BACKGROUND/ANALYSIS:** Pursuant to the Mitigation Fee Act (the Act) the City is required to report on the status of its development impact fee (DIF) balances on an annual basis. The report must contain a summary of receipts, disbursements and retention of these funds. One of the requirements under the Act is that the City expend the DIF collected within five (5) years. If the City fails to do so, the City must make certain findings or refund the monies. With respect to a 5 year accumulation of funds, the required findings are as follows:

- Identify the purpose for which funds will be spent
- Indicate that the fee was appropriately charged
- Identify all monies on hand that will go toward certain incomplete improvements
- Identify the expected dates that the City anticipates having all required funding and making the appropriate identified improvements

The City currently has 5 categories of fees that have a 5 year accumulation of funds. In each case, the attached report contains the required findings.

**FISCAL DATA:** None. The attached report contains all required findings.

RECOMMENDED BY:

  
\_\_\_\_\_  
Dean Martin  
Interim Admin. Services Director

APPROVED BY:

  
\_\_\_\_\_  
James Smith  
Interim City Manager

## 2013-14 ANNUAL REPORT OF DEVELOPMENT IMPACT FEES

Pursuant to Government Code Section 66006, the following report on the receipt, use and retention of development impact fees for fiscal year 2013-14 is hereby presented to the City Council for review and approval.

**Police Facilities Development Fund** - To account for development impact fees levied for the purpose of acquisition and expansion of police facilities.

Beginning Balance at 07/01/13	\$	33,887
Adjust to Audit		
Receipts		996
Disbursements		
Ending Balance at 06/30/14	\$	<u>34,883</u>

Receipts included no fees or \$823 and \$173 of interest income.

The balance is committed to reimburse expenses to build police facilities and to purchase police vehicles.

Funds unexpended or uncommitted for five years or more: 15,958

**Fire Facilities Development Fund** - To account for development impact fees levied for the purpose of acquisition and expansion of fire facilities.

Beginning Balance at 07/01/13	\$	931,040
Adjust to Audit		
Receipts		6,002
Disbursements		
Ending Balance at 06/30/14	\$	<u>937,042</u>

Receipts include fees of \$1,335 and \$4,667 of interest income.

Funds unexpended or uncommitted for five years or more: \$864,052

These funds are designed for improvements or the construction to Fire stations and the purchase of related apparatus. The funds are to be used to expand Station 89 on Murray Street and for the development and construction of joint use facilities between the State of California, the Cities of Banning and Beaumont Although the costs associated with any remodel are expected to be significant, there is currently no certain timeframe or current cost estimate for the above. The above fees were appropriately charged and collected for the identified improvement.

**Traffic Control Facilities Fund** - To account for development impact fees levied for the purpose of constructing and installing new traffic signals.

Beginning Balance at 07/01/13	\$	423,308
Adjust to Audit		
Receipts		2,370
Disbursements		-
Ending Balance at 06/30/14	\$	<u>425,678</u>

Receipts included fees of \$250 and \$2,120 of interest income.

Funds unexpended or uncommitted for five years or more: \$347,245

These funds are designated for traffic signals. A Traffic Control Master Plan will be completed and eligible projects will be identified that these funds will be used for. The above fees were appropriately charged and collected for the identified improvement.

**General Government Facilities Fund** - To account for development impact fees levied for the purpose of constructing and making improvements to City facilities that are not part of the City's enterprise fund operations.

Beginning Balance at 07/01/13	\$ 475,257
Adjust to Audit	
Receipts	2,679
Disbursements	(44,781)
Ending Balance at 06/30/14	\$ 433,155

Receipts included fees of \$478 and \$2,201 of interest income.

Funds unexpended or uncommitted for five years or more: \$393,855

The funds are designated for improvements to City facilities. The City is considering upgrades that will improve public access to customer service. A definitive timeline has not been established. The above fees were appropriately charged and collected for the identified improvement.

**Park Development Fund** - To account for development impact fees levied for the purpose of funding the acquisition and development of park facilities.

Beginning Balance at 07/01/13	\$ 155,739
Adjust to Audit	
Receipts	2,741
Disbursements	-
Ending Balance at 06/30/14	\$ 158,480

Receipts included fees of \$1,955 and \$786 of interest income.

Funds unexpended or uncommitted for five years or more: \$104,753

These funds are designated for acquisition of park land and expansion improvements to community recreation facilities. A list of projects has been identified in the City's parks master

plan as well as improvements to various City Parks. The above fees were appropriately charged and collected for the identified services and improvements.

**Water Capital Facilities Fees Fund** - To account for development impact fees levied for the purpose of funding the initial cost of new water facilities to meet the water demand of new users.

Beginning Balance at 07/01/13	\$ 4,872,621
Adjust to Audit	
Receipts	31,816
Disbursements	(640,328)
Ending Balance at 06/30/14	\$ 4,264,109

Receipts include \$9,407 of fees and \$22,409 of interest income.

Disbursements consisted of payments related to the Whitewater Flume Restoration Project.

Funds unexpended or uncommitted for five years or more: None

**Wastewater Capital Facilities Fees Fund** - To account for development impact fees levied for the purpose of the initial cost of sewage capacity to meet the service demand of new users.

Beginning Balance at 07/01/13	\$ 10,597,088
Adjust to Audit	
Receipts	73,544
Disbursements	(83,441)
Ending Balance at 06/30/14	\$ 10,587,191

Receipts include \$20,529 of fees and \$53,015 of interest income.

Funds unexpended or uncommitted for five years or more: \$9,143,641

The Utility is studying an upgrade to the wastewater treatment plant or a reclamation plant. The Utility will utilize these impact funds, available bonds proceeds, and will pursue low interest loans and grants through the State programs to assist in the funding. The above fees were appropriately charged and collected for the identified improvement.

\*Adjustments to Audit are due primarily to rounding variances, in addition to audit adjustments recorded to audit after the prior year's *Annual Report of Development Impact Fees* was completed.

## CITY COUNCIL AGENDA

**Date:** February 10, 2015

**TO:** City Council

**FROM:** Dean Martin, Interim Administrative Services Director

**SUBJECT:** Approval of Accounts Payable and Payroll Warrants for Month of December 2014

**RECOMMENDATION:** The City Council review and ratify the following reports per the California Government Code.

**FISCAL DATA:** The reports in your agenda packet cover "Expenditure Disbursements" and "Payroll Expenses" for the month of December 2014.

The reports are:

Expenditure approval lists	
December 1, 2014	132,043.52
December 4, 2014	277,853.71
December 11, 2014	247,654.74
December 18, 2014	676,361.56
December 24, 2014	395,435.44
February 2, 2015	3,861,719.43 (December Month End)
Payroll check registers	
December 12, 2014	2,981.97
December 26, 2014	2,061.08
Payroll direct deposits*	
December 12, 2014	293,885.99
December 26, 2014	259,848.44

As you review the reports, if you have any questions please contact the Finance Department so that we can gather the information from the source documents and provide a response.

Report Prepared by: Melissa Rodriguez-Elizondo, Accountant

RECOMMENDED BY:



Dean Martin  
Interim Administrative Services Director

APPROVED BY:



James E. Smith  
Interim City Manager

# CITY of BANNING

## Fund/Department Legend *Fund/Department Legend*

### 001 General Fund Departments

0001 – General  
1000 – City Council  
1200 – City Manager  
1300 – Human Resources  
1400 – City Clerk  
1500 – Elections  
1800 – City Attorney  
1900 – Fiscal Services  
1910 – Purchasing & A/P  
2060 – TV Government Access  
2200 – Police  
2210 – Dispatch  
2279 – TASIN – SB621 (Police)  
2300 – Animal Control  
2400 – Fire  
2479 – TASIN – SB621 (Fire)  
2700 – Building Safety  
2740 – Code Enforcement  
2800 – Planning  
3000 – Engineering  
3200 – Building Maintenance  
3600 – Parks  
4000 – Recreation  
4010 – Aquatics  
4050 – Senior Center  
4060 – Sr. Center Advisory Board  
4500 – Central Services  
4800 – Debt Service  
5400 – Community Enhancement

### All Other Funds

002 – Developer Deposit Fund  
003 – Riverside County MOU  
100 – Gas Tax Street Fund  
101 – Measure A Street Fund  
103 – SB 300 Street Fund  
104 – Article 3 Sidewalk Fund  
110 – CDBG Fund  
111 – Landscape Maintenance  
132 – Air Quality Improvement Fund  
140 – Asset Forfeiture/Police Fund  
148 – Supplemental Law Enforcement  
149 – Public Safety Sales Tax Fund  
150 – State Park Bond Fund  
190 – Housing Authority Fund  
200 – Special Donation Fund  
201 – Sr. Center Activities Fund  
202 – Animal Control Reserve Fund  
203 – Police Volunteer Fund

204 – D.A.R.E. Donation Fund  
300 – City Administration COP Debt Service  
360 – Sun Lakes CFD #86-1  
365 – Wilson Street #91-1 Assessment Debt  
370 – Area Police Computer Fund  
375 – Fair Oaks #2004-01 Assessment Debt  
376 – Cameo Homes  
400 – Police Facilities Development  
410 – Fire Facilities Development  
420 – Traffic Control Facility Fund  
421 – Ramsey/Highland Home Road Signal  
430 – General Facilities Fund  
441 – Sunset Grade Separation Fund  
444 – Wilson Median Fund  
451 – Park Development Fund  
470 – Capital Improvement Fund  
475 – Fair Oaks #2004-01 Assessment District  
600 – Airport Fund  
610 – Transit Fund  
660 – Water Fund  
661 – Water Capital Facilities  
662 – Irrigation Water Fund  
663 – BUA Water Capital Project Fund  
669 – BUA Water Debt Service Fund  
670 – Electric Fund  
672 – Rate Stability Fund  
673 – Electric Improvement Fund  
674 – '07 Electric Revenue Bond Project Fund  
675 – Public Benefit Fund  
678 – '07 Electric Revenue Bond Debt Service Fund  
680 – Wastewater Fund  
681 – Wastewater Capital Facility Fund  
682 – Wastewater Tertiary  
683 – BUA Wastewater Capital Project Fund  
685 – State Revolving Loan Fund  
689 – BUA Wastewater Debt Service Fund  
690 – Refuse Fund  
700 – Risk Management Fund  
702 – Fleet Maintenance  
703 – Information Systems Services  
761 – Utility Billing Administration  
805 – Redevelopment Obligation Retirement Fund  
810 – Successor Housing Agency  
830 – Debt Service Fund  
850 – Successor Agency  
855 – 2007 TABS Bond Proceeds  
856 – 2003 TABS Bond Proceeds  
857 – 2003 TABS Bond Proceeds Low/Mod  
860 – Project Fund

## CITY COUNCIL AGENDA

**Date:** February 10, 2015  
**TO:** City Council  
**FROM:** Dean Martin, Interim Administrative Services Director  
**SUBJECT:** Report of Investments for December 2014

**RECOMMENDATION:** The City Council receive and file the monthly *Report of Investments*.

**JUSTIFICATION:** State law requires that a monthly report of investments be submitted to the Governing Legislative Body.

**BACKGROUND/ANALYSIS:** This report includes investments on hand at the end of December 2014. As of December 31, 2014, the City's operating funds totaled \$71,887,713. Included in Successor Agency operating funds is \$787,557 of restricted CRA bond proceeds that are on deposit with LAIF and reflected separately on the Summary Schedule.

As of December 31, 2014 approximately 39% of the City's unrestricted cash balances were invested in investments other than LAIF.

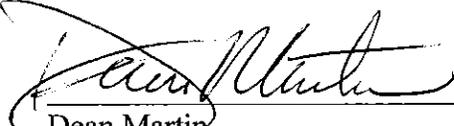
The December Investment Report includes the following documents:

- Summary Schedule of Cash and Investments
- Operational Portfolio Individual Investments
- Individual Investments with Fiscal Agent
- Investment Report Supplemental Information

The attached Summary Schedule of Cash and Investments has been updated to show the rate of earnings allowance received from Wells Fargo Bank. The amount earned reduces the total amount of bank fees charged.

**FISCAL DATA:** The latest reports from the State indicate that the average interest achieved by the Local Agency Investment Fund (LAIF) was increased to 0.267% in December. The average rate for all investments in December was 0.406%.

**RECOMMENDED BY:**



Dean Martin

Interim Administrative Services Director

**APPROVED BY:**



James E. Smith

Interim City Manager

**Summary Schedule of Cash and Investments**

<u>Operating Funds</u>		Amount
<u>Petty Cash</u>		3,705
 <u>Bank Accounts</u>		
	Interest	
	Rate	Amount
Wells Fargo Bank	0.200% *	757,969
Bank of America-Airport	0.020%	7,954
Bank of America-Parking Citations	0.020%	3,348
Bank of America-CNG Station	0.020%	<u>4,993</u>
<i>Money Market and Bank Account Sub-Total</i>		774,263
 <u>Government Pools</u>		
Account #1 Operating Amount	41,269,281	
Account #1 CRA Bond Cash Bal.	787,557	
Local Agency Investment Fund: Account #1	0.267%	42,056,838
Account #2 Successor Agency Cash Bal	0	
Local Agency Investment Fund: Account #2	0.267%	<u>0</u>
<i>Government Pool Sub-Total</i>		<u>42,056,838</u>
<b>Operating Cash Balance</b>		<b>42,834,806</b>
 <u>Restricted Operating Funds</u>		
Riverside Public Utilities- Highmark U.S. Government Money Market Fund	0.010%	1,151,870
California ISO Corp- Union Bank		100,188
Worker's Compensation Program- (PERMA)		1,962,104
 <u>Other Investments</u>		
Investments-US Bank/Piper Jaffray - See Page 2	0.638%	25,838,745
 <b>Operating Funds Total</b>		 <b><u>71,887,713</u></b>
<hr/>		
<u>Fiscal Agent</u>		Amount
US Bank		<u>33,984,057</u>
<b>Fiscal Agent Total</b>		<b><u>33,984,057</u></b>

\* Rate of earnings allowance received, offsets analyzed bank charges.

City of Banning Investment Report

Operational Portfolio Individual Investments

Par Value	Investment Description	Coupon Rate	Interest Rate	Maturity Date	Purchase Date	Date	Discount or (Premium) Amortization	Market Value
<u>Bank Accounts</u>								
757,969	Wells Fargo Bank-Operating	n/a	0.20%	daily	varies	757,969	n/a	757,969
7,954	Bank of America-Airport	n/a	0.02%	daily	varies	7,954	n/a	7,954
3,348	Bank of America-Parking Citations	n/a	0.02%	daily	varies	3,348	n/a	3,348
4,993	Bank of America-Parking Citations	n/a	0.02%	daily	varies	4,993	n/a	4,993
Sub-total								
								774,263
<u>Government Pools</u>								
42,056,838	L.A.I.F. account #1	n/a	0.267%	daily	varies	42,056,838	n/a	42,056,838
0	L.A.I.F. account #2	n/a	0.267%	daily	varies	0	n/a	0
Sub-total								
								42,056,838
<u>Investments-US Bank/Piper Jaffray</u>								
1,000,000	FHLMC Mtn	n/a	0.570%	6/20/2016	6/6/2013	1,000,000		998,490
1,000,000	FNMA	n/a	0.750%	12/19/2016	6/19/2013	1,000,000		997,380
2,000,000	FHLMC Mtn	n/a	0.375%	6/24/2016	12/24/2013	2,000,000		1,998,460
2,000,000	FHLMC Mtn	n/a	0.500%	6/27/2016	12/27/2013	2,000,000		1,992,440
2,000,000	FHLMC Mtn	n/a	0.750%	12/27/2016	12/27/2013	2,000,000		1,996,820
2,000,000	Federal Home Loan Bks	n/a	0.700%	12/27/2016	3/27/2014	2,000,000		1,995,440
2,000,000	Federal Home Loan Bks	n/a	0.900%	3/27/2017	3/27/2014	2,000,000		1,990,340
2,000,000	Federal Home Loan Bks	n/a	0.500%	7/15/2016	4/15/2014	2,000,000		1,995,120
1,000,000	Federal Home Loan Bks	n/a	1.050%	4/17/2017	4/17/2014	1,000,000		999,070
1,700,000	FHLMC Mtn	n/a	0.700%	12/30/2016	6/30/2014	1,700,000		1,696,056
2,000,000	FHLMC Mtn	n/a	0.750%	2/28/2017	11/28/2014	2,000,000		1,997,780
2,000,000	FHLMC Mtn	n/a	0.800%	5/26/2017	11/26/2014	2,000,000		1,990,620
2,000,000	Federal Home Loan Bks	n/a	1.200%	5/24/2018	11/6/2014	2,000,000		1,980,300
3,210,429	Money Market	n/a	0.010%	daily	varies	3,210,429	0	3,210,429
Sub-total								
								25,838,745
US Bank/Piper Jaffray Average Rate=								
0.638%								

Average Rate All= 0.406%

It has been verified that this investment portfolio is in conformity with the City of Banning's investment policy which was approved by the City Council on January 13, 2015. The Treasurer's cash management program provides sufficient liquidity to meet estimated future expenditures for a period of six months. The weighted average maturity of the pooled investment portfolio is 247 days and does not include Bond Reserve Fund Investments.

City of Banning Investment Report  
 Individual Investments with Fiscal Agent

December 31, 2014

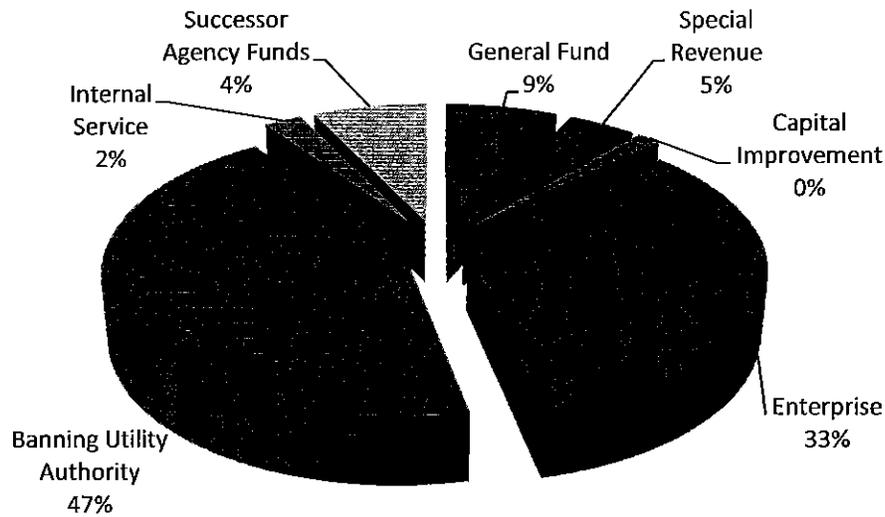
Bond Issue Description	Bond Maturity Date	Investment Description	Current Yield	Bond Reserve Bond Maturity Date	Minimum Reserve Requirement	Dec-14	12/31/2014 Market Value
<b>COB IMPROVEMENT DISTRICT LIMITED OBLIGATION BONDS SERIES 2005A</b>							
2005 Fair Oaks Ranch Estates	2035	US Bank Mmkt 5-Ct	0.030%	daily	188,024	4.64	188,050
<b>COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BANNING TAX ALLOCATION, SERIES 2003</b>							
2003 CRA Tax Allocation Bonds	2028	U S Treasury Bill	4.61%	1/29/2015	971,250		991,980
		US Bank Mmkt 5-Ct	0.030%	daily		0.52	21,025
		US Bank Mmkt 5-Ct	0.060%	daily			18
		US Bank Mmkt 5-Ct	0.000%	daily			12
Surplus Fund							
<b>COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BANNING TAX ALLOCATION PARITY BONDS, SERIES 2007</b>							
Redevelop Fund	2037	US Bank Mmkt 5-Ct	0.030%	daily		205.47	8,333,080
Reserve Fund		US Bank Mmkt 5-Ct	0.030%	daily	1,875,100	46.24	1,875,382
Special Fund		US Bank Mmkt 5-Ct	0.030%	daily			32
Surplus Fund		US Bank Mmkt 5-Ct	0.000%	daily			11
<b>BUA - WASTEWATER ENTERPRISE REVENUE BONDS REFUNDING AND IMPROVEMENT PROJECTS 2005 SERIES</b>							
Interest Account		US Bank Mmkt 5-Ct	0.000%	daily		0.33	2
Principal Account		US Bank Mmkt 5-Ct	0.000%	daily		0.13	4
		US Bank Mmkt 5-Ct	0.030%	daily		80.53	3,266,094
<b>BUA - WATER ENTERPRISE REVENUE BONDS REFUNDING AND IMPROVEMENT PROJECTS 2005 SERIES</b>							
Interest Account		US Bank Mmkt 5-Ct	0.000%	daily		1.90	12
Principal Account		US Bank Mmkt 5-Ct	0.050%	daily		0.66	21
Reserve Fund		US Bank Mmkt 5-Ct	0.030%	daily	2,310,738	56.98	2,310,910
Project Fund		US Bank Mmkt 5-Ct	0.030%	daily		39.51	1,602,283
<b>BFA - ELECTRIC SYSTEM REVENUE BONDS 2007 SERIES</b>							
		US Bank Mmkt 5-Ct	0.000%	daily		12.13	12
		US Bank Mmkt 5-Ct	0.030%	daily	2,672,050	65.90	2,672,184
Acquisition & Construction		US Bank Mmkt 5-Ct	0.030%	daily		313.71	12,722,944
						<b>Total</b>	<b>33,984,057</b>

\*Paid Semi-Annually-Deposited into Money Mkt Account

City of Banning  
Investment Report Supplemental Information

Pooled Cash Distribution

Investment reports for cities typically do not include the cash balance of the individual funds that make up the total pooled cash. This is primarily due to timing differences between when investment reports are prepared and when month end accounting entries are posted. Investment reports are usually prepared first. However, the pie chart below provides an understanding of the percentage distribution of the investments by fund type. The percentages were calculated using the average cash balances from the twelve month period of Oct. 2013 to Sept. 2014. *(The percentages will be updated quarterly.)*



The Table below describes the funds that are included within the Fund Types used for the pie chart.

Fund Type	Description of Funds
Governmental	General Fund
Special Revenue	Restricted Funds (i.e. CFDs, grants)
Capital Improvement	Development Impact Fee funds
Enterprise	Airport, Transit, Refuse, Electric
Banning Utility Authority	Water, Wastewater, Reclaimed water
Internal Service	Risk Management, Fleet, IT, Utility Services
Successor Agency Funds	Previously called Redevelopment Agency

## Summary Schedule – Line item descriptions

### **Petty Cash –**

The City maintains petty cash in various departments for incidental purchases. This line item includes the cash drawers for cashiering in utility billing.

### **Bank Accounts –**

When reviewing the *Report of Investments*, please keep in mind that the balances shown on the *Summary Schedule of Cash and Investments* for bank accounts are “statement” balances. They reflect what the financial institution has on hand as of particular date and lists on their statement. They are not “general ledger” balances. General ledger balances reflect all activity through a particular date (i.e. all checks that have been written and all deposits that have been made) and is what we show on our books (the general ledger). The general ledger balance more accurately reflects the amount of cash we have available.

It should be noted that statement balances and general ledger balances can differ significantly. For example – on June 30<sup>th</sup> the statement balance for Wells Fargo Bank could show \$1,000,000, however, staff may have prepared a check run in the amount of \$750,000 on the same day. Our general ledger balance would show \$250,000, as the Wells Fargo statement does not recognize the checks that have been issued until they clear the bank.

For investment decisions and cash handling purposes staff relies on the balance in the general ledger. Staff does not invest funds that are not available. Sufficient funds must be kept in the bank accounts to cover all checks issued.

- Wells Fargo Bank – This is the City checking account. All cash receipts, payroll and accounts payables checks are processed through this account. Balances fluctuate based on activity and cash flow needs. As excess funds accumulate, they are transferred to LAIF to increase earnings. The Summary Schedule of Cash and Investments shows the rate of earnings allowance received from the bank. The amount earned reduces the total amount of bank fees charged.
- Bank of America – Airport – The City maintains a Trust account for credit card purchases made at the airport. When the account balance exceeds \$3000, excess funds are transferred to the Wells Fargo Bank account.
- Bank of America – Parking Citations – The City maintains a Trust account for the processing of parking citations through Turbo Data. When the account balance exceeds \$3000, excess funds are transferred to the Wells Fargo Bank account.
- Bank of America – CNG – The City maintains a Trust account for credit card purchases of CNG fuel made at the City yards. When the account balance exceeds \$3000, excess funds are transferred to the Wells Fargo Bank account.

## Summary Schedule – Line item descriptions – Cont.

### ***Government Pools –***

- Local Agency investment Fund – Account #1
  - This account includes both City pooled funds and a restricted cash balance related to the CRA bonds. Investments in LAIF are limited to \$50M.
- Local Agency investment Fund – Account #2
  - There is currently no balance in this account.
  - Note: When the State established the cutoff date of January 31, 2012 for the elimination of the Redevelopment Agency, LAIF staff recommended a transfer of the available balance from the CRA account to the City account to protect the funds from a rumored State raid or freezing of the funds.

### ***Restricted Operating Funds at Riverside Public Utilities –***

The City Electric operation has an agreement with Riverside Public Utilities (RPU) to purchase power for the City. Part of the agreement requires that the City maintain a balance in the trust account used by RPU. The City does not control the investments or earnings of the trust account.

### ***Restricted Operating Funds at California ISO-***

The California ISO facilitates the purchase and sale of the City's electricity. The City participates in periodic Congestion Revenue Rights (CRR) auctions to acquire financial hedges for transmission congestion. In order to participate in the CRR auctions the City was required to have a secured form of financial security in the amount of \$100,000. A cash deposit was placed with Union Bank in March, 2012 to meet the requirements. The account is an interest bearing collateral account.

### ***Restricted Operating Funds at PERMA-***

The City participates in a JPA with the Public Entity Risk Management Authority (PERMA), who provides administration for the City's worker's compensation insurance program. PERMA requires the City to deposit funds into an account used by PERMA for the payment of worker's compensation claims. The City does not control the investments or earnings of this account.

### ***Other Investments –***

Currently the City works with a Piper Jaffray broker to make various investments per the City policy and in accordance with State guidelines. The Broker is not on retainer, nor do they receive a City paid fee with each investment. Funds in the Money Market fluctuate as securities mature or get called. Staff is in the process of investing the Money Market funds over several months. We will be adding an additional broker to provide more investment options.

### ***Fiscal Agent / US Bank –***

Unspent bond proceeds and required bond reserves are invested by the Fiscal Agent in accordance with the bond documents.

**CITY COUNCIL AGENDA  
CONSENT ITEM**

**DATE:** February 10, 2015

**TO:** City Council

**FROM:** Kahono Oei, City Engineer

**SUBJECT:** Resolution No. 2015-08, "Initiating Proceedings to Update Landscape Maintenance District No. 1 for Fiscal Year 2015/2016"

**RECOMMENDATION:** Adopt Resolution No. 2015-08, "Initiating Proceedings to Update Landscape Maintenance District No. 1 for Fiscal Year 2015/2016."

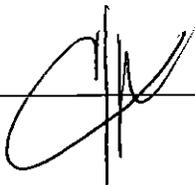
**JUSTIFICATION:** The City Council approved the formation of Landscape Maintenance District No. 1 ("the District") by adopting Resolution No. 1990-59 on August 14, 1990. The adoption of Resolution No. 2015-08 will enable the City Engineer to prepare for the assessment for Fiscal Year 2015/2016.

**BACKGROUND:** In accordance with the "Landscaping and Lighting Act of 1972" ("1972 Act") of the Streets and Highways Code, the City Council adopted a resolution on August 14, 1990 ordering the formation of Landscape Maintenance District No. 1, the boundaries of which are shown in Attachment "A". On May 10, 2005, the City Council approved Resolution No. 2005-36 ordering Annexation No. 1 (consisting of five tracts and three tentative tracts) to Landscape Maintenance District No. 1. The District, by special benefit assessments, provides funding for the servicing and maintenance of certain landscape areas within the City of Banning, all of which are located in the public right-of-way. The 1972 Act requires that assessments are to be levied according to benefit rather than according to assessed value. Resolution No. 2015-08 will initiate the proceedings to update the District for Fiscal Year 2015/2016. A tentative schedule for updating the District, as required by the "Landscaping and Lighting Act of 1972," is attached hereto as Attachment "B" for your information.

**FISCAL DATA:** Not applicable. A detailed estimate will be prepared and forwarded with the Engineer's Report.

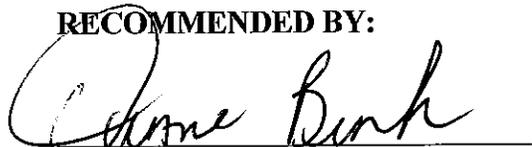
**RECOMMENDED BY:**

\_\_\_\_\_  
Kahono Oei,  
City Engineer



**RECOMMENDED BY:**

\_\_\_\_\_  
Duane Burk,  
Director of Public Works



**APPROVED BY:**

\_\_\_\_\_  
Dean Martin,  
Interim Administrative Services Director



**APPROVED BY:**

\_\_\_\_\_  
James Smith,  
Interim City Manager



**RESOLUTION NO. 2015-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, INITIATING PROCEEDINGS TO UPDATE LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR THE FISCAL YEAR 2015/2016, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the City Council, pursuant to the provisions of the "Landscaping and Lighting Act of 1972," Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500, desires to initiate proceedings to update the City of Banning's Landscape Maintenance District No. 1, and to levy and collect annual assessments to pay for the operation, maintenance and servicing of landscaping and all appurtenant facilities related thereto.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Banning as follows:

SECTION 1. The City Council desires to update Landscape Maintenance District No. 1 for Fiscal Year 2015/2016, pursuant to the "Landscaping and Lighting Act of 1972" (Section 22500 and following, Streets and Highways Code) for the purpose of the following improvements:

Maintaining and servicing street trees, parkways, median islands, perimeter strips and backup walls, side slopes adjacent to sidewalks and storm drains, open space areas, flood detention or retention basins, and the irrigation of the above improvements.

SECTION 2. The City Council hereby directs the City Engineer to prepare and file with the City Clerk an Engineer's Report in accordance with Article 4 of Chapter 1 of the "Landscaping and Lighting Act of 1972."

SECTION 3. The fee to be assessed will not exceed the reasonable cost of providing the service. The fee charged shall be based on the rate and methodology set forth in Resolution Nos. 1990-59 and 2005-36.

SECTION 4. The Mayor shall sign this resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

**PASSED, APPROVED AND ADOPTED** this 10th day of February, 2015.

\_\_\_\_\_  
Deborah Franklin, Mayor

**ATTEST:**

\_\_\_\_\_  
Marie A. Calderon, City Clerk  
City of Banning

**APPROVED AS TO FORM  
AND LEGAL CONTENT:**

---

David J. Aleshire, City Attorney  
Aleshire & Wynder, LLP

**CERTIFICATION:**

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2015-08 was duly adopted by the City Council of the City of Banning at a regular meeting thereof held on the 10<sup>th</sup> day of February 2015, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

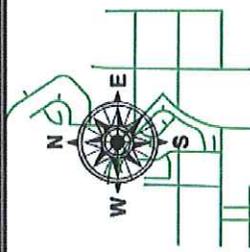
Marie A. Calderon, City Clerk  
City of Banning, California

**ATTACHMENT "A"**

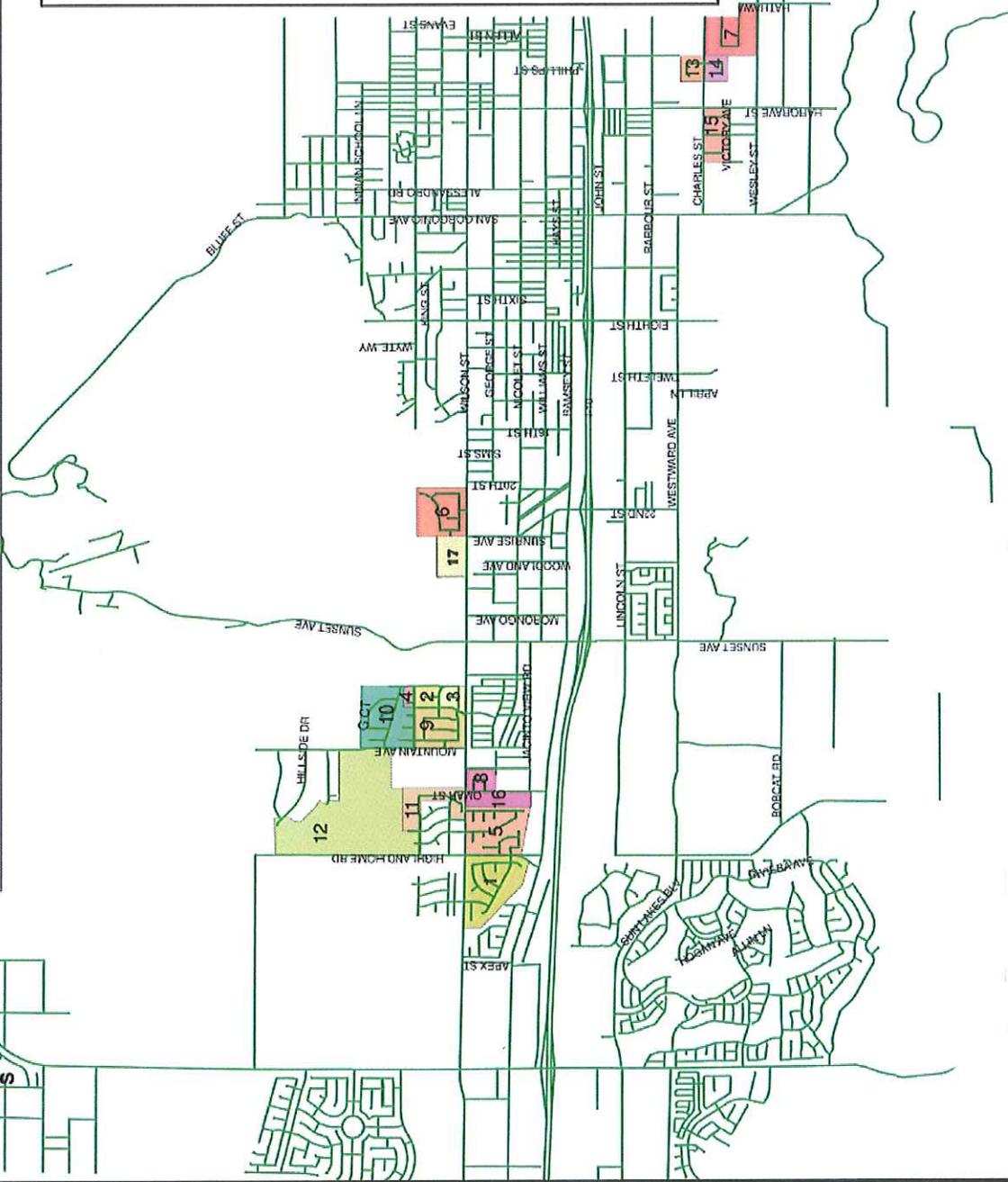
**LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FOR FISCAL YEAR 2015/2016**

# Map of Landscape Maintenance District No. 1

2015/2016



Legend	
Existing Tracts	
[Yellow box]	1. 21882 Snow Creek I
[Light yellow box]	2. 22810 Dev. Corp
[Light green box]	3. 22811 Dev. Corp
[Light blue box]	4. 22913 Area Bros.
[Light purple box]	5. 23446 Highland Estates
[Light orange box]	6. 23598 Snow Creek II
[Light red box]	7. 28252 Fair Oaks
[Light pink box]	8. 29721 The Pines
[Light teal box]	9. 30186 Wilson Homes
[Light green box]	10. 30222 Wilson Homes
[Light blue box]	11. 30793 Fiesta Collection
[Light purple box]	12. 30906 Evergreen Estates
[Light orange box]	13. 31833 Fair Oaks
[Light red box]	14. 31834 Fair Oaks
[Light pink box]	15. 31835 Fair Oaks
[Light teal box]	16. 32109 Sunset Ridge
[Light yellow box]	17. 30642 Diversified Pacific Opportunity Fund



## **ATTACHMENT "B"**

### **TENTATIVE SCHEDULE UPDATING LANDSCAPE MAINTENANCE DISTRICT NO. 1**

<b>Item</b>	<b>Council Meeting</b>
Resolution Initiating Update	February 10, 2015
Resolution of Intention (Approving Engineer's Report)	April 14, 2015
Resolution Confirming Assessment (Public Hearing)	May 26, 2015

**CITY COUNCIL MEETING**

**DATE:** February 10, 2015

**TO:** City Council

**FROM:** Brian Guillot, Acting Community Development Director

**SUBJECT:** Consideration of Consultant Services Agreement for Professional Environmental Services in Connection with the Robertson's Mine New Reclamation Plan

**RECOMMENDATION:**

That the City Council adopt Resolution No. 2015-10 (Attachment 1) approving a Contract Services Agreement (Attachment 2) with:

1. CASC Engineering and Consulting to prepare the Initial Study and Environmental Documents for the Robertson's Mine New Reclamation Plan for Compliance with the State Mining and Reclamation Act.

**JUSTIFICATION:**

Section 17.24.070 of the City's Zoning Ordinance requires that development applications be reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA).

**BACKGROUND:**

On October 17, 2014, the Community Development Department (Planning Division) released a Request for Proposals (Attachment 3) seeking a professional consulting firm to prepare an Initial Study and environmental document for the Robertson's Mine New Reclamation Plan for Compliance with the State Mining and Reclamation Act. The Request for Proposals was posted on the City's website and published in The Record Gazette (Attachment 4). A copy of the Request for Proposals was also mailed to eight (8) consulting firms known to have specific experience preparing environmental documentation for mining operations (Attachment 5).

On November 20, 2015, submittal deadline, the Planning Division received four (4) responses to the Request for Proposals from the following consulting firms (Attachments 6 through 9):

<b>Consultant</b>	<b>Location</b>
CASC Engineering Consultants	Colton, CA
First Carbon Solutions, Inc.	San Bernardino, CA
Helix Environmental Planning, Inc.	El Cajon, CA
Lilburn Corporation	San Bernardino, CA

On December 3, 2014, the Planning Division conducted interviews with the four (4) consulting firms. The following table provides a summary of the interview ratings.

<b>Firm Name</b>	<b>Rater #1</b>	<b>Rater #2</b>	<b>Rater #3</b>	<b>Total</b>
CASC Engineering and Consulting	340	415	360	1,115
Helix Environmental Planning, Inc.	335	380	265	980
First Carbon Solutions, Inc.	280	365	285	930
Lilburn Corporation*	355	355	310	1,020

From a rating standpoint, CASC Engineering and Consulting scored the highest at 1,115 total points with an average rating of 372 points. CASC Engineering and Consulting also received the highest rating from all three (3) interview raters. Upon a thorough evaluation of the proposals, staff concurs that CASC Engineering and Consulting demonstrates the highest level of professional expertise and experience for this specific assignment. (\*While Lilburn Corporation scored the second highest at 1,020 points with an average rating of 340 points, it was discovered during the interview that one of their existing clients, Mitsubishi, is among the ownership of Robertson's Mine. Therefore, Lilburn Corporation has been removed for consideration due to a potential conflict of interest).

As part of their respective proposals, the consulting firms were requested to provide a proposed fee for the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) and the preparation of an Initial Study/Environmental Impact Report (IS/EIR) due to the fact that it has not yet been determined whether the Robertson's Mine New Reclamation Plan will necessitate a Mitigated Negative Declaration or Environmental Impact Report. Upon the completion of the Initial Study, it will then be determined by City staff whether a Mitigated Negative Declaration or Environmental Impact Report will be required. The following table provides a summary of the proposed fees.

<b>Firm Name</b>	<b>IS/MND</b>	<b>IS/EIR</b>
First Carbon Solutions, Inc.	\$87,055	\$179,965
CASC Engineering and Consulting	\$153,280	\$188,940
Helix Environmental Planning, Inc.	\$52,430	\$199,634
Lilburn Corporation*	\$53,570	\$75,140

From a fee standpoint, Helix Environmental Planning, Inc. who scored the second highest evaluation rating submitted the lowest proposed fee for the preparation of the Initial Study/Mitigated Negative Declaration at \$52,430; however, their proposed fee for the preparation of the Initial Study/Environmental Impact Report is the highest at \$199,634. CASC Engineering and Consulting who scored the highest evaluation rating submitted the highest proposed fee for the preparation of the Initial Study/Mitigated Negative Declaration; however, their proposed fee for the preparation of the Initial Study/Environmental Impact Report is the second lowest. (\*While Lilburn Corporation submitted the second lowest proposed fee for the preparation of the Initial Study/Mitigated Negative Declaration and the lowest proposed fee for the preparation of the Initial Study/Environmental Impact Report, as previously mentioned, it was discovered during the interview that one of their existing clients, Mitsubishi, is among the ownership of Robertson's Mine. Therefore, Lilburn Corporation has been removed for consideration due to a potential conflict of interest).

Upon a thorough evaluation of the proposals in terms of experience and expertise in correlation with the respective fees, staff has concluded that CASC Engineering and Consulting has submitted the highest qualified team with a competitive fee for the preparation of the Initial Study/Environmental Impact Report which is only five (5%) percent higher than the lowest proposed fee. (\*While Lilburn Corporation a total score with the highest ranking, as previously mentioned, it was discovered during the interview that one of their existing clients, Mitsubishi, is among the ownership of Robertson's Mine. Therefore, Lilburn Corporation has been removed for consideration due to a potential conflict of interest). The following table provides a summary of the cumulative scoring.

<b>Firm Name</b>	<b>Rating Ranking</b>	<b>Fee Ranking IS/MND</b>	<b>Fee Ranking IS/EIR</b>	<b>Total Score</b>
CASC Engineering and Consulting	1	3	2	6
First Carbon Solutions, Inc.	3	2	1	6
Helix Environmental Planning, Inc.	2	1	3	6
Lilburn Corporation*	2*	1*	2*	5*

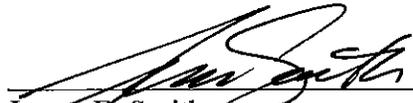
**CONCLUSION:**

The Community Development Department recommends that the City Council approve the Contract Services Agreement with CASC Engineering and Consulting of Colton, California to provide the required professional environmental services.

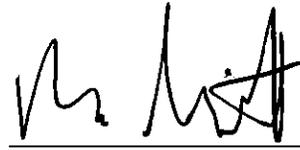
**FISCAL IMPACT:**

An appropriation of funds is requested for an amount not to exceed \$188,940 for the preparation of the Initial Study and Environmental Documents for the Robertson's Mine Reclamation Plan for Compliance with the State Mining and Reclamation Act. Professional services are paid through Account No. 001-2800-441.33-51 and there are not adequate funds available to cover the cost of these required services. However, the mine operator is expected to reimburse the City for all costs associated with processing the new reclamation plan. The Surface Mining and Reclamation Act (SMARA) and the City's Municipal Code make provision for reimbursement of reasonable costs associated with compliance. The applicant will be required to provide a deposit to reimburse said professional services. Therefore, the Administrative Services Director must be authorized to establish a reimbursement account.

**APPROVED BY:**

  
James E. Smith  
Interim City Manager

**RECOMMENDED BY:**

  
Brian Guillot  
Acting Community Development Director

**REVIEWED BY:**

  
Dean Martin  
Interim Administrative Services Director

**PREPARED BY:**

  
Oliver Medina  
Contract Planner

**Attachments:**

1. City Council Resolution No. 2015-10
2. Contract Services Agreement between the City of Banning and CASC Engineering and Consulting
3. Request for Proposals
4. The Request for Proposals published in The Record Gazette
5. Request for Proposals mailing list
6. Proposals Submitted by CASC Engineering and Consulting; First Carbon Solutions, Inc.; Helix Environmental Planning, Inc.; and, Lilburn Corporation

# **Attachment 1**

**Resolution No. 2015-10**

**RESOLUTION NO. 2014-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT SERVICES AGREEMENT WITH CASC ENGINEERING AND CONSULTING FOR PROFESSIONAL ENVIRONMENTAL SERVICES.**

**WHEREAS**, during the preparation and processing of specialized environmental documents such as required for the Robertson's Mine New Reclamation Plan for Compliance with the State Mining and Reclamation Act, the Community Development Department (Planning Division) has utilized the services of professional environmental consulting firms in order to ensure full compliance with the requirements of the California Environmental Quality Act. Utilizing an outside consulting firm also lessens the demand on City staff which may otherwise reduce their time to provide the day-to-day services and functions of the Planning Division; and,

**WHEREAS**, staff prepared and then on October 17, 2014 released a Request for Proposals seeking a professional consulting firm to prepare an Initial Study and environmental document for the Robertson's Mine New Reclamation Plan for Compliance with the State Mining and Reclamation Act; and,

**WHEREAS**, on October 17, 2014, the Request for Proposals was posted on the City's website and published in The Record Gazette; and

**WHEREAS**, on October 17, 2014, a copy of the Request for Proposals was mailed to eight (8) consulting firms known to have specific experience preparing environmental documentation for mining operations; and

**WHEREAS**, on November 20, 2014 the City received four (4) responses to the Request for Proposals from the following consulting firms:

<b>Consultant</b>	<b>Location</b>
CASC Engineering Consultants	Colton, CA
First Carbon Solutions, Inc.	San Bernardino, CA
Helix Environmental Planning, Inc.	El Cajon, CA
Lilburn Corporation	San Bernardino, CA

WHEREAS, on December 3, 2014, the Planning Division conducted interviews with the four (4) consulting firms. The following table provides a summary of the interview ratings:

Firm Name	Rater #1	Rater #2	Rater #3	Total
CASC Engineering and Consulting	340	415	360	1,115
Helix Environmental Planning, Inc.	335	380	265	980
First Carbon Solutions, Inc.	280	365	285	930
Lilburn Corporation*	355	355	310	1,020

WHEREAS, as part of their respective proposals, the consulting firms were requested to provide a proposed fee for the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) and the preparation of an Initial Study/Environmental Impact Report (IS/EIR) due to the fact that it has not yet been determined whether the Robertson's Mine New Reclamation Plan will necessitate a Mitigated Negative Declaration or Environmental Impact Report. The following table provides a summary of the proposed fees.

Firm Name	IS/MND	IS/EIR
First Carbon Solutions, Inc.	\$87,055	\$179,965
CASC Engineering and Consulting	\$153,280	\$188,940
Helix Environmental Planning, Inc.	\$52,430	\$199,634
Lilburn Corporation*	\$53,570	\$75,140

WHEREAS, upon a thorough evaluation of the proposals in terms of experience and expertise in correlation with the respective fees, staff has concluded that CASC Engineering and Consulting has submitted the highest qualified team with a competitive fee for the preparation of the Initial Study/Environmental Impact Report which is only five (5%) percent higher than the lowest proposed fee. (\*While Lilburn Corporation a total score with the highest ranking, as previously mentioned, it was discovered during the interview that one of their existing clients, Mitsubishi, is among the ownership of Robertson's Mine. Therefore, Lilburn Corporation has been removed for consideration due to a potential conflict of interest). The following table provides a summary of the cumulative scoring.

Firm Name	Rating Ranking	Fee Ranking IS/MND	Fee Ranking IS/EIR	Total Score
CASC Engineering and Consulting	1	3	2	6
First Carbon Solutions, Inc.	3	2	1	6
Helix Environmental Planning, Inc.	2	1	3	6
Lilburn Corporation*	2*	1*	2*	5*

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Banning as follows:

**Section I: Action.**

Authorize the City Manager to execute the Contract Services Agreement with CASC Engineering and Consulting to prepare the Initial Study and Environmental Documents for the Robertson's Mine New Reclamation Plan for Compliance with the State Mining and Reclamation Act in the amount not to exceed \$188,940. This authorization will be rescinded if the Contract Services Agreement is not executed by both parties within sixty (60) days of the date of this Resolution.

**Section II: Authorization.**

The Administrative Services Director is authorized to appropriate the funds in the amount not to exceed \$188,940 and establish a reimbursement account for the Contract Services Agreement with CASC Engineering and Consulting to prepare the Initial Study and Environmental Documents for the Robertson's Mine New Reclamation Plan for Compliance with the State Mining and Reclamation Act.

**PASSED, ADOPTED AND APPROVED** this 10<sup>th</sup> day of February, 2015.

---

Deborah Franklin, Mayor  
City of Banning, California

**APPROVED AS TO FORM  
AND LEGAL CONTENT:**

---

David J. Aleshire, City Attorney  
Aleshire and Wynder, LLP.

**ATTEST:**

---

Marie A. Calderon, City Clerk  
City of Banning, California

**CERTIFICATION:**

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2015-10 was duly adopted by the City Council of the City of Banning at a regular meeting thereof held on the 10<sup>th</sup> day of February, 2015.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marie A. Calderon, City Clerk  
City of Banning, California

# **Attachment 2**

## **Contract Services Agreement**

**PROFESSIONAL SERVICES AGREEMENT**

**By and Between**

**CITY OF BANNING**

**and**

**CASC ENGINEERING AND CONSULTING**

**AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN THE CITY OF BANNING AND  
CASC ENGINEERING AND CONSULTING**

THIS AGREEMENT FOR CONTRACT SERVICES (herein "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 201\_ by and between the City of Banning, a general law city ("City") and CASC Engineering and Consulting, a dba of AEI-CASC Engineering, Inc., a California S-Corporation ("Consultant"). City and Consultant are sometimes hereinafter individually referred to as "Party" and hereinafter collectively referred to as the "Parties").

**RECITALS**

A. City has sought, by issuance of a request for proposals or invitation for bids, the performance of the services defined and described particularly in Article 1 of this Agreement.

B. Consultant, following submission of a proposal or bid for the performance of the services defined and described particularly in Article 1 of this Agreement, was selected by the City to perform those services.

C. Pursuant to the City's Municipal Code, City has authority to enter into and execute this Agreement.

D. The Parties desire to formalize the selection of Consultant for performance of those services defined and described particularly in Article 1 of this Agreement and desire that the terms of that performance be as particularly defined and described herein.

**OPERATIVE PROVISIONS**

NOW, THEREFORE, in consideration of the mutual promises and covenants made by the Parties and contained herein and other consideration, the value and adequacy of which are hereby acknowledged, the parties agree as follows:

**ARTICLE 1. SERVICES OF CONSULTANT**

1.1 Scope of Services.

In compliance with all terms and conditions of this Agreement, the Consultant shall provide those services specified in the "Scope of Services" attached hereto as Exhibit "A" and incorporated herein by this reference, which services may be referred to herein as the "services" or "work" hereunder. As a material inducement to the City entering into this Agreement, Consultant represents and warrants that it has the qualifications, experience, and facilities necessary to properly perform the services required under this Agreement in a thorough, competent, and professional manner, and is experienced in performing the work and services contemplated herein. Consultant shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. Consultant covenants that it shall follow the highest professional standards in performing the work and services required hereunder and that all materials will be of good quality, fit for the purpose intended. For purposes of this Agreement, the phrase "highest professional standards" shall mean those standards of practice recognized by one or more first-class firms performing similar work under similar circumstances.

1.2 Consultant's Proposal.

The Scope of Service shall include the Consultant's scope of work in Consultant's bid proposal shall be incorporated herein by this reference as though fully set forth herein. In the event of any inconsistency between the terms of such proposal and this Agreement, the terms of this Agreement shall govern.

1.3 Compliance with Law.

Consultant shall keep itself informed concerning, and shall render all services hereunder in accordance with all ordinances, resolutions, statutes, rules, and regulations of the City and any Federal, State or local governmental entity having jurisdiction in effect at the time service is rendered.

1.4 Licenses, Permits, Fees and Assessments.

Consultant shall obtain at its sole cost and expense such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement. Consultant shall have the sole obligation to pay for any fees, assessments and taxes, plus applicable penalties and interest, which may be imposed by law and arise from or are necessary for the Consultant's performance of the services required by this Agreement, and shall indemnify, defend and hold harmless City, its officers, employees or agents of City, against any such fees, assessments, taxes penalties or interest levied, assessed or imposed against City hereunder.

1.5 Familiarity with Work.

By executing this Agreement, Consultant warrants that Consultant (i) has thoroughly investigated and considered the scope of services to be performed, (ii) has carefully considered how the services should be performed, and (iii) fully understands the facilities, difficulties and restrictions attending performance of the services under this Agreement. If the services involve work upon any site, Consultant warrants that Consultant has or will investigate the site and is or will be fully acquainted with the conditions there existing, prior to commencement of services hereunder. Should the Consultant discover any latent or unknown conditions, which will materially affect the performance of the services hereunder, Consultant shall immediately inform the City of such fact and shall not proceed except at City's risk until written instructions are received from the Contract Officer.

1.6 Care of Work.

The Consultant shall adopt reasonable methods during the life of the Agreement to furnish continuous protection to the work, and the equipment, materials, papers, documents, plans, studies and/or other components thereof to prevent losses or damages, and shall be responsible for all such damages, to persons or property, until acceptance of the work by City, except such losses or damages as may be caused by City's own negligence.

1.7 Further Responsibilities of Parties.

Both parties agree to use reasonable care and diligence to perform their respective obligations under this Agreement. Both parties agree to act in good faith to execute all instruments, prepare all

documents and take all actions as may be reasonably necessary to carry out the purposes of this Agreement. Unless hereafter specified, neither party shall be responsible for the service of the other.

#### 1.8 Additional Services.

City shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to or deducting from said work. No such extra work may be undertaken unless a written order is first given by the Contract Officer to the Consultant, incorporating therein any adjustment in (i) the Contract Sum for the actual cost of the extra work, and/or (ii) the time to perform this Agreement, which said adjustments are subject to the written approval of the Consultant. Any increase in compensation of up to ten percent (10%) of the Contract Sum or \$25,000, whichever is less; or in the time to perform of up to one hundred eighty (180) days may be approved by the Contract Officer. Any greater increases, taken either separately or cumulatively must be approved by the City Council. It is expressly understood by Consultant that the provisions of this Section shall not apply to services specifically set forth in the Scope of Services. Consultant hereby acknowledges that it accepts the risk that the services to be provided pursuant to the Scope of Services may be more costly or time consuming than Consultant anticipates and that Consultant shall not be entitled to additional compensation therefor. City may in its sole and absolute discretion have similar work done by other contractors. No claims for an increase in the Contract Sum or time for performance shall be valid unless the procedures established in this Section are followed.

#### 1.9 Special Requirements.

Additional terms and conditions of this Agreement, if any, which are made a part hereof are set forth in the "Special Requirements" attached hereto as Exhibit "B" and incorporated herein by this reference. In the event of a conflict between the provisions of Exhibit "B" and any other provisions of this Agreement, the provisions of Exhibit "B" shall govern.

### **ARTICLE 2. COMPENSATION AND METHOD OF PAYMENT.**

#### 2.1 Contract Sum.

Subject to any limitations set forth in this Agreement, City agrees to pay Consultant the amounts specified in the "Schedule of Compensation" attached hereto as Exhibit "C" and incorporated herein by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed ONE HUNDRED EIGHTY EIGHT THOUSAND NINE HUNDRED FORTY DOLLARS (\$188,940) (the "Contract Sum"), unless additional compensation is approved pursuant to Section 1.8.

#### 2.2 Method of Compensation.

The method of compensation may include: (i) a lump sum payment upon completion; (ii) payment in accordance with specified tasks or the percentage of completion of the services less contract retention; (iii) payment for time and materials based upon the Consultant's rates as specified in the Schedule of Compensation, provided that (a) time estimates are provided for the performance of sub tasks, (b) contract retention is maintained, and (c) the Contract Sum is not exceeded; or (iv) such other methods as may be specified in the Schedule of Compensation.

2.3 Reimbursable Expenses.

Compensation may include reimbursement for actual and necessary expenditures for reproduction costs, telephone expenses, and travel expenses approved in writing by the Contract Officer in advance, or actual subcontractor expenses of an approved subcontractor pursuant to Section 4.5, and only if specified in the Schedule of Compensation. The Contract Sum shall include the attendance of Consultant at all project meetings reasonably deemed necessary by the City. Coordination of the performance of the work with City is a critical component of the services. If Consultant is required to attend additional meetings to facilitate such coordination, Consultant shall not be entitled to any additional compensation for attending said meetings.

2.4 Invoices.

Each month Consultant shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month in a form approved by City's Director of Finance. By submitting an invoice for payment under this Agreement, Consultant is certifying compliance with all provisions of the Agreement. The invoice shall detail charges for all necessary and actual expenses by the following categories: labor (by sub-category), travel, materials, equipment, supplies, and sub-contractor contracts. Sub-contractor charges shall also be detailed by such categories. Consultant shall not invoice City for any duplicate services performed by more than one person.

City shall independently review each invoice submitted by the Consultant to determine whether the work performed and expenses incurred are in compliance with the provisions of this Agreement. Except as to any charges for work performed or expenses incurred by Consultant which are disputed by City, or as provided in Section 7.3. City will use its best efforts to cause Consultant to be paid within thirty (30) days of receipt of Consultant's correct and undisputed invoice; however, Consultant acknowledges and agrees that due to City warrant run procedures, the City cannot guarantee that payment will occur within this time period. In the event any charges or expenses are disputed by City, the original invoice shall be returned by City to Consultant for correction and resubmission. Review and payment by the City of any invoice provided by the Consultant shall not constitute a waiver of any rights or remedies provided herein or any applicable law.

2.5 Waiver.

Payment to Consultant for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Consultant.

**ARTICLE 3. PERFORMANCE SCHEDULE**

3.1 Time of Essence.

Time is of the essence in the performance of this Agreement.

3.2 Schedule of Performance.

Consultant shall commence the services pursuant to this Agreement upon receipt of a written notice to proceed and shall perform all services within the time period(s) established in the "Schedule of Performance" attached hereto as Exhibit "D" and incorporated herein by this reference. When requested by the Consultant, extensions to the time period(s) specified in the Schedule of

Performance may be approved in writing by the Contract Officer but not exceeding one hundred eighty (180) days cumulatively.

3.3 Force Majeure.

The time period(s) specified in the Schedule of Performance for performance of the services rendered pursuant to this Agreement shall be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of the Consultant, including, but not restricted to, acts of God or of the public enemy, unusually severe weather, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes, wars, litigation, and/or acts of any governmental agency, including the City, if the Consultant shall within ten (10) days of the commencement of such delay notify the Contract Officer in writing of the causes of the delay. The Contract Officer shall ascertain the facts and the extent of delay, and extend the time for performing the services for the period of the enforced delay when and if in the judgment of the Contract Officer such delay is justified. The Contract Officer's determination shall be final and conclusive upon the parties to this Agreement. In no event shall Consultant be entitled to recover damages against the City for any delay in the performance of this Agreement, however caused, Consultant's sole remedy being extension of the Agreement pursuant to this Section.

3.4 Term.

Unless earlier terminated in accordance with Article 7 of this Agreement, this Agreement shall continue in full force and effect until completion of the services but not exceeding one (1) year from the date hereof, except as otherwise provided in the Schedule of Performance (Exhibit "D").

**ARTICLE 4. COORDINATION OF WORK**

4.1 Representatives and Personnel of Consultant.

The following principals of Consultant ("Principals") are hereby designated as being the principals and representatives of Consultant authorized to act in its behalf with respect to the work specified herein and make all decisions in connection therewith:

_____	_____
(Name)	(Title)
_____	_____
(Name)	(Title)
_____	_____
(Name)	(Title)

It is expressly understood that the experience, knowledge, capability and reputation of the foregoing Principals were a substantial inducement for City to enter into this Agreement. Therefore, the Principals shall be responsible during the term of this Agreement for directing all activities of Consultant and devoting sufficient time to personally supervise the services hereunder. All personnel of Consultant, and any authorized agents, shall at all times be under the exclusive direction and control of the Principals. For purposes of this Agreement, the Principals may not be replaced nor may their responsibilities be substantially reduced by Consultant without the express written approval of City. Additionally, Consultant shall utilize only competent personnel to perform

services pursuant to this Agreement. Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff and subcontractors, if any, assigned to perform the services required under this Agreement. Consultant shall notify City of any changes in Consultant's staff and subcontractors, if any, assigned to perform the services required under this Agreement, prior to and during any such performance.

#### 4.2 Status of Consultant.

Consultant shall have no authority to bind City in any manner, or to incur any obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees, or agents are in any manner officials, officers, employees or agents of City. Neither Consultant, nor any of Consultant's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Consultant expressly waives any claim Consultant may have to any such rights.

#### 4.3 Contract Officer.

The Contract Officer shall be such person as may be designated by the City Manager. It shall be the Consultant's responsibility to assure that the Contract Officer is kept informed of the progress of the performance of the services and the Consultant shall refer any decisions which must be made by City to the Contract Officer. Unless otherwise specified herein, any approval of City required hereunder shall mean the approval of the Contract Officer. The Contract Officer shall have authority, if specified in writing by the City Manager, to sign all documents on behalf of the City required hereunder to carry out the terms of this Agreement.

#### 4.4 Independent Consultant.

Neither the City nor any of its employees shall have any control over the manner, mode or means by which Consultant, its agents or employees, perform the services required herein, except as otherwise set forth herein. City shall have no voice in the selection, discharge, supervision or control of Consultant's employees, servants, representatives or agents, or in fixing their number, compensation or hours of service. Consultant shall perform all services required herein as an independent contractor of City and shall remain at all times as to City a wholly independent contractor with only such obligations as are consistent with that role. Consultant shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of City. City shall not in any way or for any purpose become or be deemed to be a partner of Consultant in its business or otherwise or a joint venture or a member of any joint enterprise with Consultant.

#### 4.5 Prohibition Against Subcontracting or Assignment.

The experience, knowledge, capability and reputation of Consultant, its principals and employees were a substantial inducement for the City to enter into this Agreement. Therefore, Consultant shall not contract with any other entity to perform in whole or in part the services required hereunder without the express written approval of the City. In addition, neither this Agreement nor any interest herein may be transferred, assigned, conveyed, hypothecated or encumbered voluntarily or by operation of law, whether for the benefit of creditors or otherwise, without the prior written approval of City. Transfers restricted hereunder shall include the transfer to

any person or group of persons acting in concert of more than twenty five percent (25%) of the present ownership and/or control of Consultant, taking all transfers into account on a cumulative basis. In the event of any such unapproved transfer, including any bankruptcy proceeding, this Agreement shall be void. No approved transfer shall release the Consultant or any surety of Consultant of any liability hereunder without the express consent of City.

## **ARTICLE 5. INSURANCE, INDEMNIFICATION AND BONDS**

### **5.1 Insurance Coverages.**

The Consultant shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement including any extension thereof, the following policies of insurance which shall cover all elected and appointed officers, employees and agents of City:

(a) Commercial General Liability Insurance (ISO Occurrence Form CG0001 or equivalent). A policy of comprehensive general liability insurance written on a per occurrence basis for bodily injury, personal injury and property damage. The policy of insurance shall be in an amount not less than \$1,000,000.00 per occurrence or if a general aggregate limit is used, then the general aggregate limit shall be twice the occurrence limit.

(b) Workers Compensation Insurance. A policy of workers compensation insurance in such amount as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Consultant against any loss, claim or damage arising from any injuries or occupational diseases occurring to any worker employed by or any persons retained by the Consultant in the course of carrying out the work or services contemplated in this Agreement.

(c) Automotive Insurance (Form CA 0001 (Ed 1/87) including "any auto" and endorsement CA 0025 or equivalent). A policy of comprehensive automobile liability insurance written on a per occurrence for bodily injury and property damage in an amount not less than \$1,000,000. Said policy shall include coverage for owned, non-owned, leased and hired cars.

(d) Professional Liability. Professional liability insurance appropriate to the Consultant's profession. This coverage may be written on a "claims made" basis, and must include coverage for contractual liability. The professional liability insurance required by this Agreement must be endorsed to be applicable to claims based upon, arising out of or related to services performed under this Agreement. The insurance must be maintained for at least 5 consecutive years following the completion of Consultant's services or the termination of this Agreement. During this additional 5-year period, Consultant shall annually and upon request of the City submit written evidence of this continuous coverage.

(e) Additional Insurance. Policies of such other insurance, as may be required in the Special Requirements.

(f) Subcontractors. Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

5.2 General Insurance Requirements.

All of the above policies of insurance shall be primary insurance and shall name the City, its elected and appointed officers, employees and agents as additional insureds and any insurance maintained by City or its officers, employees or agents shall apply in excess of, and not contribute with Consultant's insurance. The insurer is deemed hereof to waive all rights of subrogation and contribution it may have against the City, its officers, employees and agents and their respective insurers. The insurance policy must specify that where the primary insured does not satisfy the self-insured retention, any additional insured may satisfy the self-insured retention. All of said policies of insurance shall provide that said insurance may not be amended or cancelled by the insurer or any party hereto without providing thirty (30) days prior written notice by certified mail return receipt requested to the City. In the event any of said policies of insurance are cancelled, the Consultant shall, prior to the cancellation date, submit new evidence of insurance in conformance with Section 5.1 to the Contract Officer. No work or services under this Agreement shall commence until the Consultant has provided the City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by the City. City reserves the right to inspect complete, certified copies of all required insurance policies at any time. Any failure to comply with the reporting or other provisions of the policies including breaches or warranties shall not affect coverage provided to City.

All certificates shall name the City as additional insured (providing the appropriate endorsement) and shall conform to the following "cancellation" notice:

CANCELLATION:

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATED THEREOF, THE ISSUING COMPANY SHALL MAIL THIRTY (30)-DAY ADVANCE WRITTEN NOTICE TO CERTIFICATE HOLDER NAMED HEREIN.

[to be initialed]

\_\_\_\_\_  
Agent's Initials

City, its respective elected and appointed officers, directors, officials, employees, agents and volunteers are to be covered as additional insureds as respects: liability arising out of activities Consultant performs; products and completed operations of Consultant; premises owned, occupied or used by Consultant; or automobiles owned, leased, hired or borrowed by Consultant. The coverage shall contain no special limitations on the scope of protection afforded to City, and their respective elected and appointed officers, officials, employees or volunteers. Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City or its respective elected or appointed officers, officials, employees and volunteers or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration, defense expenses and claims. The Consultant agrees that the requirement to provide insurance shall not be construed as limiting in any way the extent to which the Consultant may be held responsible for the payment of damages to any persons or property resulting from the

Consultant's activities or the activities of any person or persons for which the Consultant is otherwise responsible nor shall it limit the Consultant's indemnification liabilities as provided in Section 5.3.

In the event the Consultant subcontracts any portion of the work in compliance with Section 4.5 of this Agreement, the contract between the Consultant and such subcontractor shall require the subcontractor to maintain the same policies of insurance that the Consultant is required to maintain pursuant to Section 5.1, and such certificates and endorsements shall be provided to City.

### 5.3 Indemnification.

To the full extent permitted by law, Consultant agrees to indemnify, defend and hold harmless the City, its officers, employees and agents ("Indemnified Parties") against, and will hold and save them and each of them harmless from, any and all actions, either judicial, administrative, arbitration or regulatory claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities whether actual or threatened (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the negligent performance of the work, operations or activities provided herein of Consultant, its officers, employees, agents, subcontractors, or invitees, or any individual or entity for which Consultant is legally liable ("indemnors"), or arising from Consultant's reckless or willful misconduct, or arising from Consultant's or indemnors' negligent performance of or failure to perform any term, provision, covenant or condition of this Agreement, and in connection therewith:

(a) Consultant will defend any action or actions filed in connection with any of said claims or liabilities and will pay all costs and expenses, including legal costs and attorneys' fees incurred in connection therewith;

(b) Consultant will promptly pay any judgment rendered against the City, its officers, agents or employees for any such claims or liabilities arising out of or in connection with the negligent performance of or failure to perform such work, operations or activities of Consultant hereunder; and Consultant agrees to save and hold the City, its officers, agents, and employees harmless therefrom;

(c) In the event the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against Consultant for such damages or other claims arising out of or in connection with the negligent performance of or failure to perform the work, operation or activities of Consultant hereunder, Consultant agrees to pay to the City, its officers, agents or employees, any and all costs and expenses incurred by the City, its officers, agents or employees in such action or proceeding, including but not limited to, legal costs and attorneys' fees.

Consultant shall incorporate similar, indemnity agreements with its subcontractors and if it fails to do so Consultant shall be fully responsible to indemnify City hereunder therefore, and failure of City to monitor compliance with these provisions shall not be a waiver hereof. This indemnification includes claims or liabilities arising from any negligent or wrongful act, error or omission, or reckless or willful misconduct of Consultant in the performance of professional services hereunder. The provisions of this Section do not apply to claims or liabilities occurring as a result of City's sole negligence or willful acts or omissions, but, to the fullest extent permitted by law, shall apply to claims and liabilities resulting in part from City's negligence, except that design professionals' indemnity hereunder shall be limited to claims and liabilities arising out of the

negligence, recklessness or willful misconduct of the design professional. The indemnity obligation shall be binding on successors and assigns of Consultant and shall survive termination of this Agreement.

#### 5.4 Sufficiency of Insurer.

Insurance required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated "A" or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a financial category Class VII or better, unless such requirements are waived by the Risk Manager of the City ("Risk Manager") due to unique circumstances. If this Agreement continues for more than 3 years duration, or in the event the Risk Manager determines that the work or services to be performed under this Agreement creates an increased or decreased risk of loss to the City, the Consultant agrees that the minimum limits of the insurance policies may be changed accordingly upon receipt of written notice from the Risk Manager.

### **ARTICLE 6. RECORDS, REPORTS, AND RELEASE OF INFORMATION**

#### 6.1 Records.

Consultant shall keep, and require subcontractors to keep, such ledgers books of accounts, invoices, vouchers, canceled checks, reports, studies or other documents relating to the disbursements charged to City and services performed hereunder (the "books and records"), as shall be necessary to perform the services required by this Agreement and enable the Contract Officer to evaluate the performance of such services. Any and all such documents shall be maintained in accordance with generally accepted accounting principles and shall be complete and detailed. The Contract Officer shall have full and free access to such books and records at all times during normal business hours of City, including the right to inspect, copy, audit and make records and transcripts from such records. Such records shall be maintained for a period of 3 years following completion of the services hereunder, and the City shall have access to such records in the event any audit is required. In the event of dissolution of Consultant's business, custody of the books and records may be given to City, and access shall be provided by Consultant's successor in interest.

#### 6.2 Reports.

Consultant shall periodically prepare and submit to the Contract Officer such reports concerning the performance of the services required by this Agreement as the Contract Officer shall require. Consultant hereby acknowledges that the City is greatly concerned about the cost of work and services to be performed pursuant to this Agreement. For this reason, Consultant agrees that if Consultant becomes aware of any facts, circumstances, techniques, or events that may or will materially increase or decrease the cost of the work or services contemplated herein or, if Consultant is providing design services, the cost of the project being designed, Consultant shall promptly notify the Contract Officer of said fact, circumstance, technique or event and the estimated increased or decreased cost related thereto and, if Consultant is providing design services, the estimated increased or decreased cost estimate for the project being designed.

#### 6.3 Ownership of Documents.

All drawings, specifications, maps, designs, photographs, studies, surveys, data, notes, computer files, reports, records, documents and other materials (the "documents and materials")

prepared by Consultant, its employees, subcontractors and agents in the performance of this Agreement shall be the property of City and shall be delivered to City upon request of the Contract Officer or upon the termination of this Agreement, and Consultant shall have no claim for further employment or additional compensation as a result of the exercise by City of its full rights of ownership use, reuse, or assignment of the documents and materials hereunder. Any use, reuse or assignment of such completed documents for other projects and/or use of uncompleted documents without specific written authorization by the Consultant will be at the City's sole risk and without liability to Consultant, and Consultant's guarantee and warranties shall not extend to such use, reuse or assignment. Consultant may retain copies of such documents for its own use. Consultant shall have the right to use the concepts embodied therein. All subcontractors shall provide for assignment to City of any documents or materials prepared by them, and in the event Consultant fails to secure such assignment, Consultant shall indemnify City for all damages resulting therefrom.

#### 6.4 Confidentiality and Release of Information.

(a) All information gained or work product produced by Consultant in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Consultant. Consultant shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the Contract Officer.

(b) Consultant, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the Contract Officer or unless requested by the City Attorney, voluntarily provide documents, declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided Consultant gives City notice of such court order or subpoena.

(c) If Consultant, or any officer, employee, agent or subcontractor of Consultant, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Consultant for any damages, costs and fees, including attorneys fees, caused by or incurred as a result of Consultant's conduct.

(d) Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed there under. City retains the right, but has no obligation, to represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

### **ARTICLE 7. ENFORCEMENT OF AGREEMENT AND TERMINATION**

#### 7.1 California Law.

This Agreement shall be interpreted, construed and governed both as to validity and to performance of the parties in accordance with the laws of the State of California. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be

instituted in the Superior Court of the County of Riverside, State of California, or any other appropriate court in such county, and Consultant covenants and agrees to submit to the personal jurisdiction of such court in the event of such action. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Central District of California, in Riverside.

#### 7.2 Disputes; Default.

In the event that Consultant is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Consultant for any work performed after the date of default. Instead, the City may give notice to Consultant of the default and the reasons for the default. The notice shall include the timeframe in which Consultant may cure the default. This timeframe is presumptively thirty (30) days, but may be extended, though not reduced, if circumstances warrant. During the period of time that Consultant is in default, the City shall hold all invoices and shall proceed with payment on the invoices only when the default is cured. In the alternative, the City may, in its sole discretion, elect to pay some or all of the outstanding invoices during the period of default. If Consultant does not cure the default, the City may take necessary steps to terminate this Agreement under this Article. Any failure on the part of the City to give notice of the Consultant's default shall not be deemed to result in a waiver of the City's legal rights or any rights arising out of any provision of this Agreement.

#### 7.3 Retention of Funds.

Consultant hereby authorizes City to deduct from any amount payable to Consultant (whether or not arising out of this Agreement) (i) any amounts the payment of which may be in dispute hereunder or which are necessary to compensate City for any losses, costs, liabilities, or damages suffered by City, and (ii) all amounts for which City may be liable to third parties, by reason of Consultant's acts or omissions in performing or failing to perform Consultant's obligation under this Agreement. In the event that any claim is made by a third party, the amount or validity of which is disputed by Consultant, or any indebtedness shall exist which shall appear to be the basis for a claim of lien, City may withhold from any payment due, without liability for interest because of such withholding, an amount sufficient to cover such claim. The failure of City to exercise such right to deduct or to withhold shall not, however, affect the obligations of the Consultant to insure, indemnify, and protect City as elsewhere provided herein.

#### 7.4 Waiver.

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision or a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Consultant shall not constitute a waiver of any of the provisions of this Agreement. No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

#### 7.5 Rights and Remedies are Cumulative.

Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the parties are cumulative and the exercise by either party of

one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party.

7.6 Legal Action.

In addition to any other rights or remedies, either party may take legal action, in law or in equity, to cure, correct or remedy any default, to recover damages for any default, to compel specific performance of this Agreement, to obtain declaratory or injunctive relief, or to obtain any other remedy consistent with the purposes of this Agreement. Notwithstanding any contrary provision herein, Consultant shall file a statutory claim pursuant to Government Code Sections 905 et seq. and 910 et. seq., in order to pursue a legal action under this Agreement.

7.7 Termination Prior to Expiration of Term.

This Section shall govern any termination of this Contract except as specifically provided in the following Section for termination for cause. The City reserves the right to terminate this Contract at any time, with or without cause, upon thirty (30) days' written notice to Consultant, except that where termination is due to the fault of the Consultant, the period of notice may be such shorter time as may be determined by the Contract Officer. In addition, the Consultant reserves the right to terminate this Contract at any time, with or without cause, upon sixty (60) days' written notice to City, except that where termination is due to the fault of the City, the period of notice may be such shorter time as the Consultant may determine. Upon receipt of any notice of termination, Consultant shall immediately cease all services hereunder except such as may be specifically approved by the Contract Officer. Except where the Consultant has initiated termination, the Consultant shall be entitled to compensation for all services rendered prior to the effective date of the notice of termination and for any services authorized by the Contract Officer thereafter in accordance with the Schedule of Compensation or such as may be approved by the Contract Officer, except as provided in Section 7.3. In the event the Consultant has initiated termination, the Consultant shall be entitled to compensation only for the reasonable value of the work product actually produced hereunder. In the event of termination without cause pursuant to this Section, the terminating party need not provide the non-terminating party with the opportunity to cure pursuant to Section 7.2.

7.8 Termination for Default of Consultant.

If termination is due to the failure of the Consultant to fulfill its obligations under this Agreement, City may, after compliance with the provisions of Section 7.2, take over the work and prosecute the same to completion by contract or otherwise, and the Consultant shall be liable to the extent that the total cost for completion of the services required hereunder exceeds the compensation herein stipulated (provided that the City shall use reasonable efforts to mitigate such damages), and City may withhold any payments to the Consultant for the purpose of set-off or partial payment of the amounts owed the City as previously stated.

7.9 Attorneys' Fees.

If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees. Attorney's fees shall include attorney's fees on any appeal, and in addition a party entitled to attorney's fees shall be entitled to all other reasonable costs for

investigating such action, taking depositions and discovery and all other necessary costs the court allows which are incurred in such litigation. All such fees shall be deemed to have accrued on commencement of such action and shall be enforceable whether or not such action is prosecuted to judgment.

## **ARTICLE 8. CITY OFFICERS AND EMPLOYEES: NON-DISCRIMINATION**

### **8.1 Non-liability of City Officers and Employees.**

No officer or employee of the City shall be personally liable to the Consultant, or any successor in interest, in the event of any default or breach by the City or for any amount which may become due to the Consultant or to its successor, or for breach of any obligation of the terms of this Agreement.

### **8.2 Conflict of Interest.**

Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Consultant's performance of services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the express written consent of the Contract Officer. Consultant agrees to at all times avoid conflicts of interest or the appearance of any conflicts of interest with the interests of City in the performance of this Agreement.

No officer or employee of the City shall have any financial interest, direct or indirect, in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which effects his financial interest or the financial interest of any corporation, partnership or association in which he is, directly or indirectly, interested, in violation of any State statute or regulation. The Consultant warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement.

### **8.3 Covenant Against Discrimination.**

Consultant covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, gender, sexual orientation, marital status, national origin, ancestry, or other protected class in the performance of this Agreement. Consultant shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin, ancestry, or other protected class.

### **8.4 Unauthorized Aliens.**

Consultant hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Consultant so employ such unauthorized aliens for the performance of work and/or services covered by this Agreement, and should the any liability or sanctions be imposed against City for such use of unauthorized aliens,

Consultant hereby agrees to and shall reimburse City for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by City.

## **ARTICLE 9. MISCELLANEOUS PROVISIONS**

### 9.1 Notices.

Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail, in the case of the City, to the City Manager and to the attention of the Contract Officer, City of Banning, 99 East Ramsey Street Banning, California 92220 and in the case of the Consultant, to the person at the address designated on the execution page of this Agreement. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated at the time personally delivered or in seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

### 9.2 Interpretation.

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

### 9.3 Counterparts.

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

### 9.4 Integration; Amendment.

This Agreement including the attachments hereto is the entire, complete and exclusive expression of the understanding of the parties. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. No amendment to or modification of this Agreement shall be valid unless made in writing and approved by the Consultant and by the City Council. The parties agree that this requirement for written modifications cannot be waived and that any attempted waiver shall be void.

### 9.5 Severability.

In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

9.6 Corporate Authority.

The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound. This Agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the parties.

**[SIGNATURES ON FOLLOWING PAGE]**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first-above written.

CITY:  
CITY OF BANNING

\_\_\_\_\_  
Jim Smith, City Manager

ATTEST:

\_\_\_\_\_  
Marie A. Calderon, City Clerk

APPROVED AS TO FORM:  
ALESHIRE & WYNDER, LLP

\_\_\_\_\_  
David J. Aleshire, City Attorney

CONSULTANT:  
CASC Engineering and Consulting, a dba of  
AEI-CASC Engineering, Inc.

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Two signatures are required if a corporation.

NOTE: CONSULTANT'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO CONSULTANT'S BUSINESS ENTITY.

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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On \_\_\_\_\_, 201\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

<b>CAPACITY CLAIMED BY SIGNER</b>		<b>DESCRIPTION OF ATTACHED DOCUMENT</b>
<input type="checkbox"/>	INDIVIDUAL	_____
<input type="checkbox"/>	CORPORATE OFFICER	TITLE OR TYPE OF DOCUMENT
	_____	
	TITLE(S)	
<input type="checkbox"/>	PARTNER(S) <input type="checkbox"/> LIMITED	_____
	<input type="checkbox"/> GENERAL	NUMBER OF PAGES
<input type="checkbox"/>	ATTORNEY-IN-FACT	
<input type="checkbox"/>	TRUSTEE(S)	
<input type="checkbox"/>	GUARDIAN/CONSERVATOR	
<input type="checkbox"/>	OTHER _____	DATE OF DOCUMENT
	_____	
<b>SIGNER IS REPRESENTING:</b>		_____
(NAME OF PERSON(S) OR ENTITY(IES))		SIGNER(S) OTHER THAN NAMED ABOVE
_____		
_____		

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On \_\_\_\_\_, 201\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

<b>CAPACITY CLAIMED BY SIGNER</b>		<b>DESCRIPTION OF ATTACHED DOCUMENT</b>
<input type="checkbox"/>	INDIVIDUAL	_____
<input type="checkbox"/>	CORPORATE OFFICER	TITLE OR TYPE OF DOCUMENT
	_____	
	TITLE(S)	
<input type="checkbox"/>	PARTNER(S) <input type="checkbox"/> LIMITED	_____
	<input type="checkbox"/> GENERAL	NUMBER OF PAGES
<input type="checkbox"/>	ATTORNEY-IN-FACT	
<input type="checkbox"/>	TRUSTEE(S)	
<input type="checkbox"/>	GUARDIAN/CONSERVATOR	_____
<input type="checkbox"/>	OTHER _____	DATE OF DOCUMENT
	_____	

**SIGNER IS REPRESENTING:**  
 (NAME OF PERSON(S) OR ENTITY(IES))  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 SIGNER(S) OTHER THAN NAMED ABOVE

**EXHIBIT "A"**

**SCOPE OF SERVICES**

- I. Consultant will perform the services set forth in Exhibit A-1**
- II. All work product is subject to review and acceptance by the City, and must be revised by the Consultant without additional charge to the City until found satisfactory and accepted by City.**

## Exhibit A-1



CITY OF BANNING COMMUNITY DEVELOPMENT DEPARTMENT  
Initial Study and Environmental Documents for Robertson's Mine  
Reclamation Plan for Compliance with State Mining and  
Reclamation Act (SMARA)

### PROJECT APPROACH

#### TASK I: PROJECT INTRODUCTION AND ACTION PLAN

Upon award of the contract to provide Initial Study (IS) preparation and environmental document services to the City of Banning ("City"), the Consultant team – lead by CASC's Planning Director Adam Rush – will reach out to the City's Project Manager to schedule a meeting with the appropriate City staff. The purpose of this outreach meeting is to engage a project "Kick-Off" meeting; with the primary goal being an in-depth discussion regarding the project objectives, deliverables, expectation, and timelines of *both* City staff and the project applicant (RRM Properties, Ltd.). Subsequent from the "Kick-Off" meeting, CASC will prepare and deliver an *Action Plan* to the City's Project Manager that summarizes the goals and objectives communicated through the "Kick-Off" meeting and expressed by City staff and the applicant, as appropriate. In addition, the list of objectives below will provide a detailed outline as to the Consultant Team's qualifications, methodology approach, deliverables, timelines and Quality Assurance/Quality Control (Q.A./Q.C.) procedures. These objectives are associated with the preparation of an Initial Study and associated environmental documentation regarding the Robertson's mining and revised reclamation plans.

#### TASK II: REVIEW OF PROJECT MATERIALS

CASC and G3 Soil Works will review the City's existing and proposed project materials related to the Robertson's Mine and Reclamation Plan (both existing and proposed as-built plans). The purpose of this review is to familiarize our CEQA and technical experts with the information contained within the project scope, including but not limited to the review of grading and drainage criteria, land use compatibility, edge conditions, environmental constraints, and requirements of the City of Banning as they related to the existing and proposed project. The Consultant Team will then deliver a *Project Summary* and *Technical Memo* from our review of the project materials based upon the qualifications held within the Consultant Team, as well as, requesting additional information and/or clarification regarding the materials received from the City and as necessary. This task will be completed in accordance with the Project Schedule (included within Section 6) and will commence immediately after the conclusion of the Project "Kick-Off" meeting as described above in Task I.

#### TASK III: PREPARATION OF TECHNICAL REPORTS

Based upon the Consultant Team's understanding of the project (based in large part to Task I and Task II as described above) and research associated with the City's Request for Proposal, CASC proposes to conduct a series of technical studies to support the preparation of an Initial Study and associated Environmental Document for the Robertson's project as identified within the City's RFP. The Consultant Team brings extensive knowledge and experience in the area of *both* Surface Mining Plans (SMP) and Reclamation Plans (RCL) within Riverside County. For example, the CASC team brings experience from *Mission Clay Products* and the *Serrano Specific Plan* located in the unincorporated community of Temescal Canyon (South Corona area) as well as the Dos Lagos development (City of Corona) which resulted from a reclaimed Surface Mining Operation and was redeveloped into a retail mall and downtown center for the South Corona community. Furthermore, the Consultant Team brings over 7 decades of CEQA practice and implementation, specifically within Riverside County and moreover on similarly scoped projects. An example of such projects include the *Serrano Specific Plan* as referenced above, several projects for Orco Block within western Riverside County, project review, project management, CEQA implementation, and regulatory negotiation with the California Construction and Industrial Materials Association (CalCIMA). Based upon the team's level of experience, qualifications, and dedication to the CEQA practice and SMARA regulations, the City of Banning proposes to engage the following technical reports as an effective step to complete the requested Initial Study and associated environmental documentation. In order to complete these Technical Reports in both a timely and cost effective manner, CASC has teamed with three highly qualified and specialized firms in the applicable areas of SMARA and Geology, Air Quality, Greenhouse Gas Emissions, Traffic, and compliance with the County of Riverside's Multi-Species Habitat Conservation Plan (MSHCP). These firms possess the knowledge and skill within the mining and reclamation industry, as well as experience in the preparation of Initial Studies associated with similar land uses.



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The following table provides a single-view to Identifying the subconsultants include:

CONSULTANT	APPLICABLE ACTS	REQUIREMENTS	CONTACT	ADDRESS
G3 Soilworks	SMARA	Geology/SMARA Compliance	Richard Spindler	350 Fischer Avenue Costa Mesa, CA 92626 (714) 668-5600 rspindler@g3soilworks.com
Urban Crossroads	Traffic, Air GHG	Traffic Impact Study, Air Quality Impact Study; Greenhouse Gas Emissions Inventory	Rachel Duff	3820 Indiana Avenue Suite 240 Riverside, CA 92506 (951) 682-8420 rduff@urbanxroads.com
VCS Environmental	MSHCP/Biology	General MSHCP Compliance Investigation and Report	Ashley McCoy	39000 Rancho Viejo Road, San Juan Capistrano, CA 92675 (949) 218-4252 amccoy@vcsenvironmental.com

Based upon the experience of our Consultant Team, the technical reports referenced above are critical to ensure adequate documentation with the California Environmental Quality Act (CEQA) and the Surface Mining and Reclamation Act (SMARA). The necessary technical reports will be Initiated immediately after *Task II: Review of Project Materials* and completed in accordance with the project schedule (see Page 30).

**TASK IV: PREPARATION OF DRAFT INITIAL STUDY**

Under this task The Consultant Team will prepare the *Draft Initial Study*, to be reviewed and considered in conjunction with the City's development proposal and supported by the Technical Reports completed through *Task III: Preparation of Technical Reports*. This Phase will serve as the City's screen check document for internal review purposes and will include technical appendices of all associated reports used to substantiate the findings, conclusions, and recommended mitigation measures in the Initial Study. Included herein, the following subtasks will be completed:

**Subtask IV.1: Develop the Environmental Setting:**

Utilizing the project materials available and reviewed under Task II, CASC will prepare the *existing environmental setting* for each of the issues being evaluated in the IS, utilizing the technical studies provided through Task III (as identified above) and data gathered independently for the remaining issues. As noted above, our assumption is that the environmental issues/impacts listed above will require original data to be generated as part of technical studies before they can be fully addressed in the IS/MND.

**Subtask IV.2: Prepare the Environmental Impact Evaluation:**

The Consultant Team will utilize the data from the project description and first subtask to forecast potential environmental impacts resulting from the proposed project. The impact forecast will be as specific as possible for the proposed project and affected environment. Mitigation measures will be identified, as appropriate, for each environmental issue as required by CEQA, SMARA and the City's rules and regulations to implement both CEQA and SMARA as appropriate. The impact evaluation format used is as follows: *Source Evaluation; Findings of Fact; Mitigation Measures; Monitoring.*

**Subtask IV.3: Prepare All Remaining IS/MND Sections:**

The CEQA mandated sections (Alternatives, Growth Inducement, Cumulative Effects, lists of contacts and persons consulted, General Plan Consistency, and sources referenced) will be provided under this subtask. In addition, a Mitigation Monitoring and Reporting Plan (MMRP) will be developed under Task VIII; however, if the City wishes to include the MMRP in the Draft Initial Study for review (as part of Task IV), this can be easily accommodated at no additional cost to the City.

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At the completion of *City's Draft Initial Study*, CASC will provide 3 hard copies to the City for review along with a Microsoft Word and PDF version for the City's records and manipulation if necessary. The Draft Initial Study will be provided to the City in accordance with the project schedule, attached herein under Section VI).

**TASK V: CIRCULATION FOR CITY INTERNAL REVIEW AND COLLECTION OF COMMENTS**

Upon conclusion of the City's review, CASC will facilitate a secure website (FTP site) wherein all internal City comments can easily be uploaded to this site. This method will minimize costs in travel and postage expenses; however, will not preclude more traditional methods of document transmittal. The City will have secured (i.e., password protected access) to this site and will be able to upload comments from all internal and external City agencies and departments as they arrive. This FTP site will allow the City's Project Team to collaborate seamlessly through this electronic portal on comments that arrive from the various departments and agencies (e.g. Fire Department, County Flood Control, Building and Safety, Geology, Public Works, etc.). Each comment submitted – In writing – on the Draft Initial Study will be cataloged, prioritized and responded to by the appropriate member of the Consultant Team. These comments will be promptly addressed in the City's Final Draft Initial Study and will be compiled, printed and submitted to the City for review and approval prior to public distribution (likely in conjunction with the City's development project proposed by Robertson's). CASC will coordinate with the appropriate City agencies to ensure that the Final Draft Initial Study is appropriately located, advertised, published, and made available (including all applicable technical appendices and environmental supporting documents) concurrent with the City's public hearing processes and in accordance with the mandatory public review period required by the CEQA Statutes and Guidelines and SMARA.

**TASK VI: ASSISTANCE WITH IS/MND PUBLIC COMMENTS**

Following completion of the Initial Study public review period (as required by CEQA and SMARA), CASC will collect all written comments received and distribute the appropriate technical staff to review and respond as necessary and required by the CEQA Statutes and Guidelines, SMARA, and the City's rules and regulatory procedures acting in the capacity of a Lead Agency. Mr. Rush will coordinate directly with City staff to ensure all public comments are adequately recorded, itemized and responded in a manner that preserves the integrity of the Administrative record. Furthermore, CASC will respond to the public comments in the format preferred by the City, but recommends a page-by-page format where the comment letter and the applicable responses are side-by-side to ensure the information is concisely and transparently conveyed to City staff and the public at-large. The comments and responses will be incorporated into the Final Initial Study and associated Environmental Documentation presented to the City's Planning Commission (and City Council if necessary) during the applicable public hearings.

**TASK VII: MEETING ATTENDANCE AND COORDINATION**

CASC will attend all meetings and public hearings, as requested by the City, for the successful completion of the environmental documentation as specified herein. The Consultant Team anticipates forty (40) collective hours of participation in *both* internal and external meetings and coordination time (including a maximum of two (2) City Planning Commission Public Hearings which includes preparation and travel time), to ensure adequate representation of the project and support of environmental findings and related technical studies.

**TASK VIII: PREPARATION OF THE MMRP**

CASC will develop the Mitigation and Monitoring Reporting Matrix (MMRP) from the *staff approved* Final Initial Study Draft. For each section analyzed through the environmental setting and impact analysis, the proposed mitigation measures will be identified and correlated to an appropriate implementation phase of the project. In addition, the applicable agencies and/or department(s) will be identified to implement and enforce the mitigation if necessary through the project compliance and implementation of the MMRP. Based upon the Consultant Team's experience in the preparation and collaboration of CEQA documents broadly and surface mining operations specifically, the Consultant Team completely understands that each identified mitigation measure, whether it be a standard or unique mitigation measure, may require several jurisdictional entities to review, implement, and enforce such the necessary environmental controls, permits, and mitigation measures throughout the life of the project. As such, the Consultant Team highly recommends integrating the results of the MMRP within the project Conditions of

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Approval (COAs) to ensure the highest level of certainty to implement the MMRP. For example, the project (if approved) requires compliance with SMARA, introducing review by the California State Board of Mining and Reclamation and possibly the State Department of Conservation. CASC will work closely with the City to identify the appropriate entities, agencies, and departments to ensure that the environmental mitigation and implementation measures are completed in an efficient, cost effective, and legally defensible manner along with an emphasis on consistent implementation by City staff.

**TASK IX: DELIVERABLES**

- All Technical Reports (Phase I Environmental Site Assessment, Comprehensive Geological Investigation, Report, Air Quality Impact Analysis, Noise Impact Analysis, Greenhouse Gases (GHG) Emissions Analysis, Traffic Impact Study, Cultural Resources Report, and a Multi-Species Habitat Conservation). All Technical Reports will be provided in an electronic format (including both *WORD* and *PDF* formats) or as directed by City staff. Given the anticipated volume of these documents, hard copies are available for both internal and external review by request of City Staff. Request for hard copies from external entities, such as *Special Districts; Trustee, Responsible or Interested Parties; or members of the public* will be coordinate with City staff prior to distribution.
- Draft Initial Study; Final Initial Study Draft; Technical Appendices (including the items referenced above); and Draft and Final MMRP. All documents will be provided in both a hard copy format (3 copies of each); in an electronic copy (including both *WORD* and *PDF* formats) or as directed by City staff.
- A *Complete Reference Appendix* that identifies all applicable source materials and available references utilized in the drafting and completion of the Initial Study, the MMRP and the Technical Appendices. This reference document will incorporate the technical, legal, regulatory and scientific documentation used to support the Initial Study, MMRP and its associated environmental and Technical components in an understandable and efficient format for public review. The *Complete Reference Appendix* will be provided in both a hard copy format (3 copies of each); in an electronic copy (including both *WORD* and *PDF* formats) or as directed by City staff.
- A *Public Comment Reference Appendix* will be provided to City staff. This appendix will incorporate all written comments received during the required environmental review period provided for the Final Draft Initial Study. In addition, and at the direction of the City, CASC will also incorporate all comments provided during the public hearing proceedings associated with the development application (e.g., CUP for Robertson's mine expansion).

**TASK X: PROJECT SCHEDULE**  
**SEE PAGE 30**

**DETAILED PROJECT APPROACH (SUBCONSULTANTS):**



**G3 SOILWORKS**

**PROJECT UNDERSTANDING / SETTING**

The site is located along the southern flank of the San Bernardino Mountains on a gently inclined alluvial fan associated with the San Gorgonio River which lies to the north. Due to the available mineral resources of this region, the area has been mined for rock, sand, and gravel since the 1920s. Situated in the northeast portion of the City of Banning, the current Robertson's Mine consists of approximately 186 acres and lies within an Industrial Mineral Resources zone. On the northwest portion of the mine are 17 acres which lie within a Low Density Residential zone and which have been encompassed within the "open pit" mine excavation area. Based on the provided documents and our discussions, we understand that the focus of this study is this 17-acre area. This parcel is bordered on the south by Replifier Road, to the east along the northward extension of Hargrave Street within the mining area, on the west by Florida Street and its northward extension into undeveloped land, and on the north by the San Gorgonio River bank. Adjacent to nearby housing, associated roads, and undeveloped setback areas, steeply inclined mining excavation slopes descend from the northern, western and southern boundary areas; while the former east boundary is now within the open excavations of the mine. It is understood the City of Banning is looking to have an Initial Study and environmental document prepared for the Robertson's Mine with a new Reclamation Plan for compliance with SMARA.

**PROPOSED SCOPE OF WORK AND ASSOCIATED COSTS**

The scope of work presented in this proposal is geared at providing key engineering geologic and related input, in particular, for the evaluation and addressing of SMARA / County / City compliance issues – for the development of an overall "Initial Study" CEQA package. To accomplish this overall goal, we have subdivided into the three requested technical tasks: 1. Geology / Soils; 2. Hazards and Hazardous Materials; and 3. Mineral Resources. As part of this proposal, we have included an additional scope of work to perform a geological investigation for the subject site.

As each of the following tasks is presented as a "stand alone" estimate, there is repetition of the indicated scope of work items. Should more than one of the tasks be awarded to G3SoilWorks, we will revise our scope and costs accordingly.

a. **Geology / Soils**

As described above, the principle purpose of the overall work is to prepare an Initial Study and environmental document package for the Robertson's Mine's new Reclamation Plan for compliance with SMARA. The first major step in developing defensible engineering geologic / SMARA compliance input is to evaluate and characterize the history of and conditions surrounding the subject mine and the vicinity.

b. **Environmental Site Assessment (ESA)**

Hand-in-hand with the engineering geologic characterization and contexting is an evaluation of the "legacy" history of the mine and its vicinity. Also, in accordance with CEQA is the need to address pertinent environmental related conditions and hazards / risks. These factors may be addressed by a comprehensive ESA hand-in-hand with the evaluation of engineering geologic conditions. The scope of work and associated costs for the environmental site assessment of this site is presented below.

c. **Mineral Resources Assessment**

As another requirement of CEQA, an evaluation for potential mineral resources / reserves of the subject site and near vicinity will be needed. This work is best performed using the Geology / Soils and Environmental Site Assessment findings and research as a foundation.

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d. Geological Investigation (Relative to the Subject "1.7-acre" Area)

Plans showing all underground utilities onsite (private and public) should be provided to us prior to our field exploration. The proposed excavation locations will be pre-marked in the field and Underground Alert Services notified prior to our excavations. G3SoilWorks will not be held responsible for any damage to unmarked utilities. Please refer to the "Limitations to Scope of Work" section of this report for more detailed information regarding the limits and other considerations of our proposed work.

**VCS ENVIRONMENTAL**



The biotech report will be prepared consistent with CEQA guidelines and could also be used for regulatory permitting, if needed. There is potential for avoiding regulatory permits, assuming jurisdictional resources are not present on the site. Since the project is within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), the project will also require a Consistency Determination Report and Determination of Biologically Equivalent or Superior Preservation (DBESP), which will need to be approved by the City and Riverside Conservation Authority (RCA). According to preliminary checks through the California Natural Diversity Database (CNDDB) and MSHCP, VCS assumes the project area does not fall within Critical Habitat or a Criteria Cell and does not contain any species requiring focus surveys. The following is our recommended scope of work and proposed budget:

- Prepare Biotech Report including conduct jurisdiction delineation. Includes field database review, species tables, report, and production/submittal.
- Prepare MSHCP Consistency Determination Report and DBESP and process through.
- Attend meetings and conference calls with the project team.

**URBAN CROSSROADS**



The following scope of work represent the services necessary to complete this *Noise Analysis*:

- Existing Conditions
- Off-Site Traffic Noise Analysis
- Operational Noise Analysis
- Noise Study

*The following scope of work and associated professional fees represent the services necessary to complete this Traffic Analysis:*

- Access Evaluation
- Scoping Agreement Process
  - Per Riverside County traffic study guidelines, the project traffic study must be formally discussed with jurisdiction staff prior to initiation of the draft traffic study. The purpose of this coordination is to ensure that input from the lead jurisdiction is obtained early in the process.
- Traffic Counts and Existing Roadway Conditions Inventory
- Cumulative Growth (Interim Year) Future Traffic Projections
- Intersection Operations Analysis
- Traffic Study Report

*The following scope of work serves to meet the SCAQMD's and County of Riverside's requirements for preparation of a CEQA Air Quality, Climate Change, and Health Risk Assessment Analysis:*

- Air Quality Report
- Greenhouse Gas Analysis
- Health Risk Assessment (HRA)

**EXHIBIT "B"**

**SPECIAL REQUIREMENTS  
(Superseding Contract Boilerplate)**

The following paragraph is added to Section 1.3 to read as follows:

"It is Consultant's obligation to prepare deliverables that are sufficient for compliance with CEQA based on the information available to Consultant at the time Task 1 commences. Should any deliverable be determined insufficient for compliance with CEQA in the opinion of the City Attorney, Consultant shall revise or recreate such deliverables at no additional cost to the City until determined sufficient for compliance with CEQA by the City Attorney. Determinations of sufficiency by the City Attorney shall not be unreasonably withheld."

**EXHIBIT "C"**

**SCHEDULE OF COMPENSATION**

- I. Consultant shall perform the tasks set forth in Exhibit "C-1" at the rates set forth therein.**
- II. A retention of ten percent (10%) shall be held from each payment as a contract retention to be paid as part of the final payment upon satisfactory completion of services.**
- III. Within the budgeted amounts for each Task, and with the approval of the Contract Officer, funds may be shifted from one Task sub budget to another so long as the Contract Sum is not exceeded per Section 2.1, unless Additional Services are approved per Section 1.8.**
- IV. The City will compensate Consultant for the Services performed upon submission of a valid invoice. Each invoice is to include:**
  - A. Line items for all personnel describing the work performed, the number of hours worked, and the hourly rate.**
  - B. Line items for all materials and equipment properly charged to the Services.**
  - C. Line items for all other approved reimbursable expenses claimed, with supporting documentation.**
  - D. Line items for all approved subcontractor labor, supplies, equipment, materials, and travel properly charged to the Services.**
- V. The total compensation for the Services shall not exceed the Contract Sum as provided in Section 2.1 of this Agreement.**
- VI. The Consultant's billing rates for all personnel are attached as Exhibit C-2.**

# Exhibit C-1



1470 East Cooley Drive  
 Colton, CA 92324  
 Office: (855) 383-0101 ext. 5570  
 Fax: 909.783.0108

## PREPARATION OF ENVIRONMENTAL IMPACT REPORT

TASK I	TASK II	TASK III	TASK IV	TASK V	TASK VI
Project Introduction and Action Plan	Review of Existing Project Materials	Preparation of Technical Reports	Preparation of Draft Initial Study	Circulation of Draft IS for City's Review and Comment	Publication of Notice of Preparation (NOP)
CASC	CASC	CASC	CASC	CASC	CASC
\$850.00	\$1,700.00	\$1,500.00	\$3,750.00	\$750.00	\$1,250.00
63 Soil Works	63 Soil Works	63 Soil Works	63 Soil Works	63 Soil Works	63 Soil Works
\$750.00	\$900.00	\$49,760.00	\$1,400.00	\$0.00	\$0.00
VCS Environmental	VCS Environmental	VCS Environmental	VCS Environmental	VCS Environmental	VCS Environmental
\$950.00	\$950.00	\$32,830.00	\$1,900.00	\$0.00	\$0.00
Urban Crossroads	Urban Crossroads	Urban Crossroads	Urban Crossroads	Urban Crossroads	Urban Crossroads
\$350.00	\$600.00	\$50,800.00	\$1,200.00	\$0.00	\$0.00
Subtotal #1:	\$4,150.00	\$134,890.00	\$8,250.00	\$750.00	\$1,250.00
TASK VII	TASK VIII	TASK IX	TASK X	TASK XI	TASK XII
Prepare Administrative DEIR*	Internal DEIR Circulation	Respond to City's DEIR Comments	Publish DEIR/NOI	Respond to NOC Comments	Publish Final EIR
CASC	CASC	CASC	CASC	CASC	CASC
\$7,650.00	\$4,200.00	\$1,250.00	\$2,700.00***	\$2,250.00	\$1,250.00
63 Soil Works	63 Soil Works	63 Soil Works	63 Soil Works	63 Soil Works	63 Soil Works
\$4,500.00	\$0.00	\$900.00	\$0.00	\$1,800.00	\$0.00
VCS Environmental	VCS Environmental	VCS Environmental	VCS Environmental	VCS Environmental	VCS Environmental
\$2,850.00	\$0.00	\$1,900.00	\$0.00	\$1,900.00	\$0.00
Urban Crossroads	Urban Crossroads	Urban Crossroads	Urban Crossroads	Urban Crossroads	Urban Crossroads
\$1,800.00	\$0.00	\$600.00	\$0.00	\$1,200.00	\$0.00
Subtotal #2:	\$16,800.00	\$4,200.00	\$2,700.00	\$7,350.00	\$1,250.00
*CASC will incorporate the minimum standards for EIR per the State CEQA Guidelines (Public & Section 25200 - 25237). Additional charges, based upon the NOP comments and/or City input, are not incorporated herein as they are unknown.					
**If the City desires that copies of the EIR, CASC anticipates approximately \$2,500.00 in printing and reproduction costs. These costs would not be incurred with a strictly digital distribution.					
***CASC assumes approximately \$2,000.00 allocated for printing and reproduction costs, which can be mitigated with a strictly digital distribution.					
Total:					\$188,940.00

## Exhibit C-2



CASC ENGINEERING AND CONSULTING  
a dba of AEI-CASC Engineering, Inc.

### RATE SCHEDULE January 1, 2014 – December 31, 2014

<u><b>Civil Engineering</b></u>			<u><b>Planning</b></u>		
President/Principal Engineer	\$180.00		Planning Director	\$170.00	
Director	\$170.00		Senior Program Manager/Technical Specialist	\$165.00	
Senior Program Manager/Technical Specialist	\$165.00		Senior Project Manager - Planning	\$150.00	
Program Manager	\$155.00		Project Manager - Planning	\$135.00	
Project Manager/Senior Engineer III	\$150.00		Senior Planner II	\$125.00	
Project Manager/Senior Engineer II	\$145.00		Senior Planner I	\$115.00	
Project Manager/Senior Engineer I	\$140.00		Planner II	\$105.00	
Assistant Project Manager	\$135.00		Planner I	\$95.00	
Project Engineer	\$130.00		Graphic Artist	\$85.00	
Senior Designer II	\$125.00		Associate Planner	\$75.00	
Senior Designer I	\$120.00		Planning Aide	\$65.00	
Design Engineer II	\$115.00				
Design Engineer I	\$110.00		<u><b>Landscape Architecture</b></u>		
Designer II	\$105.00		Licensed Landscape Architect	\$145.00	
Designer I	\$100.00		Senior Landscape Designer	\$125.00	
CADD Drafter II	\$90.00		Associate Landscape Designer	\$110.00	
CADD Drafter I	\$85.00		Assistant Landscape Designer	\$95.00	
Technical Aide	\$75.00		Landscape CADD Drafter	\$80.00	
<u><b>Environmental/Water Quality Services</b></u>			<u><b>Construction Management</b></u>		
Director	\$170.00		Resident Engineer	\$145.00	
Senior Program Manager/Technical Specialist	\$165.00		Assistant Resident Engineer	\$130.00	
Program Manager	\$155.00		Field Inspector III	\$115.00	
Project Manager/Technical Specialist	\$150.00		Field Inspector II	\$100.00	
Senior Environmental Analyst/Scientist III	\$145.00		Field Inspector I	\$95.00	
Senior Environmental Analyst/Scientist II	\$140.00				
Senior Environmental Analyst/Scientist I	\$135.00		<u><b>Surveying and Mapping</b></u>		
Environmental Analyst/Scientist III	\$130.00		Licensed Surveyor/Director	\$170.00	
Environmental Analyst/Scientist II	\$125.00		Senior Survey Project Manager	\$145.00	
Environmental Analyst/Scientist I	\$120.00		Senior Survey Analyst	\$135.00	
Staff Analyst/Scientist II	\$105.00		Senior Calculator	\$125.00	
Staff Analyst/Scientist I	\$95.00		Calculator II	\$115.00	
Staff Assistant II	\$85.00		Calculator I	\$105.00	
Staff Assistant I	\$75.00		Survey Analyst II	\$95.00	
			Survey Analyst I	\$85.00	
			Technical Aide	\$75.00	
<u><b>Clerical</b></u>			<u><b>Field Survey Crews</b></u>		
Project Coordinator/Clerical III	\$80.00		Three Person Survey/GPS Crew	\$265.00	
Project Coordinator/Clerical II	\$75.00		Two Person Survey/GPS Crew	\$240.00	
Project Coordinator/Clerical I	\$70.00		One Person Survey/GPS Crew	\$210.00	
Project Assistant	\$65.00				

Litigation Support and Expert Witness shall be at 2.0 times the above noted hourly rates.

#### REIMBURSABLE EXPENSES

The following expenses will be billed at cost plus 15% unless otherwise noted:

**Outside Services:** Includes fees paid to sub-consultants, consultants, analytical laboratories, and other providers of services required for execution of the project.

**Permits, Applications, and Fees:** Includes fees for Notices of Intent (NOI), Notices of Termination (NOT), application fees, submittal fees, permit fees, and other fees required as part of the project and not paid directly by Client.

**Reproduction Services:** Includes blueprinting, copying, printing and plotting. In-house plots will be billed at \$6.00 per sheet for each client set and for a final in-house review set. B&W / Color copies: \$0.08 / \$0.90 for 8.5 X 11 and \$0.20 / \$1.20 for 11 X 17.

**Rental Fees:** Includes rental fees paid by the firm, including required vehicles, equipment, and tools required to complete the work.

**Commercial Delivery Services:** Including Express Mail, Federal Express, UPS and Independent courier services.

**In-House Pick-Up and Delivery Services:** When provided by the firm, these services will be billed at \$48.00 per hour plus \$0.66 per mile round trip, with no additional markup.

**Travel Expenses:** Includes travel expenses incidental to performance of the work, including airfare, parking, tolls, taxi, lodging, and etc. Vehicle mileage will be billed at a rate of \$0.66 per mile with no additional markup. Travel time for professional and administrative staff will be billed per the hourly fee rate schedule with no additional markup and survey crews will be billed at \$50 per hour, per 2 man crew.

**Per Diem:** Per diem for meals for overnight stays will be billed at \$40 per day, per person.

**Prevailing Wage:** Projects and/or portions thereof designated by Client to be subject to Prevailing Wage shall be billed at the regular staff rate or the Prevailing Wage rate, whichever is higher. The Prevailing Wage rate shall be (2.28) X (Total Hourly Rate), where the Total Hourly Rate is from the Wage Rate Determination Issued by California's Director of Industrial Relations for the locality and employee classification at the time the work is performed.

**Waiver of Subrogation:** When a Waiver of Subrogation for Workman's Compensation Insurance is required by the Client, the Client will be required to pay the additional insurance premium. The approximate amount for the waiver is \$250 per year.

## SUBCONSULTANTS RATES



### EXHIBIT A

#### BILLING RATES FOR URBAN CROSSROADS, INC.

<u>Position</u>	<u>Hourly Rates</u>
Principal	\$175 - 225
Associate Principal	\$145 - 180
Senior Associate	\$120 - 165
Associate	\$100 - 135
Senior Analyst	\$85 - 120
Analyst	\$70 - 105
Assistant Analyst	\$50 - 85
Senior Technician	\$55 - 90
Technician	\$45 - 80
Assistant Technician	\$35 - 70
Administrative Manager	\$75 - 110
Administrative Supervisor	\$60 - 95
Administrative Assistant	\$45 - 80

#### General

- (1) Reimbursable direct costs, such as reproduction, supplies, messenger service, long-distance telephone calls, travel, and traffic counts will be billed at cost plus ten (10) percent.
- (2) Hourly rates apply to work time, travel time, and time spent at public hearings and meetings. For overtime work, the above rates may be increased 50 percent.
- (3) Client payment for professional services is not contingent upon the client receiving payment from other parties.
- (4) Billing statements for work will be submitted monthly. Statements are payable within thirty (30) days of the receipt by client of statement. Any statement unpaid after thirty (30) days shall be subject to interest at the maximum permitted by law.



## G3SoilWorks, Inc.

### FEE SCHEDULE (October 2014)

The following presents our rates for professional services. Hours for professional and technical services are charged portal-to-portal from our office. Services during construction, such as testing and observation of grading, may require both professional and technical services. Depending on the scope and duration of the construction project, budgets can be furnished upon request. Note that (\*) field services include a 4 hour minimum and (\*\*) deposition services include a 2 hour minimum unless negotiated in advance. Time over 8 hours per day and Saturdays will be charged at a rate of 1.75. Sundays and Holidays will be charged at a rate of 2 times regular rate, unless otherwise negotiated.

#### TECHNICAL SERVICES

Principal -- Specialty Scientist	\$ 280 / hour	Drafting/Graphics	\$ 65 / hour
Principal Engineer/Geologist	\$ 180 / hour	Data Entry/Clerical	\$ 45 / hour
Senior Engineer/Geologist	\$ 140 / hour	Laboratory Technician	\$ 75 / hour
Project Engineer/Geologist	\$ 120 / hour	Litigation	
Staff Engineer/Geologist	\$ 100 / hour	Specialized Court	
Engineer/Geology Assistant	\$ 65 / hour	Services	\$ 350-550 / hour (**)
Soil Technician	\$ 75 / hour (*)	Deposition	\$ 550 / hour (**)
Geo Assistant	\$ 50 / hour	Expert Witness	\$ 750 / hour (in Trial)

#### EQUIPMENT AND INCIDENTAL EXPENSES

Field Vehicle	\$ 10 / hour	Hand-driven sampler equipment	\$ 100 / day
Nuclear Gauge	\$ 7 / hour	Manometer Level	\$ 50 / day
Report and Map Reproduction		Digital Water Level Recorder	\$ 50 / day
(B/W, Color, Photo Gloss)	Per Market	Crack Monitor	\$ 25 / per unit
GPS Unit	\$ 10 / hour	Onsite Water Probe Testing	\$ 100 / day
Slab Moisture Meter	\$ 50 / day	Generator	\$ 50 / day

#### FIELD TESTS

Plate bearing load tests, pile load tests, geophysical tests, piezometer installations, slope inclinometer installations, and other special tests will be charged at standard engineering and personnel rates, plus cost of special equipment.

#### LABORATORY TESTS

Unified Soil Classification	\$ 10	Max. Density/Dpl. Moisture (ASTM D1557)	\$ 150
Moisture Content/Dry Density	\$ 35	Max. Density - California 216	Per Quote
Moisture Content only	\$ 20	Direct Shear Test (Ultimate/Undisturbed)	\$ 150
Grain Size (Partial Sieve & Hydrol)	\$ 150	Direct Shear Test (Ultimate/Remolded)	\$ 225
Grain Size (Sieve Analysis)	\$ 100	Direct Shear Test (Residual/Undisturbed)	\$ 250
Grain Size (% sand, silt, clay)	\$ 60	Triaxial Shear Test (UU, CU, CD)	Per Quote
Grain Size (Minus #200 US Sieve)	\$ 50	Special Sample Preparation (Rock Coring)	T & M
Atterberg Limits	\$	Consolidation:	
130		Without Time-rate (Undisturbed)	\$ 150
Sand Equivalent	\$ 90	Without Time-rate (Remolded)	\$ 175
Soil Expansion (UBC 18-2)	\$ 125	With Time-rate, additional charge per load	\$ 50
Load -- Swell	\$ 125	Value	\$ 250
Soil Sulfate	\$ 65	Other Special Tests	Per Quote
Corrosivity (So <sub>4</sub> , Cl, pH, Resist.)	Cost + 20%		



**VCS Environmental 2014 Rate Schedule**

**REQUIRED TASKS\***

**1. Biotech Report and Jurisdictional Delineation**

Staff	Hours	Rate	Cost
JVB	2	\$ 225	\$ 450
EH	48	\$ 190	\$ 9,120
WC	2	\$ 180	\$ 360
BB	33	\$ 150	\$ 4,950
			<b>\$ 14,880</b>

**2. MSHCP Consistency Report and DBESP**

Staff	Hours	Rate	Cost
JVB	2	\$ 225	\$ 450
WC	65	\$ 180	\$ 11,700
BB	9	\$ 150	\$ 1,350
			<b>\$ 13,500</b>

**3. Meetings and Calls with Project Team**

Staff	Hours	Rate	Cost
JVB	2	\$ 225	\$ 2,150
WC	15	\$ 180	\$ 1,800
			<b>\$ 3,950</b>

**4. Reimbursable Expenses** \$ 500

**Total (Required Tasks) \$ 32,830**

**OPTIONAL TASK\***

**Regulatory Permitting** \$ 13,500

**Permitting Coordination with Agencies**

Staff	Hours	Rate	Cost
JVB	2	\$ 225	\$ 450
WC	40	\$ 180	\$ 7,200
			<b>\$ 7,650</b>

**Mitigation Credits and Mitigation Bank** \$ 2,080

**Total (Optional Task) \$ 23,230**

**\*Notes/Assumptions:**

1. No Critical Habitat is located within project area.
2. The project area does not fall within any Criteria Cells.
3. No CNDDDB-listed species in project area.
4. No jurisdictional resources within project area.

**EXHIBIT "D"**

**SCHEDULE OF PERFORMANCE**

- I. Consultant shall perform all Services timely in accordance with the schedule in Exhibit "D-1".**
- II. The Contract Officer may approve extensions for performance of the services in accordance with Section 3.2.**

# Exhibit D-1

## PROJECT SCHEDULE

ID	Task Mode	Task Name	Duration	Start	Finish	October	November	December	January	February	March	April	May	June	July
1	☑	Task I: Project Introduction and Action Plan	7 days	Wed 12/30/14	Thu 12/18/14										
2	☑	Task II: Review of Project Materials	10 days	Mon 12/22/14	Fri 1/2/15										
3	☑	Task III: Preparation of Technical Reports	30 days	Mon 1/5/15	Fri 2/13/15										
4	☑	Task IV: Preparation of Draft Initial Study	45 days	Mon 2/16/15	Fri 4/17/15										
5	☑	Task V: Circulation for City Internal Review and Collection of Comments	30 days	Mon 4/20/15	Fri 5/29/15										
6	☑	Task VI: Assistance with IS Public Comments	2.5 days	Mon 6/1/15	Fri 7/3/15										
7	☑	Task VII: Meeting Attendance and Coordination	14 days	Fri 7/3/15	Wed 7/22/15										
8	☑	Task VIII: Preparation of the MMRP	10 days	Mon 7/6/15	Fri 7/17/15										
9	☑	Task IX: Deliverables	5 days	Mon 7/20/15	Fri 7/24/15										

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# **Attachment 3**

**Request for Proposals**



# City of Banning

99 E. Ramsey Street • P.O. Box 998 • Banning, CA 92220-0998 • (951) 922-3125 • Fax (951) 922-3128

COMMUNITY DEVELOPMENT  
DEPARTMENT

October 20, 2014

**REQUEST FOR PROPOSAL (RFP) FOR A CONSULTING FIRM TO PREPARE  
AN INITIAL STUDY AND ENVIRONMENTAL DOCUMENTS FOR  
ROBERTSON'S MINE RECLAMATION PLAN FOR COMPLIANCE WITH  
STATE MINING AND RECLAMATION ACT (SMARA)**

**Closing Date and Time:** November 20, 2014 (by 4:00 p.m.)

**Submittal Location:** City of Banning Community Development Department  
99 E. Ramsey Street, Banning, CA 92220

**Submittal Must Include:** Five (5) Original Copies of Proposal & One CD (PDF & MS Word)

**Contact Person:** Brian Guillot, Acting Community Development Director  
Phone: (951) 922-3131  
E-mail: [bguillot@ci.banning.ca.us](mailto:bguillot@ci.banning.ca.us)

## **I. INVITATION**

The City of Banning (City) is seeking a professional consulting firm to prepare an Initial Study and environmental document for Robertson's Mine new Reclamation Plan for compliance with SMARA. The consulting firm, including its Project Manager, must have substantial knowledge and understanding of activities related to open pit mining and operations in the State of California, in addition to substantial experience in preparing an Initial Study and an environmental document that meets the requirements of the California Environmental Quality Act (CEQA).

The rock and quarry mine is located in the northeastern corner of the City and is owned by Robertson's (vested in RRM Properties, Ltd., a California limited partnership) and consists of approximately 186 acres. Approximately 169 acres lies within the Industrial Mineral Resources (IMR) Zone and 17 acres lies within the Low Density Residential zone. The existing mine identification is CA Mine ID #91-33-0012 with the Department of Conservation Office of Mine Reclamation.

The Mine has been in operation since the 1920s. The City approved a conditional use permit to operation of borrow pit, rock, sand and gravel plant, ready mix concrete batching plant, asphalt hot mix batching plant, and the development of natural mineral resources together with the necessary buildings. Another permit was granted in 1996 as Unclassified Use Permit 1994-01. The permit allowed mining expansion. Noise and glare mitigation for neighboring residential areas included construction of an 8-foot high landscaped berm near certain property lines. Mining limits were maintained with 200-foot wide setbacks from Blanchard Street and Theodore Street centerlines. These setbacks were also retained next to the Low Density Residential zoned lots. Other permit requirements included slope and drainage limitations and a limit on hours of operations to not start before 6 a.m.

The annual inspection of 2012 and 2013 indicated that mining occurred beyond the existing Reclamation Plan which was approved in the mid-1990s. A new reclamation plan is required to comply with SMARA. The area that has been mined is the 17-acre area that is zoned Low Density Residential zone along the westerly portion of the mine (see Exhibit "A").

## **II. SELECTION TIMELINE (TENTATIVE)**

City Issuance of the RFP	October 20, 2014
RFP Closing Date (due date)	November 20, 2014
Consultant Interviews	November 25, 2014
City Council Review and Approval of Consultant Agreement	December 9, 2014

## **III. INQUIRIES**

Consultants are encouraged to promptly notify the City of any apparent major inconsistencies, problems, or ambiguities in this RFP after release of the RFP and no later than November 17, 2014. Any requests for clarification or other questions concerning this RFP must be submitted in writing or email to Brian Guillot, Acting Community Development Director (refer to contact information on Page 1) no later than 2:00 p.m., November 17, 2014. Responses will be provided via an addendum posted on the City's website on or prior to November 18, 2014.

## **IV. SUBMITTAL INSTRUCTIONS**

The proposal package shall consist of three parts: 1) Technical qualifications, 2) Billing rates sheet/cost proposal, and 3) Sample Initial Study and environmental document that was adopted by a located agency. Please submit five (5) original hard copies of each and one CD (PDF & MS Word) in a sealed envelope. Qualification packages are to be submitted inside an envelope marked on the outside with "Professional Consulting Services for Robertson's Reclamation Plan".

**ALL PROPOSALS MUST BE RECEIVED, AT THE COMMUNITY DEVELOPMENT DEPARTMENT NO LATER THAN 4:00 P.M. ON NOVEMBER 20, 2014. NO LATE, EMAILED, OR FAXED WILL BE ACCEPTED.**

## V. PROPOSAL PACKAGE FORMAT

The proposal package should be limited to 35 single sided pages (not counting the table of contents, cover letter or dividers). In order to maintain uniformity with all proposal submitted, it is required that the Consultant's proposal include the minimum information below:

### 1. Cover Letter

A brief cover letter signed by the highest company executive who can bind the company in contractual services. The cover letter must summarize key points of the firms' qualifications and key individuals involved in the firm with regard to the scope of the work requested by the City.

### 2. Brief Company Profile

General company information including number of employees, location of company headquarters and branch offices, number of years in business and organization, disciplines, and staffing. Describe the general proposal of the firm.

### 3. Organization and Staffing

Provide information showing all proposed staff assignments and sub-consultants including their relationships with the proposed work. Identify the project leader/manager who will be the day-to-day contact on the Initial Study/environmental document and other personnel assigned to perform the required work for the preparation of the documents. Provide resumes for all applicable personnel and their qualifications with regard to the requested service in this RFP. Provide an organizational chart depicting the relationship between the team members.

### 4. Qualifications, Description, and Approach

The proposal shall include the consultant's knowledge of the details involved in preparing an Initial Study/environmental document for an open pit mining operation for which the mine is required to prepare a new reclamation plan as a result of mining beyond the approved Reclamation Plan, including the review process for compliance with the State CEQA guidelines. Provide description and approach to preparing an Initial Study/environmental document and approval process as requested in this RFP.

### 5. Relevant Projects/Services with Reference

List recently performed and similar projects that are being described in this RFP. Indicate the past performances and abilities of the proposed team including the Project Leader for the Initial Study/environmental document. Provide the name and contact information of the person who was the primary contact for the municipality in which the relevant work was performed. The City will contact any of the listed references at any time; and, make any other reasonable investigation into the Consultant's background and experience.

### 6. Project Schedule

Provide a detailed project schedule for the scope of work requested from start to completion of the Initial Study/environmental document process including the filing of the Notice of Determination with the State and the County of Riverside.

7. Proposed Fee Schedule

Provide a statement of hourly rates for all proposed classifications, including rates for sub-consultants, if any, as well as any proposed percentage mark-up of reimbursable expenses. Please note that the City will not reimburse for mileage in the performance of the work.

**VI. SELECTION CRITERIA**

Proposal will be reviewed by the City staff. The proposal will be rated/ranked according to the following criteria:

1. The Firm's General Experience and Qualification Information

- a. Information about the company and all sub-consultants including professional licenses held; and
- b. Ability to furnish required insurance and meet stipulations of the City's "boiler plate" agreement; and
- c. Details about the lead person who will be managing the environmental document; relevant environmental documents completed by the firm; local experience in preparing and processing an Initial Study/environmental document for an open pit mining operation in California; and, the ability to provide the required services. Current and past work experience in the State of California is mandatory for this service.

2. Experience of Key Personnel/References

Background on key personnel including the Project Manager and all sub-consultants qualifications, abilities, familiarity with State and City procedures for processing an environmental document for open pit mining operations as requested in this RFP for compliance with the City's Municipal and Zoning Code and the State CEQA guidelines. Additionally, experience in preparing an Initial Study/environmental document for open pit mining in the State of California in particular the Southern California region is preferred.

3. Service/Project Approach and Understanding

Discussion of how the Project Manager will manage and process the environmental document for approval by the City including interaction with the City's Project Manager, Planning Commission, and City Council. Also, provide discussion on consultant and sub-consultant team approach on preparing the environmental document, issues involved, and plans to address them; the management approach and organization necessary to complete the environmental document and outline quality control measures to ensure delivery of quality product on time and within budget.

4. Project Schedule

Detailed project schedule that takes into consideration of the concurrent processing of the new Reclamation Plan and the environmental document from the start to finish.

5. Costs

Hourly rates for all key personnel, including rates for sub-consultants, if any, as well as any proposed percentage mark-up of reimbursable expenses.

The successful firm may be invited to interview and enter into a Professional Services Consultant Agreement with the City.

## **VII. SCOPE OF WORK**

### **Preparation of an initial Study and environmental document related to a New Reclamation Plan for open pit mining as a result of mining beyond the current approved Reclamation Plan.**

The consulting firm will prepare an Initial Study and environmental document for a new Reclamation Plan for compliance with CEQA. The work requires intimate knowledge and familiarity with CEQA regulations and the City of Banning General Plan and Zoning Ordinance and understanding of the open pit mining and operations and state law.

The environmental consultant firm will be responsible for the following:

#### **Literature Review and Meeting(s)**

The City will provide the consultant with access to the application and information on the request for a new Reclamation Plan, the City's General Plan and Zoning Ordinance, General Plan Land Use and Zoning Maps, and any other relevant documents and studies.

The City's Project Manager will assist the environmental consultant on the project scoping and meetings with the responsible/trustee agencies and the residents to gather information to ensure that the environmental document, address issues of concerns and project impacts as required by CEQA. The environmental document Project Manager and/or consultant team will be required to attend any applicable scoping meeting and to prepare a summary of the comments received from the public and responsible and trustee agencies.

The consultant will be responsible for preparing all staff reports to Planning Commission and City Council along with representing the City at all public meetings and hearings.

#### **Preparation of Initial Study/Environmental Document**

The environmental consultant must complete an Initial Study and determine the appropriate environmental document that should be prepared for the entitlement of a new Reclamation Plan as required by the CEQA. The City's Project Manager working in cooperation with the environmental consultant is responsible for coordinating and scoping meeting(s) with the general public and public agencies as part of the preparation of the project environmental document.

The environmental consultant must ensure that all technical studies provided by the project developer are accurate, and must be able to perform modeling such as for air quality, traffic, and greenhouse gas analyses, etc. The consultant must ensure that the environmental document that is prepared reflects the independent judgment of the City and the consultant shall make recommendations to the City in that regard. The consultant is responsible for printing and distributing the Initial Study, Draft and Final Environmental documents to the State Clearinghouse, including responsible and trustee agencies, including filing of the Notice of Determination with the County Clerk of the County of Riverside and the State Clearinghouse.

## **VIII. SUBCONTRACTING**

The Consultant may utilize the services of specialty subcontractors on those parts of the work which, under normal contracting practices, are performed by specialty subcontractors. The consultant shall provide a list of subcontractors. Unless a specific subcontractor is listed by Consultant, Consultant is representing to City that Consultant has all appropriate licenses, certifications, and registrations to perform the work hereunder.

After submission of his/her proposal, the Consultant shall not award Work to any unlisted subcontractor(s) without prior written approval of the City. The Consultant shall be fully responsible to the City for the performance of his/her subcontractors, and of persons either directly or indirectly employed by them.

Nothing contained herein shall create any contractual relation between any subcontractor and the City.

## **IX. CONSULTANT COMPENSATION**

Selected consultant will be asked to provide specific scope and "not to exceed fixed fee" prior to the issuance of the notice to proceed. The budgets for both services identified under the Scope of Work are to be paid by the Applicant.

## **X. CITY DISCLAIMER**

The City reserves the right to reject any or all the Proposal, to waive any informality in any Qualification, and to select the Proposal that best meet the needs of the City. The City also reserves the right to reduce or revise elements of the scope of services, or to amend or modify the contractual requirements, or to negotiate with any qualified consultant.

No representation is made that any contract will be awarded pursuant to this RFP. In no way shall a contract be viewed as an exclusive contract in any way. The City reserves the right to retain additional consultants as necessary to satisfy the needs of the City. All costs incurred in the preparation of the proposal, in the submissions of additional information and/or in any other aspect of a proposal prior to the award of a written contract will be borne by the proposed firm. Information submitted to the City in response to this RFP will become the property of the City of Banning and will not be returned. The "technical" portion of the Proposal will be considered public information.

## **XI. STANDARD CONTRACT/AGREEMENT**

Firms that are interested should be willing to enter into a professional services agreement with the City and comply with the City's insurance requirements as indicated in the agreement. A sample of the standard agreement is included in Exhibit "B" for reference.

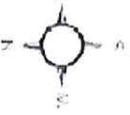
Questions regarding this RFP should be directed to:

City of Banning, Community Development Department  
Brian Guillot, Acting Community Development Director  
Phone: (951) 922-3131  
E-mail: [bguillot@ci.banning.ca.us](mailto:bguillot@ci.banning.ca.us)

**EXHIBIT "A"**  
Location Map and Aerial Photo





1" = 752 ft	Banning Quarry	09/04/2013		
<p>This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Banning staff for the most up-to-date information.</p>				

# **Attachment 4**

**Notice of Request for Proposals Published in  
The Record Gazette**

**Advertisement**  
**Record Gazette newspaper**

**REQUEST FOR PROPOSAL (RFP) FOR A CONSULTING FIRM TO PREPARE AN INITIAL STUDY AND ENVIRONMENTAL DOCUMENTS FOR ROBERTSON'S MINE RECLAMATION PLAN FOR COMPLIANCE WITH STATE MINING AND RECLAMATION ACT (SMARA)**

The City of Banning (City) is seeking a professional consulting firm to prepare an Initial Study and environmental document for Robertson's Mine new Reclamation Plan for compliance with SMARA. The consulting firm, including its Project Manager, must have substantial knowledge and understanding of activities related to open pit mining and operations in the State of California, in addition to substantial experience in preparing an Initial Study and an environmental document that meets the requirements of the California Environmental Quality Act (CEQA). The mine is located generally north of Gilman Street and west of Hathaway Street in the City of Banning, County of Riverside.

A complete copy of the Request for Proposals may be obtained by contacting the Community Development Department for the City of Banning, or by going to the City of Banning website.

**Closing Date and Time:** November 20, 2014 (by 4:00 p.m.)

**Submittal Location:** City of Banning Community Development Department  
99 E. Ramsey Street, Banning, CA 92220

**Contact Information:** Telephone (951) 922-3125  
Website <http://www.ci.banning.ca.us/>

The City reserves the right to reject any or all the proposals, to waive any informality in any proposal, and to select the proposal that best meets the needs of the City. The City also reserves the right to reduce or revise elements of the scope of services, or to amend or modify the contractual requirements, or to negotiate with any qualified consultant.

**ALL PROPOSALS MUST BE RECEIVED, AT THE COMMUNITY DEVELOPMENT DEPARTMENT NO LATER THAN 4:00 P.M. ON NOVEMBER 20, 2014. NO LATE, EMAILED, OR FAXED QUALIFICATIONS WILL BE ACCEPTED.**

Dated: October 13, 2014  
Publish: October 17, 2014

# **Attachment 5**

**Request for Proposals Mailing List**

**City of Banning  
 Planning Department  
 Consultant List - CEQA Mining**

Name	Street	City	State	Zip Code	Telephone #
Kleinfelder	550 W. C Street, Suite #1200	San Diego	CA	92101	(619) 831-4600
Lilburn Corporation	1905 Business Center Drive	San Bernardino	CA	92408	(909) 890-1818
ESA Associates	2600 Capital Avenue, Suite #200	Sacramento	CA	95816	(619) 719-4200
Dudek	605 Third St.	Encinitas	CA	92024	(800) 450-1818
Benchmark Resources	2515 East Bidwell St.	Folsom	CA	95630	(916) 983-9193
SESPE Consulting, Inc.	374 Poll Street, Suite #200	Ventura	CA	93001	(805) 275-1515
WRA Environmental Consultants	515 S. Flower Street, 36th Floor	Los Angeles	CA	90071	(424) 226-6528
VESTRA Resources, Inc.	5300 Aviation Dr.	Redding	CA	96002	(877) 983-7872

# **Attachment 6**

**Proposal Submitted by  
CASC Engineering and Consulting  
First Carbon Solutions, Inc.  
Helix Environmental Planning, Inc.  
Lilburn Corporation**



Engineering and Consulting

Proposal for:

INITIAL STUDY AND ENVIRONMENTAL DOCUMENTS FOR  
ROBERTSON'S MINE RECLAMATION PLAN FOR  
COMPLIANCE WITH STATE MINING AND RECLAMATION ACT (SMARA)

Submitted To:



COMMUNITY DEVELOPMENT  
DEPARTMENT

**CITY OF BANNING COMMUNITY DEVELOPMENT DEPARTMENT**

Attention: Brian Guillot, Acting Community Development Director  
99 E. Ramsey Street  
Banning, CA 92220  
(951) 922-3131  
bguillot@ci.banning.ca.us

Submittal Date:

**November 20, 2014**

Submitted By:

**CASC ENGINEERING AND CONSULTING**

Contact: Adam Rush, Director of Planning  
1470 E. Cooley Drive  
Colton, CA 92324  
(855) 383-0101 ext. 5370  
arush@cascinc.com  
www.cascinc.com



1470 E. Cooley Drive  
Colton, CA 92324  
(855) 383-0101 ext. 5370  
FAX: (909) 783-0108

November 20, 2014

City of Banning Community Development Department  
Attn: Brian Guillot, Acting Community Development Director  
99 E. Ramsey Street  
Banning, CA 92220  
(951) 922-3131

**Subject: INITIAL STUDY AND ENVIRONMENTAL DOCUMENTS FOR ROBERTSON'S MINE RECLAMATION PLAN FOR COMPLIANCE WITH STATE MINING AND RECLAMATION ACT (SMARA)**

Mr. Guillot,

AEI-CASC Engineering, Inc., dba CASC Engineering and Consulting (CASC), teaming with G3 Soilworks, Urban Crossroads, and VCS Environmental, is pleased to present our unmatched experience and qualifications as a Professional Environmental Planning provider to the City of Banning. CASC employees bring over 4 decades of environmental and CEQA experience to assist the City with the preparation of an Initial Study (IS) for the Robertson's Mining and Reclamation Plan. CASC acknowledges receipt of the City's *Request for Proposal (RFP) for a Consulting Firm to Prepare an Initial Study and Environmental Documents for Robertson's Mine Reclamation Plan for Compliance with State Mining and Reclamation Act (SMARA)* and all addenda, as applicable. Furthermore, CASC is extremely capable to perform the necessary CEQA review, and associated environmental documentation, specified within this RFP with a professional work ethic, dedication to project timetables, and a commitment to project integrity.

A partial listing of municipalities the Consultant Team has provided CEQA and Environmental Services for is as follows:

- County of Riverside
- City of Fontana
- Caltrans
- City of Temecula
- Eastern Municipal Water
- City of San Bernardino
- City of Redlands
- City of Perris
- City of Rancho Cucamonga
- County of Riverside
- City of Hemet
- City of Los Angeles DPW
- City of Riverside
- City of Colton
- City of Moreno Valley

In closing, CASC thanks you for your interest and consideration of our qualifications and project approach. We look forward to serving the City and if you have any questions our Project Manager, Adam Rush, may be reached by phone at (855) 383-0101 ext. 5370, Fax: (909) 783-0108 or by email at [arush@aei-casc.com](mailto:arush@aei-casc.com).

Sincerely,

**CASC ENGINEERING AND CONSULTING**

Adam Rush  
Director of Planning  
2014-0185 ar/jm  
Enclosed: Example Initial Study

## **BRIEF COMPANY PROFILE**

CASC Engineering and Consulting (CASC) (a dba of AEI-CASC Engineering, Inc.), an S-Corporation (Incorporated in California), has been providing professional services for the past 20 years. Established in 1993 to provide professional consulting services to a variety of industry sectors, CASC is a mid-sized consulting firm that combines the personal touch of a small firm, with the stability of the large publicly-traded companies. We currently operate from five offices serving Southern California. We currently employ over 50 professionals.



CASC has provided services to numerous governmental agencies, public utility companies, local utility districts, school districts, private enterprises, and industry groups. Our entrepreneurial spirit and commitment to innovation have allowed us to survive this recession, maintain a competitive cost structure, and offer superior services managed by our talented local labor force. Throughout this effort for the City of Banning, CASC will serve as the prime consultant and lead project manager. G3 Soilworks will serve and the SMARA compliance officer for the project and geology of record. In addition, CASC is teaming with two firms bring a wealth of experience in scientific study within Riverside County; Urban Crossroads will study the Air Quality, Greenhouse Gas (GHG) Emissions, and Traffic impacts resulting from the proposed project and VCS Environmental will serve as the MSHCP Compliance Professional.

## **SUMMARY OF SERVICES PROVIDED AND AVAILABLE**

Our commitment to innovation are unique in the Civil Engineering industry, allowing us to keep costs competitive while offering quality services. CASC's Civil/Environmental Engineering Division provides a variety of services.

- **CEQA Preparation Professionals:** CASC brings over 4 decades of experience in CEQA practice, implementation and coordination with multiple public agencies across Southern California.
- **Surveying/Mapping:** The CASC Survey & Mapping Division provides a wide range of field and office surveying services to facilitate projects through all phases. From right-of-way mapping to initial monument surveys; from topographic mapping to legal descriptions; from construction staking and as-built surveys. CASC is dedicated to providing highly skilled field professionals strong project management and state-of-the-art equipment to deliver efficient and successful projects. Our staff have office and field experience providing them with practical insight for effectively reviewing plans and maps.
- **Planning Services:** From vision through implementation, CASC's Planning division provides comprehensive community planning design and entitlement services to cities, counties, developers, private organizations, and land owners.
- **Water Quality:** CASC unites theory with practice in guiding government agencies, private developers, and contractors through the regulatory requirements of the National Pollutant Discharge Elimination System (NPDES) permits. Services include: Document Preparation and Plan Checking Services, Storm Water Program Management, Program Development Assistance, Annual Reports, Expert Witness/Litigation Support, Best Management Practices Design, Training, Compliance Inspections, and Storm Water Sampling.

## **CLIENT SATISFACTION/REPUTATION OF FIRM**

The best testimony to the quality of CASC's services is demonstrated by what our current and past clients say about our work and by our renewal of annual contracts. Our on-going work for organizations such as the Riverside County Flood Control and Water Conservation District, City of Moreno Valley, California Department of Transportation, Southern California Edison, City of Montclair, City of Redlands, City of Highland, and City of Industry exemplify our commitment and expertise.

**SUBCONSULTANT BRIEF COMPANY PROFILE**



**URBAN CROSSROADS**

Urban Crossroads, Inc. specializes in transportation planning/engineering, context sensitive traffic design and sustainability strategies, travel demand modeling, and infrastructure funding programs for governmental agencies and the business community.

Urban Crossroads routinely works with public sector clients to provide accurate and reasonable traffic projections and to achieve the best possible designs for positive change in the urban environment. Members of our personnel have performed major assignments for over 30 different cities in California, as well as regional organizations such as the Southern California Association of Governments (SCAG) and the Riverside County Transportation Authority (RCTC). Urban Crossroads, Inc. provides on-call traffic engineering services for the City of Rancho Santa Margarita and on-call modeling services for the City of Newport Beach, among others.

Urban Crossroads' recommendations and conceptual designs maximize the utility of the planning and engineering process as clients are able to anticipate potential problems and resolve them accordingly.

**TRAFFIC IMPACT AND ENGINEERING ANALYSES**

Urban Crossroads' staff has provided traffic analysis studies in response to CEQA/NEPA requirements throughout California. Services offered by Urban Crossroads range from conceptual planning/feasibility studies to detailed design recommendations. Our team of experts evaluates both existing conditions and the effects of future development upon infrastructure requirements. To accommodate the needs of our clients, Urban Crossroads offers a wide range of traffic engineering and related services, including site plan development and access, traffic calming studies, trip generation studies, traffic impact reports, parking studies and analysis, and traffic mitigation assessments.

**TRANSPORTATION PLANNING AND MODELING SERVICES**

Our core modeling staff members have been together over fifteen years and have performed major modeling assignments for the cities of Newport Beach, Irvine, Rancho Santa Margarita, Huntington Beach, San Juan Capistrano, Indian Wells, Indio, Palm Desert, Rancho Mirage, Moreno Valley, Lake Elsinore, Banning, Beaumont, Coachella, and the town of Apple Valley.

Agencies return to Urban Crossroads, Inc. time after time, based on the quality of work products and our ability to respond to the specific issues of each work assignment with targeted, relevant forecasts and analyses tailored to the needs of the community and their decision makers.

**INTERSECTION CONTROL**

The single most important criterion for signal warrant analysis is engineering judgment. Urban Crossroads expert design staff has decades of experience analyzing and optimizing timing and phasing plans for traffic signals, both at isolated intersections and within coordinated systems. Urban Crossroads also prepares engineering studies to identify appropriate speed limits based upon radar speed surveys.

**VCS ENVIRONMENTAL**



VCS senior-staff have a full understanding of how federal, state, and local jurisdictions all play a contributing role in determining the appropriate legal and procedural environmental review and regulatory process. That is why VCS has 17 years of proven success with management, oversight, and production of CEQA/NEPA documents; with regulatory

agency consultation and permitting; and with biological monitoring and habitat restoration projects. VCS currently provides environmental on-call services to the San Bernardino Associated Governments (SANBAG), the County of San Bernardino, the Murrieta Valley Unified School District (MVUSD), the Los Angeles County Department of Parks and Recreation, and to several other public and private-sector clients. VCS was also recently selected by the Riverside County Transportation Commission (RCTC) to provide on-call environmental services, by the Irvine Ranch Water District to provide on-call regulatory permitting and biological monitoring services, and by the City of Riverside to provide on-call CEQA services. Under current contracts, VCS has successfully produced, managed and peer-reviewed numerous environmental studies, environmental reports and CEQA/NEPA documents for high-priority projects. VCS has also provided extensive permitting and regulatory assistance associated with environmental documents and provided biological habitat restoration associated with CEQA/NEPA and regulatory agency mitigation requirements. The VCS Environmental team brings a diverse range of qualifications with decades of experience to provide expert solutions to each and every project — whether related to project entitlement, CEQA/NEPA, biology or jurisdictional waters and wetlands regulations.

This understanding is based on our extensive experience entitling some of Southern California's largest development projects from conception to construction. Our company philosophy is to get our clients over the goal line as quickly and cost-effectively as possible and, most important, without surprises.

**PROJECT MANAGEMENT/ENTITLEMENT**

- Oversee projects from start to finish, or manage smaller aspects of projects as needed
- Lead project teams in the preparation of project plans and environmental documents
- Manage sub-consultants and oversee technical studies
- Represent projects with the community, commissions, councils, and supervisors
- Manage budgets and project schedules

**PREPARATION OF CEQA/NEPA DOCUMENTS**

- Prepare/process California Environmental Quality Act (CEQA) documents
- Prepare/process National Environmental Policy Act (NEPA) documents
- Public presentations and technical translation of CEQA/NEPA documents to the community and decision makers

**BIOLOGICAL MAPPING, ENDANGERED SPECIES SURVEYS, AND REPORTS**

- Biological technical reports
- Vegetation mapping
- Focused surveys for endangered species
- Biological assessments and Endangered Species Act Section 7 consultations
- Western Riverside County Multiple Species Habitat Conservation Plan, surveys, reports, and HANS process
- Conservation easements

**REGULATORY PERMITS AND WETLANDS/WATERS DELINEATIONS**

- Delineation of wetlands and waters of the U.S. and State
- ACOE - Army Corps of Engineers, Section 404 permits
- CDFW - California Department of Fish & Wildlife, Section 1602 agreements
- RWQCB - Regional Water Quality Control Board, Section 401 certifications
- RWQCB - Regional Water Quality Control Board, Waste Discharge Requirements
- EPA 404(b)(1) alternatives analyses
- Coastal Development permits
- Coastal Zone Consistency Determinations

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**HABITAT MITIGATION, MONITORING, AND REPORTING**

- Habitat Mitigation, Monitoring, and Reporting Plans (HMMP)
- Mitigation site design
- Biological monitoring during construction
- HGM and CRAM analyses
- Construction monitoring
- Coordination with landscape design and maintenance contractor
- Preparation of annual reports

**PEER REVIEW AND DUE DILIGENCE**

- CEQA/NEPA documents and technical studies
- Regulatory permit applications and strategies
- Project sites and/or existing permits and documents for clients considering property acquisitions

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**G3 SOIL WORKS**



G3SoilWorks, Inc. (formerly SoilWorks, Inc.) is fully capable and uniquely qualified to perform the subject work. We are duly licensed and experienced professional engineers, geologists, and scientists with a strong focus on and extensive experience with Mine Reclamation and SMARA compliance issues. Our main office is located at 350 Fischer Avenue, Suite Front in Costa Mesa, CA 92626. We have recently opened new branch offices in Ventura (1098 E. Front St, Ventura, CA 93001) and Indio (81955 California Hwy 111, Indio, CA 92201). G3SoilWorks has been in business for over 5 years and currently has 20 employees.

We offer a full range of project related services from the design phase through final construction and a wide range of engineering geological services for projects of any size. Our unique capabilities support the exploration, geotechnical engineering evaluation, and construction phase of any project, from single-lot developments to regional development projects. Geological services focus on identifying and determining the impact of geologic hazards on a particular site. Once identified, these hazards can be systematically evaluated and applicable mitigation measures provided. G3SoilWorks includes a large and detailed in-house library of maps, reports, published studies, aerial photos, and other information. Our library includes detailed information regarding the area around the City.

G3SoilWorks implements the G3 Method to accomplish our goals. The G3 Method is a balance of the Scientific Method and project integrity that drive the way G3SoilWorks uncovers the truth and approaches solutions for projects. The 3 "G"s of the G3 Method are Gather, Gauge, and Go.

**GATHER**

The initial phase of any successful study requires open-mindedly gathering as much existing information as reasonably possible.

**GAUGE**

Once information has been acquired, the next step is to gauge and arrange the information for analysis. After analyzing the data, G3SoilWorks develops a working hypothesis for engineering principles, risk, and mitigation.

**GO**

G3SoilWorks will then test the hypothesis, make adjustments, as necessary. The process repeats itself, testing of hypothesis until the evidence is proven to reach conclusions and deliver results. With regard to insurance, we carry full liability, Workers Compensation and E&O in conformance to that required by the City of Banning.



**CITY OF BANNING COMMUNITY DEVELOPMENT DEPARTMENT**  
 INITIAL STUDY AND ENVIRONMENTAL DOCUMENTS FOR ROBERTSON'S MINE RECLAMATION  
 PLAN FOR COMPLIANCE WITH STATE MINING AND RECLAMATION ACT (SMARA)

**ORGANIZATIONAL CHART**



**PROJECT MANAGER - LAND USE/CEQA**  
**ADAM RUSH, MA**

**ASSISTANT PROJECT MANAGER**  
**TOM NIEVEZ**



**ASSISTANT PROJECT MANGER**  
**STEVEN E. STRICKLER**

**SENIOR GEOLOGIST**  
**LARRY E. FANNING**

**GEOTECHNICAL ENGINEER**  
**DANIEL J. MORIKAWA**



**SENIOR TRAFFIC ENGINEER**  
**ARIC EVATT**

**AIR QUALITY & CLIMATE CHANGE SPECIALIST**  
**HASEEB QURESHI**

**TRAFFIC ENGINEER**  
**BILL LAWSON**

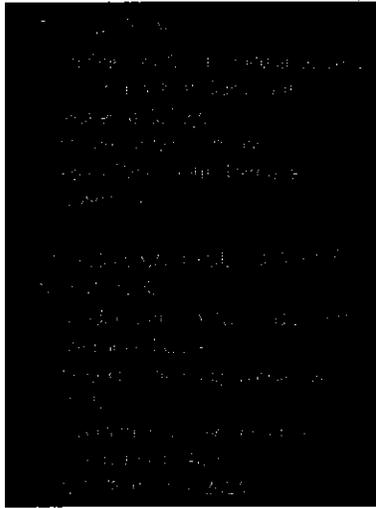


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**RESUMES**



**ADAM RUSH**

PROJECT MANAGER (LAND USE/CEQA)

Mr. Adam Rush recently joined CASC after a 10-year career with the Riverside County Planning Department. Mr. Rush brings this decade of experience and proficiency in staff supervision, project management, municipal land use and transportation planning, CEQA and NEPA compliance, climate action and sustainability planning, urban design, and community outreach relations to CASC with the goal of successfully servicing municipal clients in a cost-effective manner and with a customer-first attitude.

**RELEVANT EXPERIENCE:**

Mr. Rush served as the Principal Planner for the Riverside County Planning Department and over his 10 year career Mr. Rush managed both the development review and CEQA documentation aspects of several Surface Mining Projects, Reclamation Plans, conversions of open pit mining operations, code enforcement actions related to unpermitted mining and grading

operations, and the most importantly served as the Project Manager for over two years on a County Municipal Code overhaul which codified recent changes in both the SMARA statutes and regulations within the County Zoning Code. Some notable projects include the Serrano Specific Plan, where G3 SoilWorks and Mr. Rush previously worked together, several projects for Orco Block, Robertson's Redi-Mix (both in Corona and Cabazon); Surface Mining Operations for Vulcan Materials, and negotiation with CalCIMA.

**The Villages of Lakeview Specific Plan Design.** This 3,000-acre master plan included a new Specific Plan, two General Plan Amendments, a Change of Zone, and a 40-acre minimum financing subdivision. The project incorporated 11,350 residential units with densities ranging from 2 to 22 dwelling units per acre and over 500,000-square-foot of mixed-use commercial, retail, and various community/institutional facilities. The project required certification of a Master EIR.

**The McCanna Hills Specific Plan Revision.** This was a complicated revision to the historical master planned community south of the Lake Perris State Recreational Area. The Specific Plan amendment consisted of 3,214 residential units, ranging in densities from 3 to 14 units per acre. It included four residential tract maps and incorporated the realignment of a 6-lane freeway that bisected the northern portion of the plan. A Supplemental EIR was certified.

**Spencer's Crossing, LLC (Phases I to V) Implementation.** Subsequent to the certification of the French Valley Specific Plan Programmatic EIR and Specific Plan, Mr. Rush managed all five implementing phases, consisting of 1,370 residential units with a consistent density of 3.5 units per acre. Located within the unincorporated area of Temecula, the implementation was processed and approved by the Board of Supervisors in a span of almost 1.5 years. In addition, he set forth development plans for two elementary schools within two separate school districts, three community-level parks, and one 15-acre regional park managed by the Valleywide Parks and Recreation District.

**TRANSPORTATION PLANNING EXPERIENCE:**

Mr. Rush's background and experience in the land use planning and policy sectors have provided him opportunities to plan and develop phasing and funding strategies for major roadway and freeway projects in Orange and Riverside Counties. Mr. Rush has participated and managed public meetings and workshops; facilitated and moderated outreach sessions; and spoken one-on-one with land owners, developers, state and federal agencies, elected officials, and members of the public on public infrastructure projects and transportation policy. Some are detailed below.

CONT. ADAM RUSH RESUME

**Mid-County Parkway Project Public Outreach.** Mr. Rush participated in the development, drafting, reviewing, and public outreach associated with the Mid-County Parkway project, which is a proposed 16-mile transportation corridor for east/west travel in western Riverside County. This project includes a joint EIR/EIS.

**I-215 Freeway Planning and Development.** Mr. Rush participated in the planning and development of expansion projects to the Interstate 215 freeway located in the cities of Menifee and Murrieta, CA. These projects necessitated a Programmatic EIR, Caltrans NEPA compliance and habitat clearance through the US Fish and Wildlife Service and the US Army Corps of Engineers.

**PUBLIC RELATIONS EXPERIENCE:**

Mr. Rush attended a majority of the outreach meetings conducted in Riverside and San Bernardino Counties on behalf of the County of Riverside Transportation and Land Management Agency. His goal was to represent the position of the County of Riverside in regards to land use, general plan, transportation, air quality, and environmental assumptions set forth within the County's General Plan, and analyze how these compare with the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Upon completion of the public draft of the RTP/SCS, Mr. Rush assisted in the review and responses to SCAG on behalf of the County of Riverside.

In general, Mr. Rush has coordinated logistics, facilitated, and moderated many public outreach meetings from small stakeholder groups to large public events and activities. As a Principal Planner at the County of Riverside, Mr. Rush also served as the lead project manager for the County's 2008 and 2013 Housing Element updates. Through this effort, Mr. Rush single-handedly coordinated all the logistics, managed public notification and translation of documents, and organized public meetings and public commission hearings for the Housing Element updates.

**AIR QUALITY MANAGEMENT EXPERIENCE:**

In addition to the project-related experience that Mr. Rush brings to this project from his Climate Action Planning background and knowledge, Mr. Rush is also an alternate member of the South Coast Air Quality Management District (SCAQMD) – Mobile Source Reduction Committee (MSRC) or better known as the **Clean Transportation Now Committee**. As a result, Mr. Rush is well-versed in the planning and funding-related challenges associated with the Air Quality District's goal of proliferating near-zero and net-zero emission vehicles by the year 2050.

**TOM NIEVEZ**  
ASSISTANT PROJECT MANAGER (LAND USE/CEQA)

Mr. Nievez has over 30 years of practical and comprehensive experience in the environmental, project management, planning, and economic development industries. Mr. Nievez brings public and private sector experience, including experience within the municipal sector, and with land developers, professional consulting firms, and home builders. Mr. Nievez utilizes this knowledge and experience of the practical functions of each sector to achieve preferred client objectives, while establishing and maintaining professional working relationships with staff at all levels.

**RELEVANT EXPERIENCE:**

Mr. Nievez' experience includes public and private community development experience. He has served within public agencies as **contract staff**; prepared numerous Environmental Assessments (EAs) and Initial Studies (ISs) for private development projects; and managed various development projects ranging from a single residence to commercial sites. Mr. Nievez also brings years of experience in the preparation of master planned residential developments, including all necessary and relevant environmental documents. These projects typically include the development, preparation, and publication of Focused Environmental Impact Reports (EIRs), Programmatic EIRs, and Master EIRs. Additionally, Mr. Nievez has cultivated a very high level of skill in the area of public speaking and communication. He has extensive experience in conducting staff meetings and public outreach/community meetings, as well as a multitude of presentations before public decision-making bodies, such as City Councils and Planning Commissions, and before organized community groups. Mr. Nievez' ability to promote effective communication has been invaluable in his management of planning staff professionals.

**RELEVANT PROJECTS:**

**City of Rancho Cucamonga, CA—Wilson Avenue Extension.** Mr. Nievez was responsible for writing the EIR. He managed and oversaw the preparation of technical reports, compiled findings and mitigation measures, and prepared the Mitigation Monitoring Program. Mr. Nievez wrote the responses to comments received, the findings, and the statements of overriding consideration. He also participated at public hearings, coordinated with City of Rancho Cucamonga staff as well as the City Attorney, and issued the NOP, NOC and NOD.

**County of Riverside—Catalena Specific Plan No. 334.** The Catalena Specific Plan (SP) was completed in 2006, through the adoption by the County Board of Supervisors. Mr. Nievez was responsible for development of the major elements of the Specific Plan, project coordination of all necessary plan items including, but not limited to, Planning Area Standards, Design Guidelines, SP Zoning Ordinance, and final resolutions for adoption and certification.

**County of Riverside—Domenigoni-Barton Specific Plan.** At approximately 1,700 gross acres, this SP includes 4,100 residential units of various densities, product type, and land uses. The SP also includes commercial and mixed use areas to aid in the diverse development of the greater Winchester Valley and development that facilitates the tax revenue of the County of Riverside. Mr. Nievez was responsible for the following tasks associated with the SP: drafting the EIR; including managing and overseeing the preparation of technical reports; compiling findings and mitigation measures into the document; writing responses to comments received; writing findings and statements of overriding consideration; participation at public hearings; interface and coordination with County of Riverside Planning and Transportation staff as well as County Counsel; and issuance and posting of all environmental documents.

CONT. TOM NIEVEZ RESUME



**City of Hemet, CA—McSweeney Farms Specific Plan and Environmental Impact Report.** The McSweeney Farms Specific Plan (SP) includes approximately 673 gross acres, 1,600 residential units of various densities, product types, and land uses. In addition, the SP also includes a strong retail and commercial component that facilitates and implements several elements of the updated General Plan of the City of Hemet's (including the strengthening of the City's tax base and land use changes to accommodate changing demographics). Mr. Nieves was responsible for writing the EIR, managing and overseeing the preparation of technical reports, compiling findings and mitigation measures into the document, preparing the Mitigation Monitoring Program, writing responses to comments received, writing findings and statements of overriding consideration, participating at public hearings, coordinating with City of Hemet staff and the City Attorney, issuing the Notice of Preparation (NOP), Notice of Completion (NOC), and Notice of Determination (NOD). Currently, Mr. Nieves is managing revisions to the Specific Plan as part of the first amendment to the Specific Plan.

**Diamond Bar, CA—Telecommunications Ordinance.** Mr. Nieves, as the lead Project Manager, provided management and technical expertise for the development of a telecommunications ordinance. CASC was selected for its technical knowledge, based upon previous experience with the County of San Bernardino, and experience in this area of land planning, zoning administration, and design review. In addition, Mr. Nieves conducted a series of advisory meetings amongst several committees that included both internal Los Angeles County staff and key personnel, as well as external stakeholders of the Los Angeles County structure and hierarchy.

**San Bernardino, CA—San Bernardino City Contract Planning.** Mr. Nieves participated as adjunct to staff for the City of San Bernardino. During his tenure, Mr. Nieves performed duties and functions essential to the City Community Development Department: review, plan check, and processing of minor permit applications; development of project Conditions of Approval; field inspection and building inspection clearances; drafting and publication of EAs (NEPA) and ISs (CEQA); as well as customer service inquires on all types of land use, zoning, setback, and business license permitting schedules, programs, and procedures.

**SUBCONSULTANT RESUMES**

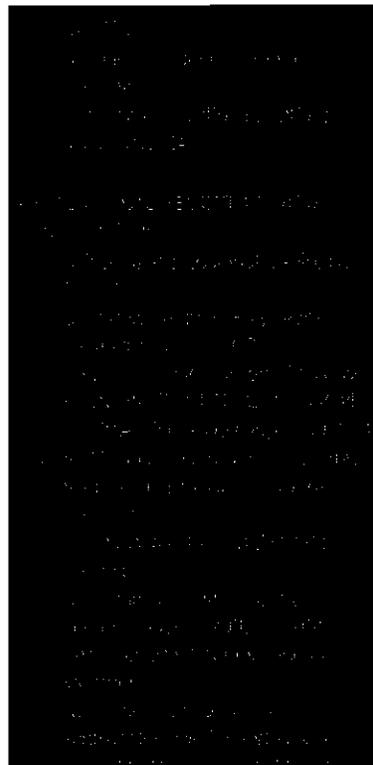


**STEVEN E. STRICKLER**  
ASSISTANT PROJECT MANAGER (SMARA/GEOLOGY/SOILS)

Over 29 years of Geotechnical and Soil Engineering in Southern and Northern California, Texas, Nevada, Arizona, and Mexico. Principal Level for over 16 years. Specialties include Forensics, Materials, Slope Stability and Repair, Land Planning and Overall Site Assessments, and General Earthwork Observations and Testing.

**AREAS OF EXPERTISE**

- Grading and Construction
- Earth and Groundwater Exploration
- Remote Sensing and other Monitoring
- Soils Science
- Forensic Earth Science
- Expert Witness Services
- Environmental Assessment
- Foundations, Ground and Slope Stabilization / Remediation, Geofabrics
- Mechanically Stabilized Earth, Geogrids, Composite Drainage, Moisture / Vapor Control, Compaction Grouting, Post-Tension, and other Specialty Foundations\



**LARRY E. FANNING**  
SENIOR GEOLOGIST (SMARA/GEOLOGY/SOILS)



Over 30 years of Engineering Geology in both Southern and Northern California, Texas, Nevada, and Arizona. Principal Level for over 18 years.

Specialties include Engineering Geology, Earthwork, Underground Utilities Foundations/ Concrete, MSE / Geogrid / Geotextiles, Forensics, Hydrogeology, Environmental, Green Technology for Development, Water / Drainage Controls, and Planning

**AREAS OF EXPERTISE**

- Engineering and Structural Geology
- Hydrogeology
- Grading and Construction
- Environmental Assessment
- Resource Recovery and Management
- Earth and Groundwater Exploration
- Remote Sensing and other Monitoring
- Soils Science
- Forensic Earth Science
- Expert Witness Services
- Foundations, Ground, and Slope Stabilization / Remediation Geofabrics
- Mechanically Stabilized Earth, Geogrids, Composite Drainage, Moisture / Vapor Control, Compaction Grouting, Post-Tension, and other Specialty Foundations

CONT. LARRY E. FANNING RESUME

**RELEVANT EXPERIENCE:**

Mr. Fanning is a highly skilled geotechnical professional, and is very adept in structural geology, hydrogeology, foundation design, seismicity, geologic hazards and forensic evaluation, and earthwork and construction procedures. Over the past 30 years, he has worked with a wide variety of client types and government agencies. He has also served as a subject matter expert for the California Board of Registration for Geologists and Geophysicists, and as a textbook and article reviewer for Association of Engineering Geologists. Mr. Fanning served by appointment of the Governor of California to the Department of Conservation's State Mining and Geology Board. Mr. Fanning is experienced in all aspects of land acquisition / due diligence, hillside grading, grading plan review, resource / land recovery and remediation, utility trench work, roadway and bridge construction, and the geotechnical aspects of environmental restoration, landfill construction and closure, and surface mining and other past legacy reclamation. Supplementing his extensive design and construction / grading experience is a strong forensic evaluation background. He has major forensics / defect and damage evaluation and repair experience – including being a lead field investigator of the I-10 collapse, serving on Allstate and Fireman's Fund Catastrophe Teams regarding the Northridge Earthquake; and for the Bureau of Reclamation / IID / CalEMA regarding major structure damage evaluation and repair resulting from the El Mayor Easter 2010 Earthquake. His resume also includes nomination as a Judicial Technical Reference.

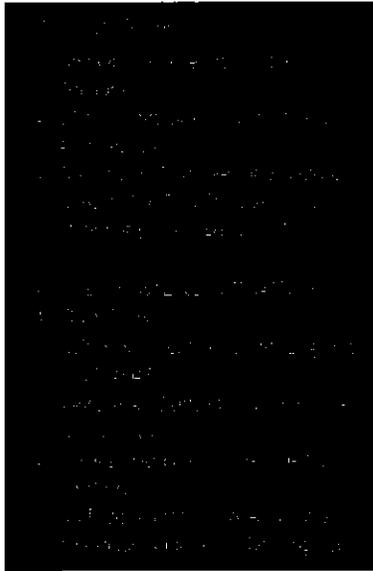
He is also experienced in difficult and high profile commercial, industrial, entertainment, residential, and mixed use projects, particularly with regard to earthwork performance, clay soils, structural geology, engineering hydrogeology, and soft rock behavior for numerous high-end clients, both private and public. Mr. Fanning is particularly adept at issues relating to expansive soils, water-moisture-vapor transmission, surface and subsurface drainage, concrete foundations (including post-tensioned) and appurtenances, MSE and Geogrid / geotextiles, soil embankment and slope issues, and thermodynamics / fate / equilibria of soils, rock, and water.

Mr. Fanning has also performed a wide variety of environmental studies, including ESA's on a wide variety of property types and conditions, contaminant migration modeling, chemical evaluations, site remediation, and water quality studies. Current and relatively recent projects include working for several private developers in water resources development, storm water processing and recovery, and groundwater issues; working as a liaison and consultant to various water agencies including Imperial Irrigation District, County of Kern, Lee Lake Water District, Coachella Valley Water District, and Vail Lake Water Assurance; as well as for groundwater replenishment and storage in the southern California QSA program.

With regard to monitoring, Mr. Fanning has strong experience with both work-plan formulation / compliance, and actual hands-on applications of monitoring – both directly and via remote sensing for a variety of parameters and project types. These parameters include vibration, sound, dust / air quality, inclinometer, TDR, tilt-meter, survey monumentation, settlement and foundation deformation, crack propagation, soil and slab moisture / vapor, groundwater levels and pumping, channel flow, water quality and chemistry, and soil chemistry.

As Principal of Soilworks Earth Sciences Group, Mr. Fanning's main duties are focused on the forward lines of project development and client service. He takes a direct, active role in meeting project challenges – both technical and political – and serves as the Principal-in-Charge on projects under his purview, often as the direct contact for clients and their project teams.

**SUBCONSULTANT RESUMES**



**DANIEL J. MORIKAWA**

**GEOTECHNICAL ENGINEER**

Mr. Morikawa has been involved in Geotechnical Engineering for over 30 years in the southern California area, with principal level responsibilities for the past 15 years. His extensive experience includes hillside and open land grading, commercial, industrial and residential development, public works/infrastructure, management and execution of quality assurance for field and laboratory divisions and engineering staff, coordination with related disciplines, and contract administration

**AREAS OF EXPERTISE**

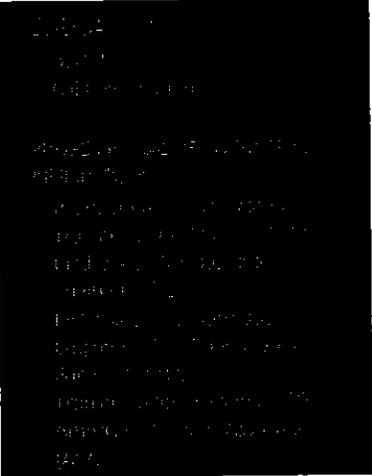
- Soil mechanics
- Shallow and deep foundations
- Permanent and temporary shoring design
- High rise and subterranean level construction
- Soil Cement / Lime Stabilization for pavement construction
- Asphalt pavement rehabilitation, design, and construction
- Concrete pavement design and construction for highways and airports
- Seismic hazard evaluations and mitigation
- Ground stabilization
- Retaining structures
- Below slab vapor barriers and retarders
- Forensic investigations and evaluations
- Expert witness services

**SELECTED PROJECTS:**

Mr. Morikawa has been involved with a diverse range of projects involving forensic, renovation or new construction for major facilities/developments, including:

- St. Joseph Hospital, Orange County; Little Company of Mary, Torrance; Vencor Hospital, Los Angeles; St. Mary's Medical Center, Long Beach; Northern Inyo Hospital, Bishop.
- TWA, Los Angeles International Airport; Long Beach Airport; Temescal Canyon Road and Bedford Canyon Wash Bridge, Corona; Lenwood Road, Barstow; Parking Structure, Beverly Hills; Street Rehabilitation Projects – Cerritos, Norwalk, Garden Grove; Aquatic Center, Long Beach..
- McDonnell Douglas, Long Beach; March Air Force Base, Palmdale; Jet Propulsion Laboratories, Pasadena; Lockheed, El Segundo.
- Disneyland, Anaheim; Capitol Records, Los Angeles; MGM Studios, Culver City; Warner Brothers Studios, Fox Studios
- Mobil Oil, Torrance; Texaco, Wilmington; Shell Oil, Wilmington; Dow Chemical, Torrance.
- USC, Los Angeles; UCLA, Los Angeles; Marymount College, Palos Verdes; and California State Universities at Long Beach, Northridge, and Los Angeles.
- Long Beach Facility; Beaumont Facility
- Long Beach Main; Inglewood Main; Marina, Marina Del Rey.
- Rye Canyon Business Park, Santa Clarita; Dos Lagos, Corona; LA Media Tech, Los Angeles
- Summerly Development, Lake Elsinore; Oaks of Calabasas, Calabasas; Indian Oaks and Indian Springs, Chatsworth.

**SUBCONSULTANT RESUMES**



**ARIC EVATT**  
SENIOR TRAFFIC ENGINEER

Aric Evatt has developed a wide range of expertise in sustainable transportation planning and context sensitive design, traffic impact analyses, and air quality analysis. He is practiced in circulation plans and transportation studies for various planned communities throughout Southern California. His experience in this specialty throughout Southern California includes projects such as the Fleming Ranch Specific Plan in Menifee, Yorba Linda Town Center SP in Yorba Linda, Arantine Hills SP in Corona, Motte Lakeview Ranch SP in Riverside County, Garrett Ranch SP in Hemet and Villages of San Jacinto in San Jacinto. Mr. Evatt has also prepared transportation analyses for projects with unique land uses. Some of his recent project experience includes the Long Point Resort in Rancho Palos Verdes, the Harvest Landing SP in the City of Perris, Trump National Golf Club in Rancho Palos Verdes, San Lorenzo Lift Station

in Santa Ana, National Orange Show in City of San Bernardino, College of the Desert East Valley Campus and the Indian Palms Country Club and Resort in the Coachella Valley. Mr. Evatt's commercial project experience includes retail, office and industrial projects throughout Southern California. Some recent examples of retail projects include the Shops at Scott located in Menifee, Lake Street Marketplace in the City of Lake Elsinore, Riverway Ranch in the City of Blythe, Toscana Marketplace located near the City of Corona, The Venue and the Ramona Promenade located in the City of Perris, and the Garret Ranch located in the City of Hemet.

His involvement with neighborhood traffic control includes alternative traffic control designs (i.e., modern roundabouts), neighborhood speed control plans, and numerous residential street impact assessments.

Mr. Evatt has participated in the development and formation of area-wide funding programs such as the Ramona Mobility Group (RMG) located in the Lakeview/Nuevo area of Riverside County and the Northwest Hemet Benefit Area located in the City of Hemet.

Lastly, Mr. Evatt leads the air quality division of Urban Crossroads that is focused on helping projects and communities identify and mitigate impacts to air quality through the development of innovative alternatives and mitigation strategies to an ever evolving environmental and legislative landscape. Mr. Evatt has participated in hundreds of air quality studies throughout Southern California that include CEQA compliant air impact studies, malodorous assessments for various types of land uses, and the assessment and mitigation of carbon emissions for the purpose of addressing Global Climate Change.

**AREAS OF EXPERTISE**

- Transportation Planning and Problem Solving
- Corridor & Area wide Studies
- Traffic Impact Analyses
- Planning Community
- Circulation Systems
- Neighborhood Traffic/Speed Control
- Shared Parking Studies
- Context Sensitive
- Transportation Planning & Design
- Sustainable Design
- Air Quality Impact Analyses

**SUBCONSULTANT RESUMES**



**BILL LAWSON**

TRAFFIC ENGINEER

Mr. Lawson has over eighteen years of community noise experience and has personally prepared and directed the development of well over 1,500 noise study reports throughout Southern California. His work as a noise consultant focuses on helping communities identify and control noise impacts by developing meaningful solutions to complex noise issues. As a founder of Urban Crossroads, Inc. he works with public and private sector clients to provide planning and engineering consulting expertise. His work efforts focus on the larger more complex technical studies or sensitive projects that increasingly require coordination with the project legal team, the applicant and the decision makers.

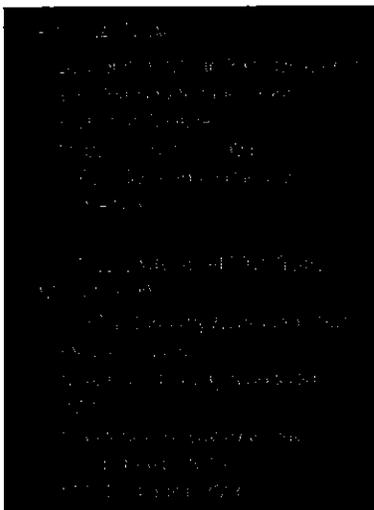
He has a strong background with extensive work experience in transportation and community noise impacts. His team prepares a variety of technical analysis studies for both public and private sector client ranging in size from a single home to large specific plans representing entire planned communities that will include thousands of units and a wide variety of land use. In addition to residential noise impact analyses, Mr. Lawson has identified noise impacts and developed mitigation for projects that include drive-thru speakerphones, roller hockey rinks, skateboard parks, heavy industrial activities, railroads and aircraft overflights. He has also written the noise element of the General Plan for several communities in Southern California including; the City of Los Alamitos, the City of La Quinta, the City of Yucca Valley, City of Montebello, City of Banning, City of Palm Desert, City of Arcadia, City of Rosemead, City of Villa Park, and the City of Montclair.

Mr. Lawson is a Registered Professional Traffic Engineer and a Certified Acoustical Consultant. His educational background includes a Master's Degree in Civic and Environmental Engineering and a Bachelor's Degree in City and Regional Planning from Cal Poly San Luis Obispo. Mr. Lawson has served as member of the Rancho Santa Margarita Planning Advisory Committee, Cityhood executive committee member, and political action committee chairperson for Cityhood 2000. He previously served on the Ladera Ranch Maintenance Corporation (LARMAC), the Santa Margarita Water District (SMWD) Board of Directors and the Ladera Ranch Civic Council (LRCC).

**AREAS OF EXPERTISE**

- Noise Impact
- Analysis Traffic
- Impact Analyses
- Parking Analysis
- Transportation
- Planning GIS

**SUBCONSULTANT RESUMES**



**HASEEB QURESHI**  
AIR QUALITY & CLIMATE CHANGE SPECIALIST

Since joining Urban Crossroads in June 2004, Mr. Qureshi has worked on a variety of projects, including mobile source (cancer) health risk assessments, air quality impact analyses, and air quality conformity analyses for transportation improvement projects.

Since 2006, Mr. Qureshi has been actively involved in responding to various project's needs to address Global Climate Change in their CEQA Documents. Mr. Qureshi co-authored an informational newsletter detailing the passage of Assembly Bill 32 (AB32) and how it will continue to impact development projects.

Mr. Qureshi has a strong technical background in utilizing various air-quality models such as the Urban Emissions Model (URBEMIS), the California Line Source Dispersion Model (CALINE-4), U.S. EPA-approved CAL3QHC, the Industrial Source Short Term (ISCST3) Model, and the AMS/EPA Regulatory Model (AERMOD).

At Urban Crossroads, Inc., Mr. Qureshi has participated in hundreds of air quality analyses studies including numerous mobile source and air toxics health risk assessments for various residential, commercial, and industrial developments in Orange, Imperial, Kern, Los Angeles, Riverside, San Bernardino, and San Diego Counties. He is a current member of the American Planning Association (APA), Association of Environmental Professionals (AEP), and the Air & Waste Management Association (A&WMA).

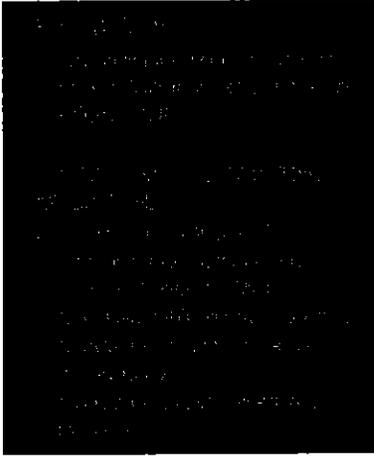
In addition, Mr. Qureshi is an active participant of the South Coast Air Quality Management District, San Diego County, and Orange County Association of Environmental Professionals working groups that are collaborating to establish guidance on establishing climate change thresholds for CEQA documents. Mr. Qureshi was also an active participant in the South Coast Air Quality Management District's working group on establishing PM2.5 significance thresholds for CEQA projects.

**AREAS OF EXPERTISE**

- Air Quality Analysis/Permitting
- Dispersion Modeling, Health Risk Assessment
- Air Quality Conformity Analysis for Interchange Projects
- Greenhouse Gas Emissions
- Evaluation/Inventory
- Climate Action Planning

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**SUBCONSULTANT RESUMES**



**JULIE VANDERMOST BEEMAN**  
SENIOR BIOLOGIST



Julie Vandermost is President of VCS Environmental (VCS), a full service environmental firm headquartered in San Juan Capistrano, California specializing in CEQA and NEPA document preparation as well as program management oversight and review services and environmental regulatory strategic planning and permitting related to Waters of the U.S. and State including wetlands, endangered species and water quality.

**SELECT PROJECTS**

**I-15/I-215 Devore Interchange, SANBAG, Devore, CA** – The I-15/I-215 Devore Interchange is one of the San Bernardino Associated Governments' (SANBAG) priority projects and had an immovable schedule for funding. The project included the addition of truck by-pass lanes as well as the re-construction of Cajon Boulevard (Route 66). SANBAG asked Julie to project manage the environmental tasks for this project to ensure the schedule was met. In addition to managing the completion of the CEQA/NEPA document, VCS was asked to assist Caltrans in securing regulatory permits. The project impacts over 50 drainages, over 20 acres of San Bernardino Kangaroo Rat habitat, and Route 66, a cultural resource. Julie has been instrumental in advising the project team on avoidance measures as well as project permitting strategy in order to advance the project.

**Mill Creek Wetlands Recreation And Restoration Demonstration Project, City Of Chino, CA** – The Mill Creek Wetlands, a 52-acre recreational and habitat restoration project located in the Prado Basin, provides the introductory key project addressing the USACE integration of the Prado Basin as a Master Planned update. This multi-agency partnership with the USACE provides recreational amenities, habitat restoration, as well as water quality benefits. VCS provided the strategic planning, program management, CEQA / NEPA document preparation, and environmental permitting, as well as the community and government relations through the design process. Julie serves as principal-in-charge with a focus on government relations and program management.

**Chino Hills Basin, Chino Hills, CA** – The CDFW has mandated that the City of Chino Hills prepare a master Section 1602 Streambed Alteration Agreement for maintenance of its flood control basins. The City has 21 separate basins that require some form of maintenance, from sediment removal to vegetation removal. VCS has assisted the City in identifying and minimizing maintenance requirements and preparing documentation for each of its facilities. VCS has also assisted the City in identifying mitigation for impacts. VCS has prepared the Section 1602 Agreement application and continues to work with CDFW to process the Agreement. VCS is preparing a USACE Section 404 Permit and RWQCB Section 401 Water Quality Certification for the facilities that require sediment removal.

**I-215 High Occupancy Vehicle (HOV) Lane Gap Closure, SANBAG, San Bernardino, CA** – VCS provided oversight of the final preparation of the CEQA document for the I-215 HOV Lane Project located in San Bernardino between 2nd Street to just past the Riverside County line. VCS also secured the USACE Section 404 Permit, CDFW Section 1602 Agreement and RWQCB Section 401 Certification for the project, which impacted 20 drainage crossings including the Santa Ana River as well as bat habitat.

**10 HOV/Express Lanes, SANBAG, San Bernardino, CA** – SANBAG has asked Julie to act as environmental project manager for this 33 mile corridor. The EIR/EIS will analyze both an HOV as well as two lane alternatives, which may include express lanes. Julie manages the Environmental Team & provides strategic direction to the team.

**CONT. JULIE VANDERMOST BEEMAN RESUME**

**Palm Avenue Grade Separation, SANBAG, San Bernardino, CA** – Julie oversees the Palm Avenue Grade Separation Project, which spans historic Route 66. She was instrumental in working with Caltrans staff and the project engineer to identify a design that would reduce impacts to Route 66 and allow for a Federal Section 106 "Finding of No Effect" for the project. Julie also managed the biological strategy for the project, which included addressing a State and Federally endangered plant and impacts to Waters of the U.S. and State.

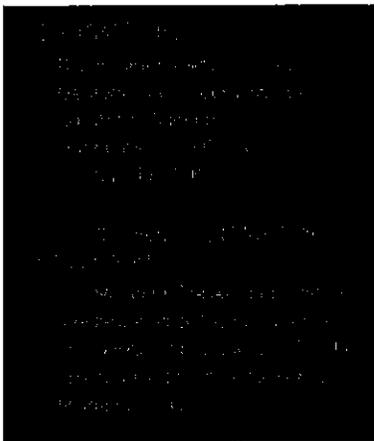
**Measure I Master Regulatory Inventory, SANBAG, San Bernardino, CA** – Measure I is the half-cent sales tax for transportation projects in San Bernardino. VCS prepared a biological and environmental issues inventory of over 40 Measure I projects including freeway widening, interchanges and grade separations planned over the next 40 years. Julie worked with SANBAG staff to identify the methodology to define design footprints in order to evaluate the projects. VCS prepared a comprehensive report to help SANBAG and Caltrans identify key environmental/biological issues early in the project phase to minimize impacts and avoid costly redesign expenses.

**Shea/Baker Ranch, Lake Forest, CA** – The Shea/Baker Ranch project will develop as a residential community. Julie has worked on this project since its inception and has been instrumental in guiding the strategy for Borrego Channel stabilization and regulatory permitting. Shea/Baker and the County of Orange have worked together to permit Alton Parkway, which runs through the project site. Permits include a USACE Section 404 Permit, USFWS Section 7, RWQCB Section 401 Water Quality Certification, and CDFW Section 1602 Streambed Alteration Agreement. VCS is currently conducting biological monitoring and permit compliance for the project

**Summerly, McMillan Companies, LLC., Lake Elsinore, CA** – Summerly by McMillan Companies, LLC, is a master planned golf community in Lake Elsinore for which VCS provided strategic environmental planning and regulatory permitting services. Julie led negotiations with the City of Lake Elsinore and Elsinore Valley Municipal Water District resulting in the agencies agreeing to the use of an existing multi-party Section 404 Permit, which was previously deemed to be out of compliance, and amend it to add the developer as a co-permittee. The alternative, initiating a new individual permit, would have required a multi-year effort with significant impacts to the schedule. Permitting was completed in 2007, and implementation of the VCS prepared Habitat Mitigation and Monitoring Program is near the end of its second year.

**Greenspot, County Of Orange, CA** – Julie led the VCS team working on the Greenspot Property, a 1,658-acre land parcel originally purchased by the County of Orange as the borrow site for the Seven Oaks Dam as part of the Santa Ana Mainstem project. As part of the interdisciplinary team, VCS has completed the waters delineation and guided the coordination with the resource agencies.

**SUBCONSULTANT RESUMES**



**ERIN HAYES**  
BIOLOGIST/RESTORATION SPECIALIST

Erin Hayes joined the VCS Environmental (VCS) Biology Department in 2005. Erin consults on all aspects of native habitat mitigation/restoration implementation including design, installation, maintenance, and compliance with regulatory permit guidelines. Her field work includes monitoring mitigation sites, and conducting biological surveys and assessments of on-site resources. Erin also prepares habitat mitigation and monitoring plans (HMMPs), mitigation monitoring reports (MMRs), California Rapid Assessment Method (CRAM) analysis reports, and habitat conservation plan compliance documents.

**SELECT EXPERIENCE**

**Habitat Mitigation, Restoration, HMMPs** – Erin is responsible for the oversight and implementation of numerous mitigation and restoration projects across Southern California. She has extensive experience drafting, implementing, and achieving the monitoring requirements of restoration plans and HMMPs to meet success criteria and fulfill regulatory agency conditions and obligations.

**California Rapid Assessment Method (CRAM)** – Erin has conducted several CRAM analyses in the past 12 months, including for the I-15/I-215 Devore Interchange Project, Peyton Drive Widening (English Channel) Project, the Mill Creek Wetlands Project, and the Baker Ranch Planned Community Project. The Devore and English Channel analyses and CRAM reports were conducted in coordination with Veronica Chan at the United States Army Corps of Engineers (Corps).

**Jurisdictional Delineation (JD)** – Erin has assisted in multiple large scale jurisdictional delineation assessments with particularly unique delineation considerations including the Greenspot property and the Wilson Creek Business Park Project. The Greenspot property in particular, presented uncommon land alterations tied to historic uses of agricultural and irrigation, and *large-scale "borrow site"* for a nearby dam. Erin's work in mitigation/restoration implementation is tied to establishing jurisdictional habitats.

#### SELECT PROJECTS

**Murrieta Valley Unified School District, Murrieta, CA (Biology; HMMP)** – VCS has worked with the Murrieta Valley Unified School District on various projects and has been instrumental in assisting the school district in selecting and planning several school sites in an effort to minimize regulatory permitting constraints. Erin provided key biological support for several projects and was instrumental in the drafting of Habitat Mitigation and Monitoring Plans.

**I-15/I-215 Devore Interchange – SANBAG, Devore, CA (Regulatory; CRAM)** – The I-15 / I-215 Interchange Improvements Project was designed to eliminate the existing lane reductions on I-15, reduce problems caused by weaving trucks, reduce operational deficiencies at the interchange including non-standard design features, and improve local circulation. VCS was challenged with determining a method to efficiently assess the baseline conditions of over 90 drainages on-site using the CRAM. In coordination with the Corps, Erin devised the methodology to measure baseline conditions of the project drainages, and led VCS' CRAM field data collection, data analysis and reporting efforts.

**Cucamonga Creek Watershed Regional Water Quality Project (Mill Creek Wetlands), City Of Ontario, CA (Biology; Restoration; Monitoring; CRAM)** – Mill Creek Wetlands is a 52-acre natural wetland system that provides water quality, recreation, and habitat restoration benefits, located in the Prado Basin. Erin assisted with development of the Bioassessment Methodology to monitor Mill Creek, and led VCS' baseline assessment field data collection and reporting efforts, including CRAM and vegetation monitoring.

**Oak Springs Ranch, GLJ Partners, Wildomar, CA (Biology; Regulatory; Permitting; HMMP; Mitigation implementation/Monitoring)** – Oak Springs Ranch encompasses approximately 51.5 acres, comprised of apartment buildings, single-family residential and open space. VCS was challenged with determining a project design that would limit the extent of environmental regulatory permitting required. Erin provided biological support for the successful processing of the regulatory permits, as well as functional assessment field work and drafting of the Habitat Mitigation and Monitoring Plan. She also assisted the client with the implementation of their mitigation plan providing biological monitoring and reporting.

**Baker Ranch Planned Community Project, Shea Baker Ranch Associates, LLC, Lake Forest, CA (Biology; Regulatory; Restoration; PMP; BA; Monitoring)** – The Shea/Baker Ranch project includes drainage improvements to Borrego Channel Wash, approximately 2,000 single-family and multi-family dwelling units, retail and commercial uses, parks, trails, streets, and landscaped areas. Erin continues to provide coordination in Project management, including coordination and finalization of a Perpetual Management Plan and Biological Assessment for long-term monitoring

of water and habitat on-site, and general compliance with regulatory conditions requiring coordination with all regulatory agencies. Erin acts as a project biological monitor and led VCS' CRAM field data collection and data analysis efforts.

**Murrieta Marketplace - Regency Centers, Murrieta, CA (Biology; HMMP; Monitoring)** – The Commons at French Valley Commercial Development encompasses approximately 54-acres with proposed uses of buildings, roads, parking, landscaping, and open space. VCS assisted the Regency planning team in designing a site plan which would preserve the more significant wetland resources. Erin assisted with the preparation of a Habitat Mitigation and Monitoring Plan, which included a hybrid functional assessment of the pre and post project resources. She continues to work with the Regency Team in maintaining compliance on the issued regulatory permits and implementing the compensatory mitigation program.

**Peyton Drive, Eucalyptus Avenue, And English Channel Improvements Project, City Of Chino Hills, CA (Regulatory; CRAM; HMMP)** – This project consisted of a 1.5-mile road widening for the City of Chino Hills. Erin led VCS' CRAM field data collection, data analysis and reporting efforts. Erin also assisted with development of a Habitat Mitigation and Monitoring Plan for the project.

## PROJECT APPROACH

### TASK I: PROJECT INTRODUCTION AND ACTION PLAN

Upon award of the contract to provide Initial Study (IS) preparation and environmental document services to the City of Banning ("City"), the Consultant team – lead by CASC's Planning Director Adam Rush – will reach out to the City's Project Manager to schedule a meeting with the appropriate City staff. The purpose of this outreach meeting is to engage a project "Kick-Off" meeting; with the primary goal being an in-depth discussion regarding the project objectives, deliverables, expectation, and timelines of both City staff and the project applicant (RRM Properties, Ltd.). Subsequent from the "Kick-Off" meeting, CASC will prepare and deliver an **Action Plan** to the City's Project Manager that summarizes the goals and objectives communicated through the "Kick-Off" meeting and expressed by City staff and the applicant, as appropriate. In addition, the list of objectives below will provide a detailed outline as to the Consultant Team's qualifications, methodology approach, deliverables, timelines and Quality Assurance/Quality Control (Q.A./Q.C.) procedures. These objectives are associated with the preparation of an Initial Study and associated environmental documentation regarding the Robertson's mining and revised reclamation plans.

### TASK II: REVIEW OF PROJECT MATERIALS

CASC and G3 Soil Works will review the City's existing and proposed project materials related to the Robertson's Mine and Reclamation Plan (both existing and proposed as-built plans). The purpose of this review is to familiarize our CEQA and technical experts with the information contained within the project scope, including but not limited to the review of grading and drainage criteria, land use compatibility, edge conditions, environmental constraints, and requirements of the City of Banning as they related to the existing and proposed project. The Consultant Team will then deliver a **Project Summary** and **Technical Memo** from our review of the project materials based upon the qualifications held within the Consultant Team, as well as, requesting additional information and/or clarification regarding the materials received from the City and as necessary. This task will be completed in accordance with the Project Schedule (included within Section 6) and will commence immediately after the conclusion of the Project "Kick-Off" meeting as described above in Task I.

### TASK III: PREPARATION OF TECHNICAL REPORTS

Based upon the Consultant Team's understanding of the project (based in large part to Task I and Task II as described above) and research associated with the City's Request for Proposal, CASC proposes to conduct a series of technical studies to support the preparation of an Initial Study and associated Environmental Document for the Robertson's project as identified within the City's RFP. The Consultant Team brings extensive knowledge and experience in the area of both Surface Mining Plans (SMP) and Reclamation Plans (RCL) within Riverside County. For example, the CASC team brings experience from **Mission Clay Products** and **the Serrano Specific Plan** located in the unincorporated community of Temescal Canyon (South Corona area) as well as the Dos Lagos development (City of Corona) which resulted from a reclaimed Surface Mining Operation and was redeveloped into a retail mall and downtown center for the South Corona community. Furthermore, the Consultant Team brings over 7 decades of CEQA practice and implementation, specifically within Riverside County and moreover on similarly scoped projects. An example of such projects include the **Serrano Specific Plan** as referenced above, several projects for Orco Block within western Riverside County, project review, project management, CEQA implementation, and regulatory negotiation with the California Construction and Industrial Materials Association (CalCIMA). Based upon the team's level of experience, qualifications, and dedication to the CEQA practice and SMARA regulations, the City of Banning proposes to engage the following technical reports as an effective step to complete the requested Initial Study and associated environmental documentation. In order to complete these Technical Reports in both a timely and cost effective manner, CASC has teamed with three highly qualified and specialized firms in the applicable areas of SMARA and Geology, Air Quality, Greenhouse Gas Emissions, Traffic, and compliance with the County of Riverside's Multi-Species Habitat Conservation Plan (MSHCP). These firms possess the knowledge and skill within the mining and reclamation industry, as well as experience in the preparation of Initial Studies associated with similar land uses.



CITY OF BANNING COMMUNITY DEVELOPMENT DEPARTMENT  
 Initial Study and Environmental Documents for Robertson's Mine  
 Reclamation Plan for Compliance with State Mining and  
 Reclamation Act (SMARA)

The following table provides a single-view to identifying the subconsultants include:

G3 Soilworks	SMARA	Geology/SMARA Compliance	Richard Spindler	350 Fischer Avenue Costa Mesa, CA 92626 (714) 668-5600 <a href="mailto:rspindler@g3soilworks.com">rspindler@g3soilworks.com</a>
Urban Crossroads	Traffic, Air GHG	Traffic Impact Study, Air Quality Impact Study; Greenhouse Gas Emissions Inventory	Rachel Duff	3820 Indiana Avenue Suite 240 Riverside, CA 92506 (951) 682-8420 <a href="mailto:rduff@urbanxroads.com">rduff@urbanxroads.com</a>
VCS Environmental	MSHCP/Biology	General MSHCP Compliance Investigation and Report	Ashley McCoy	39000 Rancho Viejo Road, San Juan Capistrano, CA 92675 (949) 218-4252 <a href="mailto:amccoy@vcsevenvironmental.com">amccoy@vcsevenvironmental.com</a>

Based upon the experience of our Consultant Team, the technical reports referenced above are critical to ensure adequate documentation with the California Environmental Quality Act (CEQA) and the Surface Mining and Reclamation Act (SMARA). The necessary technical reports will be initiated immediately after *Task II: Review of Project Materials* and completed in accordance with the project schedule (see Page 30).

**TASK IV: PREPARATION OF DRAFT INITIAL STUDY**

Under this task The Consultant Team will prepare the *Draft Initial Study*, to be reviewed and considered in conjunction with the City's development proposal and supported by the Technical Reports completed through *Task III: Preparation of Technical Reports*. This Phase will serve as the City's screen check document for internal review purposes and will include technical appendices of all associated reports used to substantiate the findings, conclusions, and recommended mitigation measures in the Initial Study. Included herein, the following subtasks will be completed:

**Subtask IV.1: Develop the Environmental Setting:**

Utilizing the project materials available and reviewed under Task II, CASC will prepare the *existing environmental setting* for each of the issues being evaluated in the IS, utilizing the technical studies provided through Task III (as identified above) and data gathered independently for the remaining issues. As noted above, our assumption is that the environmental issues/impacts listed above will require original data to be generated as part of technical studies before they can be fully addressed in the IS/MND.

**Subtask IV.2: Prepare the Environmental Impact Evaluation:**

The Consultant Team will utilize the data from the project description and first subtask to forecast potential environmental impacts resulting from the proposed project. The impact forecast will be as specific as possible for the proposed project and affected environment. Mitigation measures will be identified, as appropriate, for each environmental issue as required by CEQA, SMARA and the City's rules and regulations to implement both CEQA and SMARA as appropriate. The impact evaluation format used is as follows: *Source Evaluation; Findings of Fact; Mitigation Measures; Monitoring.*

**Subtask IV.3: Prepare All Remaining IS/MND Sections:**

The CEQA mandated sections (Alternatives, Growth Inducement, Cumulative Effects, lists of contacts and persons consulted, General Plan Consistency, and sources referenced) will be provided under this subtask. In addition, a Mitigation Monitoring and Reporting Plan (MMRP) will be developed under Task VIII; however, if the City wishes to include the MMRP in the Draft Initial Study for review (as part of Task IV), this can be easily accommodated at no additional cost to the City.



CITY OF BANNING COMMUNITY DEVELOPMENT DEPARTMENT  
Initial Study and Environmental Documents for Robertson's Mine  
Reclamation Plan for Compliance with State Mining and  
Reclamation Act (SMARA)

At the completion of *City's Draft Initial Study*, CASC will provide 3 hard copies to the City for review along with a Microsoft Word and PDF version for the City's records and manipulation if necessary. The Draft Initial Study will be provided to the City in accordance with the project scheduled, attached herein under Section VI).

**TASK V: CIRCULATION FOR CITY INTERNAL REVIEW AND COLLECTION OF COMMENTS**

Upon conclusion of the City's review, CASC will facilitate a secure website (FTP site) wherein all internal City comments can easily be uploaded to this site. This method will minimize costs in travel and postage expenses; however, will not preclude more traditional methods of document transmittal. The City will have secured (i.e., password protected access) to this site and will be able to upload comments from all internal and external City agencies and departments as they arrive. This FTP site will allow the City's Project Team to collaborate seamlessly through this electronic portal on comments that arrive from the various departments and agencies (e.g. Fire Department, County Flood Control, Building and Safety, Geology, Public Works, etc.). Each comment submitted – in writing – on the Draft Initial Study will be cataloged, prioritized and responded to by the appropriate member of the Consultant Team. These comments will be promptly addressed in the City's Final Draft Initial Study and will be compiled, printed and submitted to the City for review and approval prior to public distribution (likely in conjunction with the City's development project proposed by Robertson's). CASC will coordinate with the appropriate City agencies to ensure that the Final Draft Initial Study is appropriately located, advertised, published, and made available (including all applicable technical appendices and environmental supporting documents) concurrent with the City's public hearing processes and in accordance with the mandatory public review period required by the CEQA Statutes and Guidelines and SMARA.

**TASK VI: ASSISTANCE WITH IS/MND PUBLIC COMMENTS**

Following completion of the Initial Study public review period (as required by CEQA and SMARA), CASC will collect all written comments received and distribute the appropriate technical staff to review and respond as necessary and required by the CEQA Statutes and Guidelines, SMARA, and the City's rules and regulatory procedures acting in the capacity of a Lead Agency. Mr. Rush will coordinated directly with City staff to ensure all public comments are adequate recorded, itemized and responded in a manner that preserves the integrity of the Administrative record. Furthermore, CASC will respond to the public comments in the format preferred by the City, but recommends a page-by-page format where the comment letter and the applicable responses are side-by-side to ensure the information is concisely and transparently conveyed to City staff and the public at-large. The comments and responses will be incorporated into the Final Initial Study and associated Environmental Documentation presented to the City's Planning Commission (and City Council if necessary) during the applicable public hearings.

**TASK VII: MEETING ATTENDANCE AND COORDINATION**

CASC will attend all meetings and public hearings, as requested by the City, for the successful completion of the environmental documentation as specified herein. The Consultant Team anticipates forty (40) collective hours of participation in *both* internal and external meetings and coordination time (including a maximum of two (2) City Planning Commission Public Hearings which includes preparation and travel time), to ensure adequate representation of the project and support of environmental findings and related technical studies.

**TASK VIII: PREPARATION OF THE MMRP**

CASC will develop the Mitigation and Monitoring Reporting Matrix (MMRP) from the *staff approved* Final Initial Study Draft. For each section analyzed through the environmental setting and impact analysis, the proposed mitigation measures will be identified and correlated to an appropriate implementation phase of the project. In addition, the applicable agencies and/or department(s) will be identified to implement and enforce the mitigation if necessary through the project compliance and implementation of the MMRP. Based upon the Consultant Team's experience in the preparation and collaboration of CEQA documents broadly and surface mining operations specifically, the Consultant Team completely understands that each identified mitigation measure, whether it be a standard or unique mitigation measure, may require several jurisdictional entities to review, implement, and enforce such the necessary environmental controls, permits, and mitigation measures throughout the life of the project. As such, the Consultant Team highly recommends integrating the results of the MMRP within the project Conditions of

Approval (COAs) to ensure the highest level of certainty to implement the MMRP. For example, the project (if approved) requires compliance with SMARA, introducing review by the California State Board of Mining and Reclamation and possibly the State Department of Conservation. CASC will work closely with the City to identify the appropriate entities, agencies, and departments to ensure that the environmental mitigation and implementation measures are completed in an efficient, cost effective, and legally defensible manner along with an emphasis on consistent implementation by City staff.

**TASK IX: DELIVERABLES**

- All Technical Reports [Phase I Environmental Site Assessment, Comprehensive Geological Investigation, Report, Air Quality Impact Analysis, Noise Impact Analysis, Greenhouse Gases (GHG) Emissions Analysis, Traffic Impact Study, Cultural Resources Report, and a Multi-Species Habitat Conservation]. All Technical Reports will be provided in an electronic format (including both **WORD** and **PDF** formats) or as directed by City staff. Given the anticipated volume of these document, hard copies are available for both internal and external review by request of City Staff. Request for hard copies from external entities, such as *Special Districts; Trustee, Responsible or Interested Parties; or members of the public* will be coordinate with City staff prior to distribution.
- Draft Initial Study; Final Initial Study Draft; Technical Appendices (including the items referenced above); and Draft and Final MMRP. All documents will be provided in both a hard copy format (3 copies of each); in an electronic copy (including both **WORD** and **PDF** formats) or as directed by City staff.
- A **Complete Reference Appendix** that identifies all applicable source materials and available references utilized in the drafting and completion of the Initial Study, the MMRP and the Technical Appendices. This reference document will incorporate the technical, legal, regulatory and scientific documentation used to support the Initial Study, MMRP and its associated environmental and Technical components in an understandable and efficient format for public review. The **Complete Reference Appendix** will be provided in both a hard copy format (3 copies of each); in an electronic copy (including both **WORD** and **PDF** formats) or as directed by City staff.
- A **Public Comment Reference Appendix** will be provided to City staff. This appendix will incorporate all written comments received during the required environmental review period provided for the Final Draft Initial Study. In addition, and at the direction of the City, CASC will also incorporate all comments provided during the public hearing proceedings associated with the development application (e.g., CUP for Robertson's mine expansion).

**TASK X: PROJECT SCHEDULE**  
**SEE PAGE 30**

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**DETAILED PROJECT APPROACH (SUBCONSULTANTS):**



**G3 SOILWORKS**

**PROJECT UNDERSTANDING / SETTING**

The site is located along the southern flank of the San Bernardino Mountains on a gently inclined alluvial fan associated with the San Gorgonio River which lies to the north. Due to the available mineral resources of this region, the area has been mined for rock, sand, and gravel since the 1920s. Situated in the northeast portion of the City of Banning, the current Robertson's Mine consists of approximately 186 acres and lies within an Industrial Mineral Resources zone. On the northwest portion of the mine are 17 acres which lie within a Low Density Residential zone and which have been encompassed within the "open pit" mine excavation area. Based on the provided documents and our discussions, we understand that the focus of this study is this 17-acre area. This parcel is bordered on the south by Repplier Road, to the east along the northward extension of Hargrave Street within the mining area, on the west by Florida Street and its northward extension into undeveloped land, and on the north by the San Gorgonio River bank. Adjacent to nearby housing, associated roads, and undeveloped setback areas, steeply inclined mining excavation slopes descend from the northern, western and southern boundary areas; while the former east boundary is now within the open excavations of the mine. It is understood the City of Banning is looking to have an Initial Study and environmental document prepared for the Robertson's Mine with a new Reclamation Plan for compliance with SMARA.

**PROPOSED SCOPE OF WORK AND ASSOCIATED COSTS**

The scope of work presented in this proposal is geared at providing key engineering geologic and related input, in particular, for the evaluation and addressing of SMARA / County / City compliance issues – for the development of an overall "Initial Study" CEQA package. To accomplish this overall goal, we have subdivided into the three requested technical tasks: 1. Geology / Soils; 2. Hazards and Hazardous Materials; and 3. Mineral Resources. As part of this proposal, we have included an additional scope of work to perform a geological investigation for the subject site.

As each of the following tasks is presented as a "stand alone" estimate, there is repetition of the indicated scope of work items. Should more than one of the tasks be awarded to G3SoilWorks, we will revise our scope and costs accordingly.

**a. Geology / Soils**

As described above, the principle purpose of the overall work is to prepare an Initial Study and environmental document package for the Robertson's Mine's new Reclamation Plan for compliance with SMARA. The first major step in developing defensible engineering geologic / SMARA compliance input is to evaluate and characterize the history of and conditions surrounding the subject mine and the vicinity.

**b. Environmental Site Assessment (ESA)**

Hand-in-hand with the engineering geologic characterization and contexting is an evaluation of the "legacy" history of the mine and its vicinity. Also, in accordance with CEQA is the need to address pertinent environmental related conditions and hazards / risks. These factors may be addressed by a comprehensive ESA hand-in-hand with the evaluation of engineering geologic conditions. The scope of work and associated costs for the environmental site assessment of this site is presented below.

**c. Mineral Resources Assessment**

As another requirement of CEQA, an evaluation for potential mineral resources / reserves of the subject site and near vicinity will be needed. This work is best performed using the Geology / Soils and Environmental Site Assessment findings and research as a foundation.

**d. Geological Investigation (Relative to the Subject "17-acre" Area)**

Plans showing all underground utilities onsite (private and public) should be provided to us prior to our field exploration. The proposed excavation locations will be pre-marked in the field and Underground Alert Services notified prior to our excavations. G3SoilWorks will not be held responsible for any damage to unmarked utilities. Please refer to the "Limitations to Scope of Work" section of this report for more detailed information regarding the limits and other considerations of our proposed work.

**VCS ENVIRONMENTAL**



The biotech report will be prepared consistent with CEQA guidelines and could also be used for regulatory permitting, if needed. There is potential for avoiding regulatory permits, assuming jurisdictional resources are not present on the site. Since the project is within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), the project will also require a Consistency Determination Report and Determination of Biologically Equivalent or Superior Preservation (DBESP), which will need to be approved by the City and Riverside Conservation Authority (RCA). According to preliminary checks through the California Natural Diversity Database (CNDDDB) and MSHCP, VCS assumes the project area does not fall within Critical Habitat or a Criteria Cell and does not contain any species requiring focus surveys. The following is our recommended scope of work and proposed budget:

- Prepare Biotech Report including conduct jurisdiction delineation. Includes field database review, species tables, report, and production/submittal.
- Prepare MSHCP Consistency Determination Report and DBESP and process through.
- Attend meetings and conference calls with the project team.

**URBAN CROSSROADS**



The following scope of work represent the services necessary to complete this *Noise Analysis*:

- Existing Conditions
- Off-Site Traffic Noise Analysis
- Operational Noise Analysis
- Noise Study

*The following scope of work and associated professional fees represent the services necessary to complete this Traffic Analysis:*

- Access Evaluation
- Scoping Agreement Process
  - Per Riverside County traffic study guidelines, the project traffic study must be formally discussed with jurisdiction staff prior to initiation of the draft traffic study. The purpose of this coordination is to ensure that input from the lead jurisdiction is obtained early in the process.
- Traffic Counts and Existing Roadway Conditions Inventory
- Cumulative Growth (Interim Year) Future Traffic Projections
- Intersection Operations Analysis
- Traffic Study Report

*The following scope of work serves to meet the SCAQMD's and County of Riverside's requirements for preparation of a CEQA Air Quality, Climate Change, and Health Risk Assessment Analysis:*

- Air Quality Report
- Greenhouse Gas Analysis
- Health Risk Assessment (HRA)

**PROJECT EXPERIENCE**

**MISSION CLAY PRODUCTS (SERRANO SPECIFIC PLAN)  
RIVERSIDE COUNTY, CA**

G3 SoilWorks, partnering with CASC on this project for the City of Banning, managed the SMARA Compliance and geological investigation the Serrano Commerce Center Specific Plan provides for the development of a commerce center on approximately 489.28 acre site within the Temescal Canyon area in unincorporated Riverside County. The project area includes an existing clay mining business and surface mine operation; a use in existence since 1953 under Surface Mining Permit No. 165 which ceased operations in the 1970's, focused on a variety of sands that had unique properties for glass. The mine was left fallow, with a deep open pit exposing the groundwater systems, and thick accumulations of mine tailing and washout process material lining the banks of Temescal Wash. Much of this extended beyond "permitted" limits.

**REFERENCE**  
Brian Jensen,  
S.E. Corporation Project  
Manager  
Phone: 951.522-4119

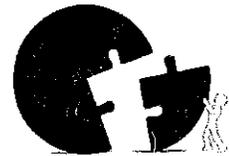
**MISSION CLAY PRODUCTS (SERRANO SPECIFIC PLAN)  
RIVERSIDE COUNTY, CA**

G3 SoilWorks, partnering with CASC on this project for the City of Banning, managed the SMARA Compliance and geological investigation the Serrano Commerce Center Specific Plan provides for the development of a commerce center on approximately 489.28 acre site within the Temescal Canyon area in unincorporated Riverside County. The project area includes an existing clay mining business and surface mine operation; a use in existence since 1953 under Surface Mining Permit No. 165.

**REFERENCE**  
Glen Robertson, CEQA Coordinator  
California Regional Water Quality  
Control Board, Santa Ana Region  
Phone: 951.782-3259  
Stephen Testa, Executive Officer,  
State Mining and Geology Board,  
Sacramento, CA  
Phone: 916.322-1082  
David Jones, Chief Engineering  
Geologist, County of Riverside  
Planning Department, Riverside, CA  
Phone: 951.955-6863

**RIVERSIDE COUNTY SURFACE MINING OPERATIONS AND RECLAMATION PLANS  
RIVERSIDE COUNTY, CA**

Several Surface Mining Operations and Reclamation Plans were processed and completed under the direction of CASC's Director of Planning, Adam Rush. These projects spanned both eastern and western sectors of the County of Riverside and included notable projects such as the controversial *Liberty Quarry* mining operation processed by Granite Construction. This project was anticipated for the unincorporated Temecula Valley, just north of the San Diego County line. In addition, Mr. Rush managed the CEQA/Environmental Document preparation and development review (i.e., Conditional Use Permit, Surface Mining Permit, and/or Reclamation Plans) for several projects on behalf of the County of Riverside Planning Department acting as the Lead CEQA Agency. A partial list is below:



RIVERSIDE COUNTY  
PLANNING DEPARTMENT

- Serrano Specific Plan
- Surface Mining Plan 126R1
- Orco Block Revised CUP in Jurupa Valley
- County Ordinance No. 348 comprehensive amendment, specifically in regards to the Mineral Resource Zones

**RIVERSIDE COUNTY HOUSING ELEMENT UPDATE (4<sup>th</sup> CYCLE) SPECIFIC PLAN AND EIR**  
RIVERSIDE COUNTY, CA

Riverside County's 4th Regional Housing Needs Assessment (RHNA) Cycle Housing Element Update was completed under the direction of CASC's Director of Planning, Adam Rush who managed the complete overhaul of the program. Mr. Rush managed a staff of six (6) senior-level planners, GIS professionals, and housing analysts to complete the County's 2004—2016 Housing Element Cycle which was already passed due upon his inheritance of the project. During the public outreach workshop associated with the Housing Element update, Mr. Rush provided outreach to several interest groups and external constituencies such as the Riverside County Housing Authority, the California Rural Legal Assistance (CRLA) Foundation, and the Desert Alliance for Community Empowerment (D.A.C.E.), and Pueblo Unido. CASC was successful in completing the 4th RHNA Cycle Housing Element within 14 months and preparing the County for preparation and completion of the 5th RHNA Cycle to avoid the restrictions set forth by Senate Bill (SB) 375.



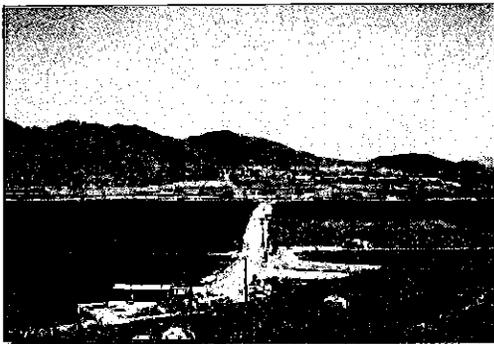
**ENVIRONMENTAL IMPACT REPORT**  
CITY OF RANCHO CUCAMONGA, CA

Writing and processing of Environmental Impact Report (SCH#2008071044) for the Wilson Avenue Extension (East) project. CASC is responsible for all major aspects of the public works improvements; including civil engineering, improvement plans and grading plans, hydrological design and water quality mitigation

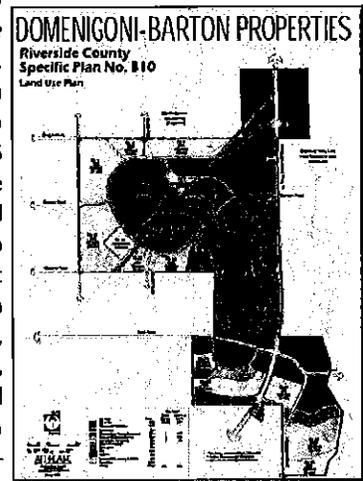
**REFERENCE**  
Mr. Walt Stickney  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730  
Phone: 909.477-4740 Ext. 4076  
Walt.Stickney@cityofrc.us

**DOMENIGONI-BARTON SPECIFIC PLAN AND EIR NO. 421**  
RIVERSIDE, CA

CASC prepared both the EIR and Supplemental EIR for the Domenigoni Specific Plan, which was certified by the County of Riverside in 2004 without challenge. *The project consists of 4,600 single-family and multi-family residential dwelling units with an average project density of 2.7 DU/AC.*



The Specific Plan includes a wide variety of medium to high densities (2 DU/AC to 6 DU/AC). In addition, the master plan also incorporated planning areas dedicated to mixed used development (200.8 gross acres); which includes residential, commercial, Business Park, educational and recreational

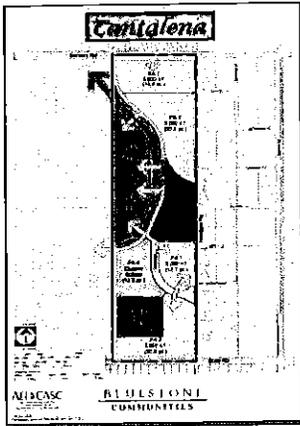


land uses. The Supplemental EIR primarily focused upon changes in region traffic patterns that impacted future phases of development. The Domenigoni-Barton Specific Plan is located within a rapidly growing area of western Riverside County. The project area is currently vacant (with the exception of regional road construction) pending the certification of the joint EIR/EIS for the Highway 79 expansion. The Riverside County Transportation Commission (RCTC) and Cal-Trans is acting as the lead agency on this roadway project. Integration with several state and federal agencies to create a comprehensive and wholesome community bifurcate by a Highway expansion was the most difficult challenge faced during this project

CONT. DOMENIGONI-BARTON

development process. *To overcome these challenges, our staff established weekly planning study sessions with the County, Commission Staff, and a local Caltrans representative to engage and identify planning and/or environmental concerns prior to becoming a major obstacle in the development process.*

**CANTALENA SPECIFIC PLAN AND EIR**  
COUNTY OF RIVERSIDE, CA



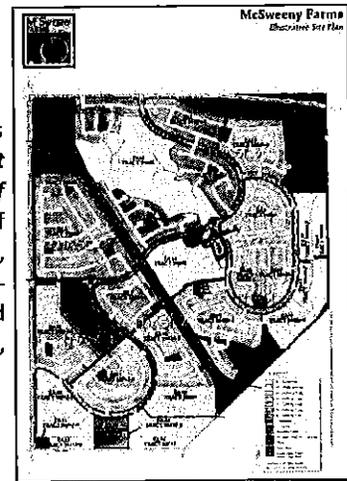
The Cantalena Specific Plan and EIR incorporates a mixed-use land use master plan of development. More specifically, *the project includes 935 residential dwelling units (d.u.) ranging in density from medium (2-5 DU/AC) to very-high densities (18+ DU/AC. The average land use density for the project is approximately 5.9 DU/AC* and the project incorporates single-family and multi-family residential land uses only along with ancillary parks, open space, recreation, and required drainage facilities. In addition, the Specific Plan identifies a potential school site allocated for the Menifee Valley School District; however, final determination of this site has yet to be decided by the school district. The Specific Plan also sets forth a complimentary plan of

REFERENCE  
Craig Cristina  
Planning Director  
3161 Michelson Drive,  
Suite 425 - Irvine, CA 92612  
Direct: 949.383.4124  
Office: 949.261.7010  
CCristina@  
RichlandCommunities.com

uses to the Menifee Town Center, which will incorporate a wide-range of commercial retail and service opportunities for the existing and future residents of Menifee. The status of the Cantalena Specific Plan is currently under review, through an amendment process, with the City of Menifee. This is also a project that CASC is managing for the City of Menifee.

**MCSWEENEY FARMS**  
SPECIFIC PLAN AND EIR, CA

CASC prepared an EIR for the McSweeney Farms Specific Plan, which was certified by the City of Hemet in 2003 without CEQA challenge. *The project consists of 1,640 dwelling units over 673 gross acres for an average density of 2.5 DU/AC.* The Specific Plan primarily consists of medium to very high densities residential land uses, including both single-family detached and multi-family units. The EIR was successful in disclosing and mitigating several impacts related to traffic, circulation, open space, and land use compatibility.



**PROJECT SCHEDULE**

ID	Task Mode	Task Name	Duration	Start	Finish	October	November	December	January	February	March	April	May	June	July
1	Task	Task I: Project Introduction and Action Plan	7 days	Wed 12/10/14	Thu 12/18/14										
2	Task	Task II: Review of Project Materials	10 days	Mon 12/22/14	Fri 1/2/15										
3	Task	Task III: Preparation of Technical Reports	30 days	Mon 1/5/15	Fri 2/13/15										
4	Task	Task IV: Preparation of Draft Initial Study	45 days	Mon 2/16/15	Fri 4/17/15										
5	Task	Task V: Circulation for City Internal Review and Collection of Comments	30 days	Mon 4/20/15	Fri 5/29/15										
6	Task	Task VI: Assistance with IS Public Comments	25 days	Mon 6/1/15	Fri 7/3/15										
7	Task	Task VII: Meeting Attendance and Coordination	14 days	Fri 7/3/15	Wed 7/22/15										
8	Task	Task VIII: Preparation of the MMRP	10 days	Mon 7/6/15	Fri 7/17/15										
9	Task	Task IX: Deliverables	5 days	Mon 7/20/15	Fri 7/24/15										

Task Split Milestone Summary

Project PERFORMANCE SCHED  
Date: Mon 11/17/14

Project Summary Inactive Task Inactive Milestone Inactive Summary

Manual Task Duration-only Manual Summary/Rollup Manual Summary

Start-only Finish-only External Tasks External Milestone

Deadline Progress Manual Progress

Page 1

January 16, 2015

**CITY OF BANNING COMMUNITY DEVELOPMENT DEPARTMENT**

Attn: Brian Guillot, Acting Community Development Direct  
99 E. Ramsey Street  
Banning, CA 92220  
(951) 922-3131  
bguillot@ci.banning.ca.us

**SUBJECT: INITIAL STUDY AND ENVIRONMENTAL DOCUMENTS FOR  
ROBERTSON'S MINE RECLAMATION PLAN FOR COMPLIANCE  
WITH STATE MINING AND RECRAMATION ACT (SMARA)**

Dear Mr. Guillot,

Thank you for the opportunity to provide additional clarification and revised documentation associated with the above-referenced Request for Proposal (RFP). As directed by your staff, i.e., Oliver from the Community Development Department, CASC ENGINEERING and CONSULTING (CASC), a dba of AEI-CASC Engineering, Inc., is pleased to submit the attached proposal for professional CEQA documentation services your consideration. Furthermore, our Consultant Team has investigated and researched the project in further depth to provide you with an *all-inclusive* and comprehensive budget associated with the preparation of a Project-Level Environmental Impact Report (EIR) for the above-referenced mining project.

It is our understanding that the City of Banning City Council wishes various options for consideration associated with the CEQA, legal and political aspects associated with this project. To that end, our team includes one of the premier Geotechnical Engineers in the Country, Mr. Larry Fanning, C.E.G. Mr. Fanning brings over thirty-five (35) years of mining and geology experience to your City. In this proposal, CASC combines our twenty-two (22) years of land use and CEQA experience with unmatched technical support to deliver the most efficient and defensible document possible within the framework provided.

In closing, our team sincerely appreciates your consideration of our proposal and the revised budget contained herein. If you have any further questions, or need additional clarification, please do not hesitate to contact me should you have any questions at (855) 383-0101 x 5720.

Sincerely,

**CASC ENGINEERING AND CONSULTING**



Adam Rush  
Director of Planning  
2014-0185 jm/ar

*Encl.: EIR Scope & Budget*



1470 East Cooley Drive  
Colton, CA 92324  
Office: (855) 383-0101 ext. 5370  
Fax: 909-783-0108

## PREPARATION OF ENVIRONMENTAL IMPACT REPORT

TASK I		TASK II		TASK III		TASK IV		TASK V		TASK VI	
Project Introduction and Action Plan	Costs	Review of Existing Project Materials	Costs	Preparation of Technical Reports	Costs	Preparation of Draft Initial Study	Costs	Circulation of Draft Is for City's Review and Comment	Costs	Publication of Notice of Preparation (NOP)	Costs
CASC	\$850.00	CASC	\$1,700.00	CASC	\$1,500.00	CASC	\$3,750.00	CASC	\$750.00	CASC	\$1,250.00
G3 Soil Works	\$750.00	G3 Soil Works	\$900.00	G3 Soil Works	\$49,760.00	G3 Soil Works	\$1,400.00	G3 Soil Works	\$0.00	G3 Soil Works	\$0.00
VCS Environmental	\$950.00	VCS Environmental	\$950.00	VCS Environmental	\$32,830.00	VCS Environmental	\$1,900.00	VCS Environmental	\$0.00	VCS Environmental	\$0.00
Urban Crossroads	\$350.00	Urban Crossroads	\$600.00	Urban Crossroads	\$50,800.00	Urban Crossroads	\$1,200.00	Urban Crossroads	\$0.00	Urban Crossroads	\$0.00
<b>Subtotal #1:</b>	<b>\$2,900.00</b>		<b>\$4,150.00</b>		<b>\$134,890.00</b>		<b>\$8,250.00</b>		<b>\$750.00</b>		<b>\$1,250.00</b>
TASK VII		TASK VIII		TASK IX		TASK X		TASK XI		TASK XII	
Prepare Administrative DEIR*	Costs	Internal DEIR Circulation	Costs	Respond to City's DEIR Comments	Costs	Publish DEIR/NOC	Cost	Respond to NOC Comments	Cost	Publish Final EIR	Cost
CASC	\$7,650.00	CASC	\$4,200.00	CASC	\$1,250.00	CASC	\$2,700.00***	CASC	\$2,250.00	CASC	\$1,250.00
G3 Soil Works	\$4,500.00	G3 Soil Works	\$0.00	G3 Soil Works	\$900.00	G3 Soil Works	\$0.00	G3 Soil Works	\$1,800.00	G3 Soil Works	\$0.00
VCS Environmental	\$2,850.00	VCS Environmental	\$0.00	VCS Environmental	\$1,900.00	VCS Environmental	\$0.00	VCS Environmental	\$1,900.00	VCS Environmental	\$0.00
Urban Crossroads	\$1,800.00	Urban Crossroads	\$0.00	Urban Crossroads	\$600.00	Urban Crossroads	\$0.00	Urban Crossroads	\$1,200.00	Urban Crossroads	\$0.00
<b>Subtotal #2:</b>	<b>\$16,800.00</b>		<b>\$4,200.00</b>		<b>\$4,650.00</b>		<b>\$2,700.00</b>		<b>\$7,150.00</b>		<b>\$1,250.00</b>
										<b>Subtotal #1</b>	<b>\$152,190.00</b>
										<b>Subtotal #2</b>	<b>36,750.00</b>
										<b>Total:</b>	<b>\$188,940.00</b>

\*\*\*CASC assumes approximately \$2,000.00 allocated for printing and reproduction costs, which can be mitigated with a strictly digital distribution.

\*\*If the City desires hard copies of the DEIR, CASC anticipates approximately \$2,500.00 in printing and reproduction costs. These costs would not be incurred with a strictly digital distribution.

\*CASC will incorporate the minimum standards for EIR per the State CEQA Guidelines (Article 9, Sections 15120 - 15127). Additional chapters, based upon the NOP comments and/or City input, are not incorporated herein as they are unknown.

**PROJECT FEE SCHEDULE**

Task	CASC	G3 SOIL WORKS		VCS ENVIRONMENTAL		URBAN CROSSROADS:	
		Geology/Soils	Hourly Rate (See Attached)	Prepare Biotech Report	MSHCP Consistency Determination	Air, GHG, HRA	Traffic Proposal
Task I	\$850.00		\$18,000.00	\$14,880.00		\$22,500.00	
Task II	\$1,700.00	Environmental Site Assessment	Hourly Rate (See Attached)	MSHCP Consistency Determination	\$13,500.00	\$15,400.00	
Task III	Provided herein	Mineral Resources Assessment	\$9,240.00	Meetings and Coordination	\$3,950.00	Noise Proposal	\$12,900.00
Task IV	\$5,000.00	Geotechnical Report	\$25,760.00	Reimbursable Expenses	\$500.00		
Task V	\$2,500.00						
Task VI	\$1,250.00						
Task VII	\$3,500.00						
Task VIII	\$1,850.00						
<b>Subtotals</b>	<b>\$16,650.00</b>		<b>\$53,000.00</b>		<b>\$32,830.00</b>		<b>\$50,800.00</b>
					<b>Project Total</b>		<b>\$153,280.00</b>



CASC ENGINEERING AND CONSULTING  
a dba of AE I- CAS C Engineering, Inc.

**RATE SCHEDULE**  
January 1, 2014 – December 31, 2014

Civil Engineering

President/Principal Engineer	\$180.00
Director	\$170.00
Senior Program Manager/Technical Specialist	\$165.00
Program Manager	\$155.00
Project Manager/Senior Engineer III	\$150.00
Project Manager/Senior Engineer II	\$145.00
Project Manager/Senior Engineer I	\$140.00
Assistant Project Manager	\$135.00
Project Engineer	\$130.00
Senior Designer II	\$125.00
Senior Designer I	\$120.00
Design Engineer II	\$115.00
Design Engineer I	\$110.00
Designer II	\$105.00
Designer I	\$100.00
CADD Drafter II	\$90.00
CADD Drafter I	\$85.00
Technical Aide	\$75.00

Environmental/Water Quality Services

Director	\$170.00
Senior Program Manager/Technical Specialist	\$165.00
Program Manager	\$155.00
Project Manager/Technical Specialist	\$150.00
Senior Environmental Analyst/Scientist III	\$145.00
Senior Environmental Analyst/Scientist II	\$140.00
Senior Environmental Analyst/Scientist I	\$135.00
Environmental Analyst/Scientist III	\$130.00
Environmental Analyst/Scientist II	\$125.00
Environmental Analyst/Scientist I	\$115.00
Staff Analyst/Scientist II	\$105.00
Staff Analyst/Scientist I	\$95.00
Staff Assistant II	\$85.00
Staff Assistant I	\$75.00

Clerical

Project Coordinator/Clerical III	\$80.00
Project Coordinator/Clerical II	\$75.00
Project Coordinator/Clerical I	\$70.00
Project Assistant	\$65.00

Planning

Planning Director	\$170.00
Senior Program Manager/Technical Specialist	\$165.00
Senior Project Manager - Planning	\$150.00
Project Manager - Planning	\$135.00
Senior Planner II	\$125.00
Senior Planner I	\$115.00
Planner II	\$105.00
Planner I	\$95.00
Graphic Artist	\$85.00
Associate Planner	\$75.00
Planning Aide	\$65.00

Landscape Architectures

Licensed Landscape Architect	\$145.00
Senior Landscape Designer	\$125.00
Associate Landscape Designer	\$110.00
Assistant Landscape Designer	\$95.00
Landscape CADD Drafter	\$80.00

Construction Management

Resident Engineer	\$145.00
Assistant Resident Engineer	\$130.00
Field Inspector III	\$115.00
Field Inspector II	\$100.00
Field Inspector I	\$85.00

Surveying and Mapping

Licensed Surveyor/Director	\$170.00
Senior Survey Project Manager	\$145.00
Senior Survey Analyst	\$135.00
Senior Calculator	\$125.00
Calculator II	\$115.00
Calculator I	\$105.00
Survey Analyst II	\$95.00
Survey Analyst I	\$85.00
Technical Aide	\$75.00

Field Survey Crews

Three Person Survey/GPS Crew	\$265.00
Two Person Survey/GPS Crew	\$240.00
One Person Survey/GPS Crew	\$210.00

Litigation Support and Expert Witness shall be at 2.0 times the above noted hourly rates.

**REIMBURSABLE EXPENSES**

The following expenses will be billed at cost plus 15% unless otherwise noted:

**Outside Services:** Includes fees paid to sub-consultants, consultants, analytical laboratories, and other providers of services required for execution of the project.

**Permits, Applications, and Fees:** Includes fees for Notices of Intent (NOI), Notices of Termination (NOT), application fees, submittal fees, permit fees, and other fees required as part of the project and not paid directly by Client.

**Reproduction Services:** Includes blueprinting, copying, printing and plotting. In-house plots will be billed at \$6.00 per sheet for each client set and for a final in-house review set. B&W / Color copies: \$0.08 / \$0.90 for 8.5 X 11 and \$0.20 / \$1.20 for 11 X 17.

**Rental Fees:** Includes rental fees paid by the firm, including required vehicles, equipment, and tools required to complete the work.

**Commercial Delivery Services:** Including Express Mail, Federal Express, UPS and Independent courier services.

**In-House Pick-Up and Delivery Services:** When provided by the firm, these services will be billed at \$48.00 per hour plus \$0.66 per mile round trip, with no additional markup.

**Travel Expenses:** Includes travel expenses incidental to performance of the work, including airfare, parking, tolls, taxi, lodging, and etc. Vehicle mileage will be billed at a rate of \$0.66 per mile with no additional markup. Travel time for professional and administrative staff will be billed per the hourly fee rate schedule with no additional markup and survey crews will be billed at \$50 per hour, per 2 man crew.

**Per Diem:** Per diem for meals for overnight stays will be billed at \$40 per day, per person.

**Prevailing Wage:** Projects and/or portions thereof designated by Client to be subject to Prevailing Wage shall be billed at the regular staff rate or the Prevailing Wage rate, whichever is higher. The Prevailing Wage rate shall be (2.28) X (Total Hourly Rate), where the Total Hourly Rate is from the Wage Rate Determination issued by California's Director of Industrial Relations for the locality and employee classification at the time the work is performed.

**Waiver of Subrogation:** When a Waiver of Subrogation for Workman's Compensation Insurance is required by the Client, the Client will be required to pay the additional insurance premium. The approximate amount for the waiver is \$250 per year.

## SUBCONSULTANTS RATES



### EXHIBIT A

#### BILLING RATES FOR URBAN CROSSROADS, INC.

<u>Position</u>	<u>Hourly Rates</u>
Principal	\$175 - 225
Associate Principal	\$145 - 180
Senior Associate	\$120 - 165
Associate	\$100 - 135
Senior Analyst	\$85 - 120
Analyst	\$70 - 105
Assistant Analyst	\$50 - 85
Senior Technician	\$55 - 90
Technician	\$45 - 80
Assistant Technician	\$35 - 70
Administrative Manager	\$75 - 110
Administrative Supervisor	\$60 - 95
Administrative Assistant	\$45 - 80

#### General

- (1) Reimbursable direct costs, such as reproduction, supplies, messenger service, long-distance telephone calls, travel, and traffic counts will be billed at cost plus ten (10) percent.
- (2) Hourly rates apply to work time, travel time, and time spent at public hearings and meetings. For overtime work, the above rates may be increased 50 percent.
- (3) Client payment for professional services is not contingent upon the client receiving payment from other parties.
- (4) Billing statements for work will be submitted monthly. Statements are payable within thirty (30) days of the receipt by client of statement. Any statement unpaid after thirty (30) days shall be subject to interest at the maximum permitted by law.



## G3SoilWorks, Inc.

### FEE SCHEDULE (October 2014)

The following presents our rates for professional services. Hours for professional and technical services are charged portal-to-portal from our office. Services during construction, such as testing and observation of grading, may require both professional and technical services. Depending on the scope and duration of the construction project, budgets can be furnished upon request. Note that (\*) field services include a 4 hour minimum and (\*\*) deposition services include a 2 hour minimum unless negotiated in advance. Time over 8 hours per day and Saturdays will be charged at a rate of 1.25. Sundays and Holidays will be charged at a rate of 2 times regular rate unless otherwise negotiated.

### TECHNICAL SERVICES

Principal – Specialty Scientist	\$ 280 / hour	Drafting/Graphics	\$ 65 / hour
Principal Engineer/Geologist	\$ 180 / hour	Data Entry/Clerical	\$ 45 / hour
Senior Engineer/Geologist	\$ 140 / hour	Laboratory Technician	\$ 75 / hour
Project Engineer/Geologist	\$ 120 / hour	Litigation	
Staff Engineer/Geologist	\$ 100 / hour	Specialized Court	
Engineer/Geology Assistant	\$ 65 / hour	Services	\$ 350-550 / hour (**)
Soil Technician	\$ 75 / hour (*)	Deposition	\$ 550 / hour (**)
Geo Assistant	\$ 50 / hour	Expert Witness	\$ 750 / hour (in Trial)

### EQUIPMENT AND INCIDENTAL EXPENSES

Field Vehicle	\$ 10 / hour	Hand-driven sampler equipment	\$ 100 / day
Nuclear Gauge	\$ 7 / hour	Manometer Level	\$ 50 / day
Report and Map Reproduction		Digital Water Level Recorder	\$ 50 / day
(B/W, Color, Photo Gloss)	Per Market	Crack Monitor	\$ 25 / per unit
GPS Unit	\$ 10 / hour	Onsite Water Probe Testing	\$ 100 / day
Slab Moisture Meter	\$ 50 / day	Generator	\$ 50 / day

### FIELD TESTS

Plate bearing load tests, pile load tests, geophysical tests, piezometer installations, slope inclinometer installations, and other special tests will be charged at standard engineering and personnel rates, plus cost of special equipment.

### LABORATORY TESTS

Unified Soil Classification	\$ 10	Max. Density/Opt. Moisture (ASTM: D1557)	\$ 150
Moisture Content/Dry Density	\$ 35	Max. Density – California 216	Per Quote
Moisture Content only	\$ 20	Direct Shear Test (Ultimate/Undisturbed)	\$ 150
Grain Size (Partial Sieve & Hydro)	\$ 150	Direct Shear Test (Ultimate/Remolded)	\$ 225
Grain Size (Sieve Analysis)	\$ 100	Direct Shear Test (Residual/Undisturbed)	\$ 250
Grain Size (% sand, silt, clay)	\$ 60	Triaxial Shear Test (UU, CU, CD)	Per Quote
Grain Size (Minus #200 US Sieve)	\$ 50	Special Sample Preparation (Rock Coring)	T & M
Atterberg Limits	\$	Consolidation:	
130		Without Time-rate (Undisturbed)	\$ 150
Sand Equivalent	\$ 90	Without Time-rate (Remolded)	\$ 175
Soil Expansion (UBC 18-2)	\$ 125	With Time-rate, additional charge per load	\$ 50
Load – Swell	\$ 125	Value	\$ 250
Soil Sulfate	\$ 65	Other Special Tests	Per Quote
Corrosivity (So <sub>4</sub> , Cl, pH, Resist.)	Cost + 20%		



**VCS Environmental 2014 Rate Schedule**

**REQUIRED TASKS\***

**1. Biotech Report and Jurisdictional Delineation**

Staff	Hours	Rate	Cost	
JVB	2	\$ 225	\$ 450	
EH	48	\$ 190	\$ 9,120	
WC	2	\$ 180	\$ 360	
BB	33	\$ 150	\$ 4,950	\$ 14,880

**2. MSHCP Consistency Report and DBESP**

Staff	Hours	Rate	Cost	
JVB	2	\$ 225	\$ 450	
WC	65	\$ 180	\$ 11,700	
BB	9	\$ 150	\$ 1,350	\$ 13,500

**3. Meetings and Calls with Project Team**

Staff	Hours	Rate	Cost	
JVB	2	\$ 225	\$ 2,150	
WC	15	\$ 180	\$ 1,800	\$ 3,950

**4. Reimbursable Expenses** \$ 500

**Total (Required Tasks)** \$ 32,830

**OPTIONAL TASK\***

**Regulatory Permitting** \$ 13,500

**Permitting Coordination with Agencies**

Staff	Hours	Rate	Cost	
JVB	2	\$ 225	\$ 450	
WC	40	\$ 180	\$ 7,200	\$ 7,650

**Mitigation Credits and Mitigation Bank** \$ 2,080

**Total (Optional Task)** \$ 23,230

**\*Notes/Assumptions:**

1. No Critical Habitat is located within project area.
2. The project area does not fall within any Criteria Cells.
3. No CNDDDB-listed species in project area.
4. No jurisdictional resources within project area.

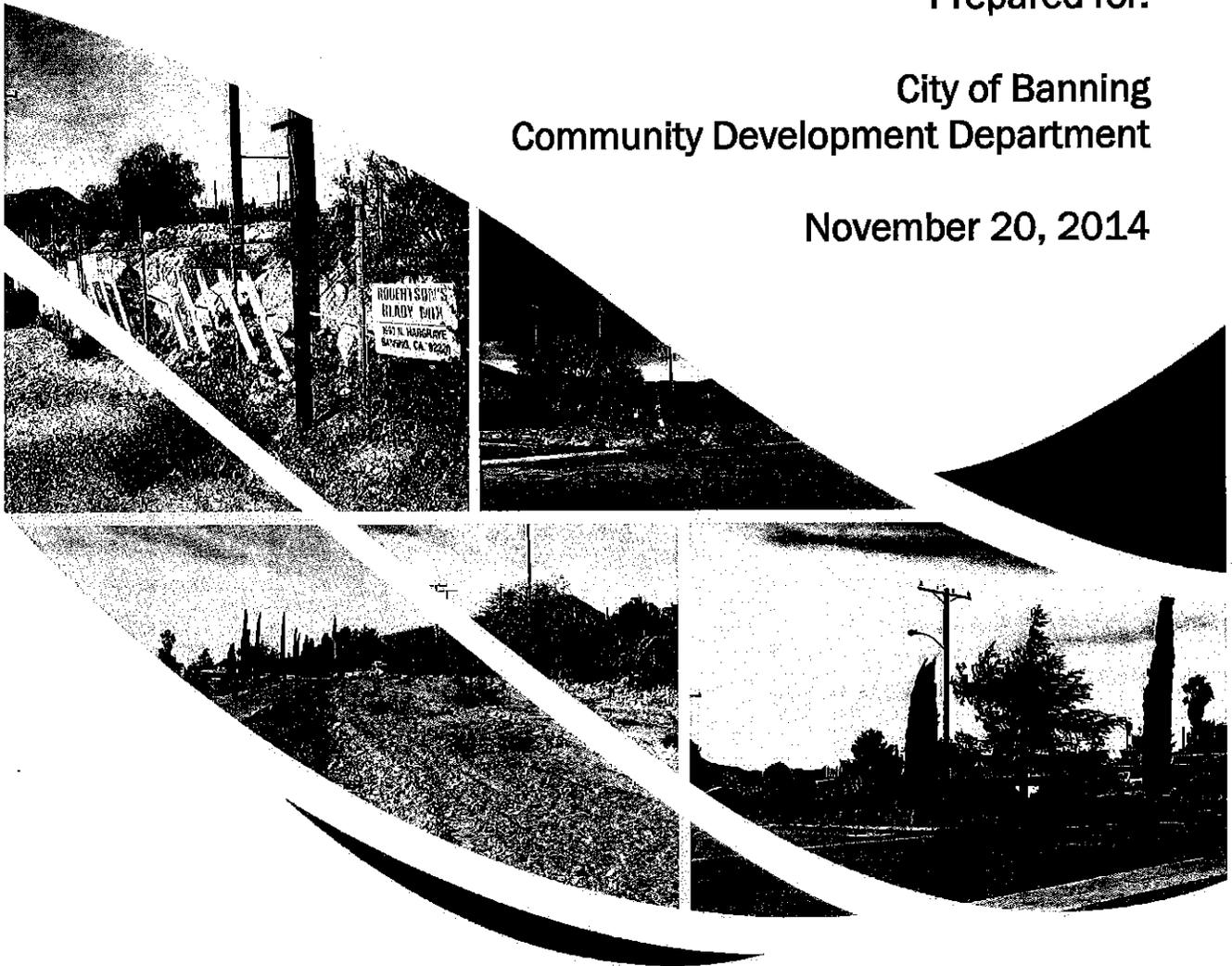


# Proposal to Prepare an IS/MND and Environmental Documents for the Robertson's Mine New Reclamation Plan

Prepared for:

City of Banning  
Community Development Department

November 20, 2014



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**Appendix A: Resumes ..... Error! Bookmark not defined.**

**Appendix B: Sample Initial Study and Environmental Document adopted by a located agency..... Error! Bookmark not defined.**



November 20, 2014

Mr. Brian Guillot, Acting Community Development Director  
City of Banning, Community Development Department  
99 E. Ramsey Street  
Banning, CA 92220

Dear Mr. Guillot:

FirstCarbon Solutions (FCS)<sup>1</sup> is pleased to submit this proposal to prepare an Initial Study and Mitigated Negative Declaration (IS/MND) and Environmental Documents for the proposed Robertson's Mine New Reclamation Plan for compliance with the State Mining and Reclamation Act (SMARA) and the California Environmental Quality Act (CEQA) for the City of Banning, pursuant to the Request for Proposal dated October 20, 2014. The existing mine site is located on approximately 186 acres near Blanchard and Florida Streets, in the northeastern corner of the City of Banning. This proposal reflects our experience and in-depth understanding of the environmental challenges associated with SMARA and CEQA compliance, as well as our understanding of the project.

The FCS team offers the technical expertise and leadership to effectively provide the City with comprehensive in-house environmental and professional consulting services in accordance with Federal, State, and City provisions:

- The FCS team has extensive experience preparing various environmental documents and implementing strategic environmental compliance programs. Since 1982, FCS has prepared various technical studies, initial studies/mitigated negative declarations environmental impact reports and environmental compliance programs, permits, and California Environmental Quality Act (CEQA) / National Environmental Policy Act (NEPA) documentation for over 8,000 projects throughout California. FCS' skillful approach to preparing environmental documentation streamlines the environmental compliance process and facilitates the preparation of legally defensible documents that can withstand public scrutiny and potential legal challenge.
- The FCS team is committed to maintaining the necessary infrastructure of credible and highly capable environmental experts to assist the City for the life of the project. Our team is experienced in providing comprehensive in-house environmental services for public agencies and is committed to providing the City with dedicated staff resources to ensure that the project is completed as expeditiously as possible, while meeting the City, State, and Federal review standards. Our familiarity with the Federal, State, and the City processes for environmental review will allow FCS to provide seamless and flexible consultant services to accommodate and expedite project processing, and will help ensure the project remain on schedule and within budget.
- The FCS team is accessible. Communication is the hallmark of FCS' services. Therefore, we pride ourselves on being readily available and in constant communication with our clients. With an office located in Inland Empire Region (San Bernardino), we have the in-house ability to offer the City a full complement of services even on short notice. FCS has a proven track record of having the ability to respond within the same day to project, staffing, or public emergencies related to permitting violations, community consultations, and regulatory negotiations. FCS will be consistently available to attend or lead day and evening meetings. We understand that our obligation to the City doesn't stop at 5:00 PM and we are used to

---

<sup>1</sup> For Contracting purposes, FCS continues to do business under the Tax ID number of Michael Brandman Associates #95-3782289



[www.firstcarbonsolutions.com](http://www.firstcarbonsolutions.com)

frequent interactions with our clients after-hours to ensure we are delivering the highest level of services.

Client service is the foundation from which high quality work is produced. Our attention to detail parallels our focus on providing outstanding client service; this sets the FCS team apart from our competitors. As a Director with FCS, I am authorized to execute a Professional Services Agreement. In addition, I can confirm that FCS has the ability to meet the indemnity and insurance requirements presented and that FCS does not have any conflicts or non-acceptability to the terms and conditions of the City's standard agreement, including all attachments to the agreement. We appreciate you taking the time to review our proposal and look forward to the opportunity of working with the City of Banning. Should you have any questions, please feel welcome to contact me at 909.884.2255 or via email at [fcoble@fcs-intl.com](mailto:fcoble@fcs-intl.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank Coyle', with a long horizontal line extending to the right.

Frank Coyle  
Director, Environmental Services  
**FirstCarbon Solutions**  
621 E. Carnegie Drive, Suite 100  
San Bernardino, CA 92408

A handwritten signature in black ink, appearing to read 'Charles Holcombe', with a long horizontal line extending to the right.

Charles Holcombe  
Project Manager, Environmental Services  
**FirstCarbon Solutions**  
621 E. Carnegie Drive, Suite 100  
San Bernardino, CA 92408

## Company Profile

### About FCS

Incorporated in 1982, FCS has provided hundreds of public agencies and private development clients throughout California with contract environmental and natural resource management services. Our disciplinary specialties include **environmental planning, regulatory compliance, natural resource management, cultural resources management, replanting and restoration services, air quality services, and water resource management.**

FCS serves clients in the western United States with a staff of over 80 professionals from offices located in San Ramon, Fresno, Irvine, Sacramento, San Bernardino, San Jose, and Los Angeles. Our client base is comprised of local land developers, contractors, homebuilders, private- and public-sector agencies, engineers, financial institutions, law firms, military, and academic institutions.

The FCS team consists of environmental resource leaders who possess vast knowledge of environmental regulations, laws, and compliance issues complemented by an in-depth technical understanding of their individual disciplines. FCS staff has a unique understanding of the complexities of managing projects with diverse challenges, including scheduling and logistics, public relations, long-term field efforts, and multifaceted legal, and agency compliance issues. As a testament to our skill level, FCS staff is called upon to provide expert testimony, instruct at technical seminars, or lead conferences. To ensure we remain current with environmental issues and stay involved in the communities we serve, FCS staff is actively involved in professional associations, legislative activity, and scientific research forums.

FCS' goal is to provide cost-effective, technically sound, and legally defensible products; we emphasize high levels of client and agency communication and concise verbal and written presentations of project information. We have grown our business based upon our ability to meet the needs of clients in multiple locations and circumstances. Our offices are located in established and burgeoning geographic areas, linked through our communication infrastructure. FCS-employed staff members assigned to a specific project can access company-wide professional resources in specialized fields through e-mail, cell phones, and smartphones to accommodate immediate requests for information. Our project management philosophy revolves around an infrastructure of communication and assigning appropriately skilled resources to implement our project scope. The repeat business we receive from our many valued clients is a result of our focused customer service philosophy.

## Organization and Staffing

FCS' organizational and management approach to the work required by the City will be focused entirely on acting as a supportive partner to the City's Community Development Department. We have built our team around this philosophy, with the intention of fully understanding the City's objectives and goals, streamlining communications and aligning our expertise to the specific work requirements found in each task.

The FCS team consists of environmental resource leaders who possess extensive knowledge of environmental regulations, laws, and compliance issues complemented by an in-depth technical understanding of their individual disciplines. FCS staff has a unique understanding of the complexities of managing projects with diverse challenges, including scheduling and logistics, public relations, long-term field efforts, and multifaceted legal and agency compliance issues. FCS understands the value of assigning quality leadership and experienced resource staff to complete projects within schedule and budget. The selection of team members, both in-house staff and subconsultants, is typically based upon four key factors:

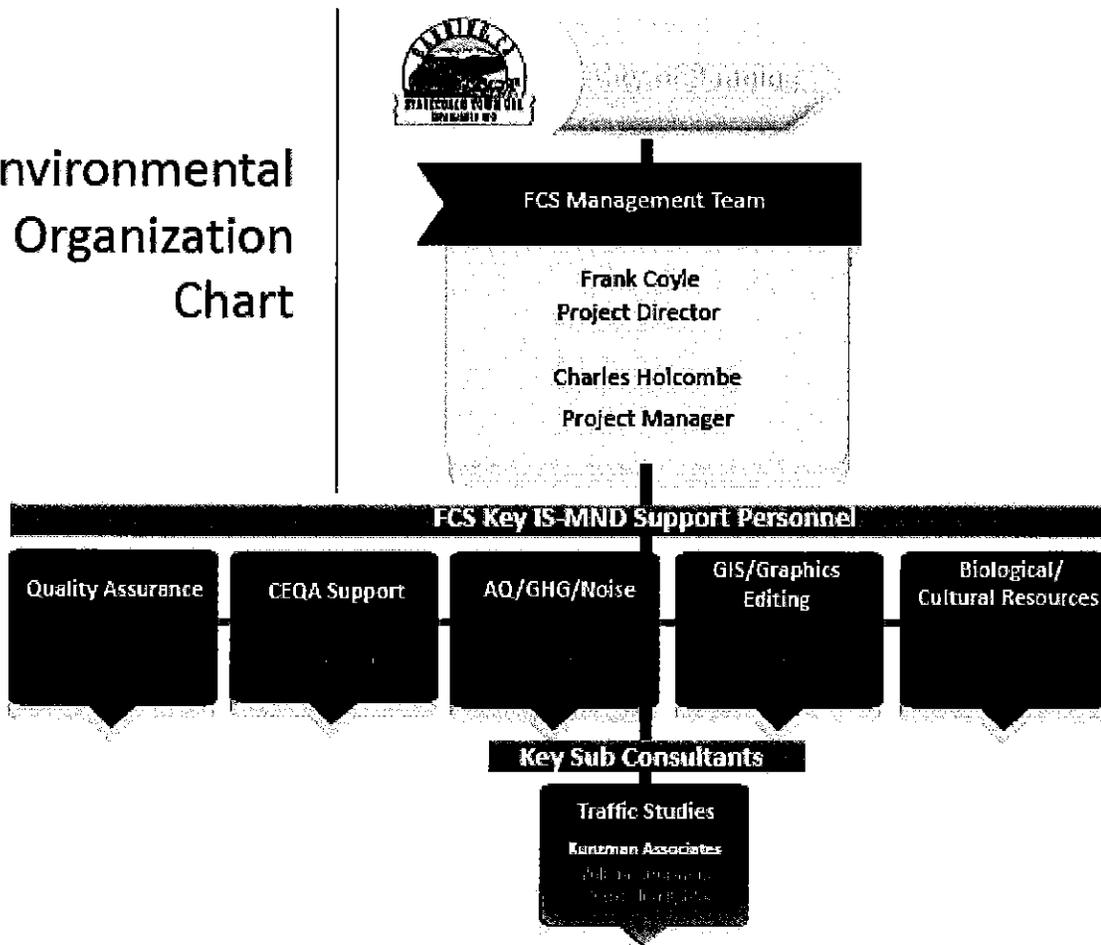
- Technical expertise in specialized areas of particular concern to the client;
- Prior experience with similar projects in similar locations;
- Ability to comply with schedule constraints; and
- A demonstrated ability to effectively communicate and present technical information.

Of equal importance to the technical ability of the team members is their previous experience working on complex and controversial projects, which ensures that they are capable of producing the highest quality work product. Key strengths associated with the proposed FCS-City of Banning project team include:

- Established working relationships between team members and experience working with the City of Banning and/or County of San Bernardino;
- Technical expertise in areas specific to the project(s); and
- Ability to assign key management and senior staff immediately on contract award with the intent of meeting the City's schedule requirements.

Our proposed FCS team members and key professionals are fully described and listed below. Each is highly experienced and skilled in his or her areas of expertise and comprises a comprehensive staff ready to perform on City of Banning's task orders as needed. FCS has additional employees and junior staff that may be assigned to projects under the direction of the Project Manager and with prior acknowledgment of the City. Qualifications of additional FCS team personnel can be provided upon request. Please refer to Appendix A for the proposed project team members' individual resumes, licenses, and the percentage of their availability for the project.

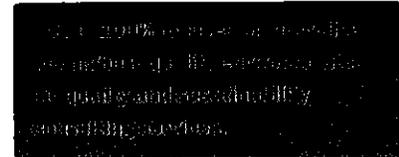
## Environmental Organization Chart



## Qualifications, Description, and Approach

### Firm Qualifications

FCS, as a corporation, is 100% focused on providing the highest quality environmental consulting services to a wide variety of industries. Although relatively smaller than many of the major engineering firms that offer environmental planning services as a sideline, FCS has the global support, infrastructure, and backing of a much larger company, ADEC Group. As such, FCS successfully uses our manageable size, accessibility to task managers, and environmental focus to react more quickly to environmental project requests. Our 'boots on the ground' project managers will communicate directly and effectively with the City of Banning Community Development Department project managers without additional layers of bureaucracy or reporting. The benefit to the City will be the reduction in delays and overhead that can stem from a lack of direct communication or even miscommunication.



We understand the value of solid project management and the strong communication that will lead to the successful completion of project objectives, ever-changing schedules, and tight budgets. Additionally, the following attributes make FCS the ideal choice for environmental and professional consultancy services by the City of Banning Community Development Department:

**Leadership.** Our team is comprised of highly qualified individuals with demonstrated responsiveness, technical capabilities, cost performance, and considerable knowledge gained by working directly with a number of municipalities in the Inland Empire region. We have demonstrated our abilities to manage and execute multiple, simultaneous, complex, and high-profile projects through the environmental process.

**Key Sub-Consultants.** We have tailored our team to meet the technical issues and requirements of City of Banning Community Development Department. FCS' in-house capabilities will be enhanced and augmented by the expertise of our sub-consultant, Kunzman Associates, Inc.

**Local Expertise.** The FCS Team knows how to navigate both small and large-scale projects through the City of Banning's environmental review process.

**Dedicated Technical Resources.** FCS is committed to maintaining the necessary financial and technical staff resources for the contract. Our team leaders are committed to the City to ensure consistent quality and the availability of team resources. The FCS team includes a depth of technical staff in all disciplines to ensure the successful delivery of aggressive project schedules.

We are confident that you will find that this proposal demonstrates our commitment to a high-quality environmental compliance process and illustrates that our team is ready and able to assist the City in a collaborative effort to assure that projects are completed on time and on budget with the support of FCS' team of experts and sound science.

### Understanding of CEQA, NEPA, and SMARA Requirements and Processes

Since 1982, FCS has completed environmental and planning documents for over 8,000 projects, many of which involved complex and controversial issues. We have prepared a full range of CEQA/NEPA planning documents for a variety of projects including mixed-use retail, industrial, commercial, resort golf courses, residential subdivisions, planned communities, transportation facilities, schools, landfills, dams, reservoirs, correctional facilities, and waste treatment facilities. Additionally, we provide regulatory compliance, natural resource management, cultural resources management, restoration planting and maintenance, air quality, and water resources management services.

FCS understands the importance of providing our clients with professional, solution-oriented, cost-effective, and timely service. Our environmental planners have the technical credibility required for drafting high-quality documents that meet client expectations and agency requirements.

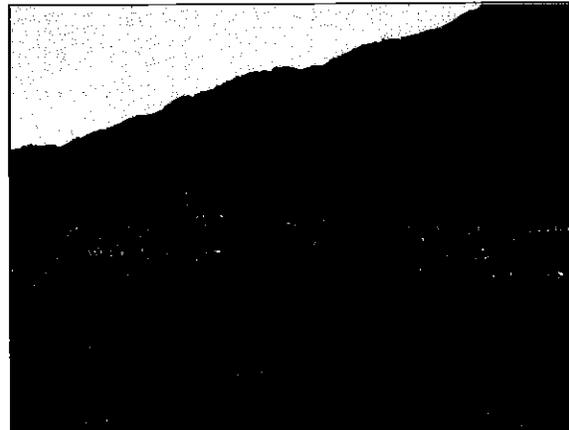
FCS has established an excellent record of legal defensibility for environmental documents. In our over 30 years' history, 24 projects completed by the firm have been involved in litigation. However, none of the FCS' environmental documents has been found to be inadequate at the conclusion of litigation. This has included successful defense of projects to the Supreme Court. In most cases, however, litigation has generally been averted entirely because of FCS' strict adherence to regulatory content and processing requirements.

The CEQA process has become increasingly litigious as projects become more complex and environmental resources in California are obtaining increased protection under the law. FCS has made efforts to respond to this trend in three very important ways:

- A number of FCS staff have been involved in working closely with CEQA attorneys to provide expert testimony for a variety of CEQA projects.
- We have taken strides to retain key staff with extensive backgrounds in law and the provision of services in the preparation and/or review of the CEQA process.
- It is important to note on almost all large-scale projects in which FCS has been involved, the project applicant or lead agency routinely included special CEQA attorneys as part of a multi-faceted project team. This enabled FCS to engage in considerable interaction with these attorneys in their review and development of specific analysis included in the CEQA documents prepared for these projects.

FCS is fully prepared to meet the legal challenges that the project may encounter during the CEQA process.

The California Surface Mining and Reclamation Act (SMARA), enacted in 1975, mandates the California Department of Conservation, California Geological Survey (CGS) to identify and evaluate the mineral resources of the State, including sources of construction aggregate. One of the purposes of this mandate, and of SMARA itself, is to protect significant mineral deposits from potential loss due to incompatible land uses. Based on State Mining and Geology Board guidelines, CGS is authorized to map regions within California to classify areas with significant aggregate resources. SMARA requires the preparation of an acceptable reclamation plan and financial assurances for all surface mining operations. Reclamation plans are developed to meet various performance standards for the protection of wildlife habitat, revegetation, recontouring, erosion control, etc., and to eliminate or reduce residual public health and safety hazards and minimize environmental effects.



The Department of Conservation Office of Mine Reclamation (OMR) and the State Mining and Geology Board (SMGB) are jointly charged with ensuring proper administration of SMARA requirements. The SMGB promulgates regulations to clarify and interpret the SMARA provisions, and it serves as a policy and appeals board. OMR provides ongoing technical assistance for lead agencies and operators, maintains a database of operational information and mine locations statewide, and is responsible for compliance-related matters if the lead agency fails to act.

CEQA requires that the agency with the broadest land use authority over a private project should act as the Lead Agency in processing the environmental document. Section 21067 of CEQA defines a "Lead Agency" as "the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect on the environment." Under SMARA, the lead agency has the lead role in enforcing SMARA and issuing SMARA-related approvals. Lead agencies are defined in SMARA as cities, counties, the San Francisco Bay Conservation and Development Commission, and the State Mining and Geology Board.

Therefore, cities and counties with adopted and SMGB-certified mining ordinances act as CEQA lead agencies

for approval of reclamation plans. However, reclamation plans may be reviewed and approved by the SMGB when (1) a local lead agency has no surface mining ordinance certified by the SMGB, (2) an operator appeals an action on the part of its local lead agency to deny the reclamation plan application or fails to act to process the application, or, (3) the SMGB is serving as the SMARA lead agency under PRC Section 2774.4 or other specific agreement. Therefore, the SMGB acts as lead agency under CEQA, and requires the preparation of environmental impact analyses pursuant to CEQA requirements.

The SMGB has full SMARA lead agency authority for three counties and seven cities, as well as all marine dredging operations in the San Francisco Bay and Delta areas. However, the SMGB does not have land-use approval authority, which remains with the local land-use jurisdictions. Therefore, the scope of SMGB CEQA review is limited to those actions prepared under and regulated by SMARA requirements and does not extend to the issuance of excavation or quarry permits, which resides with the local land use authority.

#### Approach

FCS' management approach will be founded on lasting relationships between our key professionals and their counterparts at the City of Banning's Community Development Department. Understanding The City's objectives and ensuring that these are reflected in the environmental review we conduct are key aspects of the FCS approach. FCS emphasizes a "no surprises" approach to managing the Environmental Review Record (ERR) for projects that are subject to CEQA. FCS will help the City anticipate issues, and we will work with the City to devise optimal solutions. We will also assist the City in coordinating with other impacted agencies (such as the Regional Water Quality Board) as it is important to ensure the approach proposed for the project is understood and that the concerns of each responsible agency are addressed early for the project.

#### Scope of Work

Through a review of the proposed project and the project area's existing conditions, FCS feels that an Initial Study Mitigated Negative Declaration (IS/MND) is required. FCS has identified the following scope of work for the Initial Study (IS)/MND to respond to the City's objectives for this project and process. In order to maximize efficiency and achieve the rapid project schedule, FCS will largely rely on existing documentation and readily available resources, and take a similar approach to analysis.



#### Project Description

Robertson's Mine is a rock and quarry mine in the northeastern corner of the City, occupying 186 acres. The project consists of land within the Industrial Mineral Resources Zone as well as land located within the Low Density Residential zone. It is FCS' understanding that the mine has been in operation since the 1920's and has been granted several permits since it originally opened. In 2012 and 2013 it was determined that activities had occurred within the Low Density Residential Zone that was beyond the Reclamation Plan prepared in the 1990's. A new Reclamation Plan is required to comply with SMARA, thus an Initial Study and Mitigated Negative Declaration shall also be required.

#### Task 1: Project Initiation and Review Existing Materials

The FCS Project Manager will prepare for and attend one project initial "kickoff" meeting with the City of Banning project team to review project roles, communication protocols, project plans, and the Initial Study's scope of work and schedule. At this meeting, FCS will identify data needs, project goals and objectives, and ensure that the deliverable schedule is consistent with the proposed project's overall timeline. FCS will also review existing materials for the proposed project.

### Task 2: Data Collection

The IS/MND must include a detailed project description based on the proposed plans and program information provided by the Applicant. The project description will be used by FCS to determine the potential environmental effects of project implementation and to identify appropriate mitigation measures, if necessary. FCS will assemble all pertinent data provided by the Applicant, the Lead Agency, and any other responsible agency essential for preparing the environmental documentation, as well as any other relevant documents prepared for projects in the vicinity.

To enable FCS to proceed with this task, the following information (to the extent available) should be provided by the Applicant to clearly define the project description and conduct the environmental analysis:

- Existing and proposed site plans
- Geological and Soils Engineering Investigation Report (if available)
- Environmental documentation pertaining to previous Reclamation Plan (i.e. previous Initial Study)

### Task 3: Administrative Draft IS/MND

FCS will prepare the Administrative Draft IS/MND, in accordance with the requirements of CEQA, the State CEQA Guidelines, and for review by the Lead Agency. The IS/MND will contain all applicable environmental components required by CEQA.

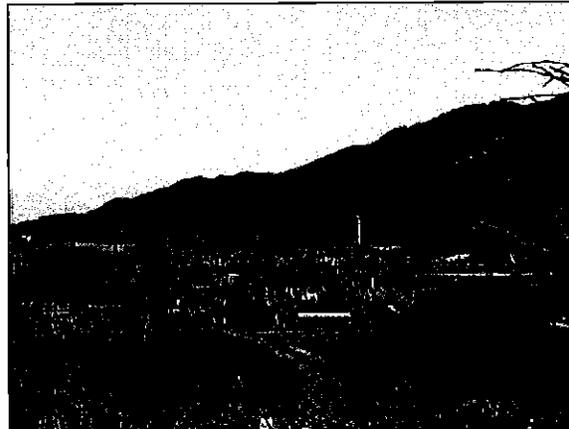
FCS' IS will respond to all environmental issues listed in the State CEQA Guidelines IS Checklist. Analyses will be prepared based on site surveys, site plans, project description materials, and other technical data. While the IS will address all environmental issue areas indicated on the IS Checklist, obvious environmental issues that must be addressed and analyzed in greater detail include:

#### Aesthetics

FCS will prepare the aesthetics IS/MND section. The analysis of aesthetic issues will involve collection of photographic data from the areas surrounding the proposed Project site and preparation of a qualitative analysis of the potential impacts related to aesthetics as observed from these areas. This data collection and analysis would be provided by FCS.

#### Air Quality

Air Quality will be one of the primary environmental concerns for the project. The proximity of the site to the adjacent residential communities has the potential to create substantial impacts. FCS will utilize the Air Quality Report (see Task 4) to analyze these impacts and provide appropriate mitigation for construction and operation of the open pit mine.



#### Cultural/Historical Resources

FCS will utilize information contained in the Cultural Resources Report to analyze potential impacts to paleontological, archaeological, and historical resources. Any information pertaining to Native American Tribal resources obtained during the preparation of the cultural resources report will be incorporated into the analysis, as appropriate. If any historical features are found onsite, the IS/MND analysis will incorporate these results, as warranted.

### **Geology and Soils**

A Geotechnical Report will be provided by the Applicant. FCS will incorporate the Geotechnical Report into the geology and soils section of the IS/MND. FCS will also provide a brief discussion of the potential construction impacts and a more detailed evaluation of operational impacts. The operational impacts will include a discussion of the design features that will be adopted to prevent impacts.

### **Land Use**

FCS will prepare the land use IS/MND section. The analysis of land use issues will involve discussion of applicable General Plan, New Reclamation Plan, zoning requirements, and disclosure of required General Plan/zoning actions required to ensure project consistency with these requirements. Specifically, the project occupies approximately 169 acres of Industrial Mineral Resources (IMR) Zone and 17 acres of Low Density Residential Zone. Onsite mining has occurred beyond the areas approved in the Reclamation Plan prepared in the mid-1990's. Thus, mining occurred within the Low Density Residential Zone along the westerly portion of the mine. FCS will analyze these project specific conditions in relation to all applicable planning and zoning codes for the City of Banning. The analysis will include a discussion of required permits as well as project compliance for an open pit mining operation.

### **Hydrology and Water Quality**

FCS will provide a qualitative discussion regarding the potential construction and operational impacts on surface hydrology and water quality. FCS will also provide a quantitative analysis based on the findings contained in the Hydrology Report for the project, if available. FCS will utilize the previous reclamation plan's drainage and water quality requirements to evaluate adequacy for inclusion into the current IS/MND.

### **Hazards and Hazardous Materials**

FCS will incorporate any studies provided by the applicant, such as a Phase I (if available) into the hazards and hazardous materials section of the IS/MND. FCS will also provide a brief discussion of the potential construction impacts and a more detailed evaluation of operational impacts.

### **Noise**

FCS will incorporate the analysis, impact findings, and mitigation measures of the technical noise impact analysis report into the IS/MND document prepared for the project. Specific attention will be given to the previously established mitigation measures as well as the mitigation proposed, and their adequacy in reducing impacts to the adjacent residential communities.

### **Public Services and Utilities**

FCS will prepare the public services and utilities IS/MND sections. Public services and utilities will be addressed through collection of data from applicable utility and service providers and generation of qualitative and quantitative estimates of project-level demand.

### **Transportation**

FCS will incorporate the analysis, impact findings, and mitigation measures of the technical traffic impact analysis report into the IS/MND. Other issues may be identified during the preparation of the Initial Study. Topical Sections that require technical studies will also be analyzed in greater detail. Preparation of the IS will include development of written answers to all questions on the Initial Study checklist, and development of significance thresholds as required by the State CEQA Guidelines.

#### Task 4: Technical Studies

##### Air Quality/GHG Reports

**Sub-Task 1: Air Quality and Greenhouse Gas Analysis.** A comprehensive air quality and greenhouse gas analysis will be conducted and a stand-alone report prepared that includes an evaluation of both the localized and the regional short-term and long-term emissions that could result from the project. The evaluation will be based on the South Coast Air Quality Management District's (SCAQMD's) adopted guidance and draft recommended thresholds, as appropriate and relevant to the project. A stand-alone report will be prepared that summarizes the findings of the evaluation and that contains an emissions modeling methodology and assumptions section to provide transparency and ensure the reproducibility of air pollutant and greenhouse gas emissions quantification. The report will include responses to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, checklist questions for air quality and greenhouse gases. Emissions modeling output will be provided as an attachment to the report.

The following tasks would be completed under Task1:

**Background Air Quality and Greenhouse Gas Information.** The analysis will contain background information, including a description of air pollutants, a description of greenhouse gases, the regulatory environment surrounding air pollution and climate change, potential impacts of climate change, and the existing air quality conditions in the project area. The General Plan and other regional planning documents will be reviewed for goals and policies that may relate to air quality and climate change.

**Develop Project Baseline.** A major consideration in air quality analysis is determining the appropriate baseline to compare the impact of the project's potential emissions. Section 15125(a) of the CEQA Guidelines states that the environmental settings, as they exist at the time that the notice of preparation is published, will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. For facilities with existing permits, however, appellate opinions have indicated that it was appropriate to include the existing permit in the environmental baseline.

In *Communities For a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal. App. 4th 310, (CBE v. SCAQMD), the Court further defined appropriate baseline definitions for projects with existing permits. The Court stated that SCAQMD should not have relied on the maximum permitted emissions as its baseline (point of comparison for analyzing project-generated impacts) for assessing the new permit. However, the Court ruled that agencies enjoy discretion to determine how those existing physical conditions can "most realistically be measured." For example, where conditions are changing quickly, the Court stated that the appropriate baseline may be the "predicted conditions" at the expected date of approval. In addition, the Court stated that "peak impacts or recurring periods of resource scarcity may be as important environmentally as average conditions."

FCS will determine, in coordination with the City of Banning and project applicant staff, the reasonable maximum daily and annual average of activity over a specified timeframe (ex. 5 years or 9 years) as an appropriate baseline for localized and regional air quality impacts, in order to adequately reflect the daily and annual fluctuation of volume of materials processed.

**Air Pollutant and Greenhouse Gas Emission Methodology and Estimation.** There are three main considerations in development of the project emissions methodology for air quality analysis.

The first consideration is the onsite component of the Project's construction activities. For the purposes of analysis, soil removal, excavation, and reclamation activities will be collectively referred to as construction

activities. Construction activities within the excavation areas results soil removal prior to excavation of aggregate, excavation of aggregate, and reclamation of the land. In addition, if internal haul roads are constructed to link the excavation areas to the materials processing facilities (the sand and gravel plant, the ready mix concrete batching plant, and the hot asphalt hot mix batching plant), activity associated with internal hauling and entrained road dust would be quantified. Special note should be made for the following:

- Construction activities may not be evenly distributed over a calendar year, and
- Equipment utilized for one construction component may also be utilized for the following construction component (meaning there may not be duplication of equipment pieces or concurrent operation of a large fleet).

The second consideration is the on-road component of the project. The existing materials processing facilities generate both employee trips and heavy-duty truck trips. As with the construction activities, the employee and heavy-duty hauling activity may not be distributed evenly during the calendar year. In addition, the project may or may not increase the intensity of employee or heavy-duty hauling activity currently generated by the project site.

The third consideration is the air pollutant thresholds recommended by SCAQMD. The SCAQMD's regional and localized thresholds are in units of pounds per day. The SCAQMD's draft greenhouse gas thresholds are in metric tons of carbon dioxide equivalent per year. Therefore, the analysis would include emissions estimates from all components of the project's construction and determine the maximum potential emissions that may occur on any one day, as well as the average annual activity that may occur.

Emissions associated with the project construction and operation will be estimated using the SCAQMD-approved CalEEMod land use emission model and/or California Air Resources Board (ARB) OFFROAD2011 mobile source emission model. The pollutants that will be estimated include the following: volatile organic compounds (VOC), oxides of nitrogen, carbon monoxide, sulfur dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), carbon dioxide, methane, and nitrous oxide. The estimated air pollutant emissions will be compared with the SCAQMD regional emission significance thresholds. Greenhouse gas emissions will be compared with the SCAQMD's draft emission thresholds. This task assumes one round of comprehensive emissions modeling. Changes to the project components, design, schedule or other parameter that precipitate revisions to emissions modeling may warrant a budget augment.

**Localized Significance Threshold Analysis for Construction and Operation.** There are two methods available to conduct the localized air quality significance analysis. One method is to compare the onsite construction and operational emissions to the relevant localized construction emission thresholds from the SCAQMD's emission screening look up tables for the project's location (referred to as its source-receptor area). The look-up tables can only be used for projects with an activity footprint of 5 acres or less. The second method consists of the application of air dispersion modeling wherein the project's onsite emissions are used to estimate pollutant concentrations at nearby sensitive receptors. The dispersion model to be applied is the U.S. EPA AERMOD model, which is an air dispersion model accepted by the USEPA and the SCAQMD for preparing air quality assessments. The resulting project-generated emissions concentrations are then added to ambient background concentrations, and compared to the concentration-based federal and state ambient air quality standards/significance thresholds to determine the significance of the project's localized impacts.

Because the project is located adjacent to existing sensitive receptors, as well as the project size and type of activity, FCS assumes that the SCAQMD's look-up tables would not be applicable. Therefore, FCS proposes to address the localized significance thresholds for project construction and operation in a stand-alone Health Risk Assessment, as discussed in detail in the next task. The assessment process will be to quantify the air emissions of oxides of nitrogen, carbon monoxide, PM<sub>10</sub>, and PM<sub>2.5</sub> from vehicle travel and idling while operating onsite and along nearby roadways outside of the project, as well as from forklifts and other materials-handling equipment. In addition, the assessment will include fugitive dust emissions from onsite materials movement, storage, and processing, if warranted after the determination of project baseline. The resulting project impacts will be added to the ambient background air quality levels and the total compared to the concentration-based federal and state ambient air quality standards/significance thresholds to determine the significance of the project's localized impacts.

*Emissions Reductions and Significance Findings.* If necessary, project design features and mitigation measures will be identified that would reduce potential project impacts. Any reduction of emissions from these measures will be quantified. Significance findings will be addressed before and after mitigation for all potential impacts.

- Data Needs - The following are the data needs for the air quality and greenhouse analysis for this project:
- Phase lengths of construction, including any overlapping of phases,
- Construction equipment type, number, horsepower, and estimated hours of operation per day,
- Onsite and offsite soil movement, in cubic yards (if any),
- Operational internal-combustion equipment (if any) and estimated hours per day of operation (ie., forklifts, emergency standby generators),
- Operational trip generation, by vehicle type (employee, heavy duty trucks, etc),
- Description of any sustainability, water conservation, or energy conservation measures to be incorporated as project design features.

**Sub-Task 2: Health Risk Assessment.** Diesel particulate matter has been identified by the ARB as a carcinogenic substance. Major sources of diesel particulate matter includes heavy duty truck (line haul) activity. Because of the project's size, anticipated activity, and location relative to existing sensitive receptors (including residences), FCS assumes that a quantitative health risk analysis is warranted to document and quantify the project's potential construction and operational-generated health risk to adjacent sensitive receptors. Therefore, FCS will prepare a stand-alone Health Risk Assessment (HRA) to assess project-generated health impacts to adjacent land uses. The HRA will be prepared consistent with SCAQMD Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions.

The HRA will provide the results for cancer risk, chronic non-cancer risk and acute risk. Dispersion modeling will be prepared using the current version of AERMOD, which is an air dispersion model accepted by the USEPA and the SCAQMD to prepare HRAs. FCS will develop the required data files including the estimated operational emissions of diesel particulate matter and total organic compounds for input into the AERMOD air dispersion model. Emissions of diesel particulate matter and total organic compounds will be estimated for vehicle travel and idling while operating onsite and along nearby roadways outside of the project. In addition, emissions from forklifts, emergency standby generators, and other onsite equipment will be included, as determined by the project baseline and project activity analysis. Fugitive dust emissions from onsite materials handling, storage, and processing will be incorporated, if necessary after the determination of project baseline and project activity. Fugitive dust can contain several toxic air contaminants (TACs), depending on the processes that generate the fugitive dust. These TACs can include arsenic, beryllium, cadmium chromium, lead, manganese, nickel, phosphorus, selenium, and crystalline silica.

The HRA will disclose project baseline and activity assumptions, analysis parameters and methodology, and dispersion modeling results. The HRA will summarize the project's results for cancer risk, chronic non-cancer risk and acute risk and compare the risk to SCAQMD's thresholds of significance for health risk. The HRA will also provide the project's results for operational and construction localized significance thresholds analysis. If necessary, the HRA will identify mitigation to reduce any potentially significant health risks to less than significant, and quantify the risks after incorporation of mitigation.

**Health Risk Assessment Report:** The HRA Report will be prepared to comply with CEQA requirements. Modeling results and similar technical data will be provided in a technical appendix to the report. A draft report will be provided for your review. This proposal assumes response to one round of consolidated comments on the report.

### **Biological Report**

Prior to the field survey, FCS' biologist will review existing information about the 17-acre project site, including the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) survey requirements for the

project. The focus of the review will be on known or potential occurrences and habitats of MSHCP covered species, specifically, burrowing owl, Los Angeles pocket mouse, Marvin's onion, and many-stemmed dudleya. The review will also address any other sensitive habitat as well as urban edge effects that may occur from development of the site. A query of the California Natural Diversity Database (CNDDDB) will also be conducted for the topographic quadrangle map the project site occurs within. The information obtained during this task will serve to establish the parameters of the biological resources survey and MSHCP habitat assessment survey.

**Sub-Task 1: Conduct a Biological Resources Survey and MSHCP Habitat Assessment.** Following the literature review, the project site will be visited to verify existing biological resources on-site, including habitat types and the potential to support MSHCP covered species and nesting birds. The site visit will be completed by one biologist during a single site visit. The project site will be evaluated for potential habitat to support burrowing owl, Los Angeles pocket mouse, Marvin's onion, and many-stemmed dudleya as required by the MSHCP and Riverside County Integrated Project (RCIP) report. FCS will also identify the project site's general biological resources, and further describe the plant communities and wildlife habitats occurring within the site. The general distribution of plant communities and wildlife habitats will be mapped to graphically represent the existing site conditions. Based on historical aerial photographs, the distribution of the plant communities will be mapped to graphically represent the previous site conditions and to identify the type of vegetation community and the amount of disturbance associated with the recent project-related impacts that were not covered under the previous Reclamation Plan. The field survey will focus on determining suitable habitat for sensitive plant and wildlife species as well as any sign of wildlife movement through the project site and linkages to important habitat. Photos will be taken to further document the biological resources of the site.

**Sub-Task 2: Prepare a Habitat Assessment and MSHCP Consistency Analysis Report.** A MSHCP Consistency Analysis report will be prepared that summarizes the findings from the Habitat Assessment. This report will specifically address all MSHCP requirements for the project site including Criteria Cells, wildlife migratory linkages, and core habitats that have been preserved for MSHCP conservation planning. The report will also focus on the results of the habitat assessment for burrowing owl, Los Angeles pocket mouse, Marvin's onion, and many-stemmed dudleya including potential for this species to occur on-site and determination for focused surveys.

The analysis will also address the potential for jurisdictional waters to provide riparian/riverine/ vernal pool habitat and assess the potential for site development to create urban edge effects. If required, an equivalency analysis will be included that reviews proposed conservation measures and demonstrates that they comply with the conservation goals of the MSHCP. The MSHCP Consistency Analysis Report will be sufficient to allow the Client to make the appropriate consistency determination for compliance with the County's MSHCP and CEQA guidelines. Based on the findings of the MSHCP consistency analysis, additional surveys may be warranted and will be fully disclosed in the MSHCP consistency analysis report.

FCS will provide the Client with an electronic draft version of the report for review and comment, within three weeks following the biological resources and habitat assessment survey. The Client will be allowed one set of revisions to the MSHCP Consistency Analysis Report, and upon receipt of comments, if any, FCS will finalize the report. Once the report is finalized, the Client is entitled to two (2) hardcopies of the report. Any additional hardcopies may incur additional fees.

**Optional Sub-Task 1: Burrowing Owl Survey and Report.** In the unlikely event the results of the Burrowing Owl Habitat Assessment determine that suitable habitat occurs onsite for this species, a focused burrowing owl survey will be required pursuant to the MSHCP. A qualified biologist will conduct a focused burrowing owl survey according to accepted protocol outlined in the Burrowing Owl Survey Instructions for the Western Riverside MSHCP Area. The focused surveys should be conducted within the burrowing owl breeding season (March 1 through August 31) within all suitable habitat on-site and 500-foot surrounding suitable habitat (where possible). The focused surveys will consist of one initial burrow survey to determine the location of all suitable habitat and suitable burrows, (for this project, this would be accomplished during the Habitat Assessment due to the project size) followed by four separate focused surveys to determine the location of any burrowing owls. The initial burrow survey and first focused burrowing owl survey may be conducted concurrently. If burrowing owls are observed on-site during the focused surveys, additional mitigation, such as

land conservation, or active or passive relocation may be required.

Following the burrowing owl focused surveys, an MSHCP Focused Burrowing Owl Survey Report will be prepared to document the results of the focused surveys. The report will be prepared according to the Western *Riverside MSHCP Burrowing Owl Report Guidelines*. The Focused Burrowing Owl Survey Report will be a separate stand-alone report, but may be referenced in the MSHCP Consistency Analysis Report. The report will be prepared within three (3) weeks following completion of the burrowing owl focused surveys, with an electronic draft version to be provided to the Client for one set of revisions. Once finalized, the Client is entitled to two hardcopies of the report to be printed and delivered by FCS.

***Optional Sub-Task 2: Los Angeles Pocket Mouse Trapping and Report.*** An FCS biologist will perform standard protocol surveys to determine presence/absence of the Los Angeles pocket mouse on the project site. Suitable habitat that may support this species within the project site will be trapped. In accordance with the standard survey protocol for small mammals, the trapping effort will be conducted for five (5) consecutive evenings.

The surveys will be conducted during appropriate weather conditions, which is typically, when overnight low temperatures do not drop below 50 degrees Fahrenheit. A draft report will be submitted for review. Based on one set of review comments from the Client, a final report will be prepared.

***Optional Sub-Task 3: Marvin's Onion and Many-Stemmed Dudleya Focused Surveys and Report.*** Surveys for Marvin's onion and many-stemmed dudleya will be performed in all potentially suitable habitat areas on the project site during the appropriate flowering period; which extends from April to May for both species. Surveys will be conducted in accordance with the guidelines established by the California Native Plant Society (CNPS) and California Department of Fish and Wildlife (CDFW).

FCS estimates a maximum of three (3) field days will be necessary to complete the required surveys. These surveys may be conducted on the same day following the burrowing owl surveys, but not concurrently, assuming the blooming period for the plant species coincides with the survey season for the burrowing owl. If feasible, a site visit will be conducted at an off-site location with a known population of the sensitive plant species to verify if the species is identifiable. The remaining two surveys will be conducted on-site during the known blooming period to determine presence/absence of the species.

Following the field surveys, FCS will prepare a letter report of findings that will document the status of the sensitive plants species on-site and, if applicable, will include a map of any observed individuals. Although USFWS and CDFW do not have a standard requirement for written reports, a letter report of findings will be prepared and submitted to the Client within 30 days of survey completion. FCS will also conduct a search of the California Native Plant Species Electronic Inventory (CNPSEI). In addition to the site description, methodology, and findings, the report will describe the areas of the site that are occupied by the sensitive plant species and provide an estimate of the number of occupied acres. Mitigation recommendations for potential impacts to sensitive plant species observed on the project site will also be included in the report. To the extent possible within an inherently technical discipline, report language will be designed for understanding by the lay reader. A draft report will be submitted for review. Based on one set of review comments from the Client, a final report will be prepared.

### **Cultural Resources Report**

***Sub-Task 1: EIC and NAHC Record Searches.*** FCS will request a records search at the Eastern Information Center (EIC) located at University of California, Riverside. The record search will include a review of the National Register of Historic Places (NR), the California Register of Historical Resources (CR), the California Inventory of Historic Resources, the California Historical Landmarks, the California Points of Historical Interest listing, the Historic Property Data File (OHP current computer list, 2014), historic maps, and other pertinent historic data.

A letter will be sent requesting the Native American Heritage Commission (NAHC) search their Sacred Lands File and provide recommendations on any Native American concerns. From the Native American representatives list provided by the NAHC, letters will be sent to each tribal representative requesting any additional information they may have about the proposed project area.

**Sub-Task 2: Cultural Resource Field Survey and Building Evaluation.** A pedestrian field survey will be conducted for the 17 acre project area by a FCS Project Archaeologist(s) utilizing standard 15-20 meter transect intervals and will include all portions of the project area, where possible.

A review of historic aerials dating back to the 1950s indicates that there were no buildings present in the project area. However, as the mine has been in production since the 1920s, there is a potential for the presence of historical features or sites which may require evaluation and recordation. If historical features, buildings, or sites are identified, Sub-Task 3: Optional Site Recordation may be utilized.

**Sub-Task 3: Optional Site Recordation.** Although considered unlikely, if historic or prehistoric cultural resource sites or resources are found within the project area, and if completion of DPR site forms is required, the Optional Site Recordation Task will be utilized. The cost for recording individual sites is highly dependent on what is found, but \$400 is the minimum charge for recording previously unrecorded sites.

FCS cannot determine, prior to completion of the field survey, the need for recordation or the number of additional sites to be recorded; therefore, we have established the Optional Site Recordation task line.

**Sub-Task 4: Cultural Resource Phase I Report.** A cultural resource report will detail the results of the field investigation, record searches, and any additional resources discovered. The report will meet Office of Historic Preservation (OHP) standards for Phase I Cultural Resource studies. The Phase I Report will include recommendations for further study and/or mitigation within the project area, as needed.

## Noise Report

FCS will prepare a comprehensive noise impact analysis to evaluate project-related operational noise impacts on surrounding noise sensitive land uses and for compliance with the City's land use compatibility and operational noise standards. The findings of this noise impact analysis will then be incorporated into the Initial Study document prepared for the project. To perform this analysis, the following tasks are required.

**Sub-Task 1: Compile and Summarize Background Information.** The general characteristics of sound and the categories of audible noise will be described. The regulatory framework related to noise, including applicable State and City of Banning noise and land use compatibility criteria and operational noise standards will be identified. The existing noise environment will be documented through traffic noise modeling and ambient noise measurements. Up to four short-term and one long-term (24-hour minimum) ambient noise measurements will be conducted on the project site. The purpose of the noise monitoring effort is to establish the daytime existing noise environment for comparison to the City's land use compatibility and operational noise standards. Noise sensitive uses and existing stationary noise sources in the project vicinity will be identified.

**Sub-Task 2: Conduct Operational Noise Impact Analysis.** FCS will evaluate operational noise impacts associated with implementation of the Robertson's Mine new Reclamation Plan. Noise impacts from vehicle trips generated by implementation of the plan will be assessed qualitatively based on the trip generation estimates developed for this project. Based on the available project information, FCS will identify the potential for conflicts between project stationary operational noise sources and sensitive receptors in the vicinity of the project site and compliance with the City's operational noise standards.

**Sub-Task 3: Summarize Noise Reductions and Significance Findings.** Mitigation measures designed to reduce noise impacts that could result with implementation of the plan will be identified where appropriate. Both an evaluation of the potential mitigation measures and a discussion of their effectiveness will be provided.

FCS will provide this analysis in the form of a technical report with supporting appendix data. FCS will review one set of City/Applicant comments, whether verbal or written, and revise the draft noise analysis (if

necessary). The findings of this report will then be summarized in the IS/MND document that is prepared for the project. The draft and final reports will be provided in Word and PDF formats.

### **Traffic Study (Kunzman Associates, Inc.)**

#### **Sub-Task 1: Review Site Plan Access Locations and Internal Circulation**

- Review project site access locations.
- Assess adjacent roadway general plan classifications, intersection spacing criteria, and driveway spacing criteria.
- Review internal circulation.
- Interface via teleconference with the project applicant/project team (if necessary).
- Make recommendations to project applicant/project team regarding access and internal circulation features (if necessary).

#### **Sub-Task 2: Determine Scope of Traffic Impact Analysis With Governmental Agency**

- Propose project trip generation rates based upon traffic counts at the existing project entrance and information provided by the applicant.
- Propose project trip distribution and assignment based upon anticipated trip patterns for the proposed development.
- Determine the study area, including intersections to be analyzed.
- Identify other development projects and ambient traffic growth rate to use in the traffic impact analysis.  
Prepare a proposed scoping agreement/memorandum of understanding for the traffic impact analysis, including assumptions and methodology, for governmental agency approval.
- Interact with governmental agency staff and finalize traffic impact analysis scoping agreement/memorandum of understanding as needed.

#### **Sub-Task 3: Inventory Existing Roadway Conditions and Collect Existing Peak Hour Intersection Turning Movement Volume Data**

- Procure weekday morning/evening peak hour intersection turning movement counts at up to six (6) study area intersections as necessary.
- Conduct a field inventory of (1) intersection traffic control devices, (2) intersection approach lanes, and (3) roadway link through travel lanes for study area.
- Review existing transit service in the study area.

#### **Sub-Task 4: Determine Existing Plus Project Traffic Volumes**

- Assign project trip generation and project trip distribution.
- Calculate existing plus project peak hour intersection turning movement traffic volumes at study area intersections.
- Calculate existing plus project daily traffic volumes on study area roadway links.

#### **Sub-Task 5: Determine Cumulative Traffic Volumes for Project Full Occupancy Year, Without Project**

- Determine trip generation and trip distribution for other development projects (up to 20 cumulative other development projects as necessary).
- Calculate the background growth component of future traffic volumes.
- Calculate cumulative future peak hour intersection turning movement traffic volumes at study area intersections without project traffic.
- Calculate cumulative future daily traffic volumes on study area roadway links without project traffic.

#### **Sub-Task 6: Determine Cumulative Traffic Volumes for Project Full Occupancy Year, With Project**

- Calculate cumulative future peak hour intersection turning movement traffic volumes at study area intersections with project traffic.
- Calculate cumulative future daily traffic volumes on study area roadway links with project traffic.
- Conduct peak hour evaluations of project entrances, including inbound and outbound queue stacking requirements, and traffic signal warrants.

#### **Sub –Task 7: Prepare Traffic Impact Analysis**

- Analyze existing intersection performance based on the Highway Capacity Manual delay methodologies.
- Analyze existing plus project traffic volumes to determine intersection operation performance.
- Determine traffic improvements needed to serve the above traffic scenario.
- Analyze cumulative future traffic volumes to determine intersection operation performance without project traffic.
- Determine traffic improvements needed to serve the above traffic scenario without project traffic.
- Analyze cumulative future traffic volumes to determine intersection operation performance with project traffic.
- Determine traffic improvements needed to serve the above traffic scenario with project traffic.
- Review funding sources for study area circulation improvements, including funded improvements.
- Prepare a draft traffic impact analysis report that incorporates findings and all supporting calculations and assumptions.

#### **Sub-Task 8: Responses to Comments**

Review one set of client comments, whether verbal or written, and revise draft traffic impact analysis (if necessary). Revisions requested by third parties (e.g. governmental agencies and/or environmental consultants) are not included in this scope of work. If these are required and requested, additional responses to comments will be billed on a time and materials basis.

#### **Sub-Task 9: Meeting Attendance**

The proposed fee does not include attendance at public hearings/meetings that may be required to secure approval of the project. If these are required and requested, attendance at follow-up meetings or hearings will be billed on a time-and-materials basis.

#### **Copies of Report**

A digital PDF version of the traffic impact analysis will be prepared and submitted to the client. A Microsoft Word version of the report text and Microsoft Excel version of the report tables will also be made available. One (1) hard copy of the traffic impact analysis can be provided for governmental agency approval.

#### **Task 5: Screencheck Draft IS/MND**

Following receipt of one (1) unified set of comments on the Administrative Draft IS/MND, FCS will submit three (3) copies of the Screencheck Draft IS/MND for review to the City. Any additional rounds of edits or any additional effort required above the 30 hours will be charged on a time-and-materials basis, with prior authorization from the Applicant.

#### **Task 6: Final IS/MND**

Following receipt of one (1) unified set of comments on the Screencheck Draft IS/MND, FCS will complete revisions and provide the City with up to ten (10) copies of the Final IS/MND (the Appendices are assumed to be placed on a CD and attached to the IS/MND). Any additional rounds of edits will be charged on a time-and-materials basis, with prior authorization from the Applicant.

In addition, the IS/MND will include the Notice of Intent to Adopt. FCS will place the IS/MND and appendices on a CD and distribute the document to those on the City's approved distribution list. FCS assumes that there

will be 25 agencies/persons on the distribution list. FCS assumes that the State Clearinghouse will be provided 15 copies of an Executive Summary plus electronic copies of the entire IS/MND on 15 CDs. FCS will provide two (2) paper copies of the IS/MND and Appendices for use by the City of Banning, Community Development Department and at the nearest library. FCS assumes the City of Banning, Community Development Department will provide the Notice of Intent to Adopt, prepared by FCS, to the local newspaper to be published.

#### **Task 7: Response to Comments (RTC) on the IS/MND**

FCS will prepare responses to public comments on the IS/MND in a letter format. Responses that are within this scope of work and budget consist of explanation, elaboration, or clarification of the data contained in the IS/MND. Due to the variety of the comments expected during the public review period, FCS assumes that the responses will not exceed a total of 30 hours of technical staff time. Any effort required beyond the allocated 30 hours will be charged on a time-and-materials basis, with prior authorization from the Applicant and City. Five (5) copies of the draft responses to comments letter will be submitted to the City for review.

Following the Community Development Department review, FCS will make any necessary changes to the draft response to comments and prepare the Final Response to Comment Letter that will include the original letters, list of responders, and responses to each written comment. For the purposes of this proposal, we assume the IS/MND will not be reprinted. Twenty (20) paper copies and one (1) electronic PDF copy of the Final Response to Comments will be submitted to the City.

#### **Task 8: Mitigation Monitoring and Reporting Programs**

FCS will prepare Mitigation Monitoring and Reporting Programs (MMRPs) to comply with Public Resources Code Section 21081.6, for adoption by the City. FCS will submit one (1) reproducible copy of the MMRP to the Community Development Department for inclusion within the City staff report.

#### **Task 9: CEQA Notices**

FCS will prepare public notices for the CEQA document. This includes preparation/filing/posting of the following notices pursuant to CEQA Statutes and Guidelines Sections 15070 through 15075:

- Notice of Intent to Adopt (City form / posted with County Clerk)
- Notice of Determination (filing/posting with County Clerk within five days of project approval)

#### **Task 10: Project Management / Meetings**

In addition to the project initiation meeting which has been included in Task 1, the FCS Project Manager will attend up to two (2) Planning Commission public hearings and one (1) City Council public hearing if the Planning Commission's decision is appealed to the City Council. FCS will present the findings of the IS-MND and be available to respond to questions during the hearings. FCS will prepare a summary of the comments received from the public and responsible and trustee agencies. No additional meetings are included. Any effort required above the three (3) meetings will be charged on a time-and-materials basis, with prior authorization from the Applicant.

FCS will manage the preparation of the IS-MND under the City's direction, and will maintain communication between City staff and project team members. This task is intended to ensure that the project is running on time within budget, is technically correct, and legally defensible. In addition, this task addresses monthly internal project management responsibilities. The Project Manager will be readily available throughout the environmental process from its inception to completion. Approximately 15 hours (roughly two (2) hours per month) are provided for project management.

**Task 11: Staff Report**

FCS will prepare Staff Reports for use by the City Planning Commission and City Council. The staff report will address the project applications, including Robertson's Mine Precise Reclamation Plan, Environmental Initial Study and associated technical studies; include project conditions of approval; and be supported by exhibits. The staff report will be based on the template and examples provided by the City, although graphics will be consistent with FCS standard templates.

**Relevant Projects/Services with Reference**

Knife River Corporation (KRC) Amended Reclamation Plan and Quarry Expansion EIR, County of San Joaquin, CA. (2013)

*Contact Name:* Rick Griffen, Associate Planner

*Contact Address:* County of San Joaquin, 1810 East Hazelton Ave., Stockton, CA 95205

*Email Address:* [rgriffen@sjgov.org](mailto:rgriffen@sjgov.org)

*Contact Number:* (209)468-3161

FCS provided CEQA services for the KRC project. The project site is approximately 2,107 acres, consisting of existing mining and processing facilities (1,048-acres) and 1,059 acres of expansion for additional excavation adjacent to the existing site. Challenges included a changing project description to reduce the severity of potential environmental impacts to biological and other resources, as well as adapting a long-running project's analysis for a changing regulatory environment. The decision to utilize less than 20 percent of the expansion area is due to the presence of the California tiger salamander and a number of vernal pools. Other environmental issues addressed in the EIR were impacts to agricultural resources, hydrology and water quality, noise, traffic, water supply, and land use consistency with the County's General Plan and applicable ordinances. The project involved coordination between local agencies and the applicant, analysis of air toxics, and management of endangered species protection.

Orosi Rock Permit Modification for Gravel Mine Expansion, Orosi, CA (April, 2012)

*Client:* Dan Reiff, Project Manager

*Contact Address:* PO Box 1540 Lockeford, CA 93647

*Email Address:* [dreiff@pacbell.net](mailto:dreiff@pacbell.net)

*Contact Number:* (916)768-2345

MBA/FCS was selected to provide Air Quality and Greenhouse Gas analysis for an existing gravel mining operation that is currently operating near the City of Orosi. The operator proposed to increase throughput which requires a minor modification of the existing permit with Tulare County and a modification to the existing air permits with San Joaquin Valley Air Pollution Control District (SJVAPCD). The site is located on near the intersection of Road 144 and Avenue 420, one half mile northeast of East Orosi. The San Joaquin Valley Air Pollution Control District (SJVAPCD) had reviewed the project and requested that an air quality and greenhouse gas technical study be prepared to identify all project emissions and to determine the air quality impacts of the project. The SJVAPCD is a Responsible Agency under CEQA and used the environmental document prepared by the County for their approval of the project. Based on our review of aerial images of the site, the nearest impacted residence appears to be near the corner of Road 144 and Avenue 420 approximately one fourth mile from the area that was active at the time of the photo. MBA/FCS prepared a stand-alone air quality/greenhouse gas report that describes existing conditions, identifies potential impacts of the proposed project, and recommends mitigation measures to reduce those impacts. The project specific air quality and greenhouse gas analysis report was done in the context of CEQA using thresholds of significance specific to the San Joaquin Valley Air Basin. The report was provided to the District for their review and comment prior to

public circulation.

Deer Creek Rock Company, Inc. Quarry Expansion Air Quality/Greenhouse Gas and Health Risk Assessment (July, 2014)

*Client:* Leonard Bandell

*Contact Address:* Deer Creek Rock Company, Inc. 1643 Tahoe Court (96003) PO Box 994248 Redding, CA 96099-4248

*Contact Phone:* (503)241-2112

The 260.54-acre site is located at 27671 Avenue 120/Road 272, approximately four miles southeast of the City of Porterville in California. The project involved amendments to the Tulare County permits covering mining operations for PMR 01-001, PSP 01-055(ZA), and PMR 09-002. The amendments to the permits allowed the expansion of production for a hard rock mine and an asphalt concrete drum mix plant. The amendments sought to (1) increase production to 950,000 tons per year, (2) affirm that operating hours are 7:00 a.m. Mondays to 6:00 pm Fridays with an allowance to work on weekends due to utility demands and state and local government paving requirements, and (3) increase truck trips per day from 100 to 250 (from 200 to 500 round-trips). The project required modifications to existing air permits with the San Joaquin Valley Air Pollution Control District (SJVAPCD). FCS prepared a stand-alone air quality/greenhouse gas report that described existing conditions, identified potential impacts of the proposed project, and recommended mitigation measures to reduce those impacts. The project specific air quality and greenhouse gas analysis report was done in the context of CEQA using thresholds of significance specific to the San Joaquin Valley Air Basin. The report also incorporated information from the stand-alone Health Risk Assessment. The report was provided to the SJVAPCD for their review and comment prior to public circulation.

Provide CEQA Compliance for a C.U.P. for the Delhi Sand Mine (completed January, 2010)

*Client:* Jeff Wilson, Code Compliance Manager

*Address:* Planning & Community Development Department, County of Merced, 2222 "M" St Merced, CA 95340

*Phone:* (209)385-7654

MBA/FCS was selected to prepare an Initial Study (IS) that describes and analyzes the potential environmental impacts of the proposed Delhi Sand Mine project. The proposed project (CUPO8-015) would include the excavation and removal of approximately 500,000 cubic yards of sand from approximately 57 acres located on four separate parcels in Delhi, CA over approximately five years. Given our initial review of the project application, MBA expected that a Negative Declaration (ND) or a Mitigated Negative Declaration (MND) would be the appropriate level of CEQA documentation and as a result an Environmental Impact Report was not required. The project was completed within the estimated 15 week schedule.

Merlyn Quarry IS/MND, San Joaquin County (May, 2012)

*Client:* David Papotta

*Address:* The Shirley June Jorgensen Living Trust 6990 Trevino Moorpark, CA 93021

*Phone:* (805)889-7382

MBA/FCS prepared the IS/MND for the Merlyn Quarry Excavation Permit and Reclamation Plan. The project is located in San Joaquin County, and proposes to construct an open pit sand and gravel quarry and associated processing plant on approximately 146.2 acres of the total 251-acre land holding. The project to excavate 63.3-tons and would set aside land for preservation and biological impact mitigation. Environmental issues addressed in the IS/MND included impacts to nearby Lone Tree Creek as a result of culvert improvements and



project operations, reclamation of the land to an agricultural end-use, and potential presence of protected biological resources onsite.

Granite Mine Revised Reclamation Plan and Quarry Expansion EIR, City of Twentynine Palms (2007)

*Client:* Gary Johnson, Aggregate Resource Development Manager Granite Construction Company 38000 Monroe Street Indio, CA 92203

*Phone:* (760)775-7500

*Email:* Gary.johnson@gcinc.com

MBA/FCS prepared an EIR for the expansion of the Granite Construction aggregate mine site in Twentynine Palms. The site is located in the City of Twentynine Palms, in the western Mojave Desert of San Bernardino County. The existing site has been permitted by the City since 1989. Reserves on this 113.5-acre site were nearly depleted, and Granite revised its reclamation plan to expand into an adjacent 356-acre area. In addition to the revised reclamation plan, the project required rezoning of 320 acres from Rural Living (2.5-acre lots) to Community Industrial. The expansion area would be divided into two areas: a 178-acre area to allow the expansion of the aggregate pit, and a 178-acre area to be set aside for conservation of desert tortoise known to inhabit the site. Other environmental issues addressed in the EIR included aesthetics, air quality, hydrology and water quality, land use, noise, and traffic. Approximately one-half of the expansion area (178 acres) will be actively mined, while the other half will be held in reserve for wildlife habitat.

3M Corona Mine Site

*Contact Name:* Dan Ruiz, Senior Vice President

*Contact Address:* 1880 Compton Avenue, Corona, CA 92881

*Email Address:* DRuiz@cvwd.org

*Contact Number:* (760) 398-2661

FCS conducted a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Report for the review of MSHCP requirements and other potential requirements pertaining to other regulatory requirements with reclamation of mining areas at the 3M Corona Mine site. The 3M Corona Mine site (project) is located in the Temescal Canyon area of El Cerrito south of the City of Corona in an unincorporated portion of Riverside County. The project is generally located north of State Route 74, south of Interstate 91, east of Interstate 15, and west of Interstate 215.

Redlands Crossing Walmart EIR (2012)

*Client:* Robert Dalquest

*Address:* City of Redlands 35 Cajon Street, Suite 20 Redlands, CA 92373

*Phone:* (909)798-7555

This controversial project consists of the development of an approximately 250,000 sf commercial center (including Walmart). Petitioner filed suit on traffic, air, land use, and agricultural impact analyses. The Trial Court upheld the City's approval of EIR in 2013.

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Eagle Ranch Project EIR (2013)

*Client:* Warren Frace, Community Development Director

*Address:* City of Atascadero 6500 Palma Ave. Atascadero, CA

*Phone:* (805)461-5000

This controversial project consists of residential and commercial development (including a Walmart). Certification of EIR was challenged by the petitioners on traffic, air, health risk assessment, and land use. Trial Court upheld agency EIR certification in 2013.

**Project Schedule**

**Work Products and Schedule for the IS/MND**

FCS will work with the Community Development Department staff to assure the schedule for preparation and processing the IS/MND meets or exceeds the timeline identified in the following table. The schedule on the following page shows the number of weeks after the authorization to proceed during which each work product/milestone will be attained. The dates identified in the table are approximate, and are based on the timely delivery of necessary project materials from the City and the Applicant. FCS intends to prepare the IS/MND in concurrence with the new Reclamation Plan.

Work Product/Milestone IS/MND	Estimated Completion*
Authorization to Proceed	Week 1 (Dec. 10, 2014)
Project Initiation Meeting; Receipt Of Project Plans	Week 2 (Dec. 15, 2014)
Data Collection	Week 2 (Dec. 15, 2014)
Kunzman Associates, Inc. Prepares Traffic Report (Time estimate 3-4 weeks from receipt of essential data)	Week 2 - Week 6 (Dec. 15 2014 to Jan. 11, 2015)
Preparation of the Administrative Draft IS/MND and Technical Studies	Week 8** (Jan. 25, 2015)
Submit Administrative Draft IS/MND to Community Development Department	Week 10** (Feb. 9, 2015)
Community Development Department Reviews Administrative Draft IS/MND and Provides Comments (Estimated review time: Three (3) weeks)	Week 12*** (Feb. 23, 2015)
Submit Screencheck IS/MND for Community Development Department Review	Week 15 (March 16, 2015)
Community Development Department Reviews Screencheck IS/MND and Provides Comments (Estimated review time: Two (2) weeks)	Week 17*** (March 30, 2015)
Revise and Distribute Final IS/MND for Public Review (Public review 20-30 days)	Week 18 (April 6, 2015)
End of Public Review Period	Week 21 (April 27, 2015)
FCS Prepares Draft RTC Document and MMRP (Estimated time: Two (2) weeks)	Week 23 (May 11, 2015)
Submit Draft Versions of the RTC and MMRP for Community Development Department Review	Week 23 (May 11, 2015)
Community Development Department Reviews Draft RTC Letter and MMRP, and Provides Comments (Estimated time: Two (2) weeks)	Week 25*** (May 26, 2015)
Submit Final Versions of RTC Letter and MMRP for Community Development Department Approval, Revise, and Distribute	Week 26 (June 2, 2015)
Public Hearing	To be determined
File/Post Notice of Determination (NOD)	Within five days of approval
* Weeks following authorization to proceed	
** Once FCS receives a copy of the Traffic Report	
*** The following times allocated are estimates as these tasks are outside of the control of FCS.	

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The assumptions used in determining the above project schedule are:

1. FCS will receive the approved project description, site plans and, project-related information, and base maps at the project initiation meeting.
2. The periods shown are adequate for the City's review of each draft submittal. If review schedules change, the elapsed time of other tasks will be maintained.
3. The minimum public review period for the MND is 20 days, and the maximum is 30 days.

## Appendix A: Resumes



Frank Coyle, REA – Director

## OVERVIEW

- 25 Years of Planning Experience

## Education

- Bachelor of Science in Community and Regional Planning, Iowa State University

## Professional Affiliations

- Urban Land Institute (ULI)
- Member, City of Redlands Climate Action Task Force Committee – December 2008 to Present
- Registered Environmental Assessor I (REA I - 07926) – 2004 to Present
- American Planning Association (APA)

## Trainings, Seminars, and Workshops

- Water Quality Management Plan (WQMP) Seminar, County of Riverside, December 2007
- ASTM International, Phase I Environmental Site Assessments for Commercial Real Estate, October 2004

Frank Coyle, REA, is highly experienced in urban and regional planning in both the private and public sectors. He has prepared and managed a wide variety of high-quality policy planning and environmental documents achieving an impressive record of accomplishment in successfully managing projects through the entitlement process. Mr. Coyle possesses strong knowledge and understanding of development economics, governing agencies and bureaucratic procedures. He has reviewed and processed various specific plans, environmental impact reports, managed a wide variety of site specific projects through the California Environmental Quality Act (CEQA) process, evaluated general plan amendments, zone changes and subdivision requests, prepared and presented reports, and made recommendations to various planning bodies. His thorough knowledge of CEQA and experience with the principles and practices of urban and regional planning, zoning and subdivision concepts makes him a leader in the industry and asset to the FCS team. In December of 2008, Frank was appointed to the City of Redlands Climate Action Task Force by the mayor; the purpose of this group is to identify strategies for the City to reduce greenhouse gas emissions.

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## EXPERIENCE AND CLIENT SUMMARY

### Master Planned Communities

- Temecula Valley Wine Country Community Plan, County of Riverside, CA
- County of Riverside General Plan Update
- County of Riverside Zoning Ordinance Update
- Quail Ranch, City of Moreno Valley, County of Riverside, CA
- Plaza de Murrieta, City of Murrieta, County of Riverside, CA

### Commercial/Industrial Parks

- I-10 Distribution Center, County of Riverside, CA
- O'Donnell Industrial Park, City of Banning, County of Riverside, CA
- Villages of Glen Ivy, County of Riverside, CA
- Gateway Business Park, City of Moreno Valley, County of Riverside, CA
- Sun Lakes Village, City of Banning, County of Riverside, CA
- Banning Industrial Park, Banning, CA



## Charles Holcombe – Project Manager

### OVERVIEW

- More than five years' experience

### Education

- Master's in Business Administration – University of Redlands, California
- Bachelor's Degree, Environmental Studies – University of Redlands, California

### Permits, Licenses, and Certifications

- California Real Estate License #01453065 Ex: 09/28/2016
- Certified Project Manager
- Certified Financial Consultant

### Professional Affiliations

- Association of Environmental Professionals
- California Association of Realtors
- East Valley Association of Realtors
- Former Member of Urban Land Institute (ULI), Inland Empire

**Charles Holcombe** has over five years' experience as an environmental planner and project manager, specializing in environmental impact assessment and urban and regional land use planning for both the public and private sectors within Southern California. He has authored general plan updates, specific plans, environmental impact reports, environmental assessments and mitigated negative declarations for such planning efforts; Mr. Holcombe possesses strong technical understanding of both the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). He also has a wide range of project experience developing environmental compliance strategies under CEQA and NEPA for industrial facilities; residential and commercial projects; educational and public facilities; and roadway and regional recreation centers. Mr. Holcombe earned his Master's in Business Administration from the University of Redlands and Bachelor's Degree in Environmental Studies from the University of Redlands. He is a Certified Project Manager and Financial Consultant and is a State of California Real Estate Agent #01453065.

### EXPERIENCE AND CLIENT SUMMARY

- Granite Mine Expansion Project FEIR, City of Twentynine Palms
- Banning Gateway Project EIR, City of Banning
- Las Montanas Marketplace EA and EIR, City of Indio
- Renaissance Specific Plan EIR, City of Rialto
- Hesperia General Plan Update EIR, City of Hesperia
- Highland Avenue Walmart Expansion Project EIR, City of San Bernardino
- Corona Downtown Revitalization Specific Plan Amendment, City of Corona
- Alder 70 Specific Plan EIR, Tentative Tract Map, General Plan Amendment and Zone Change.
- State Route-91 (SR-91) Freeway Auxiliary Lane IS MND, City of Riverside
- SRG Chino South Industrial Park, EIR, City of Chino
- Southern California Recycling, SA Site 37 Materials Recycling Facility Expansion Project EA/IS MND, County of Riverside
- Public Works Facility Yard Expansion Project IS MND, City of Big Bear Lake



## Collin Ramsey – Assistant Project Manager, LEED Green Associate

### OVERVIEW

- Three years' experience

### Education

- Master's Degree, Environmental Studies – University of California, Fullerton
- Bachelor's Degree, Film Studies – University of California, Santa Barbara

### Professional Affiliations

- Association of Environmental Professionals
- American Planning Association
- U.S. Green Building Council

Collin Ramsey has gained valuable academic and practical experience in a variety of environmental planning and policy issues over his two-year tenure at FirstCarbon Solutions (FCS). As an Environmental Analyst, he regularly assists with the preparation of CEQA and NEPA environmental documents, including Initial Studies, Mitigated Negative Declarations, Environmental Impact Reports, Environmental Assessments, and Environmental Impact Statements. In 2011, he received his LEED Green Associate certification from the U.S. Green Building Council, the authority in green building design. He earned his Masters of Science Degree in Environmental Studies from California State University, Fullerton. He also holds a Bachelor's of Arts Degree in Film Studies from the University of California, Santa Barbara. Mr. Ramsey is an active member of the Association of Environmental Professionals, American Planning Association, and the U.S. Green Building Council.

### EXPERIENCE AND CLIENT SUMMARY

- Distribution Station 104 IS, LADWP, Pacific Palisades, CA
- Beaumont Avenue Recharge Facility and Pipeline EIR, San Geronio Pass Water Agency, City of Beaumont, CA
- Mangular Blending Station EIR, City of Corona, CA
- Mira Loma Recharge Basin, City of Anaheim, CA
- Linda Vista Reservoir, City of Anaheim, CA
- Majestic Chino Gateway EIR, City of Chino, CA
- Sierra Industrial Warehouse EIR, City of Fontana, CA
- Northwest Fresno Walmart EIR, City of Fresno, CA
- Shadelands Gateway Specific Plan EIR, City of Walnut Creek, CA
- Mountain View Marketplace MND, City of Loma Linda, CA
- Walmart EIR, City of Wasco, CA
- Chino South Industrial EIR, City of Chino, CA
- National Orange Show Industrial EIR, City of San Bernardino, CA



## Tracy Owens – Associate Counsel

### OVERVIEW

- Over Five Years' Experience

### Education

- J.D. – University of the Pacific, McGeorge School of Law
- B.A., Human Services – California State University, San Bernardino

### Permits, Licenses, and Certifications

- United States Green Building Council (USGBC), Leadership in Energy and Environmental Design Accredited Professional (LEED-AP)

Tracy Owens, practicing attorney, assisted a broad spectrum of regional, national, and multi-national clients with all aspects of commercial, industrial and residential development, often involving highly controversial projects and complex environmental regulations, including the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA).

In addition to advising clients on land use matters, Ms. Owens also advised clients in conducting environmental due diligence prior to acquisition of real property, including various State and local regulatory environmental actions, hazardous waste, hazardous materials, asbestos, air quality, underground tanks and environmental audits and review issues.

Prior to joining FC S, Ms. Owens increasingly focused her practice on litigation, primarily arising from project challenges under CEQA and other land use regulations. This unique perspective has allowed Ms. Owens to serve FCS clients by identifying and minimizing risks, and providing oversight to ensure that the environmental review conducted for projects is sufficient and legally defensible.

As a LEED AP, Ms. Owens has the knowledge and skill to successfully navigate clients through the LEED certification process, as well as the unique issues that can arise on a commercial or residential green building project.

### EXPERIENCE AND CLIENT SUMMARY

- Project Manager, Columbard Dairy Anaerobic Digester Initial Study/Proposed Negative Declaration, County of Merced. Assisted in successful defense of Los Angeles Community College District against legal challenge seeking to halt development of site under private lease agreements.
- Represented clients before a wide variety of local governments and regulatory agencies in order to obtain land use permits and other approvals
- Successfully defended a large biosolid recycling facility against an appeal before the United States Department of the Interior, Interior Board of Land Appeals
- Save Atascadero v. City of Atascadero, Litigation Attorney for Walmart. (2013) Co-chaired trial which resulted in successful defense to a CEQA lawsuit.



## David Mitchell, MA – Senior Air Quality Scientist

### OVERVIEW

- 22 years' experience

### Education

- Master's Degree in Geography – California State University, Fresno
- Bachelor's Degree in Geography – California State University, Fresno

### Professional Affiliations

- Member, URBEMIS (Urban Emissions) Statewide Working Group
- Chairperson, San Joaquin Valley Study Agency's Agriculture Technical Committee (AgTech), CA

### Publications

- Guide for Assessing and Mitigating Air Quality Impacts
  - Managed and co-authored the District's guidance for local agencies and consultants addressing air quality impacts in CEQA documents
  - The document was widely used as a model by other air districts.
- Air Quality Guidelines for General Plans
  - Prepared a guidance document for local agencies to use for addressing air quality issues in their general plans
  - The document won an award from the California Chapter of the American Planning Association (APA). An update to replace outdated information was completed in 2005.

David Mitchell, MA, has 22 years of experience in air quality and land use planning, including long-range planning, plan implementation, and managing large multi-disciplinary projects. Mr. Mitchell has served as project manager for numerous Negative Declarations, Environmental Impact Reports (EIRs), and air quality projects. He possesses extensive experience in air quality analysis; CEQA lead agency and commenting functions; plan development; rule development; grant and incentive programs; and land use, transportation, and air quality connections. Expertise includes climate action plans, air quality elements, emission inventory development, CEQA compliance, regulation development, state implementation plan issues, air quality impact assessments, air mitigation quantification methods, and air pollution control technology.

### EXPERIENCE AND CLIENT SUMMARY

#### Air Quality (partial list)

- Indirect Source Review, Rule 9510 Development, San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Indirect Source Review, County of Fresno, CA
- Tulare County Climate Action Plan
- City of San Ramon Climate Action Plan, County of Contra Costa, CA
- City of Hesperia Climate Action Plan, County of San Bernardino, CA
- Kings County General Plan Air Quality Element
- City of San Ramon 2030 General Plan Air Quality and Greenhouse Gas Element, County of Contra Costa, CA



## Chrystal Meier – Air Quality Analyst

### Overview

Over ten years of experience specializing in air quality and greenhouse gas emissions rule development, rule implementation, criteria, environmental document preparation and review, and greenhouse gas emissions modeling and analysis, interagency coordination, and public education for both private and public sector clients.

### Associations and Certifications

- Association of Environmental Professionals

### Education

- Bachelor's degree, Geology – California State University, Fresno

**Chrystal Meier** serves as an air quality and greenhouse gas emissions specialist for projects throughout California. She is an expert in the use of California Emissions Estimator Model (CalEEMod), EMFAC2011, Offroad 2011, US EPA AERMOD, and CALINE 4. She is responsible for the preparation and review of the air quality and greenhouse gas emissions analysis and reports prepared for a variety of projects from planned communities, schools, residential development, commercial development, mixed use, industrial, and infrastructure projects. She has also provided training courses on implementation of CEQA, modeling and analysis procedures, and organized and led meetings with public agencies, interest groups, and consultants. She is expert in tailoring the air quality models to estimate project-specific emissions, as well as hand-calculate off-road equipment emissions for linear and non-linear projects.

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### Experience and Client Summary

- Public Agency Review of Environmental Documents, San Joaquin Valley Air Pollution Control District (SJVAPCD), City of Fresno.
- Guidelines for Assessing and Mitigating Air Quality Impacts (GAMAQI) Update, SJVAPCD, City of Fresno
- Knife River Corporation (KRC) Combined Reclamation Permit and Quarry Expansion EIR, County of San Joaquin
- Indirect Source Review (ISR) Rule Development and Implementation, SJVAPCD, City of Fresno.
- Nueva High School Air Quality Evaluation, San Mateo, CA.
- Zumwalt Elementary School Air Quality and ISR, Reedley, CA.
- Wenzlaff Elementary School MND, Palm Springs, CA.
- Jenny Lind Safe Route to Schools, Calaveraz County
- California State Lands Commission Environmental Impact Report for PG&E Lines 406 and 407 EIR, Counties of Yolo, Sutter, Sacramento, and Placer.
- Harbor Refinery Recycled Water Pipeline for the Los Angeles Department of Water and Power, City of Los Angeles.
- El Dorado Canal Flume Replacement Program, County of El Dorado.
- Sonora Lowe's Home Improvement Warehouse/Old Wards Ferry Road Realignment Project EIR, City of Sonora.
- Simi Valley Water Recycling Project IS/MND, City of Simi Valley/Ventura County Waterworks District No. 8.
- Campos Verdes EIR, Irvine, CA.
- Diamond Springs Parkway EIR, County of El Dorado
- Enchanted Resorts EIR, City of Calistoga
- Dublin Recycled Water Project CEQA/NEPA Documentation for Dublin San Ramon Services District, City of Dublin.



## Scott Crawford, MA – Senior Project Manager

### Overview

18 years' experience in project management includes has conducted invertebrate, herpetological, mammalian, and avian surveys throughout California. He is experienced in conducting jurisdictional delineation surveys including rivers, streams, seasonal ponds, and vernal pools.

### Associations and Certifications

- FEDERAL PERMIT # TE019947-4 California gnatcatcher, Quino Checkerspot Butterfly, Listed Fairy Shrimp
- FEDERAL PERMIT # TE019947-2  
Previously included El Segundo Blue Butterfly
- Collection Permit: 801087-04 Exp. 1/19/2014
- Flat-Tailed Horned Lizard 6/2001
- Wetland Training Institute 12/1998
- Desert Tortoise Council Workshop 10/1999
- Desert Tortoise Egg Handling/Artificial Burrow construction 10/1999
- Project Management Boot Camp 1 – PSMJ Resources, Inc. 3/2004
- Managing Multiple Project Objectives and Deadlines, Skill Path 1/2006
- Registered Wildlife Biologist – San Diego, Los Angeles, Riverside, San Bernardino, and Orange County
- LAX Security Clearance/Driving Clearance – 2001
- Fairy Shrimp Identification Class:  
Denton Belk: November 1999
- The Wildlife Society

### Education

- Master's degree, Biological Science – California State University, Fullerton
- Bachelor's degree, Environmental Biology – California State University, Northridge

**Scott Crawford** is currently the Section Manager of Biological Resources and assists in the management of the natural resource team at MBA. He extensive experience in project related consultations with regulatory agencies including California Department of Fish and Wildlife (DFW), US Fish and Wildlife Service (USFWS), US Army Corps of Engineers (USACE), California Coastal Commission (CCC), and State Water Resources Control Board (SWRCB), California Energy Commission (CEC), Federal Energy Regulatory Commission (FERC), Department of Gas and Geothermal Regulations (DOGGR), Bureau of Land Management (BLM), and US Forest Service (USFS).

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### Experience and Client Summary

- Panama Lane Shopping Center EIR, City of Bakersfield.
- Gosford Village Shopping Center EIR, City of Bakersfield.
- Tonner Canyon Biological Resources Assessment and wildlife movement corridor study, City of Industry
- California Gnatcatcher Surveys, Van Daele Development, Menifee Area Menifee Farms
- Amberwood Estates Project, City of Wildomar
- Quail Brush Project, California Energy Commission
- Oak Canyon Nature Center Naturalist



## Carrie D. Wills, M.A., RPA – Senior Project Archaeologist

### Overview

Carrie has 23 years of experience and has worked in prehistoric and historic archaeology, including pre-field assessments, archival research, pedestrian field surveys, site evaluation and testing, and data recovery and analysis since 1991.

### Associations and Certifications

- Registered Professional Archaeologist #11138

### Education

- Master's degree, Anthropology – California State University, Hayward
- Bachelor's degree, Anthropology – California State University, Hayward

**Carrie Wills, RPA** She has extensive experience conducting field research, evaluating sites and features for historic significance and preparing reports that comply with the California Environmental Quality Act, Section 106 of the National Historic Preservation Act and the National Environmental Policy Act. Her experience includes evaluating and assessing historic structures and resources for inclusion on the National Register of Historic Places and California Register of Historical Resources. In addition, Ms. Wills has conducted numerous consultations with Native American tribal representatives and has good working relationships with various governmental agencies. She has provided feasible mitigation that protects significant resources while staying within budgetary constraints.

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### Experience and Client Summary

- Off-road Vehicle Park, Archaeologist, City of Bakersfield.
- Gustine Municipal Airport Project, Archaeologist, County of Merced
- KB Home Monte Vista, Historic American Buildings Survey, City of San Jose.
- Costco's Warehouse Project, Archaeologist, City of San Francisco.
- Montezuma Wetlands Project, County of Solano.
- Lake Solano Regional Park Visitor's Center Project, Archaeologist, County of Solano.
- Bel Lago Project, Archaeologist, City of Moreno Valley.
- Albers Barnes & Kohler LLP's Palm Ranch Dairy Project, Archaeologist, County of Kern
- Santa Cruz Water District's Pipeline Project, Archaeologist, County of Santa Cruz.
- Federal Energy Regulatory Commission (FERC) Relicensing Project, County of Kern.
- Fiber Optic Project, Archaeologist, Cities of San Jose, San Francisco, and Los Angeles.
- General Plan Update, Archaeologist, County of Monterey.
- Trails Specific Plan Project, Archaeologist, City of Livermore.



## Philip Ault – Noise and Air Quality Specialist

### OVERVIEW

- Primarily responsible for the measurement, analysis, and reporting of noise and air quality impacts for a variety of projects

### Professional Affiliations

- Bowlby & Associates, Inc., Franklin, Tennessee

### Licenses, Permits and Certifications

- United States Green Building Council (USGBC), Leadership in Energy and Environmental Design Accredited Professional (LEED-AP)
- TRAFFIX Training, Dowling Associates, Inc., Oakland, California
- FHWA Traffic Noise Model 2.5 and Traffic Noise Fundamentals Training Course
- Principles of Ecological Design, Case Studies in Ecological Design, San Francisco Institute of Architecture San Francisco, California

### Education

- M.S., Advanced Environmental and Energy Studies for Architecture, University of East London at Centre for Alternative Technology, Wales, U.K. (2007)
- B.S., Mathematics, Bob Jones University, Greenville, South Carolina, (1991)

**Philip Ault** has conducted extensive research in environmental and energy topics including energy efficient project design, sizing of wind and solar PV hybrid generator systems, and project greenhouse gas emission impacts related to global climate change. Mr. Ault prepares stand-alone noise and air quality studies as well as studies in compliance with CEQA including global climate change analysis. He has also conducted extensive research into LEED for Neighborhood Developments, the newest tool developed by the U.S. Green Building Council as a standard for sustainable community design and development, and how such tools can blend with CEQA requirements. He is proficient with the use of the FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108), SOUND32 noise model, and FHWA Traffic Noise Model (TNM) 2.5. He is responsible for conducting field noise measurements with the Larson Davis models 720, 820 and 824 sound level meters in compliance with FWHA, FTA, and HUD standards.

### EXPERIENCE AND CLIENT SUMMARY

- Apple Campus 2 Project EIR for the City of Cupertino
- Woodlake Wastewater Treatment Plant Noise Analysis for Collins & Schoettler, City of Woodlake
- Kern Council of Governments Noise Study Report for the Kern Council of Governments
- State Route 99/Veterans Boulevard Interchange Noise Study Report for the City of Fresno
- Santa Clara County Soundwall GIS Project for the Santa Clara Valley Transportation Authority (VTA)
- Velocity Recycling Center Noise Impact Analysis



## Elizabeth A. Westmoreland – *Environmental Analyst*

### Overview

Elizabeth A. Westmoreland (Liz) has over four years of educational and professional experience assessing the environmental and social effects of development.

### Education

- 3 Years Experience with CEQA
- B.S. in Environmental Science – Departmental Honors- Magna Cum Laude- University of Redlands
- School for International Training (SIT) Semester Abroad in Panama
- Geographic Information Systems (GIS) Certificate – University of Redlands

### Professional Affiliations

- Member of the Association of Environmental Professionals (AEP)
  - Recipient of the Nita Bullock Memorial Scholarship – 2013;
  - Inland Empire Chapter Director of Social Media – 2014, 2015.

Liz specializes in California Environmental Quality Act (CEQA) compliance and documentation, with additional experience conducting NEPA analyses in California and Arizona. Having authored Environmental Impact Reports, Initial Studies, Environmental Assessments, Mitigation Monitoring and Reporting Programs, Phase I Environmental Site Assessments, and other compliance documents for both the public and private sector, she has a keen awareness of the issues and mitigation measures specific to each type of development. Liz has experience working with projects and clients in the industrial, residential, commercial, and mixed-use sectors. Liz has additional experience working with Cultural Resources Compliance, including consultation with Tribal Authorities. Liz has her Bachelor of Science Degree in Environmental Science and Spanish (minor) from the University of Redlands. Her degree was awarded with Departmental Honors and she graduated Magna Cum Laude. She is also proficient in using Geographic Information Systems Software, and has earned her Certificate from the University of Redlands. In 2013, she was awarded the Nita Bullock Memorial Scholarship by the Association of Environmental Professionals (AEP). Liz is also a current Board Member of the Inland Empire Chapter of AEP.

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### Experience and Client Summary

- EIR for Majestic Chino Gateway Project, Chino, CA
- IS and EIR for the Bottoms Property Residential Project, Richmond CA.
- IS-MND for the Health Care Facility Improvement Project, Lancaster, CA.
- Environmental Assessment for the Wickland Pipeline Project, Orange County, CA.
- IS-MND for Mountain View Marketplace, Loma Linda CA.
- IS-MNDs for Sunlight Solar Projects, Los Angeles County, CA.
- EA/IS for the Hollywood Central Park Project, Los Angeles, CA
- IS-MND for Montgomery-7, San Jose CA
- EIR Peer Review for Wal-Mart Project, Desert Hot Springs, CA
- Phase I ESA for Jefferson and Adams Street Project, Benicia, CA.



## Karlee McCracken – GIS Technician/Graphic Design

### Overview

Nine years of experience working with Geographic Information Systems (GIS) and Graphic Design.

### Associations and Certifications

- Active member of California Geographic Information Associates (CGIA)

### Education

- Associates degree, Computer Science – Riverside Community College

**Karlee McCracken** is an experienced GIS Technician. Since joining MBA in 2001, her primary focus has been the creation of various mapping standards in daily production. Karlee has experience with vegetation mapping, delineation of waters of the US and waters of the State, Critical Habitat mapping, California Natural Diversity Database mapping and project specific environmental impacts. She is knowledgeable in CAD data analysis and manipulation and GPS collection and analysis. She is highly skilled in graphic design with the creation of brochures, flyers, posters and other marketing materials and possesses expertise in photo manipulation, layout design and color management. She is also highly skilled with software such as ArcGIS, Corel Draw, Adobe Photoshop, Adobe InDesign, Adobe Illustrator and Adobe Acrobat.

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### Experience and Client Summary

- Environmental Impact Report (EIR) for the Reina Ranch Project for Kern County
- Environmental Impact Report for the Bakersfield State Vehicular Recreation Area in Kern County
- National Environmental Policy Act Document for the Northeast Bakersfield Bike Path for the City of Bakersfield
- Dogtown Road Bridge Replacement Projects (French Gulch, San Domingo, and Indian Creek), County of Calaveras, CA
- California Men's Colony, Mental Health Crisis Facility, California Department of Corrections and Rehabilitations.
- Draft Environmental Impact Report (DEIR) for the Diamond Springs Parkway for the County of El Dorado CA
- Mount Olympus and Wilderness Gardens Preserves, San Diego County, CA.
- Van Norman Complex Water Quality Improvement Project, Los Angeles Department of Water and Power (LAWP).
- Oak Creek Canyon Project, City of Clayton, CA.
- Triangle T Ranch (South Dust Hammer Project), City of Chowchilla, CA.
- Elnoka Village Project Environmental Impact Report (EIR), City of Santa Rosa, CA.
- Burris Basin Recreation Area, City of Anaheim, CA.
- Salinas Valley State Prison, Mental Health Services Expansion, California Department of Corrections and Rehabilitations
- Milpitas Walmart Expansion Project, City of Milpitas, CA.



## EDUCATION

University of California at Los Angeles, B.S.,  
Engineering

Yale University, Bureau of Highway Traffic,  
Certificate in Traffic Engineering

Federal Highway Administration, 18 Month  
Highway Engineering Training Program

University of California at Irvine, Guest Lecturer

California State University at Fullerton, Class  
Instructor

American Planning Association, Guest Speaker

## PROFESSIONAL ENGINEER REGISTRATION

Registered Professional Traffic Engineer in the  
State of California, TE0056

## PROFESSIONAL HISTORY

County of Los Angeles, Assistant Traffic Engineer

Wilbur Smith Associates, Assistant Traffic Engineer

Federal Highway Administration, Policy Planning

County of Riverside, Assistant Traffic Engineer

Lampman Associates, Traffic Engineer Associate

City of Irvine, Transportation Planning Engineer

Weston Pringle and Associates, Traffic Engineer  
Associate

Kunzman Associates, Inc., Principal

## OVERVIEW

William Kunzman, P.E., has worked professionally in traffic engineering and transportation planning since 1967 in both the public and private sectors. Bill is an expert witness in traffic engineering involving highway accidents (automobile, truck, bus, pedestrian, bicycle, and motorcycle). Bill has extensive knowledge of governmental agency procedures, design, geometrics, signs, traffic controls, parking, and maintenance. Bill is highly skilled in presenting findings and recommendations to elected officials, municipal commissions community groups, the Courts, and the general public.

## HONORS AND AWARDS

- Received fellowship and living stipend to attend Yale University from the Insurance Institute for Highway Safety, 1967-1968.
- Elected Class President of Yale University Bureau of Highway Traffic, 1967.
- Recipient of the 1978 Institute of Transportation Engineers Past Presidents' Award. This is the most prestigious award granted by the Institute of Transportation Engineers to persons 35 years old or younger. It is given annually to one person on a worldwide basis.
- Received from Institute of Transportation Engineers, Southern California Section, "Young Traffic Engineer of the Year Award" in 1979.

## PROFESSIONAL PUBLICATIONS

- "Irradiation and Halation", Traffic Engineering Magazine, December 1968.
- "Accuracy of Computer Program BMD02R, Stepwise Regression" Highway Planning Technical Report Number 17, Federal Highway Administration, Washington, D.C., April, 1970.
- "A Simplified Procedure to Determine Factors for Converting Volume Counts to ADT's", Traffic Engineering Magazine, October 1976.
- "Annual Vehicle Miles Traveled per Family as a Function of Primary Wage Earner's Work Trip Mileage", Institute of Transportation Engineers Technical Notes, March 1978.
- "Another Look at Signalized Intersection Capacity", ITE Journal, August 1978. This article was submitted in competition for the 1978 Institute of Transportation Engineers Past President Award and won the award.
- "Urban Development and Circulation Systems - A Critical Balance", ITE Compendium of Technical Papers, August 1980.



## EDUCATION

Arizona State University: B.S., Engineering

Trafficware University, Synchro Training Certificate

## PROFESSIONAL ENGINEER REGISTRATION

Registered Professional Engineer in the State of Arizona, 25976

## PROFESSIONAL HISTORY

Howard, Needles, Tammen & Bergendoff, Civil Engineer

Parsons Brinkerhoff, Transportation Engineer

Aquatech Irrigation, Inc., Project Manager

Micro Q, LLC, Project Engineer

Kunzman Associates, Inc., Senior Associate

## AFFILIATIONS

Institute of Transportation Engineers (ITE)

Orange County Traffic Engineering Council (OCTEC)

Women's Transportation Seminar (WTS)

## OVERVIEW

Perrie Ilceril, P.E., has been involved in the engineering field for over 25+ years. Ms. Ilceril possesses the technical knowledge of resources and software relevant to traffic engineering, including: signing & striping plans and traffic controls plans, drainage plans, plan design, HEC calculations, take-offs and specification preparation. She has also been the project engineer for numerous freeway projects, lighting level calculations, and designed intersection signal plans.

Perrie possesses the technical knowledge of resources and software relevant to traffic engineering, including: AutoCAD, HCS+, TRAFFIX and SYNCHRO software for ICU and delay evaluations the PATHPRO program for ADT-to-peak hour volume calculations. Perrie has also been involved in traffic signal warrant analyses, trip generation analyses, traffic forecasting, parking studies, and parking demand studies.

## HIGHLIGHTS OF EXPERIENCE

Perrie has worked on the following projects:

- **Alberhill Southwest Shale Mine Supplemental Traffic Analysis**  
The project site is located at the southerly terminus of Walker Canyon Road on the northeast side of the I-15 Freeway in the City of Lake Elsinore. The proposed project consists of a 15-year reclamation plan for an 86 acre mine site in the Alberhill Ranch Specific Plan area. The daily operation will consist of approximately 60 two-way truck trips dispersed evenly over a 10 hour period between 8:00 AM and 6:00 PM. Based on this focused traffic analysis and the previous 2007 analysis, the proposed project will not significantly impact the surrounding transportation system in the vicinity of the project site. In addition, because the proposed Alberhill Southwest Shale Mine project will be a temporary 15 year operation, no permanent traffic improvements are recommended.
- **Ranch Rock Mine Traffic Impact Analysis**  
The project site is located north of Fargo Canyon Road and west of Pierce Street in the County of Riverside. The project site is to be utilized as an aggregate mining site. The proposed project will have access to Fargo Canyon Road. The trip generation rates, project peak hour volumes, and project daily traffic volumes were generated for Opening Year (2008) and Biggest Day production. The trip generation is based upon data supplied by the applicant. The traffic report contains documentation of existing traffic conditions; trips generated by the project, distribution of the project trips to roads outside the project, and an analysis of future traffic conditions.

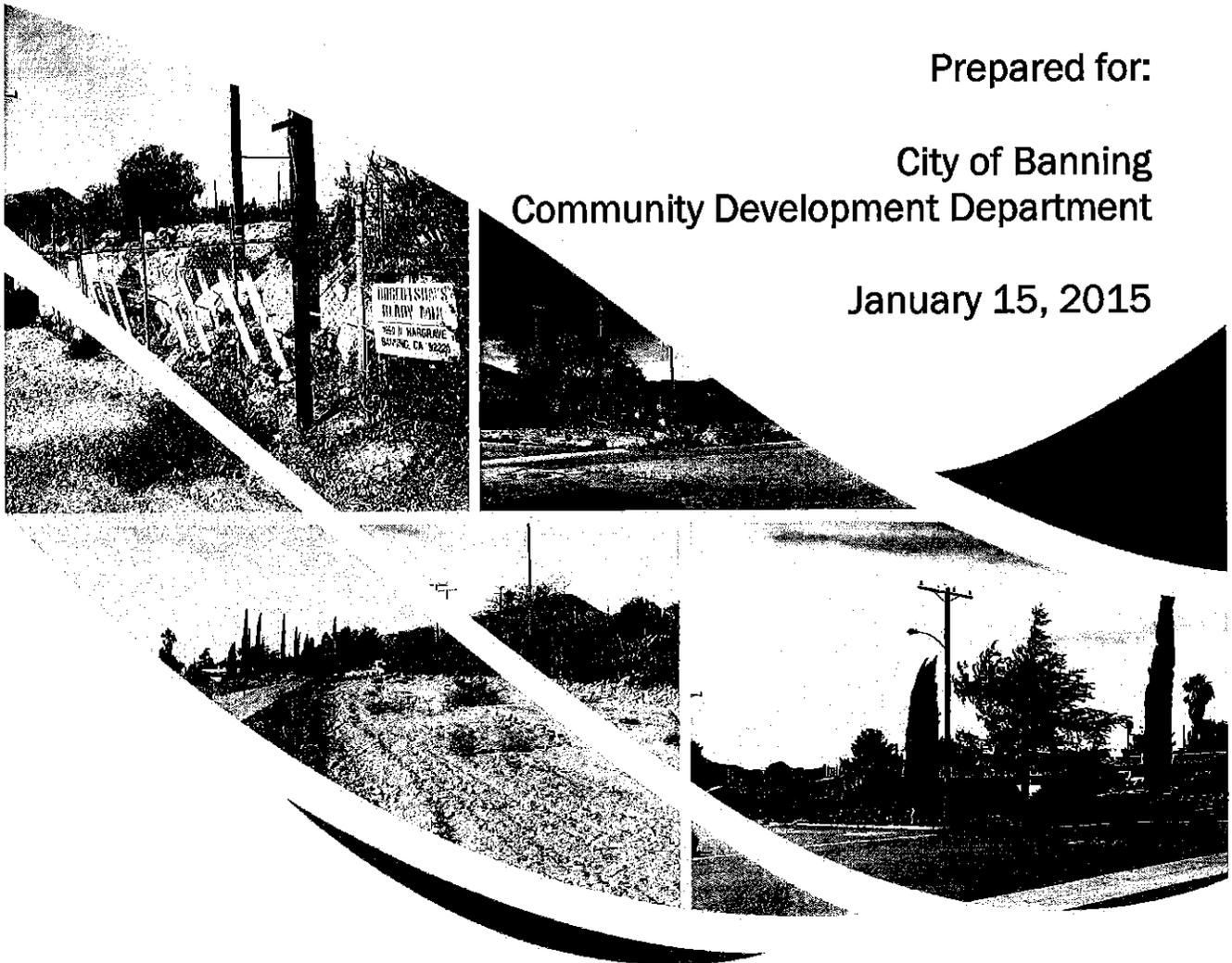


# Fee Schedule to Prepare an Environmental Impact Report and Environmental Documents for the Robertson's Mine New Reclamation Plan

Prepared for:

City of Banning  
Community Development Department

January 15, 2015





www.firstcarbonsolutions.com

January 15, 2015

Mr. Brian Guillot, Acting Community Development Director  
City of Banning, Community Development Department  
99 E. Ramsey Street  
Banning, CA 92220

Dear Mr. Guillot:

FirstCarbon Solutions (FCS)<sup>1</sup> is pleased to submit this fee schedule to prepare an Environmental Impact Report and Environmental Documents for the proposed Robertson's Mine New Reclamation Plan for compliance with the State Mining and Reclamation Act (SMARA) and the California Environmental Quality Act (CEQA) for the City of Banning, pursuant to the Request for Proposal dated October 20, 2014, as well as personal communication with the City. The existing mine site is located on approximately 186 acres near Blanchard and Florida Streets, in the northeastern corner of the City of Banning. This proposal reflects our experience and in-depth understanding of the environmental challenges associated with SMARA and CEQA compliance, as well as our understanding of the project.

The FCS team offers the technical expertise and leadership to effectively provide the City with comprehensive in-house environmental and professional consulting services in accordance with Federal, State, and City provisions:

- The FCS team has extensive experience preparing various environmental documents and implementing strategic environmental compliance programs. Since 1982, FCS has prepared various technical studies, initial studies/mitigated negative declarations environmental impact reports and environmental compliance programs, permits, and California Environmental Quality Act (CEQA) / National Environmental Policy Act (NEPA) documentation for over 8,000 projects throughout California. FCS' skillful approach to preparing environmental documentation streamlines the environmental compliance process and facilitates the preparation of legally defensible documents that can withstand public scrutiny and potential legal challenge.
- The FCS team is committed to maintaining the necessary infrastructure of credible and highly capable environmental experts to assist the City for the life of the project. Our team is experienced in providing comprehensive in-house environmental services for public agencies and is committed to providing the City with dedicated staff resources to ensure that the project is completed as expeditiously as possible, while meeting the City, State, and Federal review standards. Our familiarity with the Federal, State, and the City processes for environmental review will allow FCS to provide seamless and flexible consultant services to accommodate and expedite project processing, and will help ensure the project remain on schedule and within budget.
- The FCS team is accessible. Communication is the hallmark of FCS' services. Therefore, we pride ourselves on being readily available and in constant communication with our clients. With an office located in Inland Empire Region (San Bernardino), we have the in-house ability to offer the City a full complement of services even on short notice. FCS has a proven track record of having the ability to respond within the same day to project, staffing, or public

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<sup>1</sup> For Contracting purposes, FCS continues to do business under the Tax ID number of Michael Brandman Associates #95-3782289



www.firstcarbonsolutions.com

emergencies related to permitting violations, community consultations, and regulatory negotiations. FCS will be consistently available to attend or lead day and evening meetings. We understand that our obligation to the City doesn't stop at 5:00 PM and we are used to frequent interactions with our clients after-hours to ensure we are delivering the highest level of services.

Client service is the foundation from which high quality work is produced. Our attention to detail parallels our focus on providing outstanding client service; this sets the FCS team apart from our competitors. As a Director with FCS, I am authorized to execute a Professional Services Agreement. In addition, I can confirm that FCS has the ability to meet the indemnity and insurance requirements presented and that FCS does not have any conflicts or non-acceptability to the terms and conditions of the City's standard agreement, including all attachments to the agreement. We appreciate you taking the time to review our fee schedule and look forward to the opportunity of working with the City of Banning. Should you have any questions, please feel welcome to contact me at 909.884.2255 or via email at [fcoble@FCS-intl.com](mailto:fcoble@FCS-intl.com) or [cholcombe@FCS-intl.com](mailto:cholcombe@FCS-intl.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Coyle", with a long horizontal line extending to the right.

Frank Coyle  
Director, Environmental Services  
**FirstCarbon Solutions**  
621 E. Carnegie Drive, Suite 100  
San Bernardino, CA 92408

A handwritten signature in black ink, appearing to read "Charles Holcombe", with a long horizontal line extending to the right.

Charles Holcombe  
Project Manager, Environmental Services  
**FirstCarbon Solutions**  
621 E. Carnegie Drive, Suite 100  
San Bernardino, CA 92408

## Fees Schedule

The fees for the proposed project are provided below. The proposed fee is based upon the scope of work described herein, and includes all labor and direct costs.

TASK	FEES
Task 1: Project Initiation and Organization	\$2,000
Task 2: Prepare Notice of Preparation/Scoping Meeting	
Subtask 2.1: Notice of Preparation	800
Subtask 2.2: Scoping Meeting	3,000
Task 3: CEQA Adequacy Review of Technical Study	1,000
Task 4: Prepare Administrative Draft EIR	42,000
Task 5: Prepare Screencheck Draft EIR	13,000
Task 6: Prepare Draft EIR	5,000
Task 7: Prepare Administrative Final EIR	14,000
Task 8: Prepare Screencheck Final EIR	6,000
Task 9: Prepare and Distribute City Approved Final EIR	3,000
Task 10: Prepare MMRP	2,500
Task 11: Meeting Attendance	7,500
Task 12: Project Management and Coordination	12,500
Task 13: CEQA Notices	2,500
Task 14: Prepare Findings of Fact and Statement of Overriding Considerations	7,500
Task 15: Staff Reports	1,500
<b>Total Professional Labor</b>	<b>\$123,800</b>
<b>Technical Report Costs</b>	
Air Quality and Greenhouse Gas Assessment	\$9,040
Health Risk Assessment (HRA)	10,440
Biological Resources Report**	6,070
Cultural Resources Report	3,815
Noise Impact Assessment	5,720
Traffic Impact Assessment (Kunzman Associates, Inc.)	10,230

<b>Total FCS Technical Report Costs</b>	<b>\$45,315</b>
<b>Direct Costs</b>	
Document Printing/Reprographics	\$8,000
Postage/Deliveries	2,000
Misc. Supplies, Reference Materials, Travels	850
<b>Total Direct Costs</b>	<b>\$10,850</b>
<b>Total Professional Labor Fee with Directs (Not to Exceed)*</b>	<b>\$179,965</b>
<p><i>*The total fee is subject to increase depending on changes to the project description, additional revisions, and actual direct costs.</i></p> <p><i>** In the unlikely event the Optional Biological Resource Surveys are needed, the total FCS technical report costs would be increased by \$16,040 (See Optional Sub-Task 1 through Sub-Task 3).</i></p>	

**Optional Tasks:**

The assumptions used in calculating the above fees are:

1. The price is valid for up to 90 days from the date of this scope, after which it may be subject to revision.
2. This price is based on completion of the work within the proposed schedule. If delays occur, an amendment of the price would be warranted to accommodate additional project management and other costs, and to reflect adjustments for updated billing rates.
3. The EIR will be prepared to comply with CEQA.
4. Costs have been allocated to tasks based on FCS' proposed approach. During the work, FCS may, on its sole authority, re-allocate costs among tasks and/or direct costs, as circumstances warrant, so long as the adjustments maintain the total price within its authorized amount.
5. Direct costs have been included in the Total Professional Labor Fee in the table above. Direct costs, including but not limited to those items presented below, will be reimbursable upon provision of proper documentation:
  - Purchases of project materials;
  - Reproduction, reprographics, document production, printing and photographic costs;
  - Postage, messenger, delivery, and overnight mailing;
  - Noticing, and record searches;
  - Administrative/handling (@ 0.10 Direct Costs); and
  - Other miscellaneous costs directly related to the project.

## Fees Schedule

Estimated fees for the IS/MND are identified below. The proposed fee is based on the scope of work described above, and includes all labor and direct costs.

Task IS/MND	Fees	Total
<b>Professional Labor – Initial Study and Mitigated Negative Declaration</b>		
Task 1: Project Initiation Review Existing Material		\$1,000
Task 2: Data Collection		\$800
Task 3: Prepare Technical Studies		\$45,315
Air Quality/Greenhouse Gas Sub-Task 1: Air Quality/GHG Report (\$9,040) Sub-Task 2: Health Risk Assessment (\$10,440)	\$19,480	
Biological Resources Report (\$6,070)	\$6,070	
Cultural Resources (\$3,815)	\$3,815	
Noise (\$5,720)	\$5,720	
Subconsultant (Kunzman Associates, Inc.)		
Traffic Study (includes 10% administrative fee)	\$10,230	
Task 4: Administrative Draft IS/MND		\$9,000
Task 5: Screencheck Draft IS/MND		\$3,500
Task 6: Final IS/MND		\$2,000
Task 7: Response to Comments on the IS/MND		\$3,000
Task 8: Mitigation Monitoring and Reporting Programs		\$400
Task 9: CEQA Notices		\$500
Task 10: Project Management/Meetings		\$3,000
Task 11: Staff Report		\$1,000
<b>Total Professional Labor</b>		<b>\$69,515</b>
Direct Cost Estimate for Draft and Final IS/MND	\$1,500	
<b>Total Professional Labor Fee with Directs (Not to Exceed)*</b>		<b>\$71,015</b>
<i>Optional Biological Resource Surveys (\$16,040)</i>		\$16,040
<b>Total Professional Labor Fee with Directs and Optional Surveys (Not to Exceed)*</b>		<b>\$87,055</b>
*The total fee is subject to increase depending on changes to the project description, additional revisions, and actual direct costs.		

The assumptions used in calculating the above fees are:

1. The price is valid for up to 60 days from the date of this proposal, after which it may be subject to revision.
2. Costs have been allocated to tasks based on FCS' proposed approach. During the work, FCS with concurrence of the City, may re-allocate costs among tasks as circumstances warrant, so long as the adjustments maintain the total price within its authorized amount. Fees will be billed monthly, based on percentage of project completion.

3. Direct costs have not been included in the Total Professional Labor Fee in the table above. Direct costs, including but not limited to those items presented below, will be reimbursable upon provision of proper documentation:

- Purchases of project materials;
- Reproduction, reprographics, document production, printing and photographic costs;
- Postage, messenger, delivery, and overnight mailing;
- Noticing, and record searches;
- Administrative/handling (@ 0.10 Direct Costs); and
- Other miscellaneous costs directly related to the project.

Direct costs are estimated at \$1,500. However, all costs directly associated with the project would be reimbursable upon provision of proper documentation.

### Schedule of Hourly Rates and Non-Personnel Charges

#### Hourly Labor Rates

President/Vice President	\$240 - 285
Director	160 - 270
Senior Project Manager/Senior Scientist/Senior Regulatory Scientist	110 - 180
Project Manager/Regulatory Scientist	100 - 150
Assistant Project Manager/Assistant Regulatory Scientist	80 - 120
Environmental Planner/Project Ecologist/Biologist	70 - 95
Environmental Analyst/Regulatory Analyst	60 - 90
Research Analyst/Staff Ecologist	50 - 75
Senior Archaeologist/Paleontologist	95 - 135
Project Archaeologist/Paleontologist/Principal Investigator, Historian	85 - 110
Project Coordinator	65 - 90
Architectural Historian/Staff Archaeologist	65 - 95
Field Director/Crew Chief/Supervisor	65 - 80
Laboratory Director	65 - 80
Field Monitors/Laborer	40 - 55
Laboratory Assistant	40 - 55
Publications Coordinator/Technical Editor	90 - 115
GIS Analyst	70 - 130
Graphics Designer/GIS Technician	65 - 80
Word Processor	65 - 80
Administrative Assistant/Accounting/Clerical	55 - 80
Reprographics Assistant/Intern	45 - 60

Other Labor Rates

Labor rates for expert testimony, litigation support, and depositions/court appearances will be billed at a minimum of two times the above rates. If additional services are authorized during the performance of a contract, compensation will be based on the fee schedule in effect at the time the services are authorized.

Direct Expenses

Direct expenses are billed at the amount charged, as described below, plus a 10% administration cost.

1. Out-of-pocket expenses - including, but not limited to, travel (not including mileage), messenger service, lodging, meals, blueprint, reproduction, and photographic services: Cost, as charged to FCS.
2. Subcontractors' fees: As quoted.
3. Reproduction and Color copies: See Reprographics Fee Schedule provided as necessary.
4. Records checks: fees vary with facility and project.
5. USFWS/CDFG impacts or mitigation fees.
6. Museum curation: fees vary with the city and project.
7. Cultural resources storage/curation of fossil and artifact collections: Cost, as charged to FCS.
8. Per Diem: \$145.00/per day. Lodging surcharge may apply in high rate areas.

**Terms:** Compensation and direct expenses are invoiced monthly and are payable upon receipt.

Kunzman Associates, Inc. (Sub-consultant Fees)

Principal	\$150.00
Principal Associate	\$125.00
Senior Associate	\$125.00
Associate	\$100.00
Junior Associate	\$75.00
Technician	\$40.00
Secretary	\$40.00

**GENERAL PROVISIONS OF AGREEMENT**

1. Travel, reproduction, and supply costs are billed at cost.
2. Hourly rates apply to work time as well as travel time and waiting time, which occur at meetings, public hearings, depositions, or court testimony.
3. Statements will be submitted monthly for work in progress or upon completion of work. Statements are payable within 30 days of the statement date. Any invoice unpaid after 30 days shall be subject to a service charge of the maximum interest rate allowed by law or two percent per month, whichever is less.
4. Client hereby agrees that the balance in a billing statement is correct and binding unless the client notifies the consultant in writing within fifteen days of the date of billing and informs consultant of the alleged incorrect item.
5. All documents produced as a result of this agreement may be used by the consultant without consent from the client.
6. The consultant makes no warranty as to his findings except that the work is performed using generally accepted methods.
7. The consultant will format the report according to client instructions at the beginning of the project, or in the absence of such instructions, in a format chosen by the consultant and consistent with accepted professional transportation engineering studies.
8. The consultant will produce an objective, professional report, and may not arrive at the findings desired by the client.
9. The client agrees to limit the consultant's liability to the client, because of professional negligent acts, errors, or omissions by the consultant, to the consultant's fee.
10. Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitration may be entered in any court having jurisdiction thereof.

11. Where Kunzman Associates, Inc. initiates arbitration proceedings relating to this contract, any resultant fees to process arbitration, such as filing fees and attorney fees, shall be borne by the client.

12. If any term, condition, or provision of this Agreement is declared void, unenforceable, or limited in its application or effect, such event shall not affect any other provisions hereof and all of the provisions shall remain fully enforceable.

# HELIX

Environmental Planning

Proposal to Prepare

## An Initial Study and Environmental Documents for Robertson's Mine Reclamation Plan for Compliance with Surface Mining and Reclamation Act

November 20, 2014



Prepared for:  
**City of Banning**  
**Community Development Department**  
99 E. Ramsey Street  
Banning, CA 92220

Prepared by:  
**HELIX Environmental Planning, Inc.**  
7578 El Cajon Boulevard, Suite 200  
La Mesa, CA 91942

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## Attachments

- Attachment A. Cost Estimates (MND and EIR)
- Attachment B. Key Staff Resumes
- Attachment C. Sample Project: Eagle Valley Quarry Final IS/MND

HELIX Environmental Planning, Inc.  
7578 El Cajon Boulevard  
Suite 200  
La Mesa, CA 91942  
619.462.1515 tel  
619.462.0552 fax  
www.helixepl.com



November 19, 2014

Mr. Brian Guillot, Acting Community Development Director  
City of Banning Community Development Department  
99 E. Ramsey Street  
Banning, CA 92220

**Subject: Proposal to Prepare an Initial Study and Environmental Documents for Robertson's Mine Reclamation Plan for Compliance with SMARA**

Dear Mr. Guillot:

HELIX Environmental Planning, Inc. (HELIX) is pleased to offer California Environmental Quality Act (CEQA) compliance services to the City of Banning Community Development Department (City) for the Robertson's Mine Project. HELIX has been providing high-quality CEQA compliance services to local government and public agency clients in California for 23 years. Our proposed Senior Project Manager for the project is Ms. Julie McCall, who has extensive experience managing environmental documents, including recent experience with four mining projects subject to CEQA and the Surface Mining and Reclamation Act (SMARA). Ms. McCall will be supported by HELIX's in-house experts for relevant resource areas such as biological resources, air quality/greenhouse gases, noise, and archaeological resources. These technical experts will be responsible for the peer review of the Reclamation Plan and Applicant-provided technical studies, as described in the enclosed proposal.

HELIX was established in 1991 to serve the California environmental consulting market. With offices in Riverside, San Diego, and Sacramento counties, we are well positioned to serve clients throughout the state. Primary disciplines provided by HELIX include Environmental Impact Report (EIR) preparation and related CEQA compliance tasks; National Environmental Policy Act compliance; biological, cultural, acoustical, agricultural, and air quality studies; regulatory permitting; mitigation monitoring and compliance; landscape architecture and visual impact assessment; and native habitat restoration design, construction, and maintenance.

HELIX is an industry leader providing a wide range of environmental consulting services for mining-related projects. We have prepared many EIRs and related CEQA compliance documents for mines and quarries and have directly related experience with other types of resource extraction operations. Our experience includes an Initial Study/Mitigated Negative Declaration (IS/MND) for the Eagle Valley Quarry in Riverside County (which is the sample document provided in Attachment C of our proposal), an EIR for the Boca Quarry Expansion Project in Nevada County, the Quarry Creek EIR, the Former South Coast

Quarry Subsequent EIR (Phases 2B, 3, and 4), and an EIR and supporting technical studies for The Metropolitan Water District of Southern California, addressing the Whitewater Mine Pit Reclamation Project near Palm Springs. HELIX is also currently preparing an EIR/Environmental Impact Statement, biology technical report, noise study, and visual impact analysis for the Otay Hills Quarry located in the unincorporated community of East Otay Mesa in the southernmost portion of San Diego County.

Because the type of environmental document has not been determined at this time, HELIX has provided a scope for both scenarios depending on the results of the IS. HELIX has developed a comprehensive and sound approach for the IS and supporting MND or EIR and Reclamation Plan peer review based on the City's Request for Proposal (RFP) and our understanding of the Project, experience with similar mining-related projects, and strong working knowledge of CEQA.

As Chief Executive Officer, I am authorized by our Board of Directors to submit this proposal and to enter into agreements on behalf of HELIX, and I am fully committing our firm's resources to provide the highest quality service to the City of Banning Community Development Department for this project. Please contact Tamara Ching or me at 619.462.1515 should you have any questions or need additional information. Thank you for considering HELIX for this important project.

Sincerely,



Michael Schwerin  
Chief Executive Officer

Distribution: Five Original Copies of Proposal and One CD (PDF & MS Word)

## 2. Brief Company Profile

HELIX Environmental Planning, Inc. (HELIX) was established in 1991 in San Diego County to serve the California environmental consulting market. Primary disciplines provided by HELIX include Environmental Impact Report (EIR) preparation and related California Environmental Quality Act (CEQA) compliance tasks; National Environmental Policy Act (NEPA) compliance; biological, cultural, acoustical, agricultural, and air quality studies; regulatory permitting; mitigation monitoring and compliance; landscape architecture and visual impact assessment (VIA); and native habitat restoration design, construction, and maintenance. With 109 employees, HELIX has the expertise and depth of resources necessary to quickly and efficiently complete this project for the City of Banning (City). HELIX is headquartered in La Mesa, with offices in Riverside and Folsom.

During its 23 years in business, HELIX has prepared hundreds of EIRs and related CEQA compliance documents for local governments, special districts, and private clients, including environmental documents for new, expanding, and closing mining operations. Creative problem-solving, a high level of commitment to our clients, and high-quality work products are the hallmarks of HELIX's success in environmental consulting. This is evidenced by a strong record of repeat clients. HELIX clients are assured of direct senior level staff involvement in both the management and document preparation aspects of each project. As a measure of their confidence, many clients bring their largest, most sensitive and controversial projects to HELIX.

HELIX is an industry leader providing a wide range of environmental consulting services for mining-related projects and with a very strong working knowledge of CEQA, NEPA, and the Surface Mining Reclamation Act (SMARA). The firm has prepared many EIRs and related CEQA compliance documents for mines and quarries and has directly related experience with other types of resource extraction operations. Our experience includes an Initial Study/Mitigated Negative Declaration (IS/MND) for the Eagle Valley Quarry in Riverside County, an EIR for the Boca Quarry Expansion Project in Nevada County, an EIR for Blue Mountain Minerals in Tuolumne County, an EIR for the Former South Coast Quarry, an EIR and supporting



technical studies for The Metropolitan Water District of Southern California (Metropolitan) Whitewater Mine Pit Reclamation Project, and an EIR/Environmental Impact Statement (EIS), biology technical report, noise study, and visual impact analysis for the Otay Hills Quarry located in south San Diego County. Finally, HELIX has provided biological resources, visual, and noise consulting services, plus field surveys, revegetation planning, and permitting assistance for the following additional mining-related projects:

HELIX Environmental  
Planning, Inc.  
7578 El Cajon Blvd.,  
Suite 200  
La Mesa, CA 91942

Corporation

11801 Pierce St., 2<sup>nd</sup> Floor  
Riverside, CA 92505

11 Natoma St., Suite 155  
Folsom, CA 95630

23

109

Julie McCall,  
Senior Project Manager  
7578 El Cajon Blvd.,  
Suite 200  
La Mesa, CA 91942  
tel. 619.462.1515 x. 260  
fax 619.462.0552  
JulieM@helixepi.com  
www.helixepi.com

- American Girl Mining Property
- Borrego Sand and Rock (Clarks Pit)
- Buena Vista Mine
- Carroll Canyon Fenton Properties
- Channel Road Facility
- East County Sand Mine Facility
- Gabrych Mine
- Grimes Rock Quarry
- Hesters Site
- Hollister Plant
- Hwy 67 Quarry Project
- KRC – Mining
- National Quarry Creek
- Otay Ranch Quarry
- Otay River Quarry
- Quarry Creek Reclamation Plan
- Rocky Hollow Quarry
- San Luis Rey Sand Mine
- Shamrock Surface Mining
- Slaughterhouse Canyon Quarry
- SMP-145 Mine Site
- Southcoast Asphalt Facility
- Turvey Borrow Pit Site
- Vigilante Quarry

Our proposed Senior Project Manager for the project is Ms. Julie McCall, who has more than 26 years of experience managing environmental documents, including experience with a number of mining projects subject to CEQA and SMARA. Ms. McCall will be supported by HELIX's in-house experts for relevant resource areas such as biological resources, air quality/greenhouse gases (GHGs), noise, and archaeological resources and will be responsible for the peer review of the Reclamation Plan and Applicant-provided technical studies.

HELIX proposes the review of applicant-provided technical studies to confirm study accuracy and conformance with standard practices for purposes of CEQA and the preparation of an IS for the project. HELIX also is proposing an option to prepare an MND or an EIR, depending on the results of the IS.

## 2.1 Technical Capabilities

As described below, HELIX has in-house experience and capabilities in each of the service areas needed for the IS/CEQA compliance document (MND or EIR) of the Robertson's Mine Reclamation Plan Project. HELIX has worked and continues to work for many types of organizations including federal, state, regional and local agencies; special districts; and private companies. HELIX has successfully provided environmental planning services to more than 30 local governments associated with land development and related infrastructure projects. Our success is attributed to our ability to be responsive and provide high-quality service, often under time-constrained circumstances.

**CEQA Compliance.** HELIX has extensive experience in the preparation and processing of compliance documents for a wide range of projects under the requirements of CEQA. Types of documents prepared by HELIX include EIRs, Categorical Exemptions (CEs), ISS, Negative Declarations (NDs), and MNDs, and CEQA Addenda. HELIX prepares CEQA public notices, directs public scoping meetings and (as necessary) defends documents in public hearings. This expertise has been applied to important public and private projects, including mining projects, many of which have been highly controversial. HELIX staff members have prepared CEQA documents for many types of projects, including mining projects and mine reclamation plans; multi-family residential developments; urban mixed-use developments; large-scale residential subdivisions; rail projects; highways, roadways and interchanges; redevelopment projects; shopping centers and other commercial developments; hazardous materials cleanup projects; hotels; hospitals; industrial and office developments; institutional facilities such as university, school, church, and

correctional facilities; airport projects; fire stations, parks and other public facilities; general, community and specific plans; drainage facilities; and electrical generation and transmission.

HELIX has extensive experience in implementing all aspects of the environmental process and understands the importance of assuring that regulatory procedures are rigorously followed in order to avoid delays. We routinely assist local agencies in determining the appropriate environmental documentation and review process for proposed projects. Our experience with environmental processing also includes preparation and distribution of public notices; organizing and hosting scoping meetings and other public outreach programs; responding to public comments; preparing and implementing mitigation monitoring and reporting plans; and making presentations at public hearings.

**Biological Resources.** HELIX staff includes biologists with skills in the fields of resource management, botany, mammalogy, ornithology, herpetology, and wetland ecology. HELIX regularly prepares biological baseline studies, wetland delineations, ecological research, construction monitoring, mitigation monitoring, resource management plans, and environmental impact assessments to support CEQA/NEPA documents. HELIX has extensive experience preparing reports to demonstrate compliance with local habitat conservation plans and is experienced in conducting focused surveys for sensitive species.

**Regulatory Assistance/Permitting.** HELIX has experience processing permits under the federal Clean Water Act, federal Endangered Species Act, and California Fish and Game Code. Specifically, HELIX provides biological expertise in several areas of regulatory compliance, including Section 4(d) of the Endangered Species Act ([ESA]; including the State Natural Community Conservation Planning [NCCP] process), Sections 401 and 404 of the Clean Water Act, Sections 2081 and 1600 of the California Fish and Game Code, Sections 7 and 10(a) of the ESA, as well as local regulatory compliance. HELIX also understands the relationship of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) to the permitting process, particularly as it relates to streamlining ESA compliance.

**Cultural Resource Management.** HELIX offers a full range of cultural resource management services including archaeological studies, historic studies, historic structure assessments, Native American consultation and coordination, and interpretative display design. We help clients navigate the often complicated requirements of cultural resource laws and regulatory agencies at local, state, federal, and tribal levels to facilitate compliance and preservation of resources that are historically or culturally significant. Our highly skilled archaeologists have extensive experience with all phases of archaeological studies, including literature search, survey, testing, data recovery, preservation strategies, and compliance monitoring. HELIX provides expert guidance to clients on a variety of project types that range in scale, complexity, and setting – from single-family residential lots and small infill development, to infrastructure and energy projects covering long linear areas.

**Restoration Plans.** HELIX staff have been involved in the restoration and enhancement of native habitats at dozens of sites in southern California, encompassing a wide variety of habitats and individual species. HELIX is involved in all aspects of habitat restoration including development of conceptual plans and preparation of construction drawings (plans, specifications, and estimates). The HELIX Environmental Construction Group (HECG), our wholly owned subsidiary, installs restoration projects and provides long-term restoration site maintenance. The firm's licensed landscape architects, biologists, and installation

group work closely together to achieve successful design and construction solutions for restoration projects.

**Management Plans.** HELIX biologists and planners have prepared numerous Habitat Management Plans, Natural Resource Management Plans, Adaptive Management Plans, and Land Management Plans in accordance with the requirements of federal, state, and local agencies. The plans have addressed a wide variety of habitat types throughout southern California, and have ranged from small sites to areas that encompass tens of thousands of acres. The plans often address special permitting requirements, such as wetlands or listed species.

**Visual Impact Assessments and Simulations.** HELIX's landscape architects and planners are adept at assessing visual impacts and providing highly accurate and realistic visual simulations to aid local planners and decision makers in visualizing proposed improvements. They also prepare landscape and irrigation plans for development projects and habitat restoration efforts.

**Air Quality and Greenhouse Gases.** HELIX prepares air quality impact and air pollution analyses, including dispersion modeling, that meet CEQA and NEPA requirements; regional air authority regulations (including permitting for stationary sources such as emergency generators); and conformity requirements of the Clean Air Act. HELIX conducts emissions analyses of GHG emissions and global climate change pursuant to current CEQA and regulatory requirements, and prepares Climate Action Plans (CAPs) and Energy Action Plans (EAPs), incorporating strategies to improve energy efficiency and conservation in residences and businesses, as well as reduce emissions from transportation.

**Acoustics/Noise.** HELIX's acoustical specialists prepare technical studies that assist clients in complying with applicable local, state, and federal environmental regulations, including local noise ordinances, CEQA, NEPA, and state and federal ESA. These studies frequently focus on predicting construction equipment noise impacts on sensitive avian species or sensitive human uses such as residential developments, schools, or recreational areas. HELIX is well-versed in predicting operational noise of mechanical equipment and in designing custom solutions to reduce noise levels to applicable standards. Monitoring services also are provided to ensure that specified noise level goals are achieved.

**GIS Mapping and Database Management.** HELIX specializes in environmental uses of geographic information system (GIS), with additional capabilities extending to many GIS, Computer-aided Design (CAD), and other graphic applications. HELIX uses state-of-the-art mapping software and hardware to perform analysis and mapping to ensure that clients receive the highest quality product available. Services include data acquisition/collection, data format conversion, geodatabase creation, GIS needs assessment, and development and implementation of GIS within organizations.

### 3. Organization and Staffing

The approach and scope of services described below in Section 4 of this proposal will be managed and completed by a HELIX team (Figure 1) specifically selected for this IS/CEQA compliance document (MND or EIR) assignment. As indicated above, the IS/CEQA compliance document preparation would be led by Senior Project Manager Julie McCall. Ms. McCall would be supported by HELIX's in-house technical experts for biological resources, air quality/GHGs, noise, and archaeological resources, allowing us to provide a thorough review of each technical topic addressed in the IS/CEQA-compliance document (MND or EIR). The following pages summarize the qualifications of the key personnel that would be available to ensure an expedited environmental document and technical studies peer review, with full resumes for key staff included in Attachment B to this proposal.

#### Julie McCall, Senior Project Manager



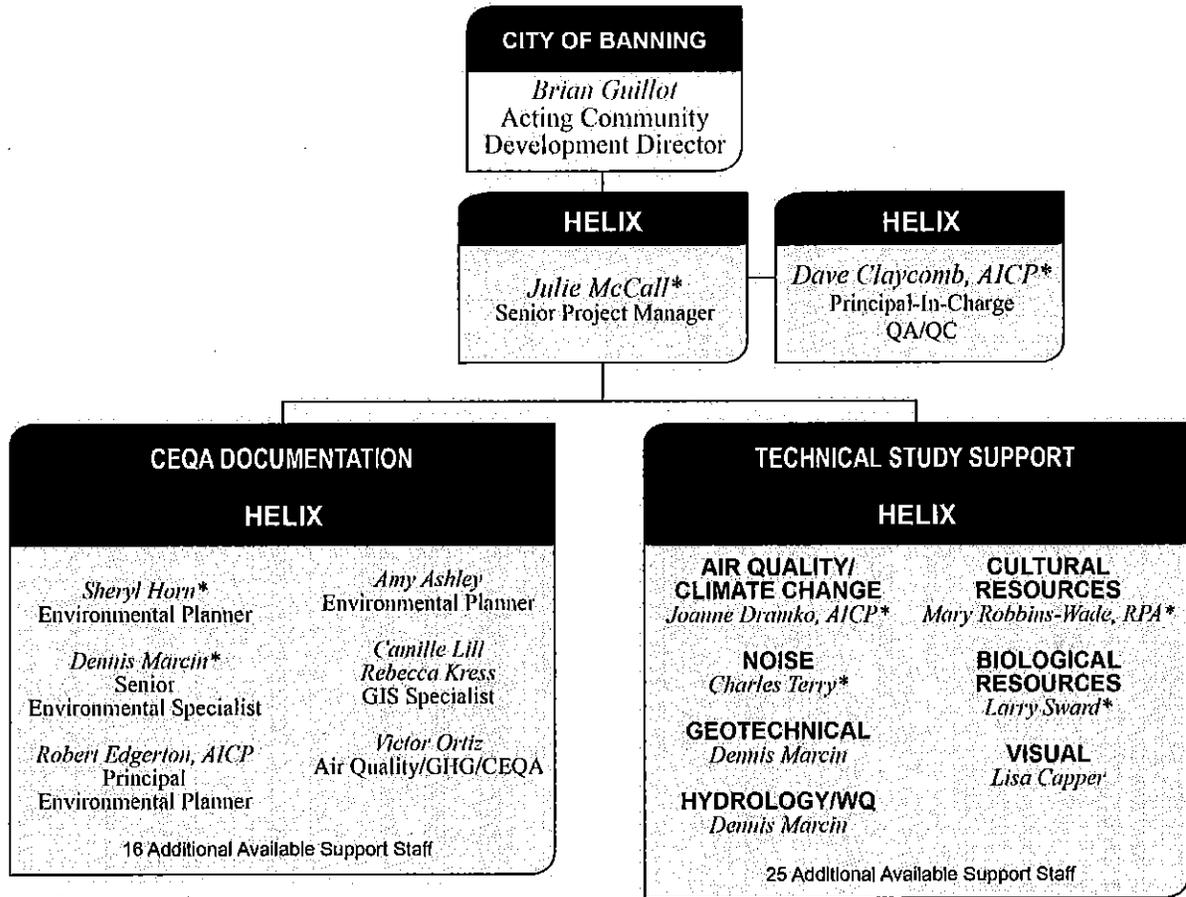
Ms. McCall will be responsible for managing the project. She has more than 26 years of experience in California with relevant quarry experience. She has a strong working knowledge of CEQA and SMARA, as well as NEPA and other related environmental laws and regulations. As a Senior Project Manager at HELIX, Ms. McCall manages a variety of environmental compliance programs, including the coordination of large multi-disciplinary teams in the preparation of environmental planning and compliance documents/technical studies. She coordinates closely with her clients, providing environmental compliance strategy advice, and oversees the budget and schedule on all of her projects. In this capacity, she has participated in scoping meetings, presented projects to decision-making bodies, and provided staff with technical support during public hearings. She is currently managing the Otay Hills Quarry EIR/EIS in San Diego County and the Boca Quarry Expansion EIR in Nevada County. She recently completed both the IS/MND for the Eagle Valley Quarry in Riverside County and the Final EIR for the Former South Coast Quarry EIR.

#### Dave Claycomb, AICP, Principal-in-Charge



Mr. Claycomb will be the Principal-in-Charge for the project and will provide additional senior CEQA expertise, primarily in a Quality Assurance (QA) role for all HELIX deliverables. He has 30+ years of experience as a planner and environmental consultant, and he is knowledgeable of resource-based legislation, land development procedures, and permit processing requirements. He has participated in all phases of the planning and environmental review processes, including preparing land use plans, general and specific plans, and land use ordinances. He has managed or served as Principal-in-Charge on numerous reports under CEQA, NEPA, and local jurisdictional guidelines, including projects involving SMARA and mining operations (e.g., Blue Mountain Minerals and South Coast Quarry) and their effects on adjacent land uses. He is currently involved in the preparation of Nevada County's Boca Quarry Expansion EIR as the QA manager and has represented the firm for the project's public meetings and hearings. He has advised clients on the environmentally sensitive siting and design of projects; determining the content and scope of environmental documents; coordinating document review by federal, state, and local agencies and the public; and regulatory permit preparation and processing. He also advises clients on mitigation planning and monitoring programs, assisting lead

Figure 1. Project Team Organization Chart



agencies and private clients in meeting statutory and procedural requirements, and preparing final environmental documents. He has directly participated in permit processes and mitigation program planning with the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), U.S. State Department, California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Boards (RWQCBs), and other federal, state, regional, and local jurisdictions.

### **Sheryl Horn, Environmental Planner**



Ms. Horn is experienced at the preparation of a variety of environmental documents in compliance with both CEQA and NEPA. Her experience has included a wide range of projects in the public and private sector, including retail centers, commercial centers, industrial warehouses, residential subdivisions, Specific Plans, water infrastructure, and military projects. She coordinates and manages project related work efforts; actively interacts with project applicants and City/County of Riverside staff; and drafts comprehensive reports that effectively utilize data collected from technical studies, public and private environmental/community planning documents, and her individual research efforts. Ms. Horn managed the EIR for the Whitewater Mine Pit Reclamation Project and has prepared numerous environmental compliance documents for projects throughout Riverside County.

### **Dennis Marcin, Senior Environmental Specialist**



Mr. Marcin has served as an Environmental Scientist/Geologist and Project Manager for a variety of projects in both the public and private sectors. He is primarily responsible for researching and evaluating technical and environmental data in the fields of agriculture, geology, hydrology/water quality, mineral resources, hazardous materials, and paleontology. Mr. Marcin's experience encompasses a wide variety of mining projects, including the Otay Hills Quarry, Quarry Creek, South Coast Materials, Whitewater Mine Pit Reclamation Project, and the current Boca Quarry Expansion project. He has a broad background in SMARA, CEQA and NEPA, as well as related federal, state, and local legislation. Prior to becoming an environmental consultant, Mr. Marcin was employed with the Bureau of Land Management (BLM). In this capacity, he participated in the evaluation of numerous resource extraction projects (mines and quarries) in California and the western U.S. For this Project, Mr. Marcin will be available to provide expert review of EIR sections dealing with the Williamson Act/agricultural resources, geology and soils, hydrology/water quality, and mineral resources.

### **Larry Sward, Principal Biologist**



Mr. Sward has 30+ years of experience as a botanist and biologist in southern California. In his role as HELIX's senior technical specialist, he oversees restoration projects, wetland delineations, vegetation mapping, and rare plant studies, including the preparation of corresponding technical reports. This work has been conducted according to the requirements of CEQA and NEPA, as well as the ESA, Clean Water Act and California Fish and Game Code. Mr. Sward has conducted many, and often extensive, surveys and biological analyses of many sensitive communities in southern California, including Diegan coastal sage scrub, southern maritime chaparral,

Riversidean and alluvial fan sage scrubs, freshwater and cismontane alkali marsh, riparian woodlands and scrub habitats, coast live oak and Engelmann oak woodlands, and native grasslands. Mr. Sward also is HELIX's lead scientist for determining areas of jurisdiction pursuant to USACE and CDFW regulations. He has participated in all aspects of habitat restoration work including permitting, initial site assessment, formulation of conceptual plans, oversight of the preparation of construction documents, and monitoring project installation and habitat development. His mining experience includes biology studies and report preparation for the South Coast Quarry and Whitewater Mine Pit Reclamation projects.

### **Joanne Dramko, AICP, GISP, Senior Air Quality Specialist**



Ms. Dramko serves as an Environmental Planning Group Manager and Senior Project Manager. She has 14 years of experience in CEQA and NEPA compliance. She has authored and/or managed the production of environmental documents for a variety of project types including public infrastructure projects. She has also prepared environmental documentation for numerous planning projects, including CAPs, EAPs, General Plans, and Specific Plans. In addition to her expertise in CEQA and NEPA, Ms. Dramko completes studies of noise, air quality, and GHG impacts in support of CEQA documents. She has conducted noise and air quality analyses using survey equipment such as the ANSI Type II noise level meter, computer models such as the URBEMIS, CalEEMod, and CALINE air quality models, and the FHWA Traffic Noise Model (TNM). In public forums, she communicates technical information to general audiences and engages members of the public in the environmental planning process. She is currently providing oversight and conducting review for the air quality/GHG and noise/vibration technical reports for the Otay Hills Quarry.

### **Charles Terry, Senior Acoustical Specialist**



Mr. Terry has 30+ years of experience evaluating a number of noise sources including mining, transportation, construction, and industrial. In addition to his experience with industrial noise sources, he has 14 years experience preparing noise assessments pursuant to CEQA and NEPA, including his recent work on the Boca Quarry Expansion EIR which included peer review of the noise report. In this capacity, he has developed mitigation plans, which have included construction of noise barriers, specialty noise enclosures, and systems designs to provide operation within specific noise parameters. He also completed a full project noise analysis for the Otay Hills Quarry and Borrego Sand and Rock projects. In addition to assessing noise impacts and designing attenuation, he has extensive experience in noise monitoring to assure compliance with local and state regulations.

### **Mary Robbins-Wade, RPA, Senior Archaeologist**



Ms. Robbins-Wade has extensive experience in both archaeological research and general environmental studies. She has worked in southern California archaeology for 35 years and is approved as an archaeological consultant by the County of San Diego. As the Director of Cultural Resources, she oversees the management of all archaeological, historic, and interpretive projects; prepares and administers budgets and contracts; designs research programs; supervises personnel; and writes reports. Ms. Robbins-Wade has managed or participated in hundreds of projects under CEQA, as well as numerous archaeological studies under various federal jurisdictions, in

compliance with Section 106 and NEPA. Ms. Robbins-Wade was the project manager/principal investigator for the cultural resources study in conjunction with the EIR for the Amended Reclamation Plan for the Former South Coast Materials Quarry in Oceanside and Carlsbad. The cultural resources study addressed a site listed by the Native American Heritage Commission as a sacred site. She is currently managing the archaeological monitoring program for this mine reclamation project.

## 4. Qualifications, Description, and Approach

As discussed in more detail in Section 5, HELIX has extensive experience in preparing CEQA documentation for mining projects and associated reclamation plans throughout California. Many of these projects have been very controversial and faced extensive public opposition. One example of this is the Blue Mountain Mineral Extraction project located in Tuolumne County in northern California. In July 2013, an IS/MND was prepared for the project by Tuolumne County and an outside consultant. The Central Sierra Environmental Resource Center (CSERC) commented that the IS/MND lacked a proper analysis of impacts to biological resources and aesthetics and had an insufficient alternatives analysis. The applicant, Blue Mountain Minerals, was not satisfied with the CEQA document prepared by others, and retained HELIX to prepare the IS/Final MND and responses to comments. The IS/Final MND stood ground in both the Planning Commission and Board of Supervisors hearings and was approved unanimously. When CSERC threatened to sue, the applicant decided to rescind the approved MND and prepare an EIR to minimize his risk and schedule impacts. The project went out to bid, and HELIX was awarded the contract to prepare the EIR in April 2014. HELIX is currently preparing the Draft EIR for Tuolumne County and the project applicant.

HELIX understands that the Applicant for the subject Robertson's Mine Reclamation Project will provide all technical studies necessary to support the CEQA document for the project. HELIX will provide a third-party peer review of these technical studies to confirm their accuracy and conformance with standard practices, as requested by the City.

At this time, it is unknown whether the project will require an MND or EIR following preparation of the IS. Therefore, this proposal includes a scope and cost for either scenario. HELIX is highly skilled in assisting public agencies in the CEQA scoping process and understands the legal ramifications of the decision. As such, HELIX will work with City staff to get the determination made as soon as possible because of its schedule implications.

### 4.1 Scope of Work

Throughout the CEQA process, HELIX will emphasize regular communication with the City and the Applicant (directly or indirectly through the City, per City staff direction), to ensure that information is exchanged quickly and accurately. HELIX will work hand-in-hand with City staff during the CEQA process for the following: (1) conducting regular team conference calls and preparing meeting notes with identified action items (recommended); (2) reviewing the Applicant-provided technical studies; (3) defining the type and scope of the necessary CEQA document through the IS process; (4) identifying effective, feasible mitigation measures; (5) responding to public review comments on the adequacy of the CEQA document; and (6) attending project meetings, the public scoping meeting, and the City Council hearing.

As discussed previously, because the appropriate CEQA documentation has not yet been determined, the following Scope of Work addresses both an MND option and an EIR option.

### **Review Technical Studies Provided by Project Applicant**

As previously stated, it is anticipated that HELIX will rely on technical reports provided by the Project Applicant for the following issues: air quality, biological resources, cultural resources, GHG emissions, geology/soils, hazardous materials, hydrology, water quality, noise, and traffic. If any of these issues has not been addressed, HELIX will work with the City to add these studies to our scope of services. HELIX will review each of the reports provided by the Project Applicant to ensure that they meet the needs of the necessary CEQA document in that the technical studies accurately reflect the project description, evaluate potential impacts, and identify measures to be taken to avoid and/or reduce impacts. If HELIX's review reveals deficiencies, HELIX will describe our concerns in a letter to the City, and work with the Project Applicant's consultants (with the City's permission) to resolve issues with the technical studies. HELIX also will review the revised reports to determine if the Applicant's consultants appropriately respond to our concerns. If not, additional review may require an amendment to this scope of work and associated cost.

### **Initial Study**

HELIX will prepare an IS pursuant to CEQA, the State CEQA Guidelines, and City guidance. The IS will follow the City's standard format and will include a description of the Project, an IS checklist, and supporting figures. The IS checklist will include discussions of environmental resource or issue areas that would be affected by the Project (as well as measures to mitigate impacts to less than significant levels, if possible). The level of detail provided in the IS will be commensurate with the potential severity of the assessed impact. HELIX will provide up to two screencheck ISs to the City in electronic format via e-mail or ftp site. Upon City approval, HELIX will produce up to five hardcopies of the IS.

### **Option 1 – Mitigated Negative Declaration**

#### **Draft Mitigated Negative Declaration**

If this option is chosen, HELIX will prepare a Draft MND that (A) describes the proposed Project, including its location, (B) identifies potentially significant impacts and the associated mitigation that would avoid or reduce those impacts to less-than-significant levels, and (C) includes a finding that the proposed Project would not, as mitigated, have a significant effect on the environment (if applicable). HELIX will provide a screencheck Draft MND to the City in electronic format (Microsoft Word [.doc] and Adobe Acrobat [.pdf]) via e-mail or ftp site prior to document publication. HELIX also will provide up to a total of 30 hardcopies (including the 15 copies required for the State Clearinghouse) and 30 CDs of the IS/Draft MND.

HELIX will prepare the Notice of Availability (NOA), Notice of Intent (NOI), and State Clearinghouse Notice of Completion (NOC) & Environmental Document Transmittal for review and approval by the City. HELIX will identify any responsible and trustee agencies. HELIX also will work with the City to identify other potentially interested parties that should be included on the Project's CEQA mailing list. This task does not include generating a list of area property owners. It is assumed that HELIX will be responsible for distributing the required 15 copies of the IS/Draft MND to the State Clearinghouse; filing the NOI with the County Clerk; providing a public notice for publication in a local newspaper of general circulation; and mailing up to 30 copies of the NOA to agencies, organizations, or individuals on the City's distribution list

for the Project, although these tasks can be handled by the City if desired, with associated reductions in HELIX's cost estimate.

### **Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program**

HELIX will draft responses to comments received on the IS/Draft MND during public review. HELIX will prepare a Mitigation Monitoring and Reporting Program (MMRP), which will consist of a tabular summary of all mitigation measures and Project design features identified in the MND, including the timing and responsible party for enforcing each measure. The MMRP will also outline standards for determining Project compliance and reporting procedures that will ensure that required mitigation measures are implemented and effective in accordance with Section 15097 of the State CEQA Guidelines. Following one round of review by the City and revision by HELIX, the Final MND (including the MMRP) will be provided for consideration by City Council during its evaluation of whether to adopt the Final MND and MMRP for the Project. This scope assumes that work under this task will require no more than 24 hours of a HELIX Environmental Planner's time. HELIX will provide up to 10 hard copies and 10 CDs of the Final MND and MMRP. In addition, HELIX will file the Notice of Determination (NOD) with the County Clerk and State Clearinghouse. This scope assumes no additional technical analysis or revisions to technical studies will be required to construct legally adequate responses.

### **Staff Reports, Meetings, and Hearings**

HELIX will prepare the staff reports to Planning Commission and City Council. HELIX will attend all public meetings and hearings related to the Project. It is assumed that the City will make arrangements for the scoping meeting. HELIX will not be responsible for providing any documents or presentation boards for the scoping meeting. For cost purposes, it is assumed that HELIX's Project Manager will attend the scoping meeting, up to two public hearings, and up to one additional meeting throughout preparation of the Draft and Final MND. It is assumed that each meeting, including preparation and travel time, would be 6 hours for a total of 24 hours and 8 hours for staff report preparation, for a total of 32 hours under this task.

### **Process Management**

HELIX will actively manage the environmental review process from start to finish. Management tasks will consist of formal and informal communication with Applicant and their consultants, City staff, and other applicable agencies. Communication will take the form of telephone conversations and e-mail. Other management responsibilities will include interfacing with the Applicant on Project description information, tracking budgets, and reviewing schedule progress. For cost estimating purposes, it is assumed that the Final MND will be adopted within seven months from notice to proceed. Project management is assumed to require an average of eight hours per month of the HELIX Project Manager's time, for a total of 56 hours. Delays in the Project schedule that are not caused by HELIX may require a contract augment for additional management time.

## **Option 2 – Environmental Impact Report**

If the IS concludes that there is the potential for significant effects on the environment which may not be reduced below a level of significance through avoidance or implementation of mitigation measures, an EIR would be required. A description of the proposed Process for an EIR is described below.

### **First Screencheck Draft EIR**

Based on the identified potential environmental effects from the IS, a Notice of Preparation (NOP) will be prepared in accordance with Section 15082 of the State CEQA Guidelines. The NOP will include a description of the Project and site vicinity and site graphics. The IS will be attached to define the probable environmental effects of the Project. Once approved by the City, HELIX will be responsible for distributing the required 15 copies of the NOP to the State Clearinghouse; filing the NOP with the County Clerk; and mailing up to 30 copies of the NOP to agencies, organizations, or individuals on the Project's distribution list. HELIX will coordinate with the City to develop the Project's distribution list. In addition, HELIX will provide a public notice to the City for publication in a local newspaper of general circulation.

The Draft EIR will be prepared by HELIX in compliance with CEQA and State CEQA Guidelines. HELIX will prepare the first screencheck Draft EIR in collaboration with the City and the Applicant and it will include the following major sections:

Executive Summary. HELIX will prepare a summary of the findings of the EIR, including required approvals, Project objectives and characteristics, and alternatives considered. For easy reference, the impacts and corresponding mitigation measures will be summarized in tabular form, including a clear statement as to whether the impacts can be reduced to below a level of significance.

Introduction. HELIX will provide relevant introductory information regarding the proposed Project, such as the general Project location/type, type of document being prepared and the general environmental process including opportunities for public comment.

Project Description. This section will begin with the basic objectives of the Project, which will be jointly determined with the City and the Applicant. HELIX will prepare a description of the changes to the Project site, and incorporate maps provided by the Applicant. HELIX will work with the Project Applicant to ensure that all Project elements are correctly understood and described, and will provide the City and Applicant with an opportunity to review and comment on the Project Description prior to HELIX initiating the analysis of Project impacts. This section also will include a description of the environmental setting, including the regional location of the proposed Project, a general overview of the area, and existing physical features of the Project area. Lastly, the Project Description will include a list of the discretionary actions/approvals associated with implementing the proposed Project, and identify the agencies with the responsibility for approving those actions.

Environmental Analysis. This section will be the heart of the EIR. Based on our experience and understanding of the Project, this scope of work anticipates that the City could require detailed analysis of the following environmental issues within the Draft EIR, depending on the results of the technical studies for the Project: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, GHG Emissions/Climate Change, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use and

Planning, and Noise. If the City directs that any of these issues do not need to be addressed in the EIR, prior to HELIX beginning work on the EIR, the scope of work and cost estimate for EIR preparation may be reduced.

Each issue area will be addressed separately and will include the following subsections: Existing Conditions, Thresholds of Significance, Impacts, Mitigation Measures, and Level of Significance After Mitigation.

For those issues assumed in this proposal to be supported by the technical studies provided by the Applicant, the EIR sections will be based on and summarized from the technical studies. For the remaining issues/topics, HELIX will provide analysis based on available information. Once the EIR impact analysis is completed, Project design features, as well as General Plan policies, if any, and mitigation measures, will be cited as a means to mitigate project impacts, as appropriate. Project-specific mitigation measures will be proposed if the site design features, General Plan policies, and mitigation measures will not adequately address the possible Project impacts.

Cumulative Impacts. The EIR will discuss how implementation of the Project could result in significant environmental changes that are individually limited but, when combined with other projects, would be cumulatively considerable. HELIX will work with the City and the County of Riverside to identify major pending or planned land developments in the Project area that may combine with the Project to create cumulatively considerable impacts. Cumulative impacts will be discussed for all issues addressed in the Environmental Analysis section of the EIR. Project features, regional plans, regulations, and recommended design measures that would reduce cumulative impacts will be presented.

Growth Inducement. This section of the EIR will summarize the Project's consistency with the City's growth policies and regional policies. This section will discuss ways in which the Project could encourage economic growth. Potential effects of the Project on growth in surrounding areas will also be evaluated.

Effects Found Not to be Significant. The EIR will discuss issues for which no significant impacts are anticipated. The justification for these findings will be based on the IS prepared and summarized in the EIR.

Project Alternatives. It is anticipated that up to two alternatives (located within the project site) will be developed in cooperation with the City to form the basis of the alternatives analysis for the Project. The nature of the alternatives will be dependent upon the significant impacts identified for the proposed Project. A qualitative discussion of the impacts of these alternatives, when compared with those of the Project, will be included in this section. The No Project Alternative will be addressed as well. As appropriate, alternatives considered but rejected will be discussed to fully inform the public and decision makers of the process that went into development of the proposed plan, and the reasons that certain alternatives that may have been preferred by others were not carried forward.

HELIX will provide the City with up to five hardcopies, as well as electronic versions, of the First Screencheck Draft EIR.

### **Second Screencheck Draft EIR**

Upon receipt of comments on the First Screencheck Draft EIR from the City, HELIX will prepare a Second Screencheck Draft EIR document and provide up to five hardcopies for City and Applicant review and comment (electronic versions also will be provided). It is assumed that the level of effort to respond to City comments on the First Screencheck Draft EIR will not exceed 100 hours of HELIX environmental staff time, and that no changes will occur to the technical studies that support the EIR. The Second Screencheck Draft EIR is anticipated to be provided for the City to ensure their First Screencheck comments were adequately and appropriately incorporated into the document.

### **Public Review Draft EIR**

Upon receipt of City comments on the Second Screencheck Draft EIR, HELIX will finalize the Public Review Draft EIR and submit an electronic copy of the document for City sign off. It is assumed that the level of effort to respond to Client and City comments on the Second Screencheck Draft EIR will not exceed 50 hours of Environmental Planner time, and that no changes will occur to the technical studies that support the EIR. HELIX will print up to 25 hardcopies and 50 CDs of the EIR. It is assumed that the Project Applicant will be responsible for providing necessary hardcopies and electronic versions of the supporting technical studies.

HELIX will prepare the NOA and NOC for review and approval by the City. HELIX will identify any responsible and trustee agencies. HELIX also will work with the City to identify other potentially interested parties that should be included on the Project's CEQA mailing list. This task does not include generating a list of area property owners. HELIX will be responsible for distributing the required 15 copies of the Executive Summary of the EIR to the State Clearinghouse; filing the NOA with the County Clerk; providing a public notice for publication in a local newspaper of general circulation; and mailing up to 30 copies of the NOA to agencies, organizations, or individuals on the City's distribution list for the Project.

### **Screencheck Final EIR**

In consultation with the City, HELIX will respond to written comments received on the content of the Draft EIR during public review of the document. Following receipt of the comment letters from the City, HELIX will organize comments by type of respondent (federal, state, or local agency, private interest, etc.) and will preliminarily identify comment numbers for response. HELIX will then draft responses to comments, in consultation with City staff and the Project Applicant. The completed draft responses to comments will be provided to the City for review. All agreed-upon changes will be made. Once the responses to the various comments are final/completed, HELIX will revise pages of the Public Review Draft EIR to reflect modifications that are warranted as a result of public comment, and prepare the Screencheck Final EIR document and the required MMRP to be attached to the Final EIR. If the required changes are minor, it is possible that the City would allow the Final EIR to take the form of Errata to the Draft EIR, with the responses to comments included as well. It is assumed that no changes to the technical appendices will be required as part of the Screencheck Final EIR.

In addition, if requested by the City, HELIX will draft the required CEQA Findings for the Project and provide it to the City as an electronic document for review. If it has been determined that the Project

would have significant unavoidable adverse impacts, HELIX also will draft the Statement of Overriding Considerations to accompany the Findings.

For cost estimating purposes, it is assumed that unique responses will be prepared for no more than 50 separate comments (as opposed to comment letters); duplicate comments would not count toward this limit. It is also assumed that the technical studies will not need to be revised for the Final EIR. HELIX will provide the City with up to five hardcopies, as well as electronic versions, of the Screencheck Final EIR for review and comment.

### **Final EIR**

Upon receiving comments on the Screencheck versions of the responses to comments and revised pages of the Draft EIR from the City, HELIX will submit an electronic "proof" copy of the document for City sign off prior to printing. HELIX then will print up to 15 hardcopies and create 30 CDs of the Final EIR. It is assumed that no changes to the technical appendices will be required as part of the Final EIR.

HELIX assumes the City will be responsible for arranging and appropriately noticing public hearings. HELIX will be responsible for distribution of all Final EIR documents to the appropriate parties, and for filing the NOD with the State Clearinghouse upon Final EIR approval.

### **Staff Reports, Meetings, and Hearings**

HELIX will prepare the staff reports to Planning Commission and City Council. HELIX will attend all public meetings and hearings related to the Project. It is assumed that the City will make arrangements for the scoping meeting during the NOP period. HELIX will not be responsible for providing any documents or presentation boards for the scoping meeting. For cost purposes, it is assumed that HELIX's Project Manager will attend the scoping meeting, up to two public hearings, and up to three additional meetings throughout preparation of the Draft and Final EIR. It is assumed that each meeting, including preparation and travel time, would be six hours for a total of 36 hours and eight hours for staff report preparation, for a total of 44 hours under this task.

### **Process Management**

As discussed under the MND Option above, management tasks will consist of formal and informal communication with the Applicant and their consultants, City staff, and other applicable agencies. For cost estimating purposes, it is assumed that the Final EIR will be certified within 11 months from notice to proceed, including receipt of the applicant-provided technical studies. Project management is assumed to require an average of eight hours per month of the HELIX Project Manager's time, for a total of 88 hours. Delays in the Project schedule that are not caused by HELIX may require a contract augment for additional management time.

As requested, HELIX has provided in Attachment C, a sample environmental document for the Eagle Valley Quarry Final IS/MND Project.

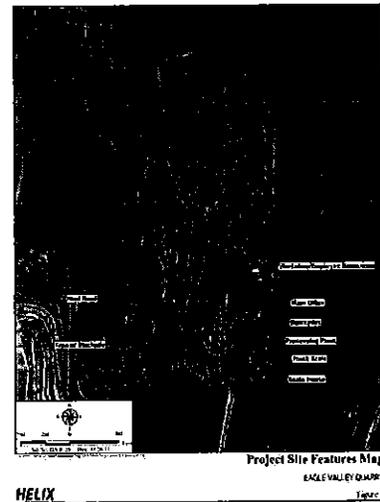
## 5. Relevant Projects/Services with References

This section provides evidence of recently completed and ongoing projects specifically related to mining operations and describes projects that are representative of our company and key staff's relevant experience. HELIX has prepared environmental documents for a number of new and expanding mining operations. These documents have been written in accordance with the applicable regulations and policies of the Office of Mine Reclamation (OMR) and the SMARA Act of 1975, in order to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. Specific examples are detailed below.

### 5.1 HELIX Quarry Experience

#### ✕ Eagle Valley Quarry Revised Reclamation Plan Initial Study/Mitigated Negative Declaration, Riverside County, CA

HELIX prepared an IS/MND to evaluate the potential impacts associated with extending the existing operations through the year 2080 at the Eagle Valley Quarry located on approximately 128 acres on two separate parcels in the western portion of Riverside County. This represented an extension of 66 years beyond the current State Mining Permit (SMP) was set to expire in 2014. The proposed SMP extension would not increase the area subject to quarry-related activities at the Project site, nor would it alter the nature of existing activities at the quarry or associated off-site activities (i.e., quarry-related truck and other traffic). The IS/MND was approved and adopted in June 2014.



<b>HELIX Project Leader:</b>	Julie McCall, Project Manager
<b>Client Contact:</b>	Hanson Aggregates Pacific Southwest, Inc. P.O. Box 639069, San Diego, CA 92163 Marvin Howell; 858.577.2770

#### ✕ Otay Hills Quarry EIR, San Diego County, CA



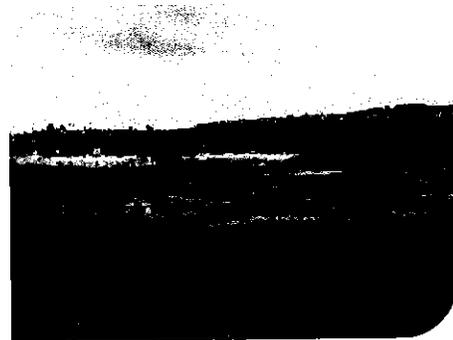
HELIX is managing the preparation of an EIR/EIS for a new construction aggregate extraction operation and associated activities on a 434-acre site in the community of East Otay Mesa in south San Diego County. The proposed project involves the establishment of a mineral resource recovery operation and associated activities to create construction aggregates and materials. The project includes a Specific Plan Amendment (SPA), Major Use Permit (MUP), and Reclamation Plan for the extraction and processing of construction aggregate. Implementation of the project would also require

the issuance of a Major Amendment to the Multiple Species Conservation Program Subarea Plan and Incidental Take Permit under Section 10(a)(1)(B) of the federal ESA, as amended. As such, HELIX is preparing a joint EIR/EIS for this project in cooperation with the USFWS. The project operations would take place within an approximately 110-acre impact area, with the remainder of the project site dedicated as a biological preserve. Major issues include land use and planning; soils, geology, and paleontology; hydrology and water quality; biological resources; cultural resources; aesthetics; traffic and circulation; noise; air quality; and hazards.

<b>HELIX Project Leader:</b>	Julie McCall, Project Manager
<b>Client Contact:</b>	Superior Ready Mix Concrete, L.P. 1508 W. Mission Road, Escondido, CA 92029 Arnie Veldkamp, Corporate Counsel; 760.745.0556

### ✕ Former South Coast Quarry EIR, San Diego County, CA

HELIX prepared an EIR for the 2007 Amended Reclamation Plan for the Former South Coast Materials Quarry Reclamation Plan. The approximately 104.2-acre site is located in the northeast portion of the City of Carlsbad and the southwestern portion of the City of Oceanside. In 2001, a Final EIR (also prepared by HELIX) was certified for the Quarry Creek Project, which included an amended reclamation plan for the Former South Coast Materials Company Quarry, construction and operation of the Quarry Creek Shopping Center, and the widening of College Boulevard. The Quarry Creek EIR addressed the realignment of Buena Vista Creek to the north within the mine property, as approved in the 1991 Reclamation Plan, and an alternative that would leave the creek in place.



The City of Oceanside approved the 2001 Reclamation Plan with the condition that the creek be retained within in its current alignment including the preservation of the remnants of the El Salto Falls. The 2007 amendment and associated Supplemental EIR addressed the final design for the remaining reclamation phases, including the retention of Buena Vista Creek in its current alignment. The 2007 Amended Reclamation Plan proposed a number of specific changes to the previously adopted 1991 Reclamation Plan. These changes were the result of current site conditions, updated hydrological data, changes in conditions affecting the 100-year flood plain for Buena Vista Creek, and the condition of approval placed on the 2001 Reclamation Plan to retain the creek's existing alignment. The 2007 Amended Reclamation Plan included modifications to the proposed finished elevations, the Buena Vista Creek alignment, drain design and desiltation basins, and infrastructure associated with each phase. The proposed project is the final reclamation of the project site to a condition readily adaptable to future land use. Key issues evaluated by HELIX included biological and hydrological resources related to the creek design and cultural resources associated with El Salto Falls, which have been designated as a sacred site. HELIX biologists were responsible for the biological permitting of the project and implementation of the habitat restoration for the creek.

<b>HELIX Project Leader:</b>	Julie McCall, Project Manager
<b>Client Contact:</b>	Hanson Aggregates Pacific Southwest, Inc. P.O. Box 639069, San Diego, CA 92163 Marvin Howell; 858.577.2770

✕ **Slaughterhouse Canyon, San Diego County, CA**

HELIX provided biological resources services, including a habitat assessment, for the Slaughterhouse Canyon Project, an approximate 549.6-acre study area located in western San Diego County, just west of State Route 67 and north of Slaughterhouse Canyon Road. The study area was burned by the Cedar Fire in 2003; however, the site is recovering and shrub cover is moderate throughout most of the site. The study area was not burned during the October 2007 fires. Quino checkerspot butterfly (QCB) surveys were conducted between March 5 and April 17, 2010; it was determined that the majority of the site supports potential QCB habitat, and the only areas excluded from the surveys were a riparian corridor and developed areas. In total, 23.1 acres were excluded and 526.5 acres were surveyed. Patches of potential QCB host plants were mapped using Global Positioning System (GPS) units. A total of 3,075 butterfly observations were made, representing at least 26 species. No QCB were observed.

<b>HELIX Project Leader:</b>	Barry Jones, Project Manager
<b>Client Contact:</b>	Hanson Aggregates Pacific Southwest, Inc. P.O. Box 639069, San Diego, CA 92163 Marvin Howell; 858.577.2770

✕ **Turvey Decomposed Granite Pit Project, San Diego County, CA**

HELIX was responsible for the preparation of a VIA technical study, photo simulations, and erosion control/revegetation guidelines for the Turvey Borrow Pit in Alpine, California. The project is a surface mining operation that will produce approximately 191,000 cubic yards of decomposed granite. The project is located on a 45.9-acre parcel with extractive operations proposed for portions of the site. HELIX biologists also conducted multi-year focused QCB surveys and wrote the biological resources letter report for the surface mining operation impacting approximately 16.9 acres of the site with a lot split and dedication of 17 acres of open space.



<b>HELIX Project Leader:</b>	Larry Sward, Principal Biologist
<b>Client Contact:</b>	EnviroMINE 3511 Camino Del Rio South, Suite 403, San Diego, CA 92108 Travis Jokerst, Project Manager (Planner/GIS Specialist); 619.284.8515

✕ **Whitewater Mine Pit Reclamation Project, Riverside County, CA**



HELIX is preparing an EIR and supporting technical studies for the reclamation of a former gravel pit on property acquired by The Metropolitan Water District of Southern California. The EIR includes the evaluation of construction impacts of reclaiming a former mine site and installing scour protection devices over the Colorado River Aqueduct (CRA) to prevent long-term erosion of cover over the CRA siphons. The project entails excavation of off-site spoils piles in Cabazon and Desert Hot Springs created when the CRA was installed 70+ years ago and transport of

material to fill the mine pit in eastern Riverside County. Scour protection entailed excavation of existing material within the Whitewater River flood channel and installation and burial of subsurface gabion mats. Issues include air quality, noise, biology, hydrology/water quality, and traffic implications of proposed construction. Responsibilities also include coordination and review of a habitat restoration plan for the closed mine pit site, in accordance with SMARA.

<b>HELIX Project Leader:</b>	Sheryl Horn, Project Manager
<b>Client Contact:</b>	The Metropolitan Water District of Southern California P.O. Box 54153, Los Angeles, CA 90054 Gail Naylor; 213.217.6095

✕ **Boca Quarry EIR, Nevada County, CA**

HELIX is managing the preparation of an EIR addressing the expansion of mining operations at the currently permitted Boca Quarry in Nevada County. The project includes the issuance of a Conditional Use Permit, as well as an Amended Reclamation Plan to correspond with the proposed mine expansion and allowing the importation of clean fill material for pit backfilling. The proposed project would increase the existing extraction area of approximately 40 acres to approximately 158 acres on the 230-acre site. The permit modification would allow for the expansion of



the levels of extraction and production to between 300,000 and 1,000,000 ton of aggregate per year, depending on the local market demand. The Reclamation Plan envisions the removal of 17 million tons (approximately 13 million cubic yards) of material in three phases over a 30-year period. Blasting would also be utilized as part of the proposed mining activities. An amendment to the original Reclamation Plan (U83-036) is required to authorize the proposed extraction area in accordance with Nevada County Codes and SMARA. Major issues include air quality, hydrology and water quality, biological resources, and aesthetics.

<b>HELIX Project Leader:</b>	Dave Claycomb, Principal Planner
<b>Client Contact:</b>	County of Nevada 950 Maidu Avenue, Suite 170-CDA, Nevada City, CA 95959 Tod Herman, Senior Planner; 530.265.1257

✕ **Blue Mountain Minerals EIR, Tuolumne County**

HELIX is currently preparing an EIR for the expansion of the existing 309-acre Blue Mountain Minerals quarry site located in Tuolumne County in northern California. In July 2013, an IS/MND was prepared for the project by Tuolumne County. The appellant, Central Sierra Environmental Resource Center (CSERC), challenged the project, stating that the IS/MND lacked a proper analysis of impacts to biological resources and aesthetics and had an insufficient alternatives analysis. The applicant was not satisfied with the CEQA document prepared by others, and retained HELIX to prepare the IS/Final MND and responses to comments. The IS/Final MND stood ground in both the Planning Commission and Board of Supervisors hearings and was approved unanimously. When the appellant threatened to sue, the applicant decided to rescind the approved MND and prepare an EIR to avoid a potential lawsuit. The project went out to bid, and HELIX was awarded the contract to prepare the EIR in April 2014.



<b>HELIX Project Leader:</b>	Dave Claycomb, Principal Planner
<b>Client Contact:</b>	Blue Mountain Minerals 24599 Marble Quarry Road, Columbia, CA 95310 Carey Haughey, Vice President, Geologist; 209.533.0127 x. 23

✕ **El Sobrante Landfill/Bremer Property Land Use Entitlements and Permitting, Riverside County, CA**

HELIX Principal Planner, Robert Edgerton was Project Manager responsible for securing land use entitlements from the County of Riverside for restoration of the Bremer Property located in the City of Corona adjacent to the El Sobrante Landfill. Entitlement packages prepared for the client included: General Plan amendment application to re-zone the subject property for heavy industrial use; numerous Habitat Acquisition and Negotiation Strategy (HANS) applications prepared and processed with the County of Riverside; a Surface Mine Permit application; a Substantial Conformance application; and a restoration plan. Mr. Edgerton also successfully prepared and processed permit applications and related environmental compliance documents with the USACE (individual permit), RWQCB, and CDFW. Mr. Edgerton coordinated and processed all work products on behalf of the project applicant and Riverside County through Mr. David Jones, Chief Engineering Geologist. Worked performed for USA Waste of California.



<b>HELIX Project Leader:</b>	Robert Edgerton, Project Manager
<b>Project Contact:</b>	County of Riverside 4080 Lemon Street, 12th Floor, Riverside, CA 92501 David Jones, Chief Engineering Geologist; 951.955.6892

## 5.2 HELIX Riverside County Experience

The HELIX team includes in-house professionals with extensive experience providing environmental services in the Riverside County area. HELIX has served, and is currently serving, as the on-call environmental consultant for the County of Riverside Department of Facilities Management and Economic Development Agency, the Riverside County Flood Control and Water Conservation District, the City of Riverside Public Utilities and Public Works Departments and Community Development Department, The Metropolitan Water District of Southern California, Eastern Municipal Water District, and the City of Rancho Palos Verdes. HELIX has successfully provided environmental services for these agencies, and for a variety of private applicants, and we are experts regarding local plans and ordinances.

### List of Riverside County Projects:

- Assessment District 161 EIR
- Agua Caliente Reservation Section 14 Brush Management Project EA
- Alessandro Avenue Widening Project
- Andrea Court
- Arroyo Del Toro Channel Project
- Boulder Springs/Daley Ranch
- Briggs Road
- Cajalco Fire Station, Community Building
- Canyon Crest Project
- Cimarron North/Cimarron Ridge
- Cleveland Square 350 Feasibility
- Crown Valley Village
- Diemer Landscape Improvements
- Diemer Treatment Plan Construction Bidding Plans and Specifications for Aesthetic Treatment
- Dufferin Avenue Main Replacement IS/MND
- East Diamond Valley Lake Recycled Water Storage Pond Demonstration IS/MND
- Eastvale Site Project
- Enclave Specific Plan No. 331
- Flume Pipeline Replacement Project
- Gage Facility
- Hanna Property Project
- Harmony Grove Village Parkway
- HD Project
- Hemet/San Jacinto Integrated Recharge and Recovery Program (IRRP) EIR
- Horsethief
- I-215/Van Buren Boulevard Interchange CEQA/NEPA Support
- Islander Park
- John W. North Water Treatment Facility
- Lake Mathews Fall 2010 to Winter 2011 Vegetation Clearing Monitoring
- Lake Mathews Vegetation Removal Monitoring
- Lexington Heights Project
- Little Valley Road

- Market Street Improvement
- Meadowlark Canyon Project
- Mills Treatment Plant EIR Review
- Mockingbird Canyon 131, Tract 22100
- Murrietta Hot Springs Road
- Quarry Creek Falls - Visual Analysis Services
- Pala Lift Station Improvement Project
- Pierson Boulevard and Karen Avenue Project
- Rancho Bella Vista Project
- Raub Water Treatment Facility
- Regional Water Quality Control Plant Phase I Project
- Renaissance Ranch TTM 31210, 31485
- Roripaugh Ranch TR 29661-2 Project
- Saba/Winchester Townhomes Property
- San Bernardino Transmission Main
- San Jacinto River Conjunctive Use Project IS/MND
- San Jacinto Recycled Water Project
- Santa Ana River Trunk Sewer
- Seraphina Project
- Sierra Bella
- South Norco Channel Stage 6, Norco MDP Line S-1 Stage and MDP Line S-5 State 1
- Spring Mountain Ranch
- Sugarberry
- Sun City Force Main
- Sycamore Creek
- TM-18693 - Preserve Lot 3
- Trilogy Well Equipping/Glen Ivy Rd Pipeline Project
- Upland Project
- Washington Street Project

## 6. Project Schedule

HELIX will work with City staff to expedite completion of the CEQA compliance process, concurrently with the processing of the revised Reclamation Plan, in accordance with the proposed project schedule presented in Table 1, below. A key element to HELIX's proposed approach is providing the City with expert planning services that minimize the extent of comments received and document revisions. HELIX has an excellent reputation for delivery of top-quality work products on time and within our budgets due to the effectiveness of our cost control, quality control, schedule management, and communication systems.

**Table 1. Proposed Project Schedule**

<b>Environmental Tasks</b>	<b>Project Week Completed</b>
Notice To Proceed	1
Applicant provides technical studies and Reclamation Plan	1
HELIX reviews technical studies and Reclamation Plan*	4
Applicant revises technical studies (if necessary)	6
HELIX prepares 1 <sup>st</sup> Screencheck IS	9
City reviews 1 <sup>st</sup> Screencheck IS	11
HELIX prepares 2 <sup>nd</sup> Screencheck IS	13
City reviews 2 <sup>nd</sup> Screencheck IS	15
HELIX prepares Public Review IS/Decision to Prepare EIR	16
<b>Option 1 – Mitigated Negative Declaration</b>	
Public review distribution	17
Public review period ends	22
HELIX responds to public comments and prepares administrative draft Final IS/MND and MMRP	25
City reviews Screencheck Final IS/MND and MMRP	27
HELIX revises, produces, and distributes Final IS/MND and MMRP	29
Project Management and Meetings/Hearings	Ongoing
<b>Option 2 – Environmental Impact Report</b>	
HELIX prepares draft NOP	16
City reviews NOP	17
HELIX revises NOP/publishes NOP	18
HELIX prepares 1 <sup>st</sup> Screencheck EIR	24
City reviews 1 <sup>st</sup> Screencheck EIR	27
HELIX prepares 2 <sup>nd</sup> Screencheck EIR	30
City reviews 2 <sup>nd</sup> Screencheck EIR	32
HELIX revises, produces, and distributes Public Review Draft EIR	33
Public Review of Draft EIR	38
HELIX prepares 1 <sup>st</sup> Screencheck Final EIR	41
City reviews 1 <sup>st</sup> Screencheck Final EIR	43
HELIX prepares 2 <sup>nd</sup> Screencheck Final EIR	45

Environmental Tasks	Project Week Completed
<b>Option 2 -- Environmental Impact Report (cont.)</b>	
City reviews 2 <sup>nd</sup> Screencheck Final EIR	46
HELIX revises, produces, and distributes Final EIR	47
HELIX prepares staff reports	48
Project Management and Meetings/Hearings	Ongoing
<p>* This schedule assumes that the reviews of these documents will not conclude that they are deficient and requiring major revisions in order for them to be deemed adequate for CEQA purposes.</p>	

## 7. Proposed Fee Schedule

All work will be performed on a time and materials basis for a not-to-exceed (NTE) cost agreed upon between HELIX and the City before individual tasks are initiated by the project team. The following Table 2 presents the HELIX team's hourly rates, and our cost estimates for the scope of work (MND and EIR) described in this proposal are provided in Attachment A. HELIX would be pleased to negotiate changes to the scope of work with the City and make corresponding changes to our cost estimates.

### 7.1 Rate/Fee Schedule

**Table 2. Staff Hourly Rates**

<b>Labor Category</b>	<b>Hourly Rate</b>
Principal	\$200
Principal Planner	\$185
Senior Project Manager II	\$170
Senior Project Manager I	\$155
Senior Environmental Specialist (noise, air quality, agricultural, water quality, etc.)	\$175
Environmental Specialist (air quality)	\$130
Project Manager II	\$130
Project Manager I	\$110
Archaeologist/Historian	\$70 - 130
Environmental Planner III or Environmental Specialist III	\$95
Environmental Planner II or Environmental Specialist II	\$85
Environmental Planner I or Environmental Specialist I	\$75
Environmental Analyst	\$65
Senior Landscape Architect	\$175
Landscape Architect	\$125
Asst. Landscape Designer	\$90 - 100
Senior Scientist III (Biology)	\$175
Senior Scientist II (Biology)	\$145
Senior Scientist I (Biology)	\$130
Biologist V	\$115
Biologist IV	\$105
Biologist III	\$95
Biologist II	\$85
Biologist I	\$75
Biology Operations Manager	\$75
Technical Editor	\$75
Senior GIS Specialist	\$120
GIS Specialist II	\$90 - 100
GIS Specialist I	\$75 - 85
Graphic Artist	\$100
Document Coordinator	\$75
Clerical	\$60

**Direct Costs**

Certain identifiable direct costs will be charged to the project at cost plus 10 percent. Examples of direct costs include subconsultants, vehicle or equipment rentals, airplane and train fares, parking, per diem and lodging, communications, reproduction, and supplies. There will be additional charges for plotting, color printing, aerial photographs, and GPS services.



Attachment B  
Key Staff Resumes

**Summary of Qualifications**

Ms. McCall manages large, complex environmental programs, preparing documents, developing mitigation recommendations, participating in public scoping meetings and public hearings, coordinating the activities of a large project team, and addressing the concerns of regulatory agencies. She has managed the preparation of EIRs, EISs, IS/MNDs, constraint reports, and feasibility studies. She is thoroughly familiar with CEQA, NEPA, and SMARA. Her project experience includes mining projects, dredging and beach replenishment, military projects, residential development, habitat restoration projects, commercial/industrial development, and recreational development, among others.

**Selected Project Experience**

**Eagle Valley Quarry IS/MND (2013 -2014).** Project Manager for the preparation of an IS/MND to evaluate the potential impacts associated with extending the existing operations through the year 2080 at the Eagle Valley Quarry located on approximately 128 acres on two separate parcels in the western portion of Riverside County. The IS/MND was approved and adopted in June 2014.

**Otay Hills Mineral Resources Recovery Project EIR/EIS (2006 - Present).** Project Manager of an EIR/EIS for a new construction aggregates extraction operation and associated activities on a 434-acre site in south San Diego County. The project operations would impact 110 acres, with the remainder of the site dedicated as a biological preserve. The project includes a Reclamation Plan, Specific Plan Amendment, Major Use Permit, and will require issuance of a Major Amendment to the Multiple Species Conservation Program Subarea Plan and Incidental Take Permit under Section 10(a)(1)(B) of the Endangered Species Act.

**Boca Quarry Mine Expansion EIR (2012 - Present).** Ms. McCall provided technical support and the QA review for the EIR for the expansion of Boca Quarry near Truckee, Nevada County, and adoption of the associated reclamation plan. The project would increase the existing extraction area from 40 acres to 158 acres within the 230-acre property. The primary project issues include visual quality, water supply, traffic, and air quality/GHG emissions.

**Former South Coast Quarry Amended Reclamation Plan Subsequent EIR (2004 - 2010).** Project Manager of this EIR for the reclamation of the final phases (Phases 2B, 3, and 4) of a former hard rock quarry located in the cities of Oceanside and Carlsbad. The project included the restoration of Buena Vista Creek, preservation of El Salto Falls (a sacred Native American site) and creation of flat pads suitable for future development consistent with the underlying zoning. Ms. McCall assisted in the setup and management of the public scoping meeting for this project, which had high public awareness and interest.

**Education**

Bachelor of Arts,  
Geography,  
Environmental Studies  
Emphasis, University of  
California, Santa Barbara,  
1983

**Registrations/  
Certifications**

County of San Diego,  
Approved EIR Preparer,  
2007

**Training Courses**

Surface and Mining  
Reclamation Act (SMARA)  
Lead Agency Training,  
2006

**Commendations**

Appreciation Letter for  
CVN Permit, Naval Air  
Force U.S. Pacific Fleet

Appreciation Letter for  
Navy and Marine Projects,  
NAVFAC Southwest

Appreciation Letter for  
Miramar Family Housing  
Project, Marine Corps Air  
Station Miramar

**Professional  
Affiliations**

Society of American  
Military Engineers

Association of  
Environmental  
Professionals

# David Claycomb, AICP

Principal-In-Charge



## Summary of Qualifications

Mr. Claycomb is HELIX's Northern California Regional Manager, based in the firm's Folsom office. Mr. Claycomb is also a Senior Planner and Project Manager who is quite knowledgeable of resource-based legislation, land development procedures, and permit processing requirements, and he has directed numerous reports under both CEQA and NEPA. He has participated in all phases of the planning and environmental review processes, and regularly advises clients regarding regulatory requirements and environmentally sensitive siting and design of projects; determining the content and scope of environmental documents; coordinating document review by federal, state and local agencies and the public; permit preparation and processing; developing mitigation recommendations and mitigation monitoring programs; assisting lead agencies and private clients in meeting statutory or procedural requirements; and preparing final environmental documents. He has directly participated in a variety of resource-oriented permit processes and mitigation program planning with the USACE, USFWS, CDFW, RWQCB, and other federal, state, regional, and local jurisdictions.

## Selected Project Experience

**Nevada County Boca Quarry Mine Expansion EIR (2012 - Present).** Principal-in-Charge responsible for conducting QA reviews of the technical studies and EIR for the expansion of Boca Quarry near Truckee, Nevada County. The project proposes to expand existing mining operations, which would increase the existing extraction area of approximately 40 acres to an extraction area of approximately 158 acres on the 230-acre site. The project also includes development of a feasible reclamation plan. The primary project issues include visual quality, water supply, traffic, and air quality/GHG emissions.

**Blue Mountain Minerals (2013 - Present).** HELIX is currently preparing an EIR addressing the proposed Blue Mountain Minerals project located at the Blue Mountain Minerals quarry in unincorporated Tuolumne County. As the Project Principal, Mr. Claycomb is overseeing all project activities and is also conducting QA reviews of all HELIX deliverables. The quarry is currently in operation under the Portola Minerals Company Conditional Use Permit (CUP) 02CUP-56 and Integrated Surface Mining and Reclamation Plan 02REC-01 (Integrated Reclamation Plan; Blue Mountain Minerals 2008). The proposed project is an amendment to the existing CUP and Integrated Reclamation Plan to expand the existing permitted fill area by approximately 27 acres.

**Quarry Creek EIR (1998 - 2002).** Directed the EIR for this project straddling the jurisdictional boundary between Oceanside and Carlsbad, California. The project involved an amendment to the reclamation plan for the adjacent, active South Coast Materials Quarry, as well as construction of a 384,000-square-foot shopping center and widening of College Boulevard on portions of the former quarry site. Major issues included traffic, cultural resources, visual and noise impacts.

## Education

Master of Science,  
Natural Resources  
Management, Humboldt  
State University, 1983

Bachelor of Science,  
Botany, University of  
New Hampshire, 1975

## Professional Affiliations

Association of  
Environmental  
Professionals-Superior  
California Chapter

International Association  
of Impact Assessment

American Planning  
Association

Boys and Girls Clubs of  
Greater San Diego,  
Board of Directors

San Diego Habitat  
Conservancy, President,  
Board of Directors

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**Summary of Qualifications**

Ms. Horn is experienced in the preparation of a variety of environmental documents in compliance with both CEQA and NEPA. Her experience has included a wide range of projects in the public and private sector, including projects throughout Riverside County. Ms. Horn coordinates and manages project-related work efforts; actively interacts with project applicants and local, state and federal agency staff; and drafts comprehensive reports that effectively utilize data collected from technical studies, public and private environmental/community planning documents, and her individual research efforts.

**Selected Project Experience**

**Metropolitan Water District (MWD) Whitewater River/Colorado River Mine Stabilization Project (2010 - 2012).** Managed an EIR that evaluated The Metropolitan Water District of Southern California's (Metropolitan) proposal to provide scour protection for the Colorado River Aqueduct (CRA) where it passes under the Whitewater River, stabilize a nearby mine pit that could erode and damage the CRA, and install a radial gate at the CRA near the unincorporated community of Cabazon. Project includes the potential use of spoil rock piled at the eastern portal of the San Jacinto Tunnel from the tunnel's construction in the 1930s.

**Daily II Tank (2011 - 2013).** Project Manager for an Initial Study/Mitigated Negative Declaration (IS/MND) addressing a two-million-gallon, above-ground, welded steel tank in the City of Menifee in Riverside County. The project includes the construction of the tank, installation of a transmission line, and the demolition of a tank. Eastern Municipal Water District was the CEQA lead agency for the project.

**Riverside Box Springs Feeder Repair Phase 3 (2009 - 2010).** Project Manager for an IS/MND for this project to install a 90-inch-diameter welded steel liner inside existing pipe sections of the Box Springs Feeder. The proposed Project included repair of twelve pipe sections using five excavation sites, located in the vicinity of Rain-for-Rent, Sycamore Canyon Wilderness Park, and Mills water treatment plant. Metropolitan was the CEQA lead agency for the project.

**Keller Crossing EIR (2009 - 2014).** Assisted in preparing this EIR for a mixed-use development in unincorporated Riverside County, with retail, office, and single-family residential uses and extensive off-site utility improvements.

**Dufferin Avenue Main Replacement IS/MND (2008 - 2009).** Project Manager for this IS/MND for the replacement of 14,700 feet of existing 6- and 10-inch water pipelines with new 8- and 12-inch pipelines within Dufferin Avenue and Van Buren Boulevard in the City of Riverside. The City of Riverside Public Utilities Department was the CEQA lead agency.

**Education**

Bachelor of Science,  
Environmental  
Science, University of  
California, Riverside,  
2002

**Professional  
Affiliations**

Association of  
Environmental  
Professionals

# Dennis Marcin

Senior Environmental Specialist



## Summary of Qualifications

Mr. Marcin has served as an environmental scientist/geologist and project manager for a myriad of projects in both the public and private sectors. He is primarily responsible for researching and evaluating technical and environmental data in the fields of mineral resources/mining, geology, hydrology/water quality, paleontology, hazardous materials, and agriculture. Mr. Marcin's experience encompasses a wide variety of projects involving mineral exploration and production, energy development, solid waste disposal, transportation facilities, water and wastewater sites, and other types of development. He has a broad background in both CEQA and NEPA, as well as related federal, state, and local legislation. While employed with the U.S. Bureau of Land Management (BLM), he oversaw numerous mining, geothermal, and mineral resource inventory projects.

## Selected Project Experience

**Boca Quarry Mine Expansion EIR (2012 - Present).** Preparing EIR analyses for a proposed expansion of the existing Boca Quarry near the City of Truckee, in Nevada County. The project proposes to expand existing mining operations from 40 to 158 acres within the 230-acre project site. Included evaluation of slope stability on excavated pit faces/benches and assessment of proposed mining-related water use from an existing on-site spring.

## Otay Hills Mineral Resources Recovery Project EIR/EIS (2006 - 2011).

Preparing EIR/EIS sections for a proposed construction aggregate extraction operation in southern San Diego County. Included evaluation of landsliding/slope stability and storm water management.

## Former South Coast Quarry Amended Reclamation Plan Subsequent EIR

(2001 - 2010). Prepared sections of this EIR to evaluate the proposed reclamation and development of a former aggregate quarry in San Diego County.

## Whitewater River/Colorado River Aqueduct (2004).

Preparing sections of this EIR to construct a gabion mat structure to address potential scour impacts at the Whitewater River/Colorado River Aqueduct junction in north-central Riverside County, as well as related aggregate production from existing off-site sources and backfill of an abandoned downstream aggregate mine site.

**Mineral Resource Investigations (1981 - 1986).** Prepared technical, economic, and environmental investigations related to numerous mineral resource activities under federal, state, and local guidelines. Specific activities involved mineral resource inventories for proposed development, land disposals, and wilderness designations; as well as evaluation of mineral leasing, exploration, production, and mining claim patent applications in Utah and California.

## Education

Bachelor of Science,  
Geology, Michigan  
State University, 1979

## Professional Affiliations

San Diego Association  
of Geologists

Association of  
Environmental  
Professionals

South Coast Geological  
Society

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### Summary of Qualifications

Mr. Sward has 30+ years of experience as a botanist and biologist in southern California. As a principal biologist at HELIX, he oversees restoration projects, wetland delineation, vegetation mapping, and rare plant studies, including the preparation of corresponding technical reports. This work has been conducted according to the requirements of NEPA, ESA (Sections 7 and 10a), Clean Water Act (Section 404), CEQA, CESA, and California Fish and Game Code (Sections 1600 and 2081).

Mr. Sward has conducted many, and often extensive, surveys and biological analyses of sensitive communities in southern California, including vernal pools, Diegan coastal sage scrub, southern maritime chaparral, Riversidean and alluvial fan sage scrubs, coastal salt marsh, freshwater and cismontane alkali marsh, riparian woodlands and scrub habitats, coast live oak and Engelmann oak woodlands, native grasslands, desert and saltbush scrubs, and desert microphyll woodland.

Mr. Sward is HELIX's lead scientist for determining areas of jurisdiction pursuant to USACE and CDFW regulations. He has conducted field investigations and authored and obtained agency acceptance for wetland delineation reports in a wide variety of jurisdictional areas in coastal, mountain, and desert environments of southern California. He has also participated in all aspects of habitat restoration work, including permitting, initial site assessment, formulation of conceptual plans, oversight of the preparation of construction documents, and monitoring project installation and habitat development. Mr. Sward has developed and implemented many mitigation and monitoring programs for impacts to sensitive resources.

### Selected Project Experience

**South Coast Quarry Focused Surveys (1997).** Participated in initial biology studies and jurisdictional delineation for the Programmatic EIR and updated studies for subsequent environmental documents. Assisted in permitting and preparation/implementation of a restoration plan for Buena Vista Creek. Project is located in the cities of Oceanside and Carlsbad. Work was done for Hanson Aggregates.

**Whitewater River/Colorado River Aqueduct Siphon Scour Protection, Mine Reclamation and Cabazon Radial Gate (2010 - 2012).** Project Manager that coordinated fieldwork with biologists and prepared the biological technical report for the 123.0-acre Whitewater River study and 78.3-acre Cabazon Spoil site study area. The project site is located within Riverside County. The proposed project includes two separate components within the Whitewater River study area: (1) adding a protective barrier consisting of a gabion wall in place of an existing earthen berm adjacent to the Colorado River Aqueduct (CRA) siphons that cross under the Whitewater River and (2) backfilling the existing Whitewater Mine Pit (WMP) to prevent erosion from the WMP's current location upstream toward the CRA siphons. In addition, soil material would be excavated from the Cabazon Spoil site and

### Education

Master of Science,  
Biology, emphasis in  
Botany, San Diego  
State University, 1979

Bachelor of Science,  
Biology, concentration  
in Ecology, San Diego  
State University, 1975

### Registrations/ Certifications

USFWS, Endangered  
and Threatened  
Wildlife Species  
Permit, 1995

County of San Diego,  
Approved Biological  
Consultant, 2004

County of San Diego,  
Approved  
Revegetation  
Planner, 2007

### Professional Affiliations

California Native  
Plant Society

Society for Ecological  
Restoration

California Exotic Pest  
Plant Council

# Larry Sward

## Principal Biologist

processed to supply the material necessary to fill in the WMP. Work conducted for The Metropolitan Water District of Southern California.

**Hemet/San Jacinto Integrated Recharge & Recovery Program (2003 - 2007).** Senior Biologist who provided detailed biological studies of 100 acres along 1.8 miles of the San Jacinto River and 7.7 miles of pipeline in Riverside County. The river portion of the project is located east of Mountain Avenue and south of East Main Street, at the western foot of the San Jacinto Mountains and east of the City of San Jacinto, Riverside County. The pipeline portion extends west of the City of Hemet, Riverside County. Also conducted focused surveys for the San Bernardino kangaroo rat, burrowing owl, rare plants (including slender-horned spineflower [*Dodecahema leptoceras*]), and jurisdictional wetlands. Managed a biological resources technical report and led surveys for general biology, rare plants, and wetlands.

**Arroyo Del Toro Channel Project (2012).** Principal Biologist and Project Manager that oversaw a general botanical and wildlife survey, DBESP, and a vegetation map for the Riverside County Flood Control and Water Conservation District's 55-acre drainage channel project. Also conducted a jurisdictional delineation and wrote the wetland habitat mitigation plan. Project is located near the intersection of Collier Road and State Route 74 in the City of Lake Elsinore, Riverside County.

**Support for Completion of Biological Resources Section of SA/DEIS (2009 - 2010).** Project Biologist who provided biological surveys and analyses for a variety of proposed solar projects and alternatives located in Kern, San Bernardino, Riverside, and Imperial Counties that are under review by the California Energy Commission.

**Tres Cerritos East Project (2008 - 2011).** Project Manager and Principal Delineator for the residential subdivision on 160 acres in the City of Hemet, Riverside County. The project is located adjacent to and north of West Devonshire Avenue, between North Myers Street and North Cawston, and south of West Menlo Avenue.

**Bella Lago (2005 - 2006).** Lead Biologist for biological studies for a 200-acre residential development project in the City of Hemet, Riverside County. Studies included vegetation mapping, general biological survey, and a jurisdictional delineation.

**Rancho Bella Vista (2004 - 2010).** Lead Biologist for comprehensive biological studies of a housing development on 798 acres in western Riverside County. Conducted a general biological survey, vegetation mapping, rare plant surveys, and wetland delineation. Designed an on-site wetland mitigation program that included 4.05 acres of creation and 4.05 acres of enhancement along an existing creek. Oversaw installation and subsequent habitat development.

**Joanne Dramko, AICP, GISP**  
Senior Air Quality Specialist



**Summary of Qualifications**

Ms. Dramko serves as an Environmental Planning Group Manager and is a Senior Project Manager at HELIX. She has 14 years of experience involving the preparation of environmental reports under CEQA and NEPA. She has authored and/or managed the production of environmental documents for a variety of project types, including residential, commercial, recreational, transportation, water/wastewater, and utilities. She has prepared environmental documentation for numerous planning projects, including Climate Action Plans, Energy Action Plans, General Plans, and Specific Plans.

Ms. Dramko's focus is in climate change and sustainability within the context of CEQA. She has conducted noise and air quality analyses using survey equipment such as the ANSI Type II noise level meter, computer models such as the URBEMIS, CalEEMod, and CALINE air quality models, and the Federal Highway Administration (FHWA) Traffic Noise Model (TNM). She specializes in using GIS as a part of her environmental impact analysis. In public forums, she communicates technical information to general audiences and engages members of the public in the environmental planning process. In addition, Ms. Dramko is an accredited member of the American Institute of Certified Planners (AICP) and is a certified GIS Professional (GISP).

**Selected Project Experience**

**Otay Hills Mineral Resources Recovery Project EIR/EIS (2013 - Present).** Senior Technical Specialist for the technical analysis to support a joint EIR/EIS for a new construction aggregates extraction operation and associated activities on a 434-acre site in the community of East Otay Mesa in south San Diego County. The proposed project involves the establishment of a mineral resource recovery operation and associated activities to create construction aggregates and materials. The project includes a Specific Plan Amendment (SPA), Major Use Permit (MUP), and Reclamation Plan for the extraction and processing of construction aggregate. The project operations would take place within an approximately 112-acre impact area, with the remainder of the project site dedicated as a biological preserve. Specific tasks include providing oversight and conducting review for the air quality/ greenhouse gas (GHG) and noise/vibration technical reports. Lead agencies are the County of San Diego and the U.S. Fish and Wildlife Service (USFWS).

**Bay Delta Conservation Plan Administrative Draft EIR/EIS Technical Review (2013 - 2014).** Technical Specialist responsible for peer reviewing the noise and vibration analysis within the draft EIR/EIS of the Bay Delta Conservation Plan (BDCP). The analysis was reviewed for consistency with standard acoustical technical approaches and assumptions. Aspects that were reviewed include the description of the regional and local regulatory framework; analysis methodology;

**Education**

Master of Science, Environmental Science and Management, University of California at Santa Barbara, 2000

Bachelor of Arts, Fine Arts, New College of Florida, 1991

**Registrations/ Certifications**

County of San Diego, Approved EIR Preparer, 2007

County of San Diego, Approved Visual Impact Report Preparer, 2007

County of San Diego, Approved Air Quality Report Preparer, 2007

**Professional Affiliations**

American Institute of Certified Planners #020810

Geographic Information System Professional #53481

American Planning Association

Association of Environmental Professionals

# Joanne Dramko, AICP, GISP

Senior Air Quality Specialist

feasibility of mitigation; and consistency, clarity, and rationale of conclusions. Tasks included preparing a memorandum that summarized the results and recommendations of the peer review. Lead Agency is The Metropolitan Water District of Southern California.

## **Energy Action Plans, Western Riverside Council of Governments (WRCOG)**

(2012). Project Manager for the preparation of Energy Action Plans for 11 participating jurisdictions within Western Riverside County. The project involved the preparation of both a municipal and community-wide GHG inventory for each jurisdiction; development of policies and measures to facilitate future adoption of a Regional Energy Action Plan; and creating a plan for monitoring future GHG emissions to ensure that targets are being met.

**Riverside County Climate Action Plan (CAP) (2011).** Project Manager responsible for preparing the Riverside County CAP, which involved overseeing the quantification of GHG emissions resulting from existing and proposed land use allocations and densities within Riverside County, and providing a set of reduction measures and interim CEQA thresholds for use in the General Plan Update. The CAP also quantifies the reduction of emissions to demonstrate how the County will achieve the reduction target. The CAP provides a legally defensible document from which future projects can tier in the analysis of climate change during the CEQA process; this document will streamline future project approval and implementation. Elements in the CAP will demonstrate compliance with recently enacted regulations regarding development, including the Sustainable Communities Strategy and GHG reduction targets of Senate Bill (SB) 375 and new building standards resulting from Assembly Bill (AB) 32.

**Tapestry Specific Plan (2013 - Present).** Senior Technical Specialist overseeing the preparation of the noise and air quality technical analyses to support the EIR for this approximately 9,367-acre project in the City of Hesperia involving the construction of residential housing, town centers, parks, schools, public and civic facilities, a waste water treatment facility, roadways, and other associated infrastructure. The project will be developed in 10 phases over an estimated 20-year or greater period.

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**Summary of Qualifications**

Mr. Terry has 30+ years experience in engineering and mechanical systems. His specialized experience in acoustical and mechanical engineering includes the evaluation of noise from sources, including engines, compressors, generators, chillers, pump stations, turbines, presses, manufacturing equipment, air handling systems, and the recommendations for or design of noise control solutions to achieve satisfactory noise levels interior and exterior from these sources. Many of his assignments are public utility or power plant projects involving evaluation and control of noise from mechanical equipment. Mr. Terry has served as an Industry Expert in General Acoustics, Nuisance Noise and Vibration Control, and Building Construction Practices at numerous public hearings and workshops, including Planning Commissions, City Councils, and Board of Supervisors. He has provided court testimony and depositions on many cases in litigation involving these same topics as well. Other projects have involved forensic work to determine the source of acoustical inadequacy in existing buildings both for legal cases and to develop feasible mitigation solutions. He has prepared and conducted noise planning and monitoring studies for clients with construction and facilities noise including submittals to various government agencies for human and endangered species noise impacts.

**Selected Project Experience**

**Boca Quarry Mine Expansion EIR (2012 - Present).** The expansion of Boca Quarry near Truckee, Nevada County proposes to expand existing mining operations, which would increase the existing extraction area of approximately 40 acres to an extraction area of approximately 158 acres on the 230-acre site and would change materials export haul routes. Senior Acoustical Specialist provided a peer review for noise technical studies and an EIR.

**Otay Hills Mineral Resources Recovery Project EIR/EIS (2008 - Present).**

Completed a full project noise analysis for a new resource extraction project located in the Otay Mesa community in the County of San Diego. Planning included noise and vibration impacts from drilling & blasting operations, rock crushing and handling, cement batch plant, asphaltic concrete batch plant, recycle materials crushing and processing, and site access roadways.

**Borrego Sand and Rock (2007 - 2008).** Completed a noise analysis for proposed Conditional Use Permit to upgrade and expand a resource extraction operation with additional crushing facilities and cement batch plant in the Borrego Springs area of San Diego County.

**Whitewater River/Colorado River Aqueduct Siphon Scour Protection, Mine Reclamation and Cabazon Radial Gate (2010 - 2012).** Completed construction and

**Education**

Bachelor of Science,  
Mechanical Engineering,  
San Diego State  
University, 1979

**Professional  
Affiliations**

Acoustical Society of  
America

Institute for Noise Control  
Engineering

National Council of  
Acoustical Consultants

California Association of  
Environmental  
Professionals

San Diego Forensic  
Consultants Association

San Diego County  
Acoustics Advisory Group

# Charles Terry

## Senior Acoustical Specialist

haul route noise impact planning for the aqueduct improvements and gate project located in Cabazon, Riverside County. This document was prepared for The Metropolitan Water District of Southern California.

**Bay Delta Conservation Plan Administrative Draft EIR/EIS Technical Review (2013 - 2014).** Technical Specialist responsible for peer reviewing the noise and vibration analysis within the draft EIR/EIS of the Bay Delta Conservation Plan. The analysis was reviewed for consistency with standard acoustical technical approaches and assumptions. Aspects that were reviewed include the description of the regional and local regulatory framework; analysis methodology; feasibility of mitigation; and consistency, clarity, and rationale of conclusions. A memorandum was prepared that summarized the results and recommendations of the peer review. Lead Agency is The Metropolitan Water District of Southern California.

**Tapestry Specific Plan (2013 - Present).** Conducted the noise analysis for the EIR for this approximately 9,367-acre project in Hesperia involving the construction of residential housing, town centers, parks, schools, public and civic facilities, a waste water treatment facility, roadways, and other associated infrastructure. The project will be developed in 10 phases over an estimated 20-year or greater period.

**Sunrise Powerlink (2007 - 2013).** Senior Acoustics Specialist for the Sunrise Powerlink Project. Conducted noise measurements and planning analysis, including the analysis of noise created during construction from normal and heavy-lift helicopters operations at residents in rural San Diego County. Work included field measurements of four types of helicopters and the analysis of potential impacts below fly-over areas where noise reverberated off steep, hard rock faces. Other activities included route planning to control noise and meetings with helicopter pilots. Work was completed for California Public Utilities Commission.

**Riverside Box Springs Feeder Repair Phase 3 (2009 - 2010).** Completed planning for construction and haul-route noise impacts for the feeder pipeline improvement project located in Riverside. This document was prepared for The Metropolitan Water District of Southern California.

**San Bernardino Transmission Main (2007 - 2008).** Completed noise impact planning for the proposed water pipeline construction located in Riverside. Analyzed construction noise impacts to residences and determined appropriate impact-reducing features to be incorporated into the construction.

**Tenaja Pump Station (2010 - 2011).** Prepared a site noise control plan for a new pump station installation with 200 hp pumps, HVAC systems, and backup operation diesel generator for the County of Riverside, Rancho California Water District's Water Pumping Station.

# Mary Robbins-Wade, RPA

Senior Archaeologist



## Summary of Qualifications

Ms. Robbins-Wade has worked in southern California archaeology for 35 years and has extensive experience in both archaeological research and general environmental studies. As HELIX's Director of Cultural Resources, she oversees the management of all archaeological, historic, and interpretive projects; prepares and administers budgets and contracts; designs research programs; supervises personnel; and writes reports. Ms. Robbins-Wade has managed or participated in hundreds of projects under CEQA, as well as numerous archaeological studies under various federal jurisdictions, addressing Section 106 compliance and NEPA issues. She has an excellent relationship with the local Native American community and the Native American Heritage Commission (NAHC).

Ms. Robbins-Wade currently serves on the San Diego Presidio Park Council, an advisory board of the City of San Diego, and is a past board member of the San Diego County Archaeological Society. She is listed on the Register of Professional Archaeologists (RPA) and is a member of the Society for American Archaeology, Society for California Archaeology, San Diego County Archaeological Society, San Diego Archaeological Center, and San Diego History Center.

## Selected Project Experience

**Former South Coast Materials Quarry Amended Reclamation Plan Subsequent EIR (2001 - 2010).** Project Manager/Principal Investigator for a cultural resources survey, testing program, and an archaeological monitoring program for the reclamation plan for a closed quarry site in Oceanside and Carlsbad. The project area includes a Native American sacred site. Worked with the applicant and the Native American community to design the reclamation project around this sensitive cultural resource. Oversaw background research, field survey, test excavation, monitoring, Native American coordination, and report preparation.

**Adams Avenue Project (2006).** Project Manager/Principal Investigator for a cultural resources survey for a multi-family residential development in Murrieta, Riverside County. Responsible for background research, field survey, Native American coordination, and report preparation.

**San Jacinto Ranch Project (2006).** Project Manager/Principal Investigator for a cultural resources survey for a 500-acre Specific Plan proposing residential, commercial, and open space uses in San Jacinto, Riverside County. Oversaw background research, field survey (archaeological and historic structures), Native American coordination, and report preparation.

**Murrieta Oaks (1998 - 1999).** Project Archaeologist for a cultural resources survey and testing program for a proposed development in Murrieta, Riverside County.

## Education

Master of Arts,  
Anthropology, San  
Diego State  
University, California,  
1990

Bachelor of Arts,  
Anthropology,  
University of  
California, Santa  
Barbara, 1981

## Registrations/ Certifications

The Register of  
Professional  
Archaeologists,  
Register of  
Professional  
Archaeologists, 1991

## Professional Affiliations

Society for American  
Archaeology

Society for California  
Archaeology

San Diego  
Archaeological Center

San Diego History  
Center

San Diego Museum  
of Man

San Diego County  
Archaeological  
Society

# Mary Robbins-Wade, RPA

Senior Archaeologist

Oversaw background research (including historic research), field survey and testing, cataloging, and report preparation. Assisted with Native American coordination.

**Golden Triangle (1997).** Project Archaeologist for a cultural resources survey and constraints analysis for a proposed development in Murrieta, Riverside County. Oversaw background research, field survey, and report preparation.

**Torrey Meadows Drive Overcrossing at State Route 56 (2013 - Present).** Project Manager/Principal Investigator for a cultural resources survey for a roadway improvement project in the northern portion of the City of San Diego (City). The project is being undertaken by the City, but includes some Caltrans right-of-way, necessitating Caltrans encroachment permits. Oversaw survey, report preparation, and coordination with Caltrans cultural resources staff.

**Lilac Hills Ranch (2014 - Present).** Project Manager/Principal Investigator for a cultural resources survey and testing program for a Specific Plan development in the Valley Center area of the County of San Diego. The project also included recording historic structures, development of a research design and data recovery program for a significant archaeological site, and coordination with the Native American community and the applicant to develop a preservation plan for a significant cultural resource. Oversaw background research, field survey, testing, recording archaeological sites and historic structures, and report preparation. Responsible for development of the research design and data recovery program, the preservation plan, and Native American outreach and coordination. Project coordination is still underway while the project finishes the environmental review process.

**SDG&E Solar Sites (2014 - Present).** Project Manager/Principal Investigator for a cultural resources survey and testing program at three proposed solar energy sites in San Diego County (Pala, Valley Center, and Ramona). The project sites are in culturally sensitive areas, requiring outreach and coordination with the Native American community. Past archaeological studies with conflicting results covering portions of the project sites have complicated the research. Testing was conducted at two archaeological sites and will be conducted at another site. Overseeing background research, fieldwork (survey and testing), lab work, and report preparation. Responsible for Native American coordination.

**Sycamore Creek Commercial Site (2006).** Project Manager/Principal Investigator for a cultural resources survey for a commercial retail development in the Temescal Valley area of Riverside County. Oversaw background research, field survey, and report preparation.



Attachment C  
Sample Project:  
Eagle Valley Quarry Final IS/MND

## 7. Proposed Fee Schedule

All work will be performed on a time and materials basis for a not-to-exceed (NTE) cost agreed upon between HELIX and the City before individual tasks are initiated by the project team. The following Table 2 presents the HELIX team's hourly rates, and our cost estimates for the scope of work (MND and EIR) described in this proposal are provided in Attachment A. HELIX would be pleased to negotiate changes to the scope of work with the City and make corresponding changes to our cost estimates.

### 7.1 Rate/Fee Schedule

**Table 2. Staff Hourly Rates**

<b>Labor Category</b>	<b>Hourly Rate</b>
Principal	\$200
Principal Planner	\$185
Senior Project Manager II	\$170
Senior Project Manager I	\$155
Senior Environmental Specialist (noise, air quality, agricultural, water quality, etc.)	\$175
Environmental Specialist (air quality)	\$130
Project Manager II	\$130
Project Manager I	\$110
Archaeologist/Historian	\$70 - 130
Environmental Planner III or Environmental Specialist III	\$95
Environmental Planner II or Environmental Specialist II	\$85
Environmental Planner I or Environmental Specialist I	\$75
Environmental Analyst	\$65
Senior Landscape Architect	\$175
Landscape Architect	\$125
Asst. Landscape Designer	\$90 - 100
Senior Scientist III (Biology)	\$175
Senior Scientist II (Biology)	\$145
Senior Scientist I (Biology)	\$130
Biologist V	\$115
Biologist IV	\$105
Biologist III	\$95
Biologist II	\$85
Biologist I	\$75
Biology Operations Manager	\$75
Technical Editor	\$75
Senior GIS Specialist	\$120
GIS Specialist II	\$90 - 100
GIS Specialist I	\$75 - 85
Graphic Artist	\$100
Document Coordinator	\$75
Clerical	\$60

**Direct Costs**

Certain identifiable direct costs will be charged to the project at cost plus 10 percent. Examples of direct costs include subconsultants, vehicle or equipment rentals, airplane and train fares, parking, per diem and lodging, communications, reproduction, and supplies. There will be additional charges for plotting, color printing, aerial photographs, and GPS services.

HELIX LABOR	Task 1		Task 2		Task 3		Task 4		Task 5		Task 6		Task 7		Task 8		Task 9		Task 10		TOTAL	
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
Personnel																						
Principal	2	\$210	2	\$410		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	2	\$410
Principal Planner	4	\$760		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	4	\$760
Sr. Project Manager	12	\$2,100	8	\$1,400	2	\$350	8	\$1,400	32	\$5,600	56	\$9,800		\$0		\$0		\$0		\$0	118	\$20,650
Sr. Project Manager		\$160		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Sr. Project Manager		\$155		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Sr. Project Manager		\$135		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Sr. Acoustical Analyst	8	\$1,400	16	\$2,640		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	8	\$1,400
Sr. Env. Specialist	16	\$2,640		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	32	\$5,280
Project Manager		\$145		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Project Manager		\$140		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Project Manager		\$130		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Air Quality/Noise Specialist	12	\$1,560		\$0		\$0	24	\$3,120		\$0		\$0		\$0		\$0		\$0		\$0	80	\$10,400
Senior Archaeologist	8	\$1,000		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	12	\$1,560
Env. Specialist I		\$105		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	8	\$1,000
Project Manager		\$85	16	\$1,520	8	\$760	8	\$760		\$0		\$0		\$0		\$0		\$0		\$0	32	\$3,040
Environmental Planner II		\$85		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Environmental Planner I	8	\$1,520		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	8	\$1,520
Principal Biologist		\$175		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Principal Permitting Specialist		\$165		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Sr. GIS Specialist		\$125	12	\$1,140		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	12	\$1,140
GIS Specialist		\$80		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Word Processor		\$75	8	\$600	12	\$900	12	\$900	6	\$450		\$0		\$0		\$0		\$0		\$0	38	\$2,850
Clerical		\$60		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Subtotal HELIX Labor	68	\$10,950	110	\$13,950	30	\$3,050	52	\$6,180	38	\$6,050	56	\$9,800		\$0		\$0		\$0		\$0	354	\$50,010

EXPENSES	Task 1		Task 2		Task 3		Task 4		Task 5		Task 6		Task 7		Task 8		Task 9		Task 10		TOTAL	
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
Document Reproduction		\$100		\$250		\$1,000		\$350		\$100		\$0		\$0		\$0		\$0		\$0		\$1,800
Communications (postage/couriers/hosted conference calls)		\$0		\$100		\$200		\$100		\$0		\$0		\$0		\$0		\$0		\$0		\$400
GPS (per day)		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Court Reporter		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Aerial Imagery		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Plotting & Color Prints		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Per Diem/Meals & Lodging		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Mileage		\$0	0	\$0	0	\$0	0	\$0	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0
Misc.		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Subtotal Expenses		\$100		\$350		\$1,200		\$450		\$100		\$0		\$0		\$0		\$0		\$0		\$2,200
Helix Mark-Up on Expenses		10%		\$35		\$120		\$45		\$10		\$0		\$0		\$0		\$0		\$0		\$220
Total Expenses		\$110		\$385		\$1,320		\$495		\$110		\$0		\$0		\$0		\$0		\$0		\$2,420
TOTAL		\$11,090		\$14,335		\$4,370		\$6,675		\$6,160		\$9,800		\$0		\$0		\$0		\$0		\$52,430

HELIX LABOR	Task 1		Task 2		Task 3		Task 4		Task 5		Task 6		Task 7		Task 8		Task 9		Task 10		TOTAL			
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
Principal	2	\$410	12	\$2,460	2	\$410	2	\$410	2	\$410	4	\$820	2	\$410	-	\$0	-	\$0	-	\$0	-	\$0	24	\$4,920
Principal Planner	4	\$760	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	4	\$760
Sr. Project Manager	8	\$1,400	8	\$1,400	80	\$14,000	32	\$5,600	24	\$4,200	36	\$6,300	20	\$3,500	44	\$7,700	88	\$15,400	-	\$0	-	\$0	340	\$59,500
Sr. Project Manager	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Sr. Project Manager	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Sr. Project Manager	8	\$1,400	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	8	\$1,400
Sr. Acoustical Analyst	12	\$1,980	16	\$2,640	60	\$9,900	12	\$1,980	-	\$0	8	\$1,320	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	108	\$17,820
Project Manager	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Project Manager	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Project Manager	-	\$0	48	\$6,240	120	\$15,600	60	\$7,800	40	\$5,200	80	\$10,400	36	\$4,680	-	\$0	-	\$0	-	\$0	-	\$0	384	\$49,920
Air Quality/Noise Specialist	12	\$1,560	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	12	\$1,560
Senior Archaeologist	8	\$1,000	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	8	\$1,000
Env. Specialist I	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Project Manager	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Environmental Planner II	-	\$0	16	\$1,520	140	\$13,300	40	\$3,800	10	\$950	40	\$3,800	16	\$1,520	-	\$0	-	\$0	-	\$0	-	\$0	262	\$24,890
Principal Biologist	8	\$1,520	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	8	\$1,520
Principal Biologist	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Principal Permitting Specialist	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Sr. GIS Specialist	-	\$0	12	\$1,140	60	\$5,700	16	\$1,520	8	\$760	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	96	\$9,120
GIS Specialist	-	\$0	8	\$600	50	\$3,750	20	\$1,500	32	\$2,400	40	\$3,000	40	\$3,000	6	\$450	-	\$0	-	\$0	-	\$0	196	\$14,700
Word Processor	-	\$0	-	\$0	2	\$120	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	2	\$120
Client	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0	-	\$0
Subtotal HELIX Labor	60	\$9,620	110	\$13,950	524	\$64,830	182	\$22,610	116	\$13,920	208	\$25,640	114	\$13,110	50	\$8,150	88	\$15,400	-	\$0	-	\$0	1,452	\$187,230

EXPENSES	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7	Task 8	Task 9	Task 10	TOTAL
Document Reproduction	\$100	\$250	\$600	\$600	\$5,500	\$600	\$3,000	\$100	\$0	\$0	\$10,250
Communications (postage/couriers/hosted conference calls)	\$0	\$100	\$75	\$75	\$500	\$75	\$200	\$0	\$0	\$0	\$1,025
GPS (per day)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Court Reporter	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Aerial Imagery	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Plotting & Color Prints	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Per Diem/Meals & Lodging	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Mileage	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Misc.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Expenses	\$100	\$350	\$675	\$675	\$5,500	\$675	\$3,200	\$100	\$0	\$0	\$11,275
Helix Mark-Up on Expenses	\$10	\$35	\$68	\$68	\$350	\$68	\$320	\$10	\$0	\$0	\$1,129
Total Expenses	\$110	\$385	\$743	\$743	\$6,050	\$743	\$3,520	\$110	\$0	\$0	\$12,404
TOTAL	\$9,730	\$14,335	\$65,573	\$23,353	\$19,970	\$26,383	\$16,630	\$8,260	\$15,400	\$0	\$199,634

**PROPOSAL TO PROVIDE  
INITIAL STUDY AND  
ENVIRONMENTAL DOCUMENTS  
FOR  
ROBERTSON'S MINE RECLAMATION PLAN  
VOLUME 1: TECHNICAL PROPOSAL**

Submitted to:



City of Banning Community Development Department  
Attn: Mr. Brian Guillot  
Acting Community Development Director  
99 East Ramsey Street  
Banning, CA 92220

Submitted by:

**LILBURN**  
**CORPORATION**

1905 Business Center Drive  
San Bernardino, CA 92408

November 20, 2014

November 20, 2014

City of Banning  
Community Development Department  
Attn: Mr. Brian Guillot, Acting Community Development Director  
99 East Ramsey Street  
Banning, CA 92220

**SUBJECT: Proposal to Provide Initial Study and Environmental Documents for  
Robertson's Mine Reclamation Plan**

Dear Mr. Guillot:

Lilburn Corporation is submitting the enclosed five (5) original copies and one (1) CD (with pdf and MS Word formats) of our proposal to assist the City of Banning by providing environmental consulting services in response to the City's Request for Proposals dated October 20, 2014. Specifically, this proposal addresses our qualifications and approach for preparation of CEQA documentation for Robertson's Banning Mine Reclamation Plan (State Mine ID 91-33-0012) in compliance with SMARA. Lilburn Corporation is an environmental consulting firm located in San Bernardino, California. We provide environmental and land use permitting services, including the preparation and processing of documents and notices required by the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Lilburn Corporation has over 25 years of experience in permitting mines and providing compliance with the Surface Mining Reclamation Act (SMARA) for sites throughout California.

We have a keen understanding of mining issues and we are recognized State-wide for our mine permitting and environmental compliance expertise. Lilburn Corporation has completed numerous CEQA and NEPA documents including Initial Studies, Environmental Assessments, Mitigated Negative Declarations, Special Studies, and Environmental Impact Reports (CEQA); as well as Environmental Impact Statements (NEPA) for projects throughout California. We have prepared mine operations and reclamation plans on over 500 different mine sites. Our services also include mine site inspection, financial assurance calculation, mineral resources assessments, and condition compliance.

As President of the company and Principal-in-Charge for all mining-related projects, Mr. Martin Derus would be the key point of contact for the City and have overall responsibility for the services provided under contract. He has 38 years of experience in technical analysis and project management in environmental, mining, and air quality consulting. He is a founding owner and principal of Lilburn Corporation with prior experience working for URS Consultants and the Water Resources Development Corporation. He has been Project Manager for EISs and EIRs on numerous mining, commercial, residential, industrial, landfill, wastewater, land and other natural resource development projects. His expertise is in analyzing project compliance with CEQA,

Mr. Brian Guillot  
November 20, 2014  
Page 2

NEPA, SMARA, and State and local rules and regulations for air quality. He has nearly 30 years of experience preparing Mine Reclamation Plans, Financial Assurance Estimates, and conducted inspections of numerous mines throughout California.

Ms. Cheryl A. Tubbs is Vice-President of the company and has been a shareholder/director since 1997. She has 37 years of professional experience in environmental and water resources planning, and public administration experience. She has provided consulting services in water resources management and environmental planning to public and private agencies; and has served as Assistant General Manager of the City of San Bernardino Water Department and Deputy Manager of Western Municipal Water District. Ms. Tubbs' project experience includes the preparation and management of Environmental Impact Reports and Assessments in compliance with both CEQA and NEPA; land use feasibility studies; regional wastewater treatment facility plans; groundwater and surface water supply studies; transportation projects; solid waste and public facilities plans; urban water management and conservation plans; and public information/public participation programs.

As Lilburn Corporation's Principal Geologist, Mr. Steven Kupferman is responsible for providing technical expertise in mineral resource development, mineral appraisals, mine permitting/reclamation, litigation assistance, engineering geology, hydrogeology, and federal and State mining law. Mr. Kupferman has over 40 years of professional experience in the public and private sectors providing technical expertise on mining and development projects. He spent 13 years with the U.S. Bureau of Land Management - California, recently retiring as Chief of the Energy and Minerals Division, and prior to that was the Riverside County Geologist responsible for SMARA/mine regulation of over 40 surface mines in Riverside County. During his career, he has performed mineral exploration, mine permitting/reclamation, mineral appraisals and environmental assessments involving extensive coordination with federal, state, and local agencies. Mr. Kupferman holds a B.A. in Geology from California State University, Fullerton and is a CA Professional Geologist, CA Certified Engineering Geologist, CA Certified Hydrogeologist, and BLM Certified Mineral Examiner.

Lilburn Corporation was incorporated in California on July 14, 1989 and has remained in business in San Bernardino since that time. The firm is certified by the U.S. Small Business Administration as a Small Business (Certificate No. P1614730). As Vice President of the corporation, I am authorized to negotiate with the City on behalf of Lilburn Corporation and to bind the corporation. I am located in our San Bernardino office, at 1905 Business Center Drive, San Bernardino, CA 92408 and can be reached at (909) 890-1818.

Sincerely,

  
Cheryl A. Tubbs  
Vice President

LILBURN  
CORPORATION

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## STATEMENT OF EXPERIENCE

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# LILBURN CORPORATION

Lilburn Corporation is located at 1905 Business Center Drive in San Bernardino, California. Our telephone is (909) 890-1818 and fax number is (909) 890-1809. The majority shareholder is Stephen T. Lilburn, Founder. Other shareholders are Martin R. Derus, President and Cheryl A. Tubbs, Vice President. The firm was incorporated in California in July 1989 and has been in business in San Bernardino for over 25 years. The firm (*DUNS Number: 622797389*) is certified by the U.S. Small Business Administration as a Small Business (Certificate No. P1614730; expires 2015).

Lilburn Corporation has completed projects for a number of private and public entities in San Bernardino County during the past 25 years. Our expertise is in providing environmental compliance and the permitting of land development projects including residential, commercial, and industrial developments, parks and recreational facilities, judicial system facilities, mines, landfills, public works and transportation projects, and telecommunication facilities.

Lilburn Corporation and our subconsulting firms are experienced in the following environmental review processing areas for public projects including transportation, flood control, and solid waste facilities; and private development projects including mines, telecommunication facilities, commercial, and residential projects:

NEPA and CEQA Documentation

Biological Assessments

Wetlands Delineations

Regulatory Agency Permit Acquisition and Coordination (Sections 401, 404, and 1600)

Habitat Restoration Plans, Habitat Mitigation Monitoring Plans

Construction Monitoring

Visual Impact Assessments

Archaeological Surveys and Reporting

Noise Studies

Hydrology and Water Quality Studies

Traffic Studies

Air Quality Assessments and Conformity Determinations

Phase I Environmental Site Assessments (Initial Site Assessments)

Financial Assurances

Permit Reviews and Permit Revisions/Updates

Public Outreach, Scoping, Document Circulation and Noticing

## STATEMENT OF EXPERIENCE

**Table 1**  
**Summary of Lilburn Corporation Key Staff Experience**

<b>Name</b>	<b>Title</b>	<b>Years of Experience</b>	<b>Type of Work Performed</b>
<i>Martin Derus</i>	President	38	EIRs, Air Quality Analysis, Mine and Reclamation Plans, Project Management
<i>Cheryl Tubbs</i>	Vice-President	37	Contract Administration, Project Management, EIRs, Initial Studies, Water Supply Assessments
<i>Steven Kupferman, PG, CEG, HG</i>	Principal Geologist	41	Mineral Resources Assessments, Mine Plans and Reclamation, Engineering Geology, Hydrogeology, BLM Land Use Permitting
<i>Michael Perry</i>	Program Manager – Environmental Studies	29	CEQA and NEPA Compliance and Project Management, Phase I Site Assessments, Solid Waste Planning & Permitting
<i>Natalie Patty</i>	Project Manager/Senior Environmental Analyst	18	EIR/EISs, Initial Studies, Phase I Site Assessments, Contract Planning
<i>Frank Amendola</i>	Project Manager/Senior Environmental Analyst	12	Air Quality/GHG Assessments, Phase I ESAs, Contract Planning, Mine Inspections, and Mine and Reclamation Plans
<i>Lorraine Bueno</i>	Environmental Analyst/Regulatory Compliance Specialist	4	Biological Resources Report Preparation, Jurisdictional Delineations, Regulatory Permitting, Initial Studies
<i>Troy Goodwalt</i>	CAD Designer	31	Graphic Design & Illustration, 3-D Modeling, Visual Simulation, Volume Estimates
<i>Mary Jones</i>	Office Manager	28	Document Production and Distribution, Administrative Assistance

## **STATEMENT OF EXPERIENCE**

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### **General Proposal Description**

Lilburn Corporation's proposal has been prepared in accordance with the City of Banning's *Request for Proposal (RFP) for a Consulting Firm to Prepare an Initial Study and Environmental Documents for Robertson's Mine Reclamation Plan for Compliance with State Mining and Reclamation Act (SMARA)*, dated October 20, 2014. The proposal is submitted as three volumes: Volume 1: Technical Qualifications; Volume 2: Billing Rates Sheet/Cost Proposal; and Volume 3: Sample Initial Study and Environmental Document. Volume 1 includes Lilburn Corporation's relevant project experience, team members' qualifications, project team organization, approach to the project, references, and a project schedule.

Lilburn Corporation's team includes three subconsulting firms to provide as needed technical studies in the areas of storm water management, biological resources, and cultural resources. Two of the three firms are certified as Disadvantaged/Women-owned Business Enterprises. Lilburn Corporation is a small business certified by the U.S. Small Business Administration and is an environmental consulting firm that provides the necessary studies, documentation, monitoring, and regulatory agency permitting coordination for compliance with the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), and federal and state Endangered Species Acts and Clean Water Acts.

Environmental documents prepared by Lilburn Corporation for the City as Lead Agency for the Robertson's Mine Reclamation Plan, would be prepared under the direction of Martin R. Derus who would be the sole point of contact for project completion and contract administration and who has over 30 years of professional experience in both mine permitting and environmental planning.

Our methodology for preparation of an Initial Study, technical reports, and final environmental documents is described in Section 3. Our scope of work will lead to the City's adoption of a CEQA document that will provide conditions to be placed on the mine site. We believe the project can be approved with an Initial Study/Mitigated Negative Declaration. However, we have provided a Scope of Work and Cost for preparation of an Environmental Impact Report if one is determined necessary following completion of the Initial Study, traffic impact study, noise study, and air quality/greenhouse gas assessment.

## ORGANIZATION AND STAFFING

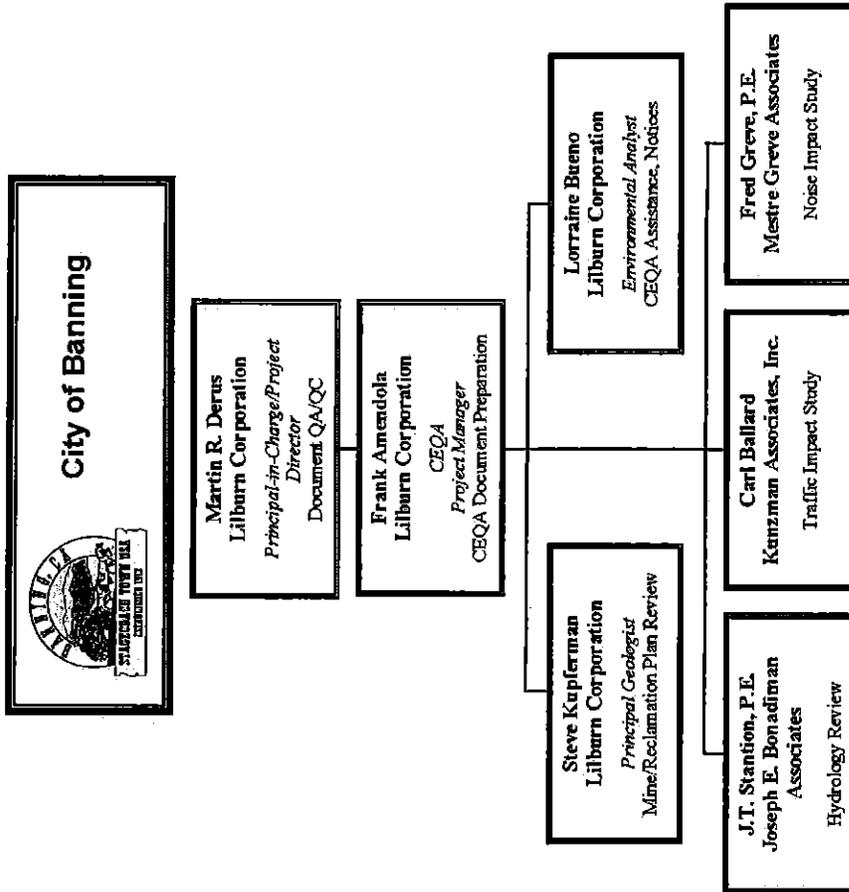
Resumes for key Project Team Members that would be assigned to the project are provided in this section. Table 1 summarizes the areas of expertise of Lilburn Corporation's key staff and Figure 1 shows our Project Team Organization. We have included the qualifications of two subconsulting firms that would work, under subcontract with Lilburn Corporation to assist the City.

**Table 1**  
**Summary of Lilburn Corporation Key Staff Experience**

Name	Title	Years Experience	Type of Work Performed
<i>Martin Derus</i>	President	38	EIRs, Air Quality Analysis, Mine and Reclamation Plans, Project Management
<i>Cheryl Tubbs</i>	Vice-President	37	Contract Administration, Project Management, EIRs, Initial Studies, Water Supply Assessments
<i>Steven Kupferman, PG, CEG, HG</i>	Principal Geologist	41	Mineral Resources Assessments, Mine Plans and Reclamation, Engineering Geology, Hydrogeology, BLM Land Use Permitting
<i>Michael Perry</i>	Program Manager – Environmental Studies	29	CEQA and NEPA Compliance and Project Management, Phase I Site Assessments, Solid Waste Planning & Permitting
<i>Natalie Patty</i>	Project Manager/Senior Environmental Analyst	18	EIR/EISs, Initial Studies, Phase I Site Assessments, Contract Planning
<i>Frank Amendola</i>	Project Manager/Mining/Environmental Compliance Analyst	12	Air Quality/GHG Assessments, Phase I ESAs, Contract Planning, Mine Inspections, and Mine and Reclamation Plans, CEQA Compliance
<i>Lorraine Bueno</i>	Environmental Analyst/Regulatory Compliance Specialist	4	Biological Resources Report Preparation, Jurisdictional Delineations, Regulatory Permitting, Initial Studies
<i>Troy Goodwalt</i>	CAD Designer	31	Graphic Design & Illustration, 3-D Modeling, Visual Simulation, Volume Estimates
<i>Mary Jones</i>	Office Manager	28	Document Production and Distribution, Administrative Assistance

# ORGANIZATION AND STAFFING

Project Team Organization and Responsibilities:  
 Initial Study/Environmental Documents for  
 Robertson's Mine Reclamation Plan - City of Banning



## **ORGANIZATION AND STAFFING**

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### **Martin R. Derus**

#### **Principal-in-Charge/Project Director**

#### **Professional Experience Summary:**

Mr. Derus has 38 years' professional experience as a Project Director, Project Manager, and Senior Environmental Planner/Analyst. As President for Lilburn Corporation, he is responsible for project management, client and agency liaison, quality assurance, and technical analysis. Mr. Derus has experience in the management and preparation of environmental, mining, air quality, land use planning, and permitting projects. He has prepared numerous EIRs, EAs, mine/reclamation plans and site approval applications. In particular, Mr. Derus has unique long-term experience with the preparation and review of over 200 mine and reclamation plans and with operator and agency compliance with SMARA.

#### **Relevant Project Experience:**

Mr. Derus has been the Project Director/Project Manager for the following selected projects:

- EIR and Mine/Reclamation Plan for the Expansion of the Cemex and Robertson's Santa Ana Wash projects, cities of Highland and Redlands
- EIR and Mine/Reclamation Plan for Expansion of Mid-Valley Sanitary Landfill, Rialto
- Numerous mine/reclamation plans for salt evaporation projects in San Bernardino County
- EIR and Mine/Reclamation Plan for Granite's Liberty Quarry, Riverside County
- EIR for Azusa Quarry, City of Azusa
- EIR Addendum for Corona Quarry, City of Corona
- EIR for Sanger-Centerville Aggregate Operations Expansion, County of Fresno
- EIR for Hi-Grade Materials operations, City of Palmdale
- EIR for Desert Aggregates Five Bridges Road Quarry Expansion, Inyo County
- EIR/EIS and Mine/Reclamation Plan for Castle Mountain Mine Gold Project, San Bernardino County
- Mine/Reclamation Plans for Omya's Limestone Mines near Lucerne Valley
- Mine/Reclamation Plan for Mitsubishi's South Quarry project near Lucerne Valley
- Reclamation Plan for 900-acre Aggregate Mine in Lytle Creek, San Bernardino County
- Mine/Reclamation Plan for Molycorp's Mountain Pass Operation, San Bernardino County
- SMARA lead agency mine inspections for cities of San Bernardino, Azusa, Upland, and Corona and County of Ventura

#### **Education:**

B.S., Meteorology, San Jose State University, 1976  
Air Toxics Courses, University of California, Riverside, 1988

#### **Professional Affiliations:**

California Construction and Industrial Minerals Association (CalCIMA)  
Association of Environmental Professionals (AEP)

## **ORGANIZATION AND STAFFING**

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### **Steven A. Kupferman Principal Geologist/SMARA Compliance Specialist**

#### **Professional Experience Summary:**

Mr. Kupferman has over 40 years of professional experience as a geologist providing technical expertise to the mining/reclamation industry as well as performing engineering geologic and groundwater investigations. He spent 13 years with the U.S. Bureau of Land Management, retiring as Chief of the Energy and Minerals Division in Sacramento. He was the County Geologist in Riverside for 14 years where he was the mine-permitting SMARA lead, and reviewed and approved all fault hazard, liquefaction, landslide and related geo-environmental reports involving engineering geology, contamination, groundwater and geotechnical engineering issues for development projects, including residential, commercial/industrial, infrastructure, landfills and dam projects. Mr. Kupferman has performed exploration, mine permitting/reclamation, mineral appraisals and environmental assessments involving extensive coordination with federal, state, and local agencies.

#### **Relevant Project Experience:**

Mr. Kupferman's experience includes:

- Provided strategic guidance and direction for BLM's California minerals programs public lands to BLM's field offices, senior management, industry, and the public. Responsible for statewide programs including oil and gas, solid minerals, construction aggregate, geothermal, AML, CERCLA, and hazardous materials management.
- Prepared as a BLM team member and/or directed NEPA environmental impact analyses for mine expansion and development projects including:
  - CEMEX/Soledad Canyon project, a 56 million ton sand and gravel mine on BLM split-estate lands, northern Los Angeles County
  - A-1 Aggregates Dillon Road Mine, Coachella Valley
  - Crawford Aggregate Mine, Blythe
  - Haiwee and West Chocolate Mtn. Geothermal Leasing Projects
  - La Posta Sand and Gravel Mine, San Diego County
- Prepared SMARA plans and CEQA documents for mining and reclamation projects including:
  - EIR for the Coachella Valley Aggregates Company, Indio Mine
  - EIR for the Werner Corp. Glen Ivy Pit Expansion
  - EIR for the Robertson's Ready Mix Cabazon Mine Expansion
  - Eagle Mountain Rail-Haul Landfill
- Litigation support and witness testimony for litigation against the County related to the Eagle Mountain Landfill and Specific Plan Project

#### **Education:**

B.A., Geology, California State University, Fullerton, 1971

#### **Professional Registrations:**

California Professional Geologist  
California Certified Hydrogeologist  
BLM Certified Mineral Examiner

California Certified Engineering Geologist  
Certified Professional Geologist

## **ORGANIZATION AND STAFFING**

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### **Frank Amendola**

**Project Manager, Mining/Environmental Compliance Analyst**

#### **Professional Experience Summary:**

Mr. Amendola is Mining/Environmental Compliance Analyst with 12 years of professional experience in environmental compliance. He has experience in SMARA compliance and has assisted in the preparation of numerous Mine/Reclamation Plans. His experience also includes preparation of NEPA and CEQA documents, Phase I Site Assessments and Air Quality Assessments. He is responsible for data collection in the field and by contacts with clients and agencies, performing analysis of data, and preparing written reports. Mr. Amendola has served as a contract planner for the Town of Apple Valley and City of Rancho Cucamonga, preparing project application reviews and Initial Studies.

#### **Relevant Project Experience:**

Mr. Amendola has conducted Air Quality and Greenhouse Gas Assessments, assisted in the preparation of CEQA and NEPA documents, and provided SMARA compliance for the following selected projects:

- EIR for Azusa Rock Quarry Mine/Reclamation Plan, City of Azusa
- EIR for Granite Liberty Quarry Mine/Reclamation Plan, Riverside County
- Initial Study for Alberhill Southwest Shale Mine/Reclamation Plan, City of Lake Elsinore
- Initial Study for Mesquite Dry Lake Mine/Reclamation Plan, County of San Bernardino
- Initial Study and Mine/Reclamation Plan for Tetra Technologies Inc., Cadiz Lake
- Initial Study and Mine/Reclamation Plan for Ord Mountain Exploration Plan, San Bernardino County
- Mine/Reclamation Plan for Morris Mine, San Bernardino County
- Mine/Reclamation Plan for Hector Mine, San Bernardino County
- Mine/Reclamation Plan for Mesquite Dry Lake Mine, San Bernardino County
- Financial Assurance Cost Estimates for Molycorp Mountain Pass Mine
- Financial Assurance Cost Estimates for Security Paving Ft Cady Operation
- Financial Assurance Cost Estimates for Fort Cady Borate
- Financial Assurance Cost Estimates for Castle Mountain
- Financial Assurance Cost Estimates for Beck Mine Tailings
- Financial Assurance Cost Estimates for Mesquite Lake
- Annual Inspections for City of Azusa.
- Annual Inspections for City of San Bernardino

#### **Education:**

M.B.A., Business Management, California Baptist University, 2007

B.S., Environmental Health Science, California State University San Bernardino, 2002

#### **Additional Training**

Certificate of Completion, 2013 SMARA Inspection Workshop

## **ORGANIZATION AND STAFFING**

### **Lorraine Bueno**

#### **Environmental Analyst/Regulatory Compliance Specialist**

#### **Professional Experience Summary:**

Ms. Bueno has four years of professional experience in biology, regulatory permitting, and environmental compliance. She assists senior staff in the field, conducts data collection, prepares reports and permit applications, and coordinates permitting with regulatory agencies. She has assisted with field surveys for plants, desert tortoise, and general biological assessments. Her permitting experience includes preparing applications for 401 Certifications, 404 Nationwide and Individual Permits, and CDFW Section 1602 Streambed Alteration Agreements. She is experienced in working with local, State, and federal agency staff.

#### **Relevant Project Experience:**

- Revegetation Plan for Cajon Sand and Gravel Mine Site, San Bernardino County
- Baseline Vegetation Data Collection for Revegetation Plan at Iron Age Mine, County of San Bernardino
- Assisted in Field Data Collection and Report Preparation for Habitat Value Assessment - County of San Bernardino 322 Acres Adjacent to Prado Park, Chino.
- Revegetation Plan for Cajon Pass Sand and Gravel Mine, San Bernardino County
- Revegetation Plan for Mesquite Lake Gypsum Mine, San Bernardino County
- Revegetation Plan for Beck Mine Tailings Removal Site, San Bernardino County
- Revegetation Plan for US Iron Age Mine, San Bernardino County
- Jurisdictional Delineation for Ord Mountain Drilling Program, San Bernardino County
- Jurisdictional Delineation for Cadiz Lake Mine Operation Amendments, San Bernardino County
- NEPA Environmental Assessment and Regulatory Permitting for Upper Cactus Basins (3-5) Flood Control Enhancement Project, Rialto
- NEPA Environmental Assessment for U.S. Gypsum Company's Groundwater Monitoring Wells, Ocotillo
- Permitting and Section 7 Consultation Assistance and Mitigation Monitoring for U.S. Gypsum's Plaster City Quarry Expansion, Imperial County
- Permit Application Processing for Advanced Steel Storm Water Outfall to West Fontana Channel, Fontana
- Permit Application Processing for Mojave River West Levee Phase II, Victorville

#### **Education:**

B.S., Environmental Systems, University of California San Diego, 2010

#### **Additional Training**

- 40-hour Wetland Delineator Certification Program based on the U.S. Army Corps of Engineers Wetland Delineation Manual Technical Report Y-87-1, August 2013
- UCR Extension – Chaparral of Southern California, May 2013
- UCR Extension – Introduction to Plant Identification and Ecology, April 2012

## **ORGANIZATION AND STAFFING**

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**Resume**

**Fred Greve, P.E.**

**Managing Director**

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Fred Greve is a professional registered engineer who has been involved in noise and air quality impact assessments since 1973. His 36 years of experience as a consulting engineer includes over 28 years with Mestre Greve Associates, the company he co-founded with Vincent Mestre in 1981. Landrum & Brown acquired Mestre Greve in 2009. Since 1973, Mr. Greve has been a consultant to federal, state, and local agencies, and real estate developers, architecture and engineering companies, lawyers, and other private industry clients. He has been involved in noise and air quality measurement and modeling for traffic networks, airports, transportation corridors, stationary sources, and planned communities. This experience includes the development of noise and air quality monitoring programs, the modeling of future noise and air quality levels of traffic, aircraft and industrial sources, and development of mitigation programs.

Mr. Greve has managed over 2,000 noise studies during his career. The main focus has been to provide noise assessments for environmental documents. These assessments have addressed a variety of sources including Interstates, Tollroads, Airports, Amphitheaters, Landfills, Industrial and Commercial sources. Additionally, Mr. Greve has been part of the design teams for such varied projects as schools, hospitals, churches, resorts, and planned communities; and has worked for cities and counties and in developing their noise control standards.

Mr. Greve has prepared the noise assessments for numerous quarry operations including the Horowitz Quarry (County of Riverside), Ortega Rock Quarry (County of Orange), Arroyo Trabuco Sand and Gravel Plant (County of Orange), Match Sand and Gravel Plant (Banning), Hi-Grade Quarry Expansion (Palmdale), and a peer review for the Corona Quarry. Landfills have similar operational impacts as quarry operations and Mr. Greve has prepared the noise studies for many landfills including; North Orange County Landfill, Eagle Mountain Landfill, Bailard Landfill, BKK Landfill, El Sobrante Landfill, Lancaster Landfill, Toland Road Landfill, Prima Deshecha Landfill MRF, and Scholl Canyon Landfill.

### **EDUCATION / PROFESSIONAL REGISTRATION**

- MS, Environmental Engineering, University of California, Irvine, 1975
- BS, Civil and Environmental Engineering, University of California, Irvine, 1973
- BS, Biological Science, University of California, Irvine, 1973
- Registered Professional Civil Engineer, State of California (#31701), 1980

# ORGANIZATION AND STAFFING



**KUNZMAN ASSOCIATES, INC.** CARL BALLARD, LEED GA, PRINCIPAL ASSOCIATE

OVER 35 YEARS OF EXCELLENT SERVICE



## EDUCATION

California State University, Fullerton: B.S.,  
Mathematics, with emphasis in Probability and  
Statistics

University of California Institute of Transportation  
Studies Certificate

Institute of Transportation Engineers Professional  
Development Seminar Certificates

California State University, Fullerton, University  
Extended Education Services Certificate

## PROFESSIONAL HISTORY

RKJK & Associates, Inc., Partner

Urban Crossroads, Inc., Partner

Kunzman Associates, Inc., Partner

## AFFILIATIONS

American Planning Association (APA)  
Past Board of Directors

Association of Environmental Professionals (AEP)  
Past Board of Directors

Institute of Transportation Engineers (ITE)

Orange County Traffic Engineering Council (OCTEC)

Business Development Association (BDA)

Building Industry Association of Southern California  
(BIA)

## OVERVIEW

Carl Ballard has been involved in transportation planning and traffic engineering since 1982 and has completed numerous traffic studies in the States of California, Arizona, Colorado, Missouri, and Nevada. Carl has also been a partner in transportation planning firms within Southern California. Carl is involved in many aspects of the profession, including: site access evaluation, intersection capacity analysis, traffic forecasting, circulation planning, traffic impact studies, and transportation demand management plans. Transportation projects completed range from focused site-specific traffic studies to area wide circulation studies. Carl has written many traffic studies throughout the eight Southern California counties. He has managed and performed the technical efforts for general plan circulation elements, redevelopment plans, specific plans and environmental impact reports for public and private clients.

## HIGHLIGHTS OF EXPERIENCE

Carl has served as Project Manager on the following projects:

- **Alberhill Southwest Shale Mine Supplemental Traffic Analysis**  
The project site is located at the southerly terminus of Walker Canyon Road on the northeast side of the I-15 Freeway in the City of Lake Elsinore. The proposed project consists of a 15-year reclamation plan for an 86 acre mine site in the Alberhill Ranch Specific Plan area. The daily operation will consist of approximately 60 two-way truck trips dispersed evenly over a 10 hour period between 8:00 AM and 6:00 PM. Based on this focused traffic analysis and the previous 2007 analysis, the proposed project will not significantly impact the surrounding transportation system in the vicinity of the project site. In addition, because the proposed Alberhill Southwest Shale Mine project will be a temporary 15 year operation, no permanent traffic improvements are recommended.
- **Ranch Rock Mine Traffic Impact Analysis**  
The project site is located north of Fargo Canyon Road and west of Pierce Street in the County of Riverside. The project site is to be utilized as an aggregate mining site. The proposed project will have access to Fargo Canyon Road. The trip generation rates, project peak hour volumes, and project daily traffic volumes were generated for Opening Year (2008) and Biggest Day production. The trip generation is based upon data supplied by the applicant. The traffic report contains documentation of existing traffic conditions; trips generated by the project, distribution of the project trips to roads outside the project, and an analysis of future traffic conditions.

1111 TOWN & COUNTRY ROAD, SUITE 34  
ORANGE, CALIFORNIA 92668  
(714) 973-6363

WWW.TRAFFIC-ENGINEER.COM

# ORGANIZATION AND STAFFING

## RESUMES OF KEY PERSONNEL

### J. T. Stanton, P.E.

V.P. of Engineering

#### Education

*California Polytechnic University, Pomona, B.S. Civil Engineering & Surveying Engineering*

#### Registrations

*Registered Civil Engineer:*

*California No. C-70944*

*New Mexico No. C-19296*

*Arizona No. 53031*

#### Experience

*15 Years*

Mr. Stanton has designed and managed many types of Civil Engineering projects throughout Southern California. He has an extensive background in surveying, drainage, utility design and alternative energy projects. His responsibilities include preparation of studies, the designs and management of public and private projects.

In addition, he has worked extensively with Riverside County Waste Management providing engineering and field surveying services for the construction, expansion and maintenance of landfill sites all over Riverside County. Selected project experience includes:

- Design engineer for Surface Mining Permit (SMP) and Reclamation Plan. Werner / Chandler Mine Riverside County. Project included WQMP, Hydrology Study, all permit exhibits and coordination with County agencies.
- Project engineer for on-site improvements at TXI / Riverside Cement Plant in Victorville, CA. Provided project management to coordinate site improvements through the County of San Bernardino Building and Safety Department. Improvements were required for environmental compliance purposes.
- Design engineer for Surface Mining Permit (SMP) and Reclamation Plan. Mayhew Aggregates Mine Riverside County. Project included WQMP, Hydrology Study, all permit exhibits and coordination with County agencies.
- Design engineer for approximately 800' of concrete trapezoidal storm channel, including spillway with baffle walls in the City of Victorville. The construction of the channel allowed for development of the property and provides future proposed Cal Trans improvements.

- Design engineer for 1 1/2 miles of sewer main extension along Bear Valley Road, in the Town of Apple Valley, including a sewer lift station. Project was part of the development of the Apple Valley Plaza. The construction of these facilities allowed for expansion of the sewer service area.

- Design engineer for the construction of a daycare facility and the expansion of an existing Senior Center, in the City of Riverside. Project was part of the Riverside Park Department redevelopment of the Bordwell Park site.

- Design engineer for the expansion of an existing Community Center, in the City of Riverside. Project was part of the Riverside Park Department redevelopment of the Bryant Park site.

- Design engineer for the development of a 22 parcel industrial complex in the City of Desert Hot Springs. Project included onsite water, sewer, street and grading improvements.

- Design engineer for 2 1/2 miles of 14" D.I.P. and 12" P.V.C. water main extension for Apple Valley Ranchos Water Company in the Town of Apple Valley. Project was part of the development of the Apple Valley Plaza. The construction of the water main allowed for expansion of the water service boundary.

- Design engineer on hydrology study and design of debris basins for approximately 3 sq. miles of drainage area, related to the development of a residential subdivision in the county of Los Angeles.

11000 W. 11th Street, Suite 100, Los Angeles, CA 90024  
Tel: (213) 781-1100 Fax: (213) 781-1101



Joseph E. Bonadiman & Associates, Inc.

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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As requested and provided in other sections of this proposal, Lilburn Corporation has 25 years of experience in mine planning and permitting in compliance with the California Surface Mining and Reclamation Act (SMARA), and in environmental document preparation in compliance with CEQA and NEPA. Principals of the firm have been assisting the Counties of San Bernardino and Riverside in mine planning and mine reclamation since 1978 and were involved in preparing the first CEQA EIR for a mine project in San Bernardino County (1979). We are therefore knowledgeable of the requirements for preparing mine/reclamation plans and have worked with Lead Agencies and mining companies to evaluate and determine appropriate conditions for mine operations that have expanded beyond the permitted footprint and Reclamation Plan areas. Additionally, our staff have worked as contract City planners for the cities of Big Bear Lake, Loma Linda, and Rancho Cucamonga, and the Town of Apple Valley. As a part of our contracts with Lead Agencies to prepare CEQA documents, we typically prepare the staff reports and assist with presentations to the governing boards. All of our project work involves knowledge of local zoning ordinances, general plans, and planning policies.

To meet the requirements of SMARA and CEQA, the Initial Study and environmental document for the Robertson's Ready Mix (Robertson's) Banning Quarry will be based on a new reclamation plan for the entire 186-acre site. The 2013 Surface Mining Inspection Report for the Robertson's Banning Quarry, prepared by Aragon Geotechnical dated December 30, 2013 indicated that Robertson's mining consultant, Enviromine, is in the process of preparing a new reclamation plan that will cover the entire project site, including the 17 acres not included in previously approved reclamation plans for the site. This approach is consistent with California Surface Mining and Reclamation Act (SMARA) requirements for amending reclamation plans. SMARA regulations at Section 3502(e) require that an amended reclamation plan should be filed if the lead agency determines, after an inspection, that the surface mining operation can no longer be reclaimed in accordance with its approved reclamation plan. In addition, the amended reclamation plan should incorporate the current reclamation standards.

Our methodology for preparation of an Initial Study and focused studies (and EIR if required) for the Robertson's Mine Reclamation Plan is described herein. Our scope of work will lead to the City's adoption of a CEQA document that will provide for mitigation of environmental impacts and conditions for continued operation and reclamation of the mine site. We believe the project can be approved with an Initial Study/Mitigated Negative Declaration. However, we have provided a Scope of Work and Cost for preparation of an Environmental Impact Report if one is determined necessary following completion of a review of the new Reclamation Plan, Hydrology/Drainage Report, Slope Stability and Revegetation Plan; and preparation of the Initial Study, air quality/greenhouse gas assessment, focused traffic analysis, and focused noise assessment.

Our overall approach is summarized below. Following this summary, the tasks required are described in detail.

- Meet with City and Applicant to Review Reclamation Plan, Slope Stability Report, Revegetation Plan, Hydrology Study, and any Project Alternatives Considered
- Prepare a Comprehensive Project Description for use in the Initial Study and if required, the EIR

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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- Assist in Conducting Community Outreach Meeting & Scoping
- Conduct Technical Studies, as Determined Necessary
  - Air Quality/Greenhouse Gas Assessment
  - Focused Traffic Analysis (optional)
  - Focused Noise Assessment (optional)
- Develop an Initial Study and determine need for EIR
- Prepare a Notice of Determination (to adopt a Negative Declaration) or a Notice of Preparation (NOP) for EIR
- Review and discuss responses to circulated document
- Prepare Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for City adoption.
- Assist in preparation of Staff Report and Resolution as directed.

### **If EIR Recommended:**

- Circulate NOP and Review NOP Responses
- Conduct any additional technical studies
- Prepare Screen Check Draft EIR
- Prepare Draft EIR
- Prepare Notice of Completion & Initiate Public Review
- Prepare Final EIR & Mitigation Monitoring & Reporting Plan
- Prepare Statement of Overriding Considerations (if required)
- Prepare Final Notices

### **TASK 1: MEET WITH PROJECT APPLICANT AND CITY; REVIEW AVAILABLE DATA**

The purpose of this task is to collect and review all pertinent background data necessary to conduct the environmental analysis. We assume the Reclamation Plan will be available for review prior to initiating this task. In addition to the Reclamation Plan, Lilburn Corporation and our subconsulting engineering firm of Bonadiman Associates will provide a third-party review of the Slope Stability Report, Revegetation Plan, and Hydrology Study prepared by the Applicant's consultants.

This task will also include a site visit with project team members.

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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### **TASK 2: DEVELOP PROJECT DESCRIPTION FOR INITIAL STUDY**

In this task we will prepare a Project Description for use in the Initial Study that would also be sufficient for a subsequent EIR. The Project Description will be developed in cooperation with City staff and the Project Team. The Project Description will include a summary of the project as proposed, a discussion of the site plan, and the project's history and need.

We may also develop one Project Alternative that could be used for either a public meeting or for evaluation in an EIR if required. Alternatives may also be developed based on input received during public reviews. We will prepare graphics for use in the Initial Study, based in part on exhibits prepared to date by the project designers and engineers.

Final approval of the project description and alternative(s) will be provided by the City.

### **TASK 3: ASSIST IN CONDUCTING SCOPING/OUTREACH MEETING**

The City has determined the need for a community outreach effort to increase public awareness as well as project scoping with responsible/trustee agencies. Lilburn Corporation will assist in conducting a public outreach meeting. The public meeting held with interested/concerned residents and organizations would be at a location near the project site and at a time when most residents could attend. A scoping meeting, or scoping notification process with responsible trustee agencies will be held prior to work being initiated on the environmental documents as necessary. A determination of the most appropriate method for CEQA compliance will be made at the completion of Tasks 1 and 2.

Lilburn Corporation would provide a brief synopsis of the environmental review process and record all meeting comments, at the direction of the City. We will prepare a summary of any environmental, design, or site selection issues raised at the meeting. Should any new environmental issues be raised, we will discuss with staff how to incorporate them into the CEQA process.

### **TASK 4: CONDUCT TECHNICAL STUDIES**

We have identified three focused studies that may be required to provide a complete analysis of CEQA required topics. Two of these studies are considered at this time to be optional, based on the information we have currently reviewed. Upon approval of the studies to be undertaken by City staff, we will prepared the technical studies for use in the CEQA document. We will submit ten copies and a CD containing a draft of each completed documents prepared. Final copies will be submitted at the City's direction.

#### **Traffic Analysis**

Based on our review of the latest Mine Inspection report, reclamation of the site may require truck trips to import materials for backfilling and stabilizing slopes. Given the estimated timeframe for reclamation to begin, it may benefit the City to conduct a focused traffic study.

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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If determined necessary, a focused traffic analysis will be prepared under subcontract to Lilburn Corporation by Kunzman Associates, Inc. to determine the potential for traffic associated with completion of the project to impact the local roadway system. We will review the site plan access locations and internal circulation and then determine the scope of the Traffic Impact Analysis with the City of Banning.

The focused traffic analysis is anticipated to consist of (1) conducting a field survey to determine existing roadway conditions; (2) documenting existing traffic conditions at up to six (6) study area intersections; (3) determining project trip generation; (4) distributing the project trip generation to the street system; (5) determining traffic impacts with and without the project; (6) determining cumulative traffic volumes; and (7) mitigating the impacts. Mitigation measures may include roadway sizing recommendations, intersection controls, and special treatments such as left turn pockets and right turn lanes as might be required by the project. A draft and final report will be prepared and appropriate for inclusion in the CEQA document.

### **Air Quality Assessment**

An emissions inventory for criteria pollutants and an assessment of the estimated emissions as compared to existing South Coast Air Quality Management District (SCAQMD) CEQA significance thresholds will be prepared for the new Reclamation Plan. The inventory will be based on the estimated number of vehicle miles driven during reclamation, or the project's "operational" phase (to be provided by focused traffic analysis). The emissions estimate will take into account the efficiency of construction-related control measures acceptable or required by the SCAQMD.

Short-term dust and emission generation due to reclamation activities will be forecast. We will use data as provided by the Applicant; otherwise conservative estimates of construction activities will be utilized. The air pollutant emissions during construction will be compared to SCAQMD significance thresholds. Measures to reduce dust generation are required by the SCAQMD. Additionally, measures are contained in the Rules and Regulations for control of construction activity emissions, and these also will be included in the list of mitigation measures.

The estimated emissions will be calculated using the SCAQMD computer model CalEEMod. The model results are totaled on a daily and annual basis and compared to significance thresholds recommended by the SCAQMD. Depending on the degree of the potential impacts, mitigation measures will be recommended for implementation. These measures will reduce potential emissions. These would mainly be complying with standard measures required to control construction dust and reduce exhaust emissions.

The potential project and cumulative emissions will also be analyzed for consistency with the Air Quality Management Plan and the City's General Plan. These Plans have allotted or allowed for a specific increase in air quality emissions based on acceptable land uses and future development.

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### **Greenhouse Gas Assessment**

Carbon dioxide (CO<sub>2</sub>) is the major pollutant of concern for most greenhouse impacts. The CalEEMod model is used to calculate GHG emissions for methane gas (CH<sub>4</sub>), nitrogen dioxide (N<sub>2</sub>O), and Carbon Dioxide (CO<sub>2</sub>). The SCAQMD 3,000 MTCO<sub>2</sub>e threshold of significance will be used.

The CalEEMod model generates emissions from construction activities, vehicular usage, and from operational activities. Electrical generation and natural gas combustion emissions are included in the operational emissions. If specific usage rates are provided by the Applicant's Architect or Engineer, they will be used for the projections. Otherwise general estimates from the CalEEMod and other related off-road and on-road diesel emissions, models will be used to estimate natural gas and electricity consumption.

The California EPA Climate Action Team has developed a report that outlines strategies for meeting California's targets for GHG emission reductions. Compliance with GHG voluntary reduction strategies will be determined to allow project operations to be in compliance by reducing (to the extent feasible) global climate change. Potential conditions of approval that could be required to reduce project GHG emissions suggested by the California Air Resources Board would be reviewed for their applicability to the proposed project and any applicable measures would be presented for the City's consideration.

### **Noise Study**

Based on our review of the latest Mine Inspection report, reclamation of the site may require truck trips to import materials for backfilling and stabilizing slopes. Given the estimated timeframe for reclamation to begin, it may benefit the City to conduct a focused noise study in order to determine potential impacts to nearby residences. The need for a noise study is optional and will be evaluated and determined during initial meetings with the City and applicant. If required, this study would be prepared by Mestre Greve Associates under subcontract to Lilburn Corporation.

There are existing residential areas across from the mine site. The new Reclamation Plan for the site may include reclamation areas that are adjacent to the residential uses. Current permits require 200-foot setbacks and an 8-foot high berm along the property line. The addition area to be included in the Reclamation Plan, plus any other revisions to the existing plan may result in additional noise generation impacting nearby sensitive receptors. The optional noise analysis (if required) will evaluate reclamation activities associated with the entire site. In particular, heavy duty trucks hauling materials and equipment use in reclamation activities will be evaluated.

A minimum of four short-term noise measurements will be made in the vicinity of the project site. The measurement locations will focus on the areas of reclamation near the site boundaries, or areas that would generate excessive noise levels. Additional measurements may need to be made on-site to determine source noise levels for typical equipment that will be working in the area. *Note: the cost estimate is based on four measurement locations.*

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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The FHWA highway noise model ("FHWA Highway Traffic Noise Prediction Model," FHWA-RD-77-108) will be used in conjunction with the measurements to describe existing noise levels in the project vicinity. Community noise standards relevant to this project are contained in the City of Banning Noise Element and Noise Ordinance. Standards for the City will be summarized and their relevance to the project discussed.

On-site noise will be generated by the reclamation operations. Mitigation measures already in place (i.e., berms and setbacks) for the existing mining operations will be included in the analysis. There may also be an increase in truck trips due to newly defined reclamation activities. If so, off-site impacts due to an increase in truck traffic will need to be analyzed. The resulting noise levels will be forecasted and will be compared to ambient conditions and City standards to determine potential impacts.

Strategies will be identified for the control of noise as indicated by the impact analysis. The assessment will be organized in the standard EIR format of existing environment, potential impacts, and mitigation measures to facilitate inclusion of the report findings into the main text.

### **TASK 5: PREPARE INITIAL STUDY**

Based on the findings of our data review, the technical studies prepared, and the information contained in the Project Description, we will prepare an Initial Study/Environmental Checklist to evaluate all potential environmental impacts associated with the new Robertson's Reclamation Plan. We will utilize the City's format for an Initial Study.

We will submit five copies (and one CD, pdf and word) of the screen check Initial Study/Environmental Checklist to the City for review. The City will then make the determination as to whether a Negative Declaration/Mitigated Negative Declaration, or an Environmental Impact Report is the appropriate documentation for CEQA compliance.

If an EIR is not determined necessary, Lilburn Corporation will compile a distribution list of responsible and trustee agencies that should receive a copy of the Initial Study along with a Notice of Intent (NOI) to Adopt a Negative Declaration. The City may supply a list of any additional agencies and interested parties, as well as labels for a 300-foot radius mailing.

Following the City's review of the package, we will prepare copies and at your direction, distribute the Initial Study and NOI according to CEQA and the City's specifications. Proof of filing and distribution will be submitted to the City.

At completion of the 20-day public review, we will review any comments received and discuss the need for any changes to the project or the Initial Study with City staff. Once the document is finalized, we will provide a Notice of Determination (NOD) and any staff reports as requested.

### **PART 2 – EIR**

Following completion of the focused technical studies and the Initial Study, and/or based on comments received from responsible or trustee agencies, or the general public, a decision may be

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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made by the City to prepare an Environmental Impact Report. The scope of work that follows would be completed only if a Mitigated Negative Declaration is not determined the appropriate CEQA document for approval of the project.

### **TASK 6: PREPARE DRAFT EIR**

This task will be initiated with preparation of a Notice of Preparation to be circulated to agencies and other interested parties indicating the City's intent to prepare an EIR. Following receipt of any responses to the NOP, we will prepare a summary of any new issues raised that were not brought forward during the Initial Study/NOI review. The scope of the EIR may be refined after reviewing public comments received on the NOP.

Each of the technical studies prepared during earlier tasks will be incorporated into the EIR analysis and included as technical appendices. The EIR may be focused only on certain issues described as potentially significant in the Initial Study, or as raised by public comment. We have assumed in our cost estimate that a Focused EIR will be prepared to address only the following environmental topics:

- Air Quality
- Geology & Soils
- Hydrology
- Noise
- Traffic

The Hydrology analyses will rely on information provided by the Applicant's engineer. As required by CEQA, alternatives to the proposed project must be considered in an EIR. We will further develop the alternatives to the proposed project identified for purposes of the Initial Study. Other CEQA required issues to be included in the EIR include:

- Growth inducement
- Significant unavoidable impacts
- Significant irreversible changes in the environment
- Impacts found not to be significant
- Cumulative Impacts
- Summary of the EIR

Cumulative impacts will be addressed in detail due to the proximity of warehouses in the area. The cumulative impacts assessment will focus on, but not limited to, traffic, and air quality.

In addition to the Environmental Impact Analysis described above, the Draft EIR will include an Introduction, Project Description, Issues Determined Not Have Impacts, Summary of Issues and Mitigation Measures, a discussion of Alternatives to the Project, other Required CEQA Sections, a List of References and Glossary of Terms. An Executive Summary of the Draft EIR for submittal to the State Clearinghouse will also be prepared.

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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We will compile a document that meets the needs of the project and is compliant with CEQA. Up to five copies of the Screen Check Draft EIR document will be delivered to the Community Development Department for review. We anticipate two rounds of review by the City prior to completion of the Draft EIR for public review (five copies in each round).

Following completion of the review by staff of the Screen Check Draft EIR, we will meet to review and discuss all comments, and agree on the approach to revising the document. This will ensure that the Draft EIR responds effectively and adequately to concerns expressed by staff.

### **TASK 7: PREPARE NOC, DISTRIBUTE DEIR FOR PUBLIC REVIEW**

The Draft EIR will be completed and reproduced for public review. We will reproduce up to 50 hard copies and 50 CD copies of the Draft EIR, Notice of Completion/Notice of Availability, and Technical Appendices in MS Word. Additional copies will be included if necessary. Our scope of work and cost includes Lilburn Corporation distributing the document to the public based on a mailing list compiled by both Lilburn Corporation and City staff. Legal notices and filings of advertisements in local newspapers will be completed by City staff.

The City will receive originals of all notices and documents prepared. Lilburn Corporation will maintain an Administrative Record of the CEQA process, at the direction of the City's attorney. Procedures for document control, file content, written communications, and electronic correspondence will be established prior to completion of the Administrative DEIR.

### **TASK 8: REVIEW PUBLIC COMMENTS AND PREPARE RESPONSES**

Following receipt of all comment letters and any testimony received on the Draft EIR during the public comment period, Lilburn Corporation will discuss with the City the approach that will be undertaken to respond to comments and to prepare a Final EIR. All comments will be indexed, numbered, and appropriate responses will be developed. Our cost proposal is based on receiving a minimal number (less than 12) of comment letters and associated changes to the EIR.

The Response to Comments Chapter will contain each comment letter indicating the index and reference number of the comment, and the specific response to each. Five copies (and one CD copy) of the Screen Check draft Responses to Comments Chapter will be provided for staff review prior to final document preparation.

If any comments warrant the development of additional data or technical analysis, direction will be given by the City as to how it wishes Lilburn Corporation to proceed.

### **TASK 9: PREPARE FINAL EIR AND FINDINGS**

Upon completion of the environmental analysis, review of the Draft EIR, and development of the responses to comments, we will prepare a Mitigation Monitoring and Reporting Program (MMRP) to include any mitigation measures identified in the DEIR. Mitigation Measures may be amended as a result of public comments received and City responses to comments. Five copies (and one CD copy) of the Draft MMRP will be provided for staff's internal review and comment.

## **QUALIFICATIONS, DESCRIPTION AND APPROACH**

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The MMRP will be prepared in the City's preferred format and will contain at a minimum:

- Description of impact to be mitigated.
- Mitigation measure.
- Action to be taken to verify fulfillment of the measure.
- Identity of the agency and/or department responsible for implementing the action.
- Presentation of one mitigation measure per page of the MMP.

Once the MMRP is approved, we will provide one copy on CD and 20 printed copies to the City.

The Final EIR will consist of the Draft EIR, any revisions to the Draft EIR resulting from comments received, the MMRP and an additional chapter containing a compilation of all comments received, and responses to each comment on the Draft EIR.

Upon completion of the Final EIR we will submit one CD and five printed copies in MS Word; and 20 CD and 10 printed copies in pdf format.

In conjunction with the preparation of the Final EIR, Lilburn Corporation will prepare the Findings of Fact and Statement of Overriding Considerations as necessary, for review by Legal Counsel.

Following receipt of the City's comments on the Administrative copy of the Final EIR, we will prepare a final document for certification. We will prepare 25 copies (hard copy and CD copy) of the Final EIR.

### **TASK 10: MEETINGS & PUBLIC HEARINGS**

Throughout the preparation of the EIR, coordination with City staff will be regularly initiated to discuss results of analyses, resolve scope of work conflicts, obtain additional information as necessary, resolve any contract administration issues, and provide schedule updates. We anticipate a need for three meetings with staff and the Public Outreach Meeting. We will also attend a total of up to four public hearings (Planning Commission and City Council).

## **RELEVANT PROJECTS/SERVICES WITH REFERENCE**

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### **PROJECT PROFILES**

We are providing herein profiles of selected, relevant Initial Studies and EIRs completed over the past seven years. These profiles are followed by a listing of other SMARA compliance projects completed by Lilburn Corporation during the past seven years.

**EIR Granite Construction Company, Riverside County:** On behalf of Granite Construction Company, Lilburn Corporation prepared a Draft and Final EIR for a Mine Operation and Reclamation Plan for a 155-acre rock quarry proposed to be constructed on a 455-acre site in south Riverside County. The EIR was prepared under contract to Granite, and in accordance with the terms of a Memorandum of Understanding executed between Lilburn Corporation and the County of Riverside, Transportation and Land Management Department (Lead Agency). The project was proposed for an undeveloped site adjacent to the Santa Margarita Ecological Reserve, an open space conservation area used for research by U.C. San Diego. The project was highly controversial and key issues of concern addressed in the EIR included air quality, aesthetics, biological resources, cultural resources, geology, hydrology, land use compatibility, noise and vibration, and traffic. Lilburn Corporation worked with a number of subconsultants in preparation of the focused technical studies. During the review period for the Draft EIR, over 200 comment letters were submitted to the County. Following certification of the Final EIR and denial of the project, the project was later withdrawn by the Applicant.

*Lilburn Corporation Key Project Team: Principal: Stephen Lilburn, Project Manager: Martin Derus, Mine Coordinator/Environmental Analyst: Frank Amendola  
Client Contact: County of Riverside, Mr. David Jones, (951) 955-4608*

**EIR for Azusa Rock Quarry, Vulcan Materials Company, City of Azusa:** Lilburn Corporation prepared an Environmental Impact Report for Azusa Rock Quarry / Modification, Development Agreement and Revised Reclamation Plan under contract with the City of Azusa. The project is located adjacent to and northwesterly of the San Gabriel River, and contiguous to the Angeles National Forest in the City of Azusa. Key areas of environmental concern included aesthetics, air quality, biological resources, reclamation methods, and recreation. The Project was approved by the City Council in 2010. Litigation was filed regarding the adequacy of the EIR by the neighboring City of Duarte; all claims were dismissed by the Court in 2011 and the EIR was determined to be a thorough and adequate disclosure document.

*Lilburn Corporation Key Project Team: Principal: Stephen Lilburn, Project Manager: Martin Derus, Environmental Analysts: Cheryl Tubbs, Frank Amendola  
Client Contact: City of Azusa, Mr. Conal McNamara, (626) 812-5262*

**Final EIR/EIS and EIR Addendum for Plaster City Quarry and Plant Expansion, and Water Supply Pipeline, U.S. Gypsum, County of Imperial:** Lilburn Corporation prepared the Final EIR/EIS for the County of Imperial and the BLM; the Draft EIR/EIS had been prepared by others. In addition, Lilburn prepared the Plan of Operations, Mine Reclamation Plan, streambed delineations, and a Biological Assessment for the Quarry. The Mine Reclamation Plan describes the various components and phasing associated with the Quarry consisting of 2,000 acres of private and unpatented lands. Key environmental issues of concern included impacts to endangered species and groundwater supply. Lilburn Corporation subsequently prepared an

## **RELEVANT PROJECTS/SERVICES WITH REFERENCE**

Addendum to the EIR to address an alternative water supply pipeline project that was identified in the 2009 EIR/EIS.

*Lilburn Corporation Key Project Team: Principal: Cheryl Tubbs, Project Manager: Stephen Lilburn  
Client Contact: U.S. Gypsum Company, Mr. Lonnie Dyck, (760) 358-3234*

**EIR Vulcan Materials Company, Fresno County:** Lilburn Corporation prepared an EIR for the expansion of an existing aggregate mine with processing plants in the Sanger-Centerville area of Fresno County. Vulcan Materials proposed a Reclamation Plan to expand its current Sanger-Centerville Aggregate Operations from 220 acres to 660 acres within a 660-acre project site. The expansion required the County's issuance of a Conditional Use Permit to conduct mining activities on an additional 440 acres and to implement final reclamation. Issues addressed in the EIR included traffic and circulation, endangered species, air quality, noise, Williamson Act compliance, surface hydrology, and groundwater impacts. Both project and cumulative unavoidable significant impacts were determined to occur in the areas of land use and agriculture, and in traffic and circulation. Lilburn Corporation conducted a Public Scoping Meeting, prepared the Draft and Final EIR, and prepared a draft Findings and Statement of Overriding Considerations for County Counsel review.

*Lilburn Corporation Key Project Team: Principal: Stephen Lilburn, Project Manager: Martin Derus, Environmental Analyst: Frank Amendola  
Client Contact: County of Fresno, Ms. Teresa Acosta (retired)*

**EIR Hi-Grade Materials, City of Palmdale, County of Los Angeles:** Lilburn Corporation completed a Draft and Final EIR for the City of Palmdale for the proposed expansion of the existing Hi-Grade Materials aggregate operation in the Littlerock Wash. The project included the consolidation of two approved adjacent mine sites currently operating under separate Conditional Use Permits and mine reclamation plans, and the expansion into an additional adjacent 102-acre site for a total 395-acre mine reclamation site. The project included a request for annexation into the City of Palmdale and general plan and zoning map amendments to resolve land use designation conflicts between the City's two governing documents. The site is adjacent to three other active aggregate mine sites located to the east in the Littlerock Wash. However, residential development was encroaching into the area the City of Palmdale had recently approved single-family residential tracts, including several hundred homes, immediately adjacent to the Hi-Grade site. The project was approved and the EIR certified.

*Lilburn Corporation Key Project Team: Principal/Project Manager: Martin Derus,  
Client Contact: City of Palmdale, Mr. Richard Kite (661) 267-5200*

**EIR Addendum for Vulcan Corona Quarry, City of Corona:** The County of Riverside certified the 1989 Corona Quarry Environmental Impact Report (EIR) prior to the site being annexed to the City of Corona. Vulcan Materials Company (VMC), the Applicant, submitted an application to the City of Corona proposing to modify their existing permit (SMP 93-01) to allow mining activities to be extended by 90 years on the full 260 acres originally analyzed in the certified 1989 EIR. VMC was also requesting that a Development Agreement between VMC and the City be approved. Changes to the existing processing facilities or permitted maximum daily and annual production throughput limit of 5 million tons per year were not proposed. A complete

## **RELEVANT PROJECTS/SERVICES WITH REFERENCE**

project description discussing the revised mining area phasing and reclamation plan was addressed in the EIR Addendum and a comparison of existing permitted operations and the proposed revisions were provided. The following environmental topics were reviewed by Lilburn Corporation in preparing the EIR Addendum: 1) Aesthetics/Visual Resources; 2) Air Quality and Greenhouse Gas Emissions; 3) Biological Resources; 4) Cultural Resources; 5) Geology and Soils; 6) Hydrology and Water Quality; 7) Noise & Vibration; 8) Public Safety and Hazards; and 9) Traffic and Circulation.

*Lilburn Corporation Key Project Team: Principal: Cheryl Tubbs, Project Manager: Martin Derus, Environmental Analysts: Frank Amendola, Natalie Patty  
Client Contact: City of Corona, Ms. Joanne Coletta (951) 736-2272*

**EIR for Carmelita Mine, Fresno County:** The Proposed Project was a long-term phased aggregate mine on approximately 898 acres of agricultural lands 25 miles southeast of the City of Fresno. In June 2010 Colony Land Company submitted an application to Fresno County for a Conditional Use Permit, a Site Plan Review/Occupancy Permit, and a Reclamation Plan for 1,500 acres comprised of 14 parcels in the unincorporated area of the County. The Application requested an aggregate mine and related processing, asphalt, ready mix concrete, and recycling plants; for an aggregate production rate of 1.25 million tons/year and an operating life of up to 100 years. The project was highly controversial; questions that were raised in the public scoping meeting, in comment letters received after the scoping meeting, or in response to the NOP identified the primary issues to be resolved for the Proposed Project were: 1) Williamson Act withdrawals and impacts to the loss of agricultural lands; 2) air quality impacts associated with proposed operations; 3) impacts to surrounding land uses; 4) proximity to surrounding properties and potential health risks associated with operations; 5) water usage and impacts to existing and future sources of supply; 6) increases in ambient noise levels compared to existing site operations; and 7) cumulative traffic impacts from the three other sand and gravel operations proposed in the vicinity. Lilburn Corporation prepared the Draft and Final EIR which included peer reviews of the Applicant-provided technical reports.

*Lilburn Corporation Key Project Team: Principal: Stephen Lilburn, Project Manager: Martin Derus, Environmental Analyst: Frank Amendola  
Client Contact: County of Fresno, Ms. Teresa Acosta, Mr. Rick Thaxton (both retired)*

**Initial Study, Amended Plan of Operations and Mine Reclamation Plan, Scenery Report, and Water Supply Assessment for Expansion of Omya's Sentinel and Butterfield Quarries, San Bernardino County:** Combined, these applications propose the expansion of the existing Sentinel and Butterfield Quarries located on mining claims within the San Bernardino National Forest. Known limestone ore resources, within the proposed quarry expansions, will add an additional 20 years life to the Sentinel Quarry, add an additional 40 years life to the Butterfield Quarry, and will allow mining at both quarries to be extended until 2055. Reclamation will occur concurrently with mining. The proposed expansion includes 48.7 acres of disturbance at the Sentinel Quarry and 28.8 acres of disturbance at the Butterfield Quarry, for a total of 77.3 acres. Disturbance proposed for the Proposed Project includes expansion of existing Sentinel and Butterfield Quarries, expansion of associated overburden placement sites, additional internal access roads and ancillary facility areas, and minor adjustments to existing disturbance boundaries. Implementation of the Proposed Project will require discretionary approvals from Federal, State, and local agencies and Lilburn Corporation assisted the Applicant and lead

## **RELEVANT PROJECTS/SERVICES WITH REFERENCE**

agencies in the environmental review requirements of both the National Environmental Policy Act and the California Environmental Quality Act. Prior to submittal of the Application, Lilburn Corporation prepared the revised Plan of Operations, mine reclamation plan, a Water Supply Assessment, a Scenery Report, and a CEQA Initial Study.

*Lilburn Corporation Key Project Team: Principal/Project Manager: Martin Derus, Water Supply: Cheryl Tubbs, Scenery Report: Natalie Patty, Environmental Analyst: Frank Amendola*

*Client Contact: Omya California, Mr. Peter Sutherland (transferred out of country)*

**Initial Study for Holiday Rock's Antelope Valley Quarry and Plant, City of Palmdale:** Holiday Rock submitted a Conditional Use Permit Application to permit and modify the existing Antelope Valley Quarry and Plant surface mining operation. The aggregate mining use has been in continuous operation since 1952 under the ownership of various mining operators. At the time mining operations commenced, the site was located in unincorporated Los Angeles County and was ultimately annexed into the City of Palmdale in 1978. Lilburn Corporation prepared an Initial Study for the Application submitted to Palmdale for the following items: a) obtain a CUP issued by the City of Palmdale for compliance with the requirements of the Palmdale Zoning Ordinance; b) Mining, crushing, screening, sorting, loading, washing, weighing and transporting rock, sand, and gravel in accordance with the allowances and limits of the Antelope Valley Air Quality Management District operating permits; c) production of ready mix concrete and hot mix asphalt in accordance with the allowance and limits of the AVAQMD operating permits; e) receipt and production of recycled construction demolition materials (concrete, asphalt and similar materials); f) permit 24 hour operation of the above listed uses and activities; g) storage of diesel and gasoline in accordance with the allowances and limits of the AVAQMD operating Permits; and g) revise Reclamation Plan 89-1 under administrative approval to reflect the requested modifications and to comply with the current requirements of the Surface Mining and Reclamation Act (SMARA).

*Lilburn Corporation Key Project Team: Principal/Project Manager: Martin Derus, Mine Coordinator/Environmental Analyst: Frank Amendola*  
*Client Contact: Holliday Rock, Mr. John Holliday, (909) 982-1533*

**Initial Study and NEPA EA for Ord Mountain Exploration and Reclamation Plan, San Bernardino County:** SW Tech Corporation submitted an application for an Exploration and Reclamation Plan (Plan) for the Ord Mountain Gold/Copper Project on both privately-held patented lands and on unpatented claims managed by the Bureau of Land Management (BLM). The Plan consists of a planned 42 new drill holes on 29 new pads and 13 existing pads and approximately 1.15 miles of new access roads. Each drill pad will average 2,000 square feet (sq. ft.) for a total of approximately 1.4 acres (see Table 1). The access roads to the drill pads will average 12 feet in width; 10-foot surface width and 2 feet of shoulders. Widths of the roads will vary with terrain. The roads' acreage would be approximately 1.7 acres for a total new disturbance of approximately 3.1 acres. Permitting and reclamation will require compliance per Chapter 88.03 of the County of San Bernardino's Development Code to comply with the California Surface Mining and Reclamation Act implemented by the County as the lead agency. In addition, SW Tech submitted a Plan of Operations to the BLM per 43 Code of Regulations

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3809 for the exploration of mineral resources on BLM managed lands. Lilburn Corporation prepared the Initial Study and EA.

*Lilburn Corporation Key Project Team: Principal/Project Manager: Martin Derus, Mine Coordinator/Environmental Analyst: Frank Amendola  
Client Contact: SW Tech, Mr. Tom Chang, (626) 961-8286*

**Initial Study and Mine/Reclamation Plan for Beck Mine, San Bernardino County:** US Iron, LLC submitted a Reclamation Plan prepared by Lilburn Corporation for their Bureau of Land Management approved Plan of Operations to remove historically stockpiled iron ore tailings from a 20-acre site in accordance with SMARA and San Bernardino County requirements for implementing SMARA. The site is located on BLM managed public lands in the Kingston Range approximately 20 miles southeast of Tecopa, California, and approximately 1.5 miles east of the Beck Mine on a portion of the unpatented lode claim Iron Gossan #8 and on five mill sites designated Beck 1 through Beck 5 recently located over the tailings area to facilitate the proposed activity. The BLM in their Decision Record and Environmental Assessment approved the Beck Mine Mill Site POO for the removal and transport of the tailings to the Beck Mine processing plant and reclamation of the site. Unlike most reclamation plans which reclaim areas planned for mining, this Reclamation Plan will result in reclamation of a 20-acre site after the removal of existing stockpiled iron ore tailings deposited historically prior to the enactment of SMARA. Lilburn Corporation prepared the Initial Study for use by the County of San Bernardino.

*Lilburn Corporation Key Project Team: Principal/Project Manager: Martin Derus, Mine Coordinator/Environmental Analyst: Frank Amendola  
Client Contact: US Iron LLC, Mr. Mark Miller, (765) 210-4111*

**Initial Study and Reclamation Plan for Alberhill Southwest Shale Quarry, City of Lake Elsinore:** Lilburn Corporation prepared an Initial Study for evaluation of environmental impacts resulting from implementation of the proposed Reclamation Plan, as requested by Maruhachi Ceramics of America, Inc. The project site is vested for mining operations and although the site remains undeveloped, the use is approved and a mine permit is not required. However, an owner with vested rights for surface mining must obtain approval of a Reclamation Plan covering the lands to be disturbed by mining. Therefore, the Initial Study presents environmental analysis of the impacts associated only with the final Reclamation Plan. MCA produces customized clay roofing tiles for residential to high-end commercial developments. The company intends to begin mining the Alberhill Southwest Shale Mine site for clay material to supply the company's production facility in the City of Corona. Reclamation will occur concurrently as phases of the site are mined and the final reclamation of the site will be stable, with revegetated pads and slopes available for future uses consistent with the City's General Plan and the Alberhill Ranch Specific Plan.

*Lilburn Corporation Key Project Team: Principal/Project Manager: Martin Derus, Mine Coordinator/Environmental Analyst: Frank Amendola  
Client Contact: Delilah Properties, Mr. Yoshihiro Suzuki*

**RELEVANT PROJECTS/SERVICES WITH REFERENCE**

<b>Mine/Reclamation Plans</b>	
Mitsubishi South Quarry	County of San Bernardino
CEMEX Lytle Creek Tetra Technologies Inc. Cadiz Lake Operation	County of San Bernardino
Ord Mountain Exploration Plan	County of San Bernardino
OMYA White Knob Quarry	County of San Bernardino
OMYA Butterflied-Sentinel Quarries	County of San Bernardino
Beck Mine Tailings/Morris Mine	County of San Bernardino
Hector Mine, County of San Bernardino	County of San Bernardino
Mesquite Lake Operations	County of San Bernardino
Red Top Mine Operation	County of San Bernardino
Molycorp Mountain Pass Mine	County of San Bernardino
Liberty Quarry	County of Riverside
U.S. Gypsum Plaster City Quarry Gypsum	County of Imperial
Alberhill Southwest Shale Mine	City of Lake Elsinore
Holiday Rock Campus Ave and Foothill Facilities	City of Upland
Holiday Rock Antelope Valley Quarry	City of Palmdale
CEMEX Wash Plan	City of Redlands
CEMEX Wash Plan	City of Highland
Western Aggregates	County of Yuba
<b>Financial Assurance Cost Estimates</b>	
Molycorp Mountain Pass Mine	County of San Bernardino
Security Paving Ft Cady Operation	County of San Bernardino
Fort Cady Borate	County of San Bernardino
Ord Mountain	County of San Bernardino
Castle Mountain	County of San Bernardino
OMYA Quarries	County of San Bernardino
Beck Mine Tailings	County of San Bernardino
Mesquite Lake	County of San Bernardino
Red Top	County of San Bernardino
<b>Annual Inspections</b>	
County Wide Mine Inspection Program and Mineral Resource Inventory	County of Ventura
Annual Inspections	City of Azusa
Annual Inspections	City of San Bernardino
Annual Inspections	City of Palmdale
Annual Mine Inspections	County of San Bernardino
Annual Mine Inspections	City of Irwindale
<b>SMARA/Lead Agency Permitting Compliance Work</b>	
TXI, Oro Grande (prior to 2012)	County of San Bernardino
CEMEX, various sites (prior to 2012)	County of San Bernardino
Ft Cady Borate	County of San Bernardino
Pedry Mine	County of San Bernardino
Cal Portland	City of Colton
Vulcan	City of San Bernardino
Ranch Rock	City of San Bernardino
Robertson's, various sites (prior to 2012)	County of San Bernardino
Robertson's, various sites (prior to 2002)	County of Riverside
Red Top Cinders	County of San Bernardino

## **SCHEDULE**

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The schedule we propose is based on an assumed contract approval date of December 9, 2014. This provides for adoption of a Mitigated Negative Declaration by the middle of June 2015 and/or completion of the Final EIR for certification by the City Council in December 2015. This assumes that changes to the project proposal are not made after we begin work in late December. The schedule for the completion is however flexible and can be shortened or lengthened depending on a number of factors including the amount of time the various departments will need to review the technical studies and provide input, the number of comments received on the NOP and Draft EIR, and the number of public meetings City staff intends to hold during the process.

Milestones for each of the major tasks identified in our Scope of Work are shown on the following schedule. We are committed to meeting these milestone dates assuming no constraints to the schedule occur that are outside of our control. Key personnel listed in this proposal will be assigned to the project. All personnel have the capabilities to perform the work and their present workload has been accounted for in the schedule provided herein.

## SCHEDULE

<b>Schedule For Preparation of CEQA Documents</b>	
<b>Milestone</b>	<b>Completion Date</b>
Kick-off Meeting	December 11, 2014
Plan & Data Review	January 13, 2015
Prepare Project Description	January 26, 2015
Public Outreach Meeting	January 29, 2015
Focused Studies	March 5, 2015
Screen Check Initial Study	March 18, 2015
City Review	April 1, 2015
Finalize Document & Notices	April 6, 2015
30-day Public Review	May 6, 2015
Review Public Comments	May 15, 2015
Responses if required	May 29, 2015
Adoption of Negative Declaration	June 16, 2015
Prepare & Distribute NOP for 30-day Review	May 6, 2015
Prepare Screen Check Draft EIR	June 8, 2015
City review of Screen Check Draft EIR	June 22, 2015
Revise per City comments	July 1, 2015
City review (#2)	July 19, 2015
Prepare Public Draft EIR, NOA and NOC	July 29, 2015
Circulate Draft EIR for 30-day Public Review	August 31, 2015
Review Public Comments/ Responses to Comments	September 23, 2015
Prepare Admin Final EIR, MMRP, and Findings	October 7, 2015
City review of Responses to Comments and Final EIR	October 21, 2015
Prepare Final EIR for Print/Distribution	November 4, 2015
City Council Meetings/FEIR Certification	December 13, 2015

## BILLING RATES/COST PROPOSAL

The estimated costs to prepare the environmental documents for the Robertson's Mine Reclamation Plan, as discussed by the tasks described under Section 3 of Volume 1 are shown in the following Table 2. An estimated fee is provided for the Initial Study, optional focused studies, and an optional EIR. The total fee for each component is calculated from the number of hours estimated for each employee classification, and subconsultant and other direct costs per task. The total estimated not-to-exceed cost for completion of the Initial Study and three focused studies (two may be considered optional) is **Fifty-three Thousand Five Hundred Seventy Dollars (\$53,570)**. The total estimated not-to-exceed cost for completion of the Initial Study, three focused studies, and an EIR is **One Hundred Twenty-eight Thousand Seven Hundred Ten Dollars (\$128,710)**. The cost estimates provide for meeting attendance, travel costs for site visits, all subcontractors' work, document reproduction and mailing as noted in the Scope of Work.

We propose to initiate a meeting with City staff to discuss the various assumptions included in our proposed methodology and Scope of Work in order to determine a negotiated contract price. The purpose of this meeting would be to discuss any optional tasks and finalize the terms and conditions (as necessary) of the contract. Included at a minimum would be a discussion regarding the focused studies required for CEQA compliance.

Our goal is to provide the City with an adequate CEQA document for consideration of approving the Project Application. The cost estimate is based on the general assumptions described in our technical proposal. The hourly billing rates included on Table 2 and on Lilburn Corporation's Rate Schedule included as Table 3, will be valid through the duration of the project, assuming a completion date by December 31, 2015.

Cost management is an important responsibility of a reliable consultant; our project management system focuses on the monitoring of expenditures and level of effort assigned to the project to ensure adherence to budgets. Many factors outside of our control can affect costs. Costs can be reduced if issues are found to be less than significant in the scoping process, fewer meetings are required, or a lesser degree of analysis is required for certain project issues or alternatives. Likewise, estimated costs can increase if additional analysis is needed, additional alternatives are desired, issues are found to be more significant than anticipated, there are extensive comments to a screencheck document and consequently reflect a new direction on the environmental analysis, or additional meetings are required. Any City-required services beyond this scope (e.g. additional analysis, meetings, or report copies) will be negotiated, as appropriate, and considered in accordance with the billing rate schedule shown in Table 3.

### OTHER TERMS AND CONDITIONS

Lilburn Corporation agrees that the final ownership of all Draft and Final documents will be property of the City and we will deliver original documents of the Draft and Final documents in both hard copy and on CD using the format required by the City.

Should a delay in the authorization of a contract between the City and Lilburn Corporation exceed six months beyond the date of this proposal, we request the opportunity to review the proposal with the City prior to final contract negotiation.

Table 2: Cost Estimates

CEQA Documentation for  
Robertson's Reclamation Plan - City of Banning

COST CATEGORY	LABOR										TOTAL ESTIMATED COSTS	
	Principal/Project Director \$190/hr.	Principal Geologist \$190/hr.	Project Manager/St. Analyst \$125/hr.	Env. Analyst \$75/hr.	Senior CAD Designer \$105/hr.	Word Processor \$8.5/hr.	Labor Subtotal		Other Direct Costs			
							Hours	Costs				
<b>TASKS</b>												
Task 1: Kick-off Meeting, Site Visit & Data Review	12	12	8					32	\$5,560	\$4,570 <sup>a/b</sup>		\$10,130
Task 2: Project Description	4		6		8	2		20	\$2,520			\$2,520
Task 3: Public Outreach Meeting	4		10		4	4		22	\$2,770	\$650 <sup>b/c</sup>		\$3,420
Task 4a: Focused Traffic Analysis (optional)	2							2	\$380	\$9,765 <sup>a</sup>		\$10,145
Task 4a: Focused Noise Analysis (optional)	2							2	\$380	\$7,875 <sup>a</sup>		\$8,255
Task 4b: Air Quality & GHG Analyses	2		24					26	\$3,380			\$3,380
Task 5: Prepare Initial Study/Circulate	2	4	24	30	6	12		78	\$8,040	\$400 <sup>d</sup>		\$8,440
Task 6: Finalize Document & Attend Hearings	12		24	10		10		56	\$6,880	\$400 <sup>b/d</sup>		\$7,280
<b>SUBTOTAL - TASKS 1 - 6</b>	<b>40</b>	<b>16</b>	<b>96</b>	<b>40</b>	<b>18</b>	<b>28</b>		<b>238</b>	<b>\$29,910</b>	<b>\$23,660</b>		<b>\$53,570</b>
Task 6: Circulate NOP & Prepare Draft EIR	40	24	80	125		26		295	\$33,745	\$400 <sup>c/d</sup>		\$34,145
Task 7: Prepare NOC & Distribute DEIR 30-day Public Review	4			32		46		82	\$7,070	\$1,100		\$8,170
Task 8: Responses to Comments	32	10	36			16		94	\$13,840			\$13,840
Task 9: Final EIR, MMRP, Statement of Overrides	16		48	24		24		112	\$12,880			\$12,880
Task 10: Meetings and Hearings	16	16						32	\$6,080	\$25 <sup>b</sup>		\$6,105
<b>SUBTOTAL - TASKS 6 - 10</b>	<b>108</b>	<b>50</b>	<b>164</b>	<b>181</b>	<b>0</b>	<b>112</b>		<b>615</b>	<b>\$73,615</b>	<b>\$1,525</b>		<b>\$75,140</b>
<b>TOTAL TASKS 1 - 10:</b>	<b>148</b>	<b>66</b>	<b>260</b>	<b>221</b>	<b>18</b>	<b>140</b>		<b>853</b>	<b>\$103,525</b>	<b>\$25,185</b>		<b>\$128,710</b>

Note: Task 1 includes Site Visit and Hydrology Report Review by Bonadiman Engineers

Note: Task 10 Required for Either IS/MND or EIR; however fewer meetings may be required for Tasks 1 - 5

<sup>a</sup> Subconsultant - includes 5% Administrative Mark-up

<sup>b</sup> Mileage

<sup>c</sup> Reproduction/Graphics

<sup>d</sup> Mailing

**TABLE 3**  
**LILBURN CORPORATION**  
**STANDARD SCHEDULE OF CHARGES**  
*(Effective January 1, 2014)*

**PROFESSIONAL SERVICES**

**HOURLY RATE**

Principal .....	\$170 - \$190
Project Director.....	\$165
Program Manager.....	\$150 - \$160
Project Manager.....	\$140 - \$150
Assistant Project Manager .....	\$135
Senior Analyst/Planner .....	\$115 - \$130
Environmental Analyst/Planner.....	\$90 - \$110
Environmental Analyst/Planner I.....	\$70 - \$85
Regulatory Compliance Manager .....	\$125
Senior Biologist .....	\$110
Biologist.....	\$75 - 95
Senior Designer.....	\$95 - \$105
CAD Operator .....	\$70
Word Processor/Office Administrator .....	\$75 - \$80
Office Technician.....	\$70
Clerical/Student Intern.....	\$55

Expert witness testimony billed two times normal billing rates with a two hour minimum, plus expenses.

**EXPENSES AT COST PLUS 10%:**

- Travel (non-automobile)
- Lodging
- Auto and Truck Rentals
- Specialty Equipment and Rentals
- Delivery Services
- Printing (Blueprints, Photo Services, Color Copies, Specialty Supplies)

**OTHER DIRECT COSTS**

Auto Mileage (per current IRS or government rate).....	\$0.56 mile
Agency Permits/Fees .....	At Cost
Consultants and Subcontractors.....	Cost Plus 5 - 10%

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