



# STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

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Publication Date: October 2, 2017

## Notice of Public Hearing

### THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Public Hearing on:

Thursday, October 12 at 9:30 A.M.

#### LOCATION:

City of Fremont  
City Council Chambers  
3300 Capitol Avenue, Building A  
Fremont, CA 94538

**IN THE MATTER OF AN APPEAL BY BBG KRG, INC., REGARDING THE AMENDED  
RECLAMATION PLAN FOR THE MISSION CLAY PRODUCTS QUARRY  
(CA MINE ID# 91-01-0014)**

**PURSUANT TO THE SURFACE MINING AND RECLAMATION ACT  
(SMARA; Public Resources Code (PRC) Sections 2710 et seq.)**

The State Mining and Geology Board (Board) will hear an appeal filed on April 27, 2017, by Mark D. Harrison on behalf of BBG KRG, Inc. (Appellant) regarding the City of Fremont's (City) decision to deny approval of a reclamation plan amendment Appellant submitted to the City on April 10, 2017.

The surface mining operation is located south of Alameda Creek in the western end of Niles Canyon, off of Old Canyon Road in the City of Fremont. The project area consists of approximately 60.5 acres, which was the location of a former clay quarry and clay pipe manufacturing facility.

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*The mission of the State Mining and Geology Board is to provide professional expertise and guidance, and to represent in the representation of the State's interest in the development, utilization, and conservation of mineral resources, the reclamation of mined lands, and the development and dissemination of geologic and seismic hazard information to protect the health and welfare of the people of California.*

## Location

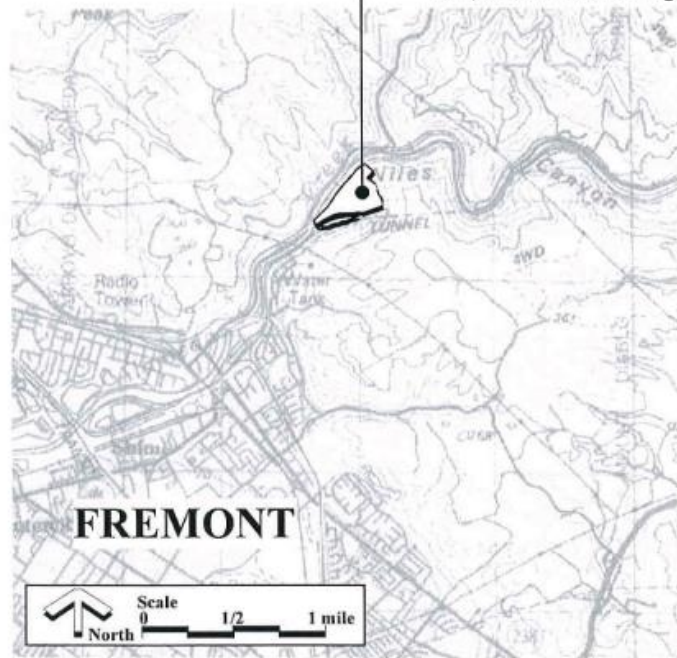
Vicinity Map



Project Location

Project Location

Site Location Map



Upon hearing the appeal, the Board shall determine whether the reclamation plan substantially meets the applicable requirements of Public Resource Code Sections 2772, 2772.1, 2773, 2773.1, 2773.3, and 2773.4; Article 1 (commencing with Section 3500), Article 9 (commencing with Section 3700), and Article 11 (commencing with Section 3800) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations; and the lead agency's surface mining ordinance adopted pursuant to subdivision (a) of Section 2774. If the Board determines that the amended reclamation plan substantially complies with these requirements, the Board will consider: (1) adoption of a Mitigation Negative Declaration and Mitigation Monitoring Program and Responsible Agency findings pursuant to the California Environmental Quality Act for the amended Reclamation Plan; and (2) approval of the Amended Reclamation Plan. If the Board determines that the Amended Reclamation plan does not substantially comply with these requirements, it will notify the Appellant of the deficiencies and direct it to submit a revised plan to the City within 30 days.

The Board invites the appellant, the lead agency, and the public to make statements regarding the regarding the Amended Reclamation Plan on appeal at the hearing before the Board.

Questions regarding the public hearing should be addressed to Jeffrey Schmidt, Executive Officer, or Amy Scott, Executive Assistant, State Mining and Geology Board at 916-322-1082 or by e-mail at [smgb@conservation.ca.gov](mailto:smgb@conservation.ca.gov).

