



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

DATE: April 21, 2026

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FROM: Tawanda Mtunga, Principal Planner
Development Services and Capital Projects Division

SUBJECT: **Unclassified Conditional Use Permit Application No. 3852 & Preliminary
Environmental Review No. 8909**

APPLICANT: CEMEX, Pete LoCastro, Area Manager

REPRESENTATIVE: Christine Jones

DUE DATE: **May 6, 2026**

Ples use the following link to access the application materials:

<https://www.fresnocountyca.gov/projectreview#CUP3852>

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing an application proposing to amend Unclassified Conditional Use Permit No. 3093 and 3755 to extend the operational time limit for an existing aggregate (sand and gravel) operation for one (1) year (extend expiration date from July 28, 2026 to July 28, 2027).

Cemex Construction Materials Pacific, LLC (Cemex) operates the Rockfield Quarry (CA Mine ID #91-10-0014) under Conditional Use Permits (CUPs) 3093, 3755 and related permits. Cemex proposes to extend these CUPs until July 28, 2027, an additional one-year extension beyond the current expiration date of July 28, 2026. This additional time is necessary to finalize the environmental impact report ("EIR") and respond to public comments for Cemex's proposed Rockfield Modification Project.

The Project includes the Plant Site and the Quarry Site as described below:

- Plant Site: CEMEX's current Plant Site is located on approximately 122 acres on the west side of N. Friant Road 0.65-miles north of Willow Avenue (APNs 300-070-56S, 57S, 58S, 59S, & 60S), and approximately 1.5-miles north of the nearest boundary of the City of Fresno.
- Quarry Site: CEMEX's current Quarry Site is located on approximately 354 acres on the west side of N. Friant Road at it intersection with Merrill Avenue (APNs 300-040-19 & 20, 300-080-0IS, 300-250-12 & portion of 300-310-01), and approximately 2.0-miles north of CEMEX's current Plant Site.

2. Background Information:

Cemex submitted CUP Applications No. 3666 and No. 3667 on December 6, 2019, to modify existing aggregate mining and processing operations. In 2022, CUP 3755 was submitted to extend CUP 3093 by four years to align with the estimated timeline for the Modification Project's permitting process. On appeal the Board of Supervisors granted a three-year extension on August 22, 2023, establishing the current expiration date of July 28, 2026.

Following the release of the Draft EIR in January 2025, the County received in excess of 600 comment letters. The County continues to move forward with completing the CEQA and permitting process for CUP Nos 3666, 3667 and EIR No. 7763, but the Final EIR may not be finalized before the current July 28, 2026, expiration date. This separate application is submitted to ensure continuous operations while the process for the Modification Project continues. All other aspects of existing operations will remain the same during this one-year extension, with no changes proposed to the existing mine and reclamation plan.

The existing EIR will be utilized for the current proposal unless reviewers identify additional issues pursuant to Section 15162 of the California Environmental Quality Act (CEQA). Section 15162 of CEQA states that no subsequent Environmental Impact Report or Negative Declaration shall be prepared unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Please review the attached information and respond to the attached questionnaire according to your specific area of expertise. Please indicate whether any of the above have occurred. Please describe any changes as indicated on the questionnaire.

NOTE: Please type or write legibly in ink.

APPLICATION NO: PRELIMINARY ENVIRONMENTAL REVIEW NO. 8909 AND UNCLASSIFIED
CONDITIONAL USE PERMIT APPLICATION NOS. 3852

QUESTIONNAIRE:

Based upon your review of the attached project information, please address the following questions and information.

(Check one)

1. _____ The proposed project is within the scope of the existing EIR. The project will have no additional significant environmental effects and no new mitigation measures are required.
2. _____ The existing EIR is no longer adequate for the proposed project because one or more of the following events as specified in the Environmental Quality Act Section 15162 have occurred:

(Check all that apply. In addition, please indicate the basis for your selection and identify any additional information that should be required.)

- (a) _____ Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (b) _____ Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (c) _____ New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Check here if you need a copy of the environmental determination _____.

Signature _____

Agency _____

Date _____

Phone _____

Please provide your project comments (not related to the EIR) on a separate sheet of paper.

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We must have your comments by **March 6, 2026**. Any comments received after this date may not be used.

NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Elliot Racusin, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4245, or email eracusin@fresnocountyca.gov

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Activity Code (Internal Review):2432

Enclosures

Project Description/Operational Statement
Cemex Rockfield
CUP 3755-A & CUP 3755-B Time Limit Extension

Friant Road, Fresno County, California
State of California Mine ID # 91-10-0014



Plant Site: 13475 N Friant Road



Quarry Site: 14765 N Friant Road

Prepared by

Cemex Construction Materials Pacific, LLC
4120 E Jurupa Street, Suite 202
Ontario, CA 91761

Submitted to:

Fresno County Department of Public Works and Planning
2220 Tulare Street, Street Level
Fresno, CA 93721

February 2026

PROJECT DESCRIPTION/OPERATIONAL STATEMENT

CEMEX ROCKFIELD CUP 3755-A and CUP 3755-B TIME LIMIT EXTENSION

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ATTACHMENTS

No.	Title
A	Existing CUPs Conditions of Approval

<u>CUP No.</u>	<u>Approval Date</u>
3093	10-21-04
3063	9-25-03

2209	6-10-86
Settlement Agreement	1-1-85
2032	6-7-84
367	11-7-60

**PROJECT DESCRIPTION/OPERATIONAL STATEMENT
CEMEX ROCKFIELD CUP 3755-A & CUP 3755-B TIME LIMIT EXTENSION**

This Project Description/Operational Statement has been prepared for the Cemex Rockfield CUP 3755-A & CUP 3755-B Time Limit Extension in response to the questions posed in the Fresno County Operational Statement Checklist.

Applicant/Operator:

Rene Morquecho, Quarry Manager
Cemex Construction Materials Pacific, LLC
Rockfield Quarry
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Fresno, Ca 93636
559-416-3147
rene.morquecho@cemex.com

Representative:

Christine Jones, Senior Manager Permitting &
Land Entitlements
Cemex Construction Materials Pacific, LLC
4120 E Jurupa Street, Suite 202
Ontario, Ca 91761
909-732-4569
christinem.jones@cemex.com

Site Addresses: 13475 (Plant Site) & 14765 (Quarry Site) North Friant Road, Fresno, CA 93636

1. Purpose and Scope

Cemex Construction Materials Pacific, LLC (Cemex) operates the 112 year Rockfield Quarry (CA Mine ID #91-10-0014) under Conditional Use Permits (CUPs) 3755-A & 3755-B and other related permits. Cemex proposes to extend CUPs 3577-A & 3577-B until July 28, 2027 (an additional one year) due to additional time necessary to respond to public comments and complete the environmental impact report (“EIR”) for Cemex’s proposed Rockfield Modification Project.

Six years ago, Cemex submitted CUP Applications No. 3666 and No. 3667 on December 6, 2019, for the Rockfield Modification Project to allow modification of the existing aggregate mining and processing operations. In 2022, an application was submitted to extend the expiration date for Rockfield’s existing CUPs by 4 years (to July 2027) which is how long Cemex believed it would take to complete the permitting process for the Modification Project. The Planning Commission approved the 4-year extension, however, the Board of Supervisors decided to only grant 3 years, giving the CUPs an expiration date of July 28, 2026. The DEIR for the Modification Project was released to the Public in January 2025 and in March 2025, over 600 comment letters were received on the DEIR. Although the County is following an aggressive schedule to complete the CEQA/permitting process, it may not be completed before CUPs 3755-A and 3755-B expire. This application to revise the expiration date is being submitted to be certain that our operations do not have to shut down and our employees do not have the distraction or worry about the possibility of being out of work as the process for the Modification Project continues.

CUPs 3755-A & 3755-B (and related permits, see background below) will expire on July 28, 2026. Cemex has the right to operate past this expiration date until final action is completed on the Rockfield Modification Project application and EIR. Cemex seeks to confirm this right by submitting an application that is separate from the Rockfield Modification Project. This separate application (the Project) proposes to only extend operations for an additional one year. All other aspects of existing operations will remain the same during the one-year extension period.

No changes are being proposed to the mine and reclamation plan and there will be no expansion of use beyond that currently existing. The conditions of approval (COA) for CUPs 3755-A & 3755-B (and related permits) will continue in effect for this project. The project involves ongoing operations or a continuation of past activity, the established levels of a particular use and the physical impacts thereof are considered to be part of the existing environmental baseline. The same environmental impacts for the project would occur as compared to existing operations, i.e. the CEQA baseline.

The Rockfield Quarry mining and processing operations are located on two properties between North Friant Road and the San Joaquin River in Fresno County; the Plant Site and the Quarry Site as described below (Exhibit A *Location Map*, Exhibit B *Existing CUPS/Vicinity Land Use*):

- Plant Site: Cemex's current Plant Site operations are located on approx. 122 acres owned by Cemex Construction Materials Pacific, LLC (APNs 300-070-56S, 57S, 58S, 59S, & 60S), approx. 1.5 miles north of the City of Fresno and approx. 0.7 mile north of the intersection of N. Willow Avenue and N. Friant Road (including portions of Section 36 T11N/R21E MDB&M).
- Quarry Site: Cemex's current Quarry Site is located on approx. 354 acres on the west side of N. Friant Road owned by RMC Pacific Materials, LLC, a wholly-owned subsidiary of Cemex (APNs 300-040-19 & 20, 300-080-01S, 300-250-12 & portion of 300-310-01) approx. 1.1 miles north of Cemex's current Plant Site and approx. 1.5 miles south of the town of Friant (including portions of Sections 24 and 25 of T11N/R20E MDB&M and Sections 19 and 30 of T11N/R21E MDB&M).

Background

Mining first occurred at the Quarry Site in 1913 through the 1920's. Aggregate mining resumed in the 1980's. Mining and processing operations have been located on the Plant Site since 1924. Together mining and processing operations have been continuous at the two sites for 109 years (1913-2022). (Exhibit C PLANT SITE Existing Conditions Aerial Photo, Exhibit D QUARRY SITE Existing Conditions Aerial Photo)

Cemex's current Plant Site operates under several Conditional Use Permits (CUPs) 367, 3063, 2032, 2209, 3093 and 3755-A. The CUPs allow aggregate mining of the alluvial deposit; plant operations including an aggregate processing plant, a ready-mix concrete plant, a hot-mix asphalt plant and related supportive facilities; and the processing of raw aggregate mined from Cemex's current Quarry Site. A portable plant is brought in periodically to recycle come-back concrete (unused concrete in mixer truck upon return to plant) into crushed miscellaneous base (CMB). Aggregate from the alluvial deposit has been partially mined from portions of the Plant Site. The entire Plant Site is disturbed by historical and current mining and processing operations with the exception of required setbacks from Friant Road (Exhibit E PLANT SITE – Site Plan).

At the Quarry Site, aggregate mining of the alluvial deposit has been permitted by Fresno County since 1960 under CUP 367. There has been active mining at the Quarry Site since the 1980's under several CUPs (367, 2032, 3063, 3093 and 3755-B). Since there are no plant operations permitted at the Quarry Site, the CUPs allow the interplant haul of approximately 1.4 million tons per year (MT/yr) of raw aggregate via Friant Road approximately 1.1 miles south to the Plant Site for processing. Most of the Quarry Site has been partially mined and is entirely disturbed by the current and historical mining operations with the exception of required setbacks from the San Joaquin River and Friant Road (Exhibit F QUARRY SITE – Site Plan).

2. Operational Time Limits

The permitted hours of operation under the existing CUPs are shown on Table 1.

Table 1 - Existing Permitted Hours of Operations

Activity	Typical Hours and Days
Plant Site	
Excavation (CUP 2209)	6:00 a.m. to 6:00 p.m., Monday through Friday
Asphalt Batch Plant (CUP 2209)	6:00 a.m. to 6:00 p.m., Monday through Friday
Concrete Batch Plant (CUP 2209)	4:00 a.m. to 6:00 p.m., Monday through Friday (May through October) 5:30 a.m. to 6:00 p.m., Monday through Friday (November through April) 6:00 a.m. to 1:00 p.m., Saturday (All year)
In the event of any emergency as determined by a governmental body or agency, excavation and processing may proceed as needed notwithstanding the aforesaid. (CUP 367 Area B, CUP 2209)	
Quarry Site	
Excavation (CUP 367 Area A; CUP 2032)	7:00 a.m. to 6:00 p.m., Monday through Friday
Routine maintenance of excavation equipment (CUP 367 Area A; CUP 2032)	7:00 a.m. to 8:00 p.m., Monday through Sunday

No changes to the existing permitted operational hours are proposed.

3. Number of Customers or Visitors

The existing CUPs permit an interplant haul of up to 225 truckloads per day (or 450 truck trips per day) of raw mined aggregate weekdays via the approx. 1.1-mile route on Friant Road between the Quarry Site and the Plant Site. The aggregate plant currently mines up to 1.4 MT of aggregate per year to produce construction material products for the Fresno Region.

The existing vehicle trips (one-way trips) are shown on Table 2.

Table 2
Existing Trip¹ Generation

Description	Employees	Interplant Truck Haul	All Other Trucks	Total Annual Average Daily Truck Trips
Existing	110	450	240	690

¹ One-way trips

No changes to the existing number of customers or visitors are proposed.

4. Number of Employees

There are currently 55, full-time employees at the Rockfield facility. In addition, there are 22 employees at Cemex’s concrete plant in South Fresno, which is supplied with aggregate products produced at the Plant Site, and 15 employees at CEMEX’s administrative office in Fresno.

No changes to the existing number employees are proposed.

5. Service and Delivery Vehicles

See Section 3, Table 2.

No changes to the existing number of service and delivery vehicle are proposed.

6. Access to Site

Access to the Plant Site and Quarry Site is from Friant Road designated in the Fresno County General Plan as an expressway (Exhibits E & F). Friant Road is a four-lane divided road with a speed limit of 65 mile per hour (mph) in the vicinity of the Plant Site and the Quarry Site. There are existing southbound acceleration lanes and northbound left-hand turn pockets, as required by the current CUPs, adequate to handle truck traffic at both the Plant Site and Quarry Site access roads respectively, with appropriate traffic warning signs.

No changes are proposed for access to both sites.

7. Parking

At the Plant Site, on-site parking exists for employees, customers, service/delivery vehicles and concrete mixers (Exhibit E).

No on-site parking exists at the Quarry Site (Exhibit F).

No changes to the existing parking are proposed.

8. Goods Sold On-Site or Produced On-Site

As discussed in Section 1, up to 1.4 MT/yr of mined aggregate is mined from the Quarry Site and trucked to the Plant Site for processing via an interplant haul on Friant Road.

At the Plant Site, processing of up to 1.4 MT/yr of mined aggregate from the Quarry Site is allowed under the existing CUPs. Annual sales of ready-mix concrete have been up to 189,500 cubic yards. Annual sales of asphalt have been up to 230,800 tons. Annual sales of CMB have been up to 25,000 tons.

At the Quarry Site, up to 1.4 million tons MT/y of aggregate is allowed to be mined under the existing CUPs.

No changes to the existing volume of aggregate mined or material processed are proposed.

9. Equipment

At the Plant Site, existing equipment and supporting facilities for the existing aggregate plant includes equipment such as: front-end loaders; water truck; conveyors; screens; screening towers; crushers, washers; sand cyclones; sand screws; sand/aggregate truck loadout bins; pollution control equipment; dewatering equipment and tanks; recycle water pumps; computer control tower; a maintenance shop; quality control lab; fuel tanks; and other accessory equipment and buildings.

Existing equipment and supporting facilities for the ready-mix concrete plant includes equipment such as: front-end loaders; concrete mixer trucks; ground aggregate storage bins; conveyors; batch plant; cement silos; pollution control equipment; storage buildings; mixer truck maintenance shop; batch office; and other accessory equipment.

Equipment for the diesel powered, portable recycle plant used periodically includes equipment such as: front-end loaders, crushers, screens and conveyors.

Aggregate products produced at the site are hauled off-site by trucking firms. Cemex concrete mixer trucks, haul ready-mix concrete. In addition, other concrete companies purchase ready-mix concrete and transport it in their own trucks. Trucking firms import cement, fuel and construction materials needed to supply the ready-mix concrete plant.

At the Quarry Site there is currently no processing equipment and there are no buildings.

No changes to the existing equipment are proposed.

10. Supplies or Materials Used or Stored

At the Plant Site construction aggregates produced by the aggregate processing plant are stockpiled on - site. Cement and additives for use in producing ready-mix concrete are delivered and stored in cement silos and containers respectively at the concrete plant. Diesel fuel for use by mobile equipment is delivered and stored in a tank in containment. Gasoline for use by the plant pickup trucks is delivered and stored in a tank in containment. Products needed to service the mobile equipment such as gear and lube oil, transmission fluid and various other products are delivered and stored at or near the maintenance shops. Wastes from the facility are stored in designated containers adjacent to the shop in the containment area and/or within the shops are recycled or disposed of in accordance with local, state and federal safety regulations. All materials are stored in accordance with a Hazardous Materials Business Plan (Haz Mat Plan) and a Spill Prevention Control and Countermeasure Plan (SPCC).

At the Quarry Site, there is currently no processing equipment and no materials are stored on-site.

No changes to the existing supplies or materials stored are proposed.

11. Appearance, Noise, Glare, Dust or Odor

At the Plant Site, in accordance with the current CUP conditions, there is an existing landscaped screen along the Friant Road frontage (Exhibit G). The landscaped screen will remain for the project.

At the Quarry Site, in accordance with the current CUP conditions, there is an existing, minimum five (5) foot high screening berm along the Friant Road frontage (Exhibit G) and an existing minimum fifteen (15) foot high screening berm along the south property line extending from the southwest corner of the site to approx. 475 feet from the Friant Road right-of- way.

At the Plant Site, as described in Section 2, operations occur primarily during daylight hours. There is existing outdoor lighting required to provide a safe operating environment during the time of year when daylight hours are shorter or for any nighttime operations. There are existing safety alarms on the moving equipment such as conveyors on the plants. All mobile equipment is equipped with backup alarms.

At the Quarry Site, as described in Section 2 above, operations occur primarily during daylight hours. There is no lighting currently on-site. All mobile equipment is equipped with backup alarms.

At the Plant Site, the aggregate plant and ready-mix plant have current Permits to Operate (PTO) from SJVAPCD. The portable recycle plant brought in periodically to recycle concrete operates under a portable PTO.

The facility complies with the SJVAPCD Regulation VIII, "Fugitive PM10 Prohibition". A water truck is used to control dust on the facility's unpaved and paved roads. A street sweeper is used to control dust and track out at the plant entrance.

At the Quarry Site, the operation complies with the SJVAPCD Regulation VIII. A water truck is used to control dust on the facility's unpaved and paved roads. A street sweeper is used to control dust and track out at the quarry entrance.

Cemex's recently retired Area Manager, Pete LoCastro, worked at the Rockfield Site since 1997. He does not recall receiving any odor complaints from the SJVAPCD.

No changes to the existing appearance, noise glare, dust or odor are proposed.

12. Solid or Liquid Wastes

At the Plant Site, domestic sewage is handled by conventional septic systems and serviced as necessary by commercial septic services. Solid waste, e.g., parts packaging, paper, etc., is deposited in dumpsters for pickup and disposal by Ponderosa Solid Waste company.

At the Quarry Site, there are currently no septic systems. Domestic sewage is disposed of by portable toilets and serviced regularly by a commercial portable toilet service. No solid waste is currently generated and there is no solid waste pickup.

No changes to the existing volume or handling of solid or liquid wastes are proposed.

13. Estimated Volume of Water Used

At the Plant Site the San Joaquin River is located approx. 0.6 miles to the west. Cemex has water rights to use river water for industrial purposes in connection with the processing of rock, sand and gravel. Water is diverted from the river to the Plant Site via a delivery ditch and the water then is used to wash the aggregate. After processing and cleaning the aggregate, water with fines washed from the aggregate is sent to the silt ponds where the silts and fines are settled out. Water from the silt ponds is then recycled back to the plant as process water and water from the river water ditch is added as necessary. The water trucks also use water recycled from the silt ponds to control dust on the haul roads at the Plant Site. In addition, the silt ponds serve as a source of recharge to the groundwater. The existing consumptive use of river water is an estimated 295 acre-feet per year (af/y). Cemex operates its silt ponds in accordance with Order No. 90-083 Waste Discharge Requirements (WDR) from the Regional Water Quality Control Board (RWQCB).

There are two (2) groundwater wells at the Plant Site. In addition, four (4) groundwater monitoring wells have been installed on the perimeter of the property. Groundwater levels range from 10-30 feet below ground surface (bgs). Approx. 35-af/y (rounded) of groundwater from on-site wells is consumed by the ready-mix concrete operations (35-af/y) and for domestic use (1-af/y), i.e., toilets, washing hands, etc. Bottled water is the drinking water source. The Department of Water Resources Control Board, Division of Drinking Water has determined a non-transient, non-community water system permit is not required.

At the Quarry Site, the San Joaquin River is located along the west side of the site. No surface water from the river is used at the site. Drinking water is not available on-site. There are two (2) groundwater wells on site. Both are inactive. In addition, fourteen (14) groundwater monitoring wells have been installed around the property. Groundwater levels range from 15-40 feet bgs.

Groundwater and surface runoff from rainfall accumulates in ponded pits created from historic and current mining and is pumped out to accommodate mining operations. Water is used by water trucks for dust control and is pumped to the existing groundwater recharge pond in the northeast corner of the site or is pumped to existing groundwater recharge trenches along the western boundary of the site. Existing total consumptive use is estimated to be 440 af/y.

No changes to the existing volume of water used are proposed.

14. Advertising

Existing company identification signs are located at the entrance roads to both the Plant Site and the Quarry Site in accordance with County signage regulations.

No changes to the existing company identification signs are proposed.

15. Existing or New Buildings

See Section 9 above.

No changes to the existing buildings or addition of new buildings are proposed.

16. Buildings or Portion of Buildings Used in the Operation

See Section 9 above.

No changes to the existing use of the existing buildings or portions of buildings are proposed.

17. Outdoor Lighting or Outdoor Sound Amplification System

See Section 11 above.

No changes to the existing outdoor lighting or sound systems are proposed.

18. Landscaping or Fencing

At the Plant Site, in accordance with the current CUP conditions there is an existing landscaped screen along the Friant Road frontage (Exhibit G). The landscaped screen will remain for the Project.

At the Quarry Site, in accordance with the current CUP conditions, there is an existing, minimum five (5) foot high screening berm along the Friant Road frontage (Exhibit G) and an existing minimum fifteen (15) foot high screening berm along the south property line extending from the southwest corner of the site to approx. 475 feet from the Friant Road right-of- way.

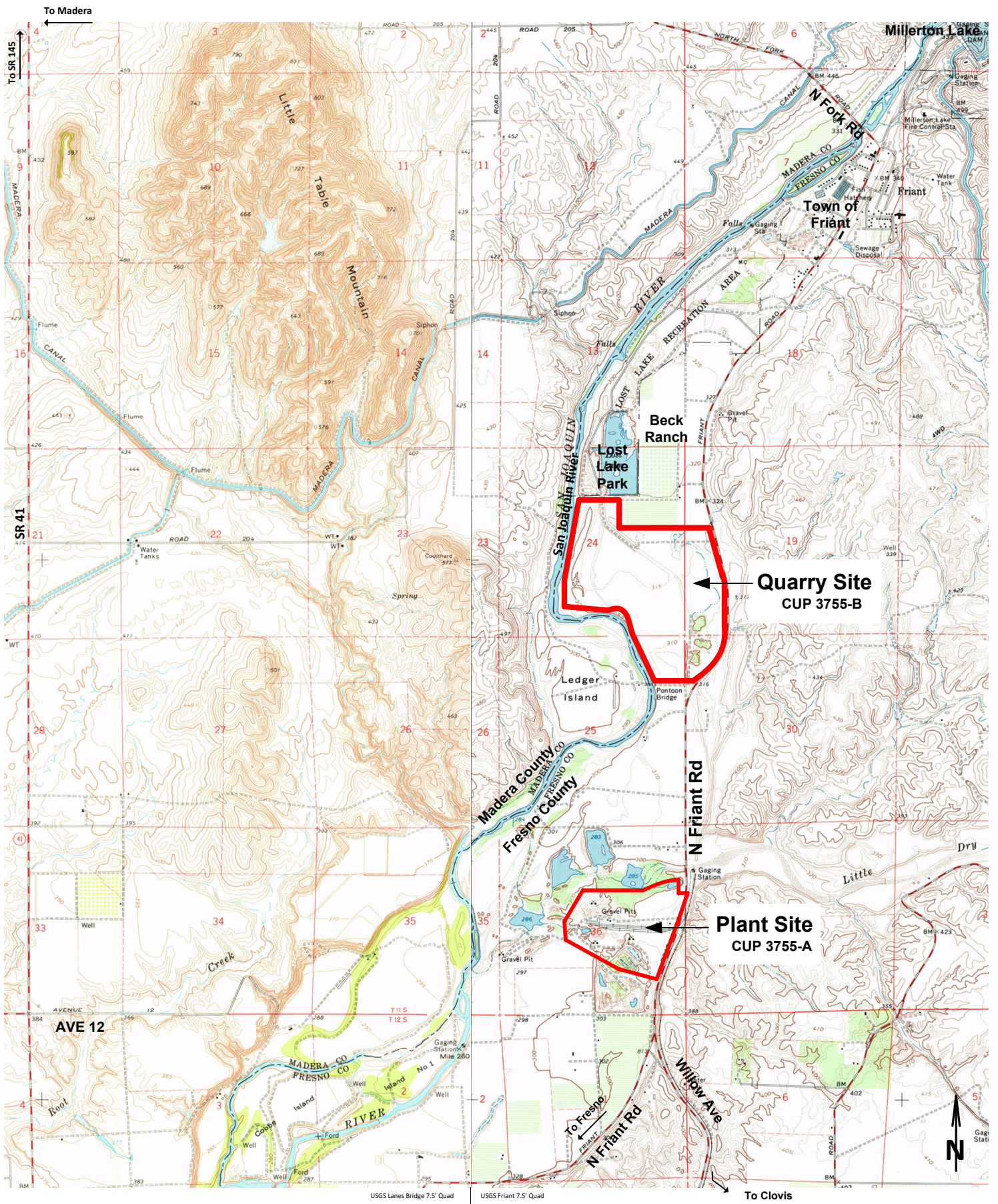
At the Plant Site, the perimeter of the property along Friant Road is fenced with four (4) foot high, barbed wire ranch fencing.

At the Quarry Site, the perimeter of the property along Friant Road, the southern property line and the west property line is fenced with four (4) foot high, barbed wire ranch fencing. The north property line between Lost Lake Park and the Quarry Site is fenced with six (6) foot high chain-link fencing.

No changes to the existing landscaping or fencing are proposed.

EXHIBITS

No.	Title
A	Location Map
B	Existing CUPs/Vicinity Land Use
C	PLANT SITE Existing Conditions
D	QUARRY SITE Existing Conditions
E	PLANT SITE – Existing Site Plan
F	QUARRY SITE – Existing Site Plan
G	Existing Conditions Photos



Cemex Rockfield
CUPs 3755-A & 3755-B Time Limit Extension
Friant Road, Fresno County
Exhibit A
Location Map



Google Aerial 4-21-21

Cemex Rockfield
CUPs 3755-A & 3755-B Time Limit Extension
 Exhibit B
Existing CUPs & Vicinity Land Use



Google Aerial 4-12-22

- Legend:**
- Property Boundary
 - == Paved Road
 - - - Unpaved Haul Road



0' 150' 300'
 Approx. Scale 1" = 300'
 Based on 24" x 36" Format

Cemex Rockfield
CUP 3755-A Time Limit Extension
Exhibit C
PLANT SITE
Existing Conditions Aerial Photo



Google Aerial 4-12-22

Legend:
 Property Boundary
 Paved Road



0' 300' 600'
 Approx. Scale 1" = 600'.
 Based on 24" x 36" Format

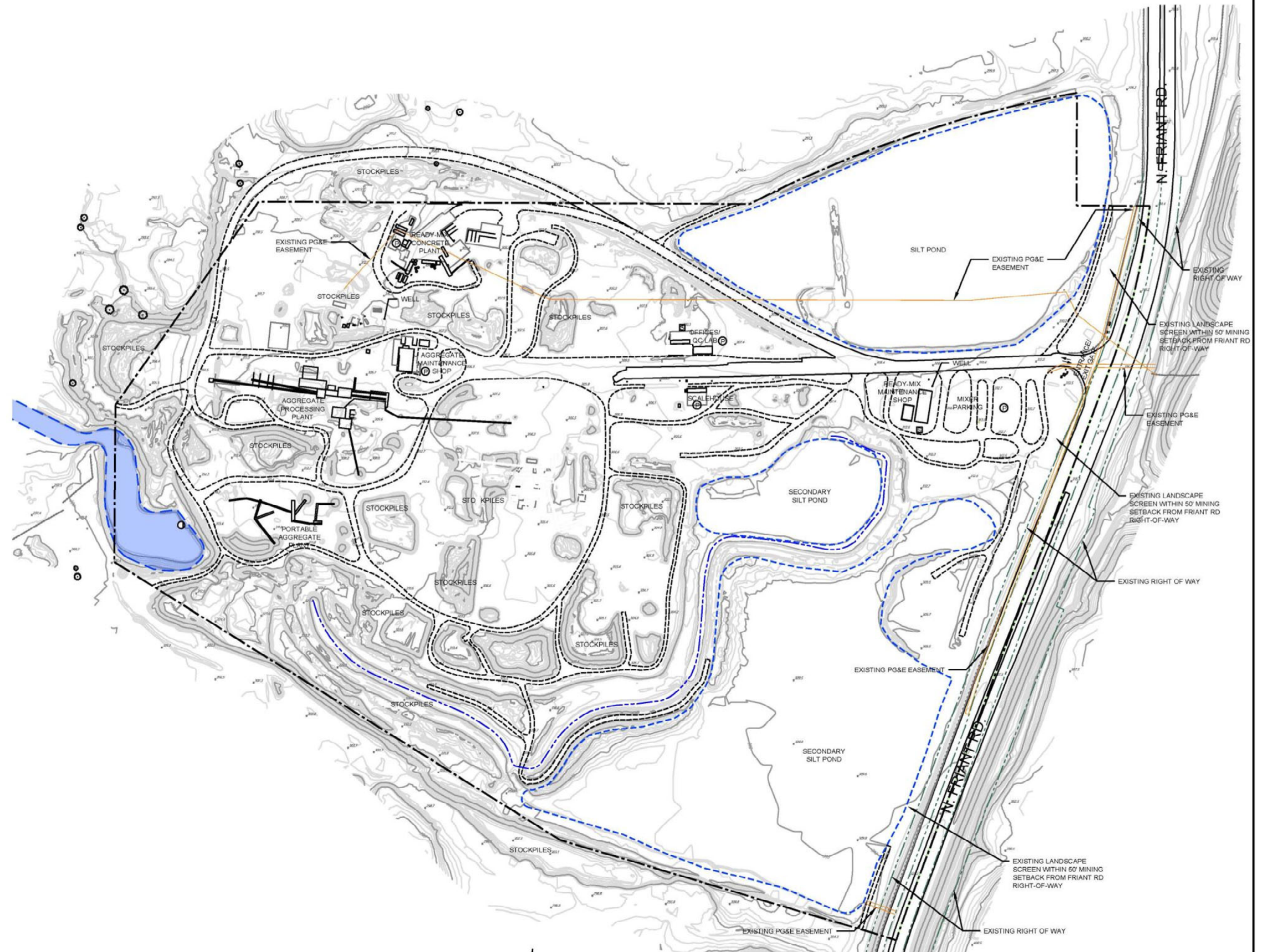
Cemex Rockfield
CUP 3755-B Time Limit Extension
Exhibit D
QUARRY SITE
Existing Conditions Aerial Photo

LEGEND

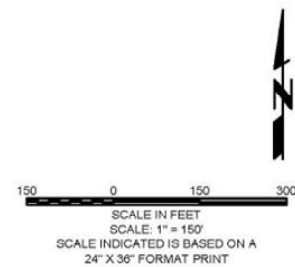
- PROPERTY BOUNDARY
- EXISTING CUP 3093
- EXISTING ACCESS ROADS
- EXISTING TOPOGRAPHY
- INGRESS/EGRESS
- EXISTING FENCE
- WASHWATER CONVEYANCE DITCH
- SEPTIC SYSTEM
- RIVER PUMP
- SILT POND FOOTPRINT (TYP.)
- SAN JOAQUIN RIVER DELIVERY DITCH
- EXISTING PACIFIC GAS & ELECTRIC (PG&E) EASEMENT
- EXISTING RIGHT OF WAY
- ⊙ PARKING

NOTES

1. DISTURBED AREAS AS SHOWN OUTSIDE OF THE PROPERTY BOUNDARY WILL BE RECLAIMED IN ACCORDANCE WITH THE CUP 367 'AREA B' RECLAMATION PLAN.



AERIAL TOPOGRAPHY BY: AEROTECH MAPPING, INC.
 CONTOUR INTERVAL: NOVEMBER 6, 2018
 SURVEY BOUNDARY BY: 2 FEET
 DATUM: R.W. GREENWOOD ASSOCIATES, INC.
 MARCH 20, 2019
 HORIZ= NAD83, CALIFORNIA ZONE 4, US FOOT
 VERT= NAVD88



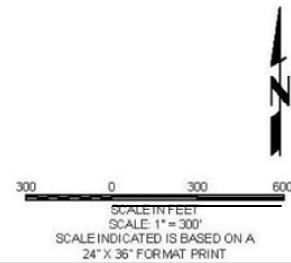
Cemex Rockfield
CUP 3755-A Time Limit Extension
Exhibit E
PLANT SITE – Existing Site Plan

LEGEND

- — — — — PROPERTY BOUNDARY (352.4 ACRES)
EXISTING CUP 3093
- — — — — EXISTING ACCESS ROADS
- — — — — EXISTING TOPOGRAPHY
- ↔ INGRESS/EGRESS
- — — — — GROUNDWATER RECHARGE TRENCHES
- — — — — EXISTING EASEMENT (AS LABELED)
- — — — — EXISTING RIGHT OF WAY
- PRESERVED TREE



AERIAL TOPOGRAPHY BY: AEROTECH MAPPING, INC.
 NOVEMBER 8, 2018
 CONTOUR INTERVAL: 2 FEET
 SURVEY BOUNDARY BY: R.W. GREENWOOD ASSOCIATES, INC.
 MAY 2, 2018
 DATUM: HORIZ= NAD83, CALIFORNIA ZONE 4, US FOOT
 VERT= NAVD88



Cemex Rockfield
CUP 3755-B Time Limit Extension
Exhibit F
QUARRY SITE – Existing Site Plan



Photo 1: Plant Site Entrance – View from Friant Road on the East



Photo 2: Plant Site Landscape Screen – View from Friant Road on the East



Photo 3: Plant Site – View from Willow Unit Ecological Reserve on the North



Photo 4: Plant Site – View from Willow Unit Ecological Reserve on the South



Photo 5: Plant Site – View from Willow Unit Ecological Reserve on the West



Photo 6: Wildlife Habitat Council Conservation Certification



Photo 7: Quarry Site _ Entrance & Screening Berm – View from Friant Road on the East



Photo 8: Quarry Site – View from Lost Lake County Park on the North



Photo 9: Quarry Site – View from South



Photo 10: Quarry Site – View from Madera Bluffs on the West



Photo 11: Quarry Site – View from San Joaquin River on the West

ATTACHMENTS

No. Title
A Existing CUPs Conditions of Approval

<u>CUP No.</u>	<u>Approval Date</u>
3093	10-21-04
3063	9-25-03
2209	6-10-86
Settlement Agreement	1-1-85
2032	6-7-84
367	11-7-60

RESOLUTION NO. 11848
October 21, 2004

Conditions of Approval
Initial Study Application No. 5169
Classified Conditional Use Permit Application Nos. 3093 and 3094

1. All conditions of Conditional Use Permit Nos. 367, 2032, 2235, 2241, 3063, and 3064 shall remain in full force and effect except as modified by the condition below.
2. The maximum number of daily truckloads generated from the excavation sites shall not exceed 225 and the processing operation shall be limited to 225 truckloads per day.

RESOLUTION NO.: 11776
September 25, 2003

Conditions of Approval
Unclassified Conditional Use Permit Application Nos. 3063 and 3064

1. All conditions of Conditional Use Permit Nos. 367, 2032, 2235 and 2241 shall remain in full force and effect except as modified by the condition below.
2. These permits shall expire on July 28, 2023.

RESOLUTION 9746
June 10, 1986

Conditions of Approval CUP 2209
Modifying Condition No. 2 of prior CUP 367

All operations shall be limited to workdays during the hours of 6:00 a.m. to 6:00 p.m., except as follows: (a) the cement plant may begin operations at 4:00 a.m. weekdays from May to October, and 5:30 a.m. November to April provided there shall be no delivery of bulk cement before 6:00 a.m. The cement plant may also operate from 7:00 a.m. to 1:00 p.m. on Saturdays year-around. (b) In the event of any emergency as determined by an governmental body or agency, excavation and processing may proceed as needed notwithstanding the aforesaid.

UNCLASSIFIED CONDITIONAL USE PERMIT NO. 367

Conditions for Area "A"

1. Extraction operations shall be allowed for a maximum of 20 years from the date extraction commences pursuant to Conditional Use Permit No. 367 (as modified hereby) or Conditional Use Permit No. 2032.
2. Excavation operations shall be limited to weekdays during the hours of 7:00 a.m. to 6:00 p.m., except that within a 700-foot radius of the southwest corner of APN 300-310-17, the hours of operation shall be 7:00 a.m. to 4:30 p.m. Routine maintenance of excavation equipment shall be allowed Monday through Sunday limited to the hours of 7:00 a.m. to 8:00 p.m.
3. No extraction shall be allowed east of Friant Road.
4. All extraction operations, including stockpiling, shall be set back a minimum of 200 feet from the existing San Joaquin River Channel. Riparian vegetation within 200 feet of said Channel shall not be disturbed.
5. Any areas of significant riparian vegetation within the site and not within said 200 foot river setback shall be preserved until sand and gravel excavation requires removal or destruction.
6. A berm shall be construed between the 310-foot and 320-foot contour lines on the north property line adjoining Lost Lake Park.
7. A 50-foot wide setback shall be provided from the Friant Road right-of-way line which will be established by the Site Plan Review. A berm and/or landscaping consisting of trees and shrubs shall be provided within the setback area to effectively screen the extraction site from Friant Road. The Director of the Resources and Development Department may allow the width of the berm or landscaped area to be less than 50 feet if effective screening can be demonstrated. The berm and/or landscaping shall be completed within six months from the date excavation commences pursuant to Conditional Use Permit No. 2032 or Conditional Use Permit No. 367 (as modified hereby).
8. A single, two-way driveway access shall be allowed on Friant Road at a point approximately 1,400 feet north of the south boundary of Section 19. The connection to

Friant Road shall be designed with a free right-turn minimum design radius of 30 mph.

9. A 150-foot, left-turn storage lane shall be constructed on Friant Road at the entrance to the extraction site.
10. A 2,500-foot acceleration lane, 14 feet in width, shall be constructed on Friant Road to accommodate trucks leaving the extraction site. The existing five-foot wide southbound bike lane shall be relocated and separated from the acceleration lane by a distance of ten feet to the west.

Note: Approximately 1,000 feet of the acceleration lane may be on-site.

11. Additional right-of-way for Friant Road shall be dedicated to the County as determined by the Site Plan Review approval.
12. Stockpiling of material shall not be allowed within 200 feet of Friant Road or that portion of the north property line adjoining Lost Lake Park unless Permittee screens any such closer stockpiling with approved landscaping so that it is not visible from Friant Road and the north property line of Lost Lake Park.
13. A dust palliative shall be applied to all haul roads as frequently as necessary to control dust. Dust palliatives may include road oil, water, magnesium chloride, or other proven materials.
14. The use shall be operated in compliance with the requirements of the Fresno County Air Pollution Control District.
15. The use shall be operated in such a manner as to avoid creating a dust or noise nuisance.
16. The Permittee shall allow the County Staff to periodically monitor the proposed use to assure all applicable standards of the General Plan Noise Element and the Noise Ordinance are being met. A recordable agreement allowing for this monitoring must be executed before excavation authorized by this permit is begun. Cost of this periodic monitoring shall be at the expense of the Permittee.
17. A drip irrigation system or its equivalent approved by the Director of the Resources and Development Department shall be provided to ensure maintenance of all landscaping.

18. A detailed rehabilitation plan shall be submitted prior to excavation. The plan shall specify proposed phasing and show the number of lakes and islands, and proposed final slopes, contours, and landscaping of the site. Final slopes above the seasonal lowest water line shall be 3:1 or flatter, and contouring shall provide an appearance consistent with the surrounding area. Landscaping shall be designed by an architect or landscape architect and shall include riparian-type species.
19. Each phase must be rehabilitated in accordance with the rehabilitation plan within one year after initiation of the subsequent phase. The berm on the north property line shall be retained until rehabilitation of entire site is completed.
20. The transport of material shall be conducted in a manner so as to avoid spillage on County roads. If spillage does occur, the Permittee shall provide for removal of sand and gravel from the roadway between the extraction site access road and the plant site as frequently as needed. A cash deposit shall be maintained in an amount of \$1,000 to allow the County to remove sand and gravel if corrective action is not taken by the operator within 24 hours of notification by the County.
21. All water bodies shall be designed to avoid stagnant water or shall be improved with appropriate circulation systems.
22. An archaeological survey shall be conducted prior to excavation.
23. All equipment shall be equipped with mufflers to minimize noise generation.
24. Prior to excavation, a Site Plan Review Application shall have been submitted to and approved by the Director of Resources and Development pursuant to Section 874 of the Zoning Ordinance.
25. Structural design of all improved public roads shall be in accordance with County standards and approved by the Director of Public Works.
26. The perimeter of the site shall be enclosed with a barbwire fence and maintained in good condition.

NOTES:

1. The proposed use is also subject to the mandatory conditions and standards of Zoning Ordinance Section 858 as specified on the attachment.
2. Discharge of water into the San Joaquin River shall be subject to a permit from the California Regional Water Quality Control Board.

CUP 367 January 1, 1985

Conditions for Area "B"

1. The processing plant operation shall be discontinued upon completion of material extraction allowed pursuant to Conditional Use Permit No. 2032, Conditional Use Permit No. 367 or upon the twentieth (20th) anniversary of the date of County approval of these Conditions, whichever occurs last. In no event shall the life of the operation exceed 20 years.
2. All operations shall be limited to weekdays during the hours of 6:00 a.m. to 6:00 p.m. except that in the event of any emergency as determined by any governmental body or agency, excavation and processing may proceed as needed notwithstanding the aforesaid.
3. Except for the main sand pile, the height of material stockpiles shall not exceed 25 feet unless the Permittee is able to satisfy County that it will plant landscaping which will, within five (5) years of planting, effectively screen such stockpiles from view from Friant Road.
4. Landscaping consisting of riparian-type trees shall be provided along the frontage of Friant Road and Birkhead Avenue to effectively screen the view of the plant and the stockpiles from the highway user within five years. A landscape plan shall be prepared by an architect or landscape architect and shall be submitted within 90 days of the date of this agreement. The landscaping shall be completed within six months of the approval of the plan.
5. A dust palliative shall be applied to all internal circulation roads as frequently as necessary to control dust. Dust palliatives may include road oil, water, magnesium chloride, or other proven materials.
6. The use shall be operated in compliance with the requirements of the Fresno County Air Pollution Control District.
7. The use shall be operated in such a manner as to avoid creating a dust or noise nuisance.
8. The Permittee shall allow the County Staff to periodically monitor the proposed use to assure all applicable standards of the General Plan Noise Element and the Noise Ordinance are being met. A recordable agreement allowing for this monitoring must be executed before excavation authorized by this permit is begun. Cost of this periodic monitoring shall be at the expense of the Permittee.

9. A drip irrigation system or surface ditch irrigation system or their equivalent approved by the Director of the Resources and Development Department shall be provided to ensure maintenance of all landscaping.
10. Within 90 days of the date of approval of this agreement, a Site Plan Review Application shall have been submitted to the Director of Resources and Development pursuant to Section 874 of the Zoning Ordinance.
11. A detailed rehabilitation plan shall be submitted as part of the required Site Plan Review. The plan shall show the number of lakes and islands, and proposed final slopes, contours, and landscaping of the site. Slopes shall be rounded and contoured to provide an appearance consistent with the surrounding area. The rehabilitation work shall be done in such a way as to preserve existing riparian vegetation. All rehabilitation work in areas where mining activity has been completed shall be finished within one year of the date of plan approval.
12. Subject to the approval of the Director of Development, Permittee shall take such corrective measures as may be necessary, if at all, to eliminate any stagnant water conditions in any existing or proposed ponds created or to be created by Permittee.
13. The perimeter of the site shall be enclosed with a barbwire fence and maintained in good condition.
14. Structural design of all improved public roads shall be in accordance with County standards and approved by the Director of Public Works.
15. Road improvements shall be made by Permittee in accordance with the schematic plan attached hereto and marked as Exhibit A. In no event shall Permittee be required to expend more than \$50,000 on such improvements.

Notes:

1. ~~The proposed use is also subject to the mandatory conditions and standards of Zoning Ordinance Section 858 as specified on the attachment.~~
2. Discharge of water into the San Joaquin River shall be subject to a permit from the California Regional Water Quality Control Board.

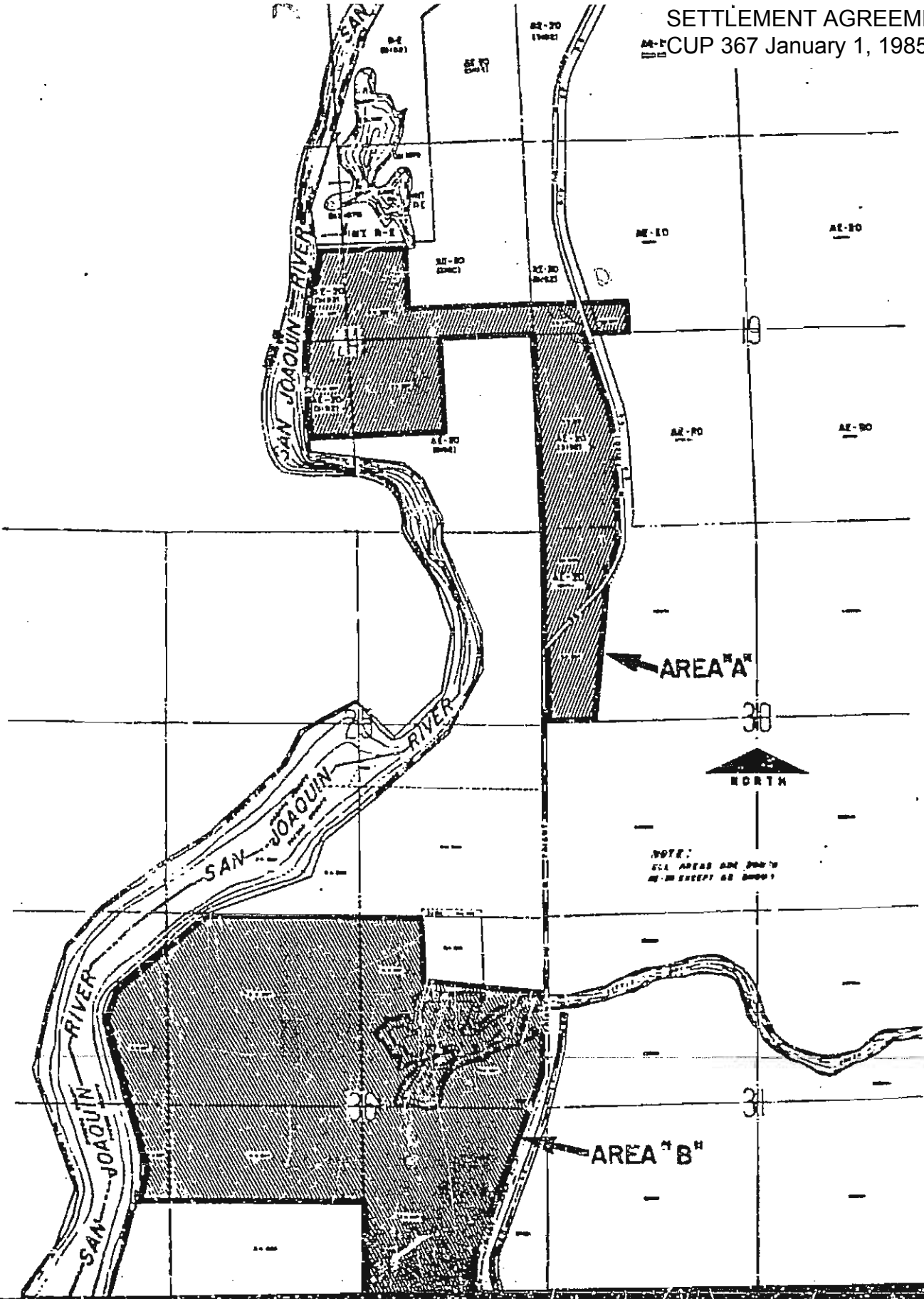


EXHIBIT "B"

Unclassified Conditional Use Permit No. 2032

1. Unclassified Conditional Use Permit No. 2032 shall expire eight years from the date excavation commences or upon expiration of Conditional Use Permit No. 367, whichever date is later, provided that in any event Unclassified Conditional Use Permit No. 2032 shall expire 15 years from the date of this resolution of approval.
2. Excavation operations shall be limited to weekdays during the hours of 7:00 a.m. to 6:00 p.m., except that within the southerly 700 feet of the property the hours of operation shall be 7:00 a.m. to 4:30 p.m. Routine maintenance of excavation equipment shall be allowed Monday through Sunday limited to the hours of 7:00 a.m. to 8:00 p.m.
3. Stockpiling of material shall not be allowed within 200 feet of the south property line, nor shall any excavation be allowed within a 260-foot radius of the front entry of the residence on the adjoining property to the south.
4. Haul roads shall be designed in a manner that will direct traffic away from the south property line.
5. A dust palliative shall be applied to all haul roads as frequently as necessary to control dust. Dust palliatives may include road oil, water, magnesium chloride, or other proven materials.
6. Sprinklers or other devices approved by the Resources and Development Department shall be utilized as needed in Phase I to minimize dust generation.
7. The use shall be operated in compliance with the requirements of the Fresno County Air Pollution Control District. (The applicant must file an application for authority to construct with the Fresno County Air Pollution Control District.)
8. The use shall be operated in such a manner as to avoid creating a dust or noise nuisance.
9. Prior to initiation of Phase I, a noise attenuation berm shall be constructed along the south property line and along the westerly boundary of the extraction site a distance of 400 feet from the south property line. The berm shall be a minimum of 15 feet in height, or at least five feet higher than the effective height of the noise source. That portion of the south berm adjacent to landscaping on the adjoining homesite shall have a slope of 3:1 or less and shall be landscaped with trees and/or shrubs similar to those on the homesite. The remaining portion of the berm shall be planted with native grasses.

EXHIBIT "B"

Unclassified Conditional Use Permit No. 2032

1. Unclassified Conditional Use Permit No. 2032 shall expire eight years from the date excavation commences or upon expiration of Conditional Use Permit No. 367, whichever date is later, provided that in any event Unclassified Conditional Use Permit No. 2032 shall expire 15 years from the date of this resolution of approval.
2. Excavation operations shall be limited to weekdays during the hours of 7:00 a.m. to 6:00 p.m., except that within the southerly 700 feet of the property the hours of operation shall be 7:00 a.m. to 4:30 p.m. Routine maintenance of excavation equipment shall be allowed Monday through Sunday limited to the hours of 7:00 a.m. to 8:00 p.m.
3. Stockpiling of material shall not be allowed within 200 feet of the south property line, nor shall any excavation be allowed within a 260-foot radius of the front entry of the residence on the adjoining property to the south.
4. Haul roads shall be designed in a manner that will direct traffic away from the south property line.
5. A dust palliative shall be applied to all haul roads as frequently as necessary to control dust. Dust palliatives may include road oil, water, magnesium chloride, or other proven materials.
6. Sprinklers or other devices approved by the Resources and Development Department shall be utilized as needed in Phase I to minimize dust generation.
7. The use shall be operated in compliance with the requirements of the Fresno County Air Pollution Control District. (The applicant must file an application for authority to construct with the Fresno County Air Pollution Control District.)
8. The use shall be operated in such a manner as to avoid creating a dust or noise nuisance.
9. Prior to initiation of Phase I, a noise attenuation berm shall be constructed along the south property line and along the westerly boundary of the extraction site a distance of 400 feet from the south property line. The berm shall be a minimum of 15 feet in height, or at least five feet higher than the effective height of the noise source. That portion of the south berm adjacent to landscaping on the adjoining homesite shall have a slope of 3:1 or less and shall be landscaped with trees and/or shrubs similar to those on the homesite. The remaining portion of the berm shall be planted with native grasses.

10. The applicant shall allow the County Staff to periodically monitor the proposed use to assure all applicable standards of the General Plan Noise Element and the Noise Ordinance are being met. A recordable agreement allowing for this monitoring must be executed before excavation authorized by this permit is begun. Cost of this periodic monitoring shall be at the expense of the applicant.
11. A 50-foot wide setback shall be provided from the Friant Road right-of-way line which will be established by the Site Plan Review. A berm and/or landscaping consisting of trees and shrubs shall be provided within the setback area to effectively screen the extraction site from Friant Road. The Director of the Resources and Development Department may allow the width of the berm or landscaped area to be less than 50 feet if effective screening can be demonstrated.
12. A drip irrigation system or its equivalent approved by the Director of the Resources and Development Department shall be provided to ensure maintenance of all landscaping.
13. A detailed rehabilitation plan shall be submitted prior to excavation. The plan shall show the number of lakes and islands, and proposed final slopes, contours, and landscaping of the site. Slopes shall be 3:1 or less, and contouring shall provide an appearance consistent with the surrounding area. Landscaping shall be designed by an architect or landscape architect and shall include riparian-type species.
14. All water bodies shall be designed to avoid stagnant water or shall be improved with appropriate circulation systems. Corrective measures shall be taken to eliminate the stagnant condition of the pond adjacent to the plant site.
15. All extraction operations, including stockpiling, shall be set back a minimum of 200 feet from the existing San Joaquin River Channel. Riparian vegetation shall not be disturbed.
16. An archaeological survey shall be conducted prior to excavation.
17. All equipment shall be equipped with mufflers to minimize noise generation.
18. ~~Each phase must be rehabilitated in accordance with the rehabilitation plan within one year after initiation of the subsequent phase. The berm on the south property line shall be retained until rehabilitation of entire site is completed.~~
19. The transport of material shall be conducted in a manner so as to avoid spillage on County roads. If spillage does occur, the applicant shall provide for removal of sand and gravel from the roadway between the extraction site access road and the plant site as frequently as needed. A cash deposit shall be maintained in an amount of \$1,000 to allow the County to remove sand and gravel if corrective action is not taken by the operator within 24 hours of notification by the County.

20. Any areas of significant riparian vegetation within the site shall be preserved. Extraction shall be prohibited in these areas.
21. Prior to excavation, a Site Plan Review Application shall have been submitted to and approved by the Director of Resources and Development pursuant to Section 874 of the Zoning Ordinance.
22. A single, two-way driveway access shall be allowed on Friant Road at a point approximately 1,400 feet north of the south boundary of Section 19, Township 11 South, Range 26 East. The connection to Friant Road shall be designed with a free right-turn minimum design radius of 30 mph.
23. A 150-foot, left-turn storage lane shall be constructed on Friant Road at the entrance to the extraction site.
24. A 2,500-foot acceleration lane, 14 feet in width, shall be constructed on Friant Road to accommodate trucks leaving the extraction site. The existing five-foot wide southbound bike lane shall be relocated and separated from the acceleration lane by a distance of ten feet to the west.

Note: Approximately 1,000 feet of the acceleration lane may be on-site.
25. Additional right-of-way for Friant Road shall be dedicated to the County as determined by the Site Plan Review approval.
26. A stop sign shall be installed at the processing plant access driveway on Friant Road to control traffic leaving the plant in a northerly direction.
27. A 200-foot, southbound deceleration lane shall be constructed at the entrance to the processing plant.
28. Structural design of all improved roads shall be in accordance with County standards and approved by the Director of Public Works.
29. The perimeter of the site shall be enclosed with a barbwire fence and maintained in good condition.

NOTES:

1. ~~The proposed use is also subject to the mandatory conditions and standards of Zoning Ordinance Section 858 as specified on the attachment.~~
2. Discharge of water into the San Joaquin River shall be subject to a permit from the California Regional Water Quality Control Board.

Table

UNTERGRADUATE

MALOWA CO
FRANCO ISD

FRONT
FRIANT

WILLOW
RIVER

LAKE
RANWATON AREA

BECK RANCH

CUP 367

LONE STAR
EXCAVATION SITE

CUP 2032

CUP 367
LEDGER
ISLAND

SUMNER HILL
SUBDIVISION

FRIANT RD

CUP 367
BALL RANCH

PLANT SITE

WILLOW
AVE

NORTH

SOURCE: FROM - BUNTING & ASSOCIATES

LONE STAR
PROCESSING PLANT
SUPPLEMENTAL EIR

LOCATION MAP

FIG.
1

Conditions of Approval CUP 367

1. That the applicant and the owners of the subject property develop a plan for the orderly development of the property by stages.
2. That a margin of land be provided on the periphery of the property sufficient to prevent hazard to abutting properties, subject to approval of the Fresno County Public Works director.
3. Southern and western boundaries to be fenced except along the river.
4. Norther area approved, subject to examination of methods of operation at a future date.



Fresno County Department of Public Works and Planning

Date Received:

(Application No.)

MAILING ADDRESS:

Department of Public Works and Planning
Development Services Division
2220 Tulare St., 6th Floor
Fresno, Ca. 93721

LOCATION:

Southwest corner of Tulare & "M" Streets, Suite A
Street Level
Fresno Phone: (559) 600-4497
Toll Free: 1-800-742-1011 Ext. 0-4497

APPLICATION FOR:

- Pre-Application (Type)
Amendment Application
Amendment to Text
Conditional Use Permit
Variance (Class)/Minor Variance
Site Plan Review/Occupancy Permit
No Shoot/Dog Leash Law Boundary
General Plan Amendment/Specific Plan/SP Amendment
Time Extension for CUP 3755-A and CUP 3755-B
Director Review and Approval
for 2nd Residence
Determination of Merger
Agreements
ALCC/RLCC
Other

DESCRIPTION OF PROPOSED USE OR REQUEST:

Extend the time limit of CUP 3093 by one (1) year from July 28, 2026 to July 28, 2027 for existing mining and processing operations located on two properties: the Plant Site located approx. 0.7mi north of Willow Ave and the Quarry Site located Approx. 1.1 mi north of the Plant Site and just south of Lost Lake Park.

CEQA DOCUMENTATION: Initial Study PER N/A Certified EIR 7/28/87, B of S Resol #87-310; IS #4924 9/5/03, PC Resol #11776; IS #5169 10/21/04, PC Resol #11848

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. Attach Copy of Deed, including Legal Description.

LOCATION OF PROPERTY: West side of N Friant Road
between N Willow Ave and Lost Lake Park
Street address: 13475 N Friant Road (Plant Site) and 14765 N Friant Road (Quarry Site), Fresno, CA 93626

APN: 300-070-56S,57S,58S,59S,60S Parcel size: Total 122 ac Section(s)-Twp/Rg: S 36 - T 11 S/R 21 E

ADDITIONAL APN(s): 300-040-19 & 20, 300-080-01S, 300-250-12, 300-310-01 Total 354 ac S24&25 - T11S/R20E S19&30 T36S/R21

I, (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

Table with 5 columns: Name, Address, City, Zip, Phone. Rows include CEMEX Construction Materials Pacific, LLC, Pete LoCastro, and Christine Jones.

CONTACT EMAIL: christinem.jones@cemex.com or pete.locastro@cemex.com

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: Fee: \$
Application Type / No.: Fee: \$
Application Type / No.: Fee: \$
Application Type / No.: Fee: \$
PER/Initial Study No.: Fee: \$
Ag Department Review: Fee: \$
Health Department Review: Fee: \$
Received By: Invoice No.: TOTAL: \$

UTILITIES AVAILABLE:

WATER: Yes [] / No [x]
Agency:
SEWER: Yes [] / No [x]
Agency:

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Sect-Twp/Rg: - T S /R E

Related Application(s):

APN # - - -

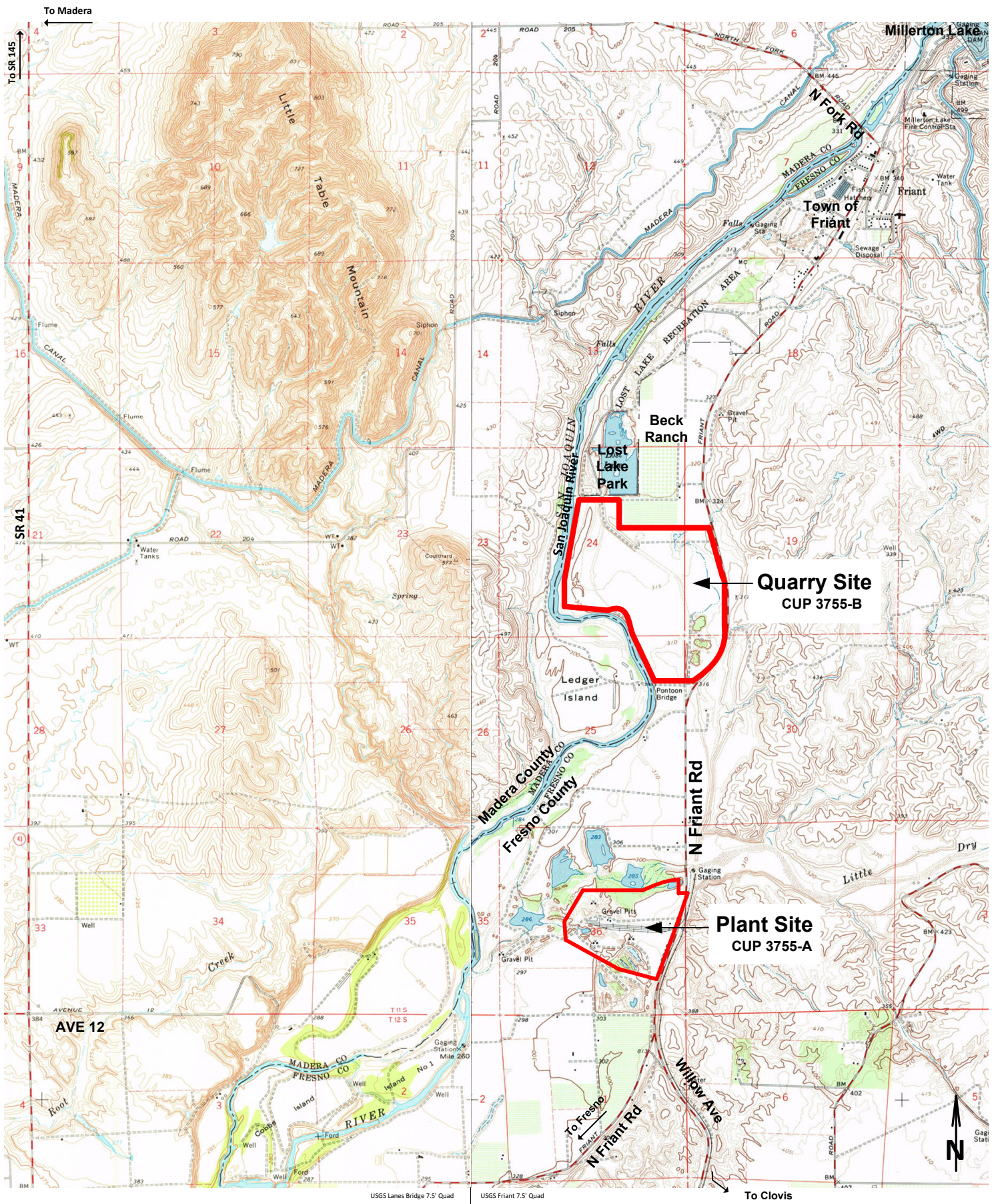
Zone District:

APN # - - -

Parcel Size:

APN # - - -

APN # - - -



**Cemex Rockfield
CUPs 3755-A & 3755-B
Time Limit Extension
Friant Road, Fresno County**



**MITCHELL
CHADWICK**

Patrick G. Mitchell
pmitchell@mitchellchadwick.com
916-462-8887
916-788-0290 Fax

December 7, 2022

William M. Kettler
Division Manager
Fresno County Development Services and Capital Projects Division
2220 Tulare Street, Sixth Floor
Fresno, California 93721
WKettler@fresnocountyca.gov

Re: Rockfield Quarry - CEQA Exemption for Four-Year Extension

Dear Mr. Kettler:

As you know, I represent CEMEX Construction Materials Pacific, LLC (“CEMEX”) regarding the Rockfield Quarry, which operates under Conditional Use Permit No. 3093 (the “Rockfield CUP”) and other related County permits.¹ As we recently discussed, CEMEX proposes to extend the Rockfield CUP until July 28, 2027 (an additional four years) due to delays in preparing the environmental impact report (“EIR”) for CEMEX’s proposed Rockfield Modification Project.²

The Rockfield CUP will expire on July 28, 2023. CEMEX has the right to operate past this expiration date while the County prepares the EIR for the Rockfield Modification Project.³ CEMEX seeks to confirm this right by submitting an application that is separate from the Rockfield Modification Project. This separate application proposes to only extend operations for an additional four years, which represents an approximately 5 percent increase in the mine’s 109-

¹ The Rockfield Quarry includes two sites: the Plant Site operating pursuant to CUPs 367, 2032, 2209, 3063, 3093 and the Quarry Site operating pursuant to CUPs 367, 2032, 3063, and 3093.

² Three years ago, CEMEX submitted CUP Applications No. 3666 and No. 3667 on December 6, 2019 for the Rockfield Modification Project; however, the County will not complete an environmental impact report for the Rockfield Modification Project before the Rockfield CUP expires.

³ *Meridian Ocean Systems, Inc. v. California State Lands Commission* (1990) 222 Cal.App.3d 153, 171-172. This is also consistent with the practice in the vast majority of California Counties, including neighboring Counties.

{00060261;5 }

year life.⁴ All other aspects of existing operations will remain the same during the four-year extension period.

Extending the Rockfield CUP for an additional four years creates no additional environmental impact. The baseline under the California Environmental Quality Act (“CEQA”) consists of existing conditions on the ground, which includes existing operations.⁵ Consequently, “a proposal to continue existing operations without change would generally have no cognizable impact under CEQA.”⁶

The County can rely on the “common sense” exemption in the CEQA Guidelines, which exempts a project from CEQA review if the project has no potential to cause a significant environmental impact.⁷ Additionally, the County can rely on the Class 1 Existing Facilities categorical exemption, which covers:

[O]peration, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.⁸

Courts have upheld the use of the Class 1 Existing Facilities categorical exemption for extensions of existing approvals, including an extension for seven years in one case.⁹ The Class 1 Existing Facilities categorical exemption applies here because extending the Rockfield CUP does not expand an existing use. Instead, exactly the same operations would continue for another four years and the same environmental impacts would occur as compared to existing operations/the CEQA baseline. Accordingly, the County can rely on the common sense and Class 1 Existing Facilities exemptions to comply with CEQA for an extension of the Rockfield CUP.

⁴ Mining operations have occurred at the Rockfield Quarry since at least 1913.

⁵ “Where a project involves ongoing operations or a continuation of past activity, the established levels of a particular use and the physical impacts thereof are considered to be part of the existing environmental baseline.” (*North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832, 872 (citations omitted).)

⁶ *Id.* at 872-73.

⁷ 14 CCR § 15061, subd. (b)(3).

⁸ 14 CCR § 15301, emphasis added.

⁹ See, e.g., *World Business Academy v. California State Lands Commission* (2018) 24 Cal.App.5th 476, 493-97 (use of Class 1 categorical exemption for 7-year extension of lease); *North Coast Rivers Alliance, supra*, 227 Cal.App.4th at 868 (use of Class 1 categorical exemption for 2-year extension of contract).

December 7, 2022

Page 3

Based on the applicability of these two CEQA exemptions, CEMEX has not prepared an initial study application as a part of its request to extend the Rockfield CUP for an additional four years.

Sincerely yours,

MITCHELL CHADWICK LLP



Patrick G. Mitchell

cc: Chris Motta, Fresno County Planning



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

PRE-APPLICATION REVIEW DISCLOSURE/DISCLAIMER

Completion of a Pre-Application Review is no longer a mandatory step necessary in order to submit a land use or mapping application to the Fresno County, Department of Public Works and Planning, Development Services Division for processing. The purpose of the Pre-Application Review is to allow the customer and staff to exchange information and confirm the necessary application process, required fees, and submittal material prior to the customer paying the actual application fees. Specifically, during the Pre-Application Review process, staff researches and provides the following information:


- If the proposed use is allowed based on the zoning of the subject parcel; the type(s) of application(s) required to permit the proposal to be processed.
- If the subject site is a legal parcel (Note: If the parcel is not legally created, no land use/mapping application can be processed until the legality issue is resolved).
- The anticipated level of environmental review.
- If the project site is under the Williamson Act Contract and if the proposed use is permitted under the Contract.
- If the site is located within a special district and if special considerations may be applicable to the project.
- Required application forms, filing fees, and filing requirements/materials.

While the Pre-Application Review is an option for any prospective application, in those cases where an applicant opts not to file for completion of a Pre-Application Review; the information research noted above that typically results from the Pre-Application Review process may not be realized until after the application fees have been accepted and the project has been routed for comment. This being the case, unexpected issues may arise that could impact the processing timeline and cost of the application and/or impact the determination as to whether the application can even continue to be processed as originally submitted. *Please note that if the application cannot be processed as submitted, the processing fees expended thus far will not be refunded.*

By opting out of the Pre-Application Review process, I hereby acknowledge the potential for additional application processing delays and costs.

David Beck

 PRINT NAME



 SIGNATURE

February 23, 2026

 DATE

 PRINT NAME

 SIGNATURE

 DATE

G:\4360Devs&Pln\FORMS\F227 Pre-Application Review Waiver.doc

Cemex Rockfield
CUPs 3755-A & 3755-B Time Extension
GRANT DEEDS

Plant Site:

- APN 300-070-56s
- APN 300-070-57s
- APN 300-070-58s
- APN 300-070-59s
- APN 300-070-60s

Fresno County Recorder
Paul Dictos, CPA

2019-0020892

Recorded at the request of:
FIRST AMERICAN TITLE COMPANY

03/01/2019 11:15 35

Titles: 1 Pages: 5

Fees: \$23.00

CA SB2 Fees:\$0.00

Taxes: \$4180.00

Total: \$4203.00

RECORDING REQUESTED BY:
First American Title Company

**MAIL TAX STATEMENT
AND WHEN RECORDED MAIL DOCUMENT TO:**
CEMEX Construction Materials Pacific, LLC
1501 Belvedere Road
West Palm Beach, FL 33406

Space Above This Line for Recorder's Use Only

A.P.N.: 300-070-56S, 300-070-57S, 300-070-58S, 300-070-59S, 300-070-60S

File No.: 1018-5831605 (ME)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$4,180.00; CITY TRANSFER TAX \$0;
SURVEY MONUMENT FEE \$0

[] computed on the consideration or full value of property conveyed, OR
[] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[] unincorporated area; [] City of Friant, and

EXEMPT FROM BUILDING HOMES AND JOBS ACTS FEE PER GOVERNMENT CODE 27388.1(a)(2)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Warren Ball and Susan Erickson as Co-Trustees of The Ball Family Trust 1988**

hereby GRANTS to **CEMEX Construction Materials Pacific, LLC, a Delaware limited liability company**

the following described property in the unincorporated area of **Friant**, County of **Fresno**, State of **California**:

PARCEL 1: (APN: 300-070-56S)

ALL OF THAT PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 00° 42' 37" WEST, ALONG THE EAST LINE OF SAID SECTION 36 A DISTANCE OF 2,855.09 FEET; THENCE SOUTH 89° 37' 00" WEST, A DISTANCE OF 80.42 FEET TO THE CENTERLINE OF FRIANT ROAD AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 89° 37' 00" WEST, A DISTANCE OF 2,948.44 FEET; THENCE NORTH 34° 27' 40" EAST, A DISTANCE OF 385.96 FEET; THENCE NORTH 89° 31' 37" EAST, A DISTANCE OF 1,536.24 FEET TO THE BEGINNING OF A NONTANGENT CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS POINT BEARS SOUTH 28° 09' 42" EAST, A DISTANCE OF 3,600.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH AN INTERIOR ANGLE OF 17° 16' 12" AN ARC DISTANCE OF 1,085.11 FEET; THENCE SOUTH 00° 42' 37" EAST, A DISTANCE OF 352.90 FEET; THENCE NORTH 89° 31' 37" EAST, A DISTANCE OF 229.05 FEET TO A POINT ON SAID CENTERLINE OF FRIANT ROAD, AND A POINT ON A NONTANGENT CURVE CONCAVE WESTERLY WHOSE RADIUS POINT BEARS NORTH 84° 22' 45" WEST, A DISTANCE OF 2,001.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND ALONG SAID CENTERLINE OF FRIANT ROAD THROUGH AN INTERIOR ANGLE OF 09° 22' 03" AN ARC DISTANCE OF 327.16 FEET TO THE TRUE POINT OF BEGINNING.

Mail Tax Statements To: **SAME AS ABOVE**

Grant Deed - continued

Date: 02/27/2019

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. 95-12 (D) RECORDED JANUARY 17, 1996, AS INSTRUMENT NO. 96-6322 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THAT PARCEL OF LAND DESCRIBED AS "FEE SIMPLE" IN THE AMENDED FINAL ORDER OF CONDEMNATION RECORDED SEPTEMBER 27, 2007 AS INSTRUMENT NO. 07-180488 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ONE-HALF OF ALL OIL, GAS AND OTHER MINERALS IN, UPON OR UNDER THE ABOVE DESCRIBED PREMISES, TOGETHER WITH THE RIGHT TO ENTER IN AND UPON SAID PREMISES TO PROSPECT FOR, DEVELOP, MINE AND STORE UPON SAID PREMISES THE SAID OIL, GAS AND MINERALS, SAVE AND EXCEPT ALL ROCK, SAND AND GRAVEL WHICH ARE NOT INCLUDED IN THIS RESERVATION, AS RESERVED BY MARY E. LESHER, IN DEED RECORDED JANUARY 8, 1946, AS INSTRUMENT NO. 2112, IN BOOK 2326 PAGE 246 OF OFFICIAL RECORDS.

PARCEL 2: (APN: 300-070-57S)

ALL THAT PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 00° 42' 37" WEST, ALONG THE EAST LINE OF SAID SECTION 36 A DISTANCE OF 2,481.44 FEET; THENCE SOUTH 89° 37' 00" WEST, A DISTANCE OF 212.53 FEET TO THE CENTERLINE OF FRIANT ROAD AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 89° 37' 00" WEST, A DISTANCE OF 3,041.97 FEET; THENCE NORTH 00° 18' 33" WEST, A DISTANCE OF 52.67 FEET; THENCE NORTH 34° 27' 40" EAST, A DISTANCE OF 391.08 FEET; THENCE NORTH 89° 37' 00" EAST, A DISTANCE OF 2,948.44 FEET TO A POINT ON SAID CENTERLINE OF FRIANT ROAD, AND A POINT ON A NONTANGENT CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS POINT BEARS NORTH 75° 00' 42" WEST, A DISTANCE OF 2,001.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND ALONG SAID CENTERLINE OF FRIANT ROAD THROUGH AN INTERIOR ANGLE OF 04° 49' 30" AN ARC DISTANCE OF 168.51 FEET; THENCE CONTINUING ALONG SAID CENTERLINE OF FRIANT ROAD SOUTH 19° 50' 07" WEST, A DISTANCE OF 227.24 FEET TO THE TRUE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. 95-12 (E) RECORDED JANUARY 17, 1996 AS INSTRUMENT NO. 96-6323 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THAT PARCEL OF LAND DESCRIBED AS "FEE SIMPLE" IN THE AMENDED FINAL ORDER OF CONDEMNATION RECORDED SEPTEMBER 27, 2007 AS INSTRUMENT NO. 07-180488 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ONE-HALF OF ALL OIL, GAS AND OTHER MINERALS IN, UPON OR UNDER THE ABOVE DESCRIBED PREMISES, TOGETHER WITH THE RIGHT TO ENTER IN AND UPON SAID PREMISES TO PROSPECT FOR, DEVELOP, MINE AND STORE UPON SAID PREMISES THE SAID OIL, GAS AND MINERALS, SAVE AND EXCEPT ALL ROCK, SAND AND GRAVEL WHICH ARE NOT INCLUDED IN THIS RESERVATION, AS RESERVED BY MARY E. LESHER, IN DEED RECORDED JANUARY 8, 1946, AS INSTRUMENT NO. 2112, IN BOOK 2326 PAGE 246 OF OFFICIAL RECORDS.

PARCEL 3: (APN: 300-070-58S)

ALL OF THAT PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 20 EAST, MOUNT

Grant Deed - continued

Date: 02/27/2019

DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 00° 42' 37" WEST, ALONG THE EAST LINE OF SAID SECTION 36 A DISTANCE OF 2,102.62 FEET; THENCE SOUTH 89° 37' 00" WEST, A DISTANCE OF 354.21 FEET TO THE CENTERLINE OF FRIANT ROAD AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 89° 37' 00" WEST, A DISTANCE OF 2,902.94 FEET; THENCE NORTH 00° 18' 33" WEST, A DISTANCE OF 378.82 FEET; THENCE NORTH 89° 37' 00" EAST, A DISTANCE OF 3,041.97 FEET TO A POINT ON SAID CENTERLINE OF FRIANT ROAD; THENCE SOUTH 19° 50' 07" WEST, ALONG SAID CENTERLINE A DISTANCE OF 403.69 FEET TO THE TRUE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. 95-12 (F) RECORDED JANUARY 17, 1996 AS INSTRUMENT NO. 96-6324 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THAT PARCEL OF LAND DESCRIBED AS "FEE SIMPLE" IN THE AMENDED FINAL ORDER OF CONDEMNATION RECORDED SEPTEMBER 27, 2007 AS INSTRUMENT NO. 07-180488 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ONE-HALF OF ALL OIL, GAS AND OTHER MINERALS IN, UPON OR UNDER THE ABOVE DESCRIBED PREMISES, TOGETHER WITH THE RIGHT TO ENTER IN AND UPON SAID PREMISES TO PROSPECT FOR, DEVELOP, MINE AND STORE UPON SAID PREMISES THE SAID OIL, GAS AND MINERALS, SAVE AND EXCEPT ALL ROCK, SAND AND GRAVEL WHICH ARE NOT INCLUDED IN THIS RESERVATION, AS RESERVED BY MARY E. LESHER, IN DEED RECORDED JANUARY 8, 1946 AS INSTRUMENT NO. 2112, IN BOOK 2326 PAGE 246 OF OFFICIAL RECORDS.

PARCEL 4: (APN: 300-070-59S)

ALL OF THAT PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 00° 42' 37" WEST, ALONG THE EAST LINE OF SAID SECTION 36 A DISTANCE OF 1,661.76 FEET; THENCE SOUTH 89° 37' 00" WEST, A DISTANCE OF 519.09 FEET TO A POINT ON THE CENTERLINE OF FRIANT ROAD AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 89° 37' 00" WEST, A DISTANCE OF 2,121.05 FEET; THENCE NORTH 58° 48' 37" WEST, A DISTANCE OF 727.26 FEET; THENCE NORTH 00° 18' 33" WEST, A DISTANCE OF 60.07 FEET; THENCE NORTH 89° 37' 00" EAST, A DISTANCE OF 2,902.94 FEET TO A POINT ON SAID CENTERLINE OF FRIANT ROAD, THENCE SOUTH 19° 50' 07" WEST, ALONG SAID CENTERLINE A DISTANCE OF 469.80 FEET TO THE TRUE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. 95-12 (G) RECORDED JANUARY 17, 1996 AS INSTRUMENT NO. 96-6325 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THAT PARCEL OF LAND DESCRIBED AS "FEE SIMPLE" IN THE AMENDED FINAL ORDER OF CONDEMNATION RECORDED SEPTEMBER 27, 2007 AS INSTRUMENT NO. 07-180488 OF OFFICIAL RECORDS.

Grant Deed - continued

Date: 02/27/2019

ALSO EXCEPTING THEREFROM ONE-HALF OF ALL OIL, GAS AND OTHER MINERALS IN, UPON OR UNDER THE ABOVE DESCRIBED PREMISES, TOGETHER WITH THE RIGHT TO ENTER IN AND UPON SAID PREMISES TO PROSPECT FOR, DEVELOP, MINE AND STORE UPON SAID PREMISES THE SAID OIL, GAS AND MINERALS, SAVE AND EXCEPT ALL ROCK, SAND AND GRAVEL WHICH ARE NOT INCLUDED IN THIS RESERVATION, AS RESERVED BY MARY E. LESHER, IN DEED RECORDED JANUARY 8, 1946, AS INSTRUMENT NO. 2112, IN BOOK 2326 PAGE 246 OF OFFICIAL RECORDS.

PARCEL 5: (APN: 300-070-60S)

ALL THAT PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 00° 42' 37" WEST, A DISTANCE OF 1,661.76 FEET; THENCE SOUTH 89° 37' 00" WEST, A DISTANCE OF 519.09 FEET TO A POINT ON THE CENTERLINE OF FRIANT ROAD AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 89° 37' 00" WEST, A DISTANCE OF 2,121.05 FEET; THENCE SOUTH 58° 48' 37" EAST, A DISTANCE OF 916.35 FEET; THENCE SOUTH 74° 10' 02" EAST, A DISTANCE OF 1,097.39 FEET TO A POINT ON SAID CENTERLINE OF FRIANT ROAD AND A POINT ON A NONTANGENT CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS POINT BEARS SOUTH 73° 10' 55" EAST, A DISTANCE OF 2,000.30 FEET; THENCE NORTHEASTERLY ALONG SAID CENTERLINE AND ALONG SAID CURVE THROUGH AN INTERIOR ANGLE OF 03° 01' 06" AND AN ARC DISTANCE OF 105.37 FEET; THENCE CONTINUING ALONG SAID CENTERLINE OF FRIANT ROAD NORTH 19° 50' 07" EAST, A DISTANCE OF 731.53 FEET TO THE TRUE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. 95-12 (H) RECORDED JANUARY 17, 1996 AS INSTRUMENT NO. 96-6326 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THAT PARCEL OF LAND DESCRIBED AS "FEE SIMPLE" IN THE AMENDED FINAL ORDER OF CONDEMNATION RECORDED SEPTEMBER 27, 2007 AS INSTRUMENT NO. 07-180488 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ONE-HALF OF ALL OIL, GAS AND OTHER MINERALS IN, UPON OR UNDER THE ABOVE DESCRIBED PREMISES, TOGETHER WITH THE RIGHT TO ENTER IN AND UPON SAID PREMISES TO PROSPECT FOR, DEVELOP, MINE AND STORE UPON SAID PREMISES THE SAID OIL, GAS AND MINERALS, SAVE AND EXCEPT ALL ROCK, SAND AND GRAVEL WHICH ARE NOT INCLUDED IN THIS RESERVATION, AS RESERVED BY MARY E. LESHER, IN DEED RECORDED JANUARY 8, 1946, AS INSTRUMENT NO. 2112, IN BOOK 2326 PAGE 246 OF OFFICIAL RECORDS.

TOGETHER WITH ALL OF GRANTOR'S RIGHT, TITLE AND INTEREST IN AND TO ANY AND ALL OTHER RIGHTS APPURTENANT TO THE PROPERTY DESCRIBED HEREIN, INCLUDING WITHOUT LIMITATION, ANY AND ALL (i) WATER RIGHTS, (ii) EASEMENTS, AND (iii) MINERAL RIGHTS CONTAINED THEREIN AND THEREON.

Grant Deed - continued

Date: 02/27/2019

A.P.N.: 300-070-56S, 300-070-57S, 300-070-58S, 300-070-59S, 300-070-60S

File No.: 1018-5831605 (ME)

Dated: February 27, 2019

Warren Ball and Susan Erickson as Co-Trustees
of The Ball Family Trust 1988

[Signature]
Warren Ball, Co-Trustee

[Signature]
Susan Erickson, Co-Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)SS

COUNTY OF Fresno)

On February 27, 2019 before me, Marie D. Esparza, Notary Public, personally appeared Warren Ball and Susan Erickson

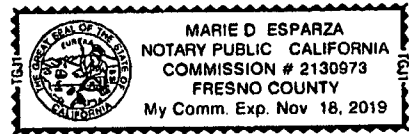
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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.

This area for official notarial seal.

[Signature]
Notary Signature

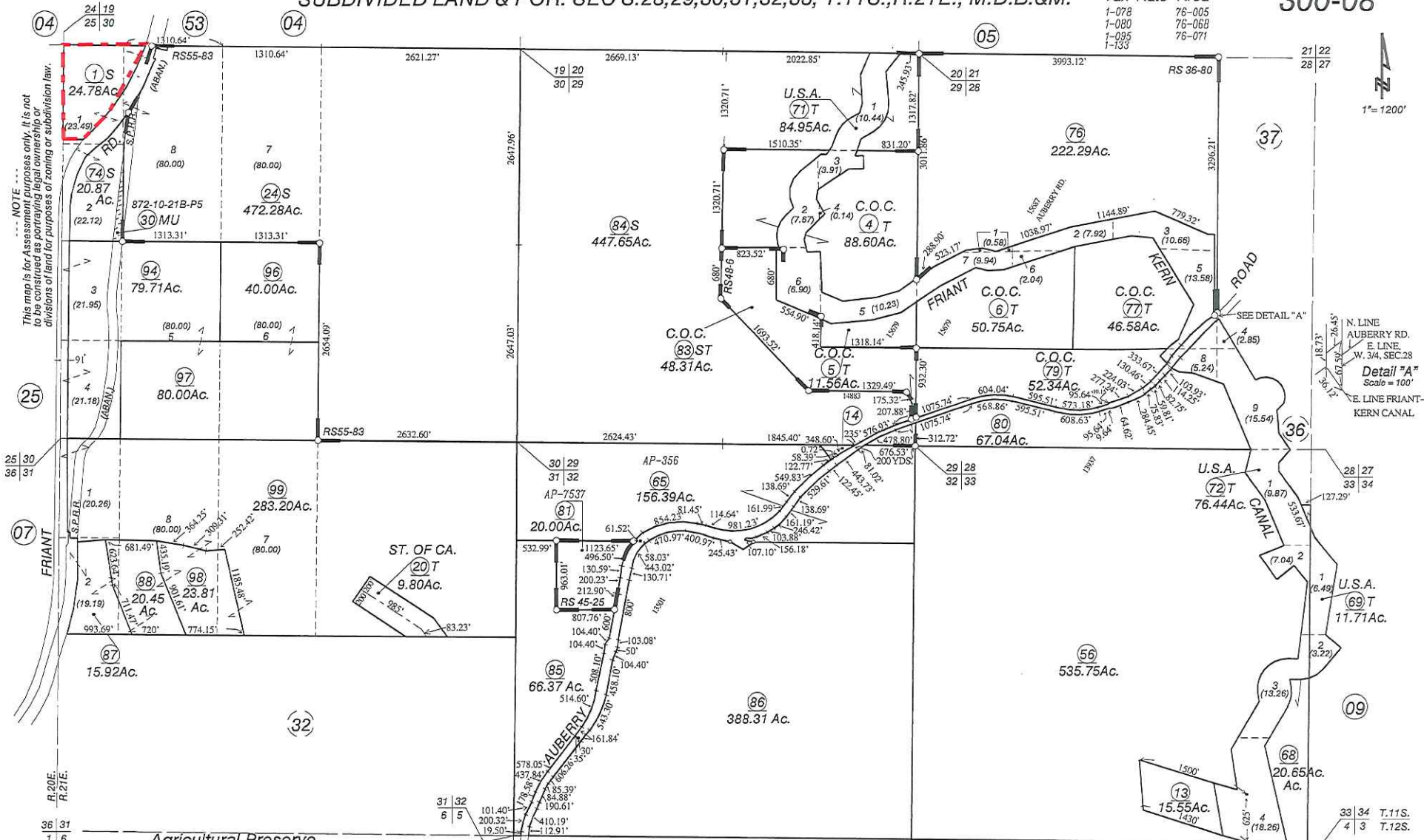


Cemex Rockfield
CUPs 3755-A & 3755-B Time Extension
GRANT DEEDS

Quarry Site:

- APN 300-040-19
- APN 300-040-20
- APN 300-080-01S
- APN 300-250-12
- APN 300-310-01 (portion west of N Friant Rd)

Tax Rate Area	
1-078	76-005
1-080	76-068
1-095	76-071
1-133	



NOTE: This map is for Assessment purposes only. It is not to be construed as portaying legal ownership or divisions of land for purposes of zoning or subdivision law.

Detail "A"
Scale = 100'

Agricultural Preserve
BLM Re-Survey - CA210110S0210E00510 thru 00517 (5/21/13)
Record of Survey - Bk.36, Pg.80
Record of Survey - Bk.45, Pg's 25 & 26
Record of Survey - Bk.48, Pg. 6
Record of Survey - Bk. 55, Pg. 83-90

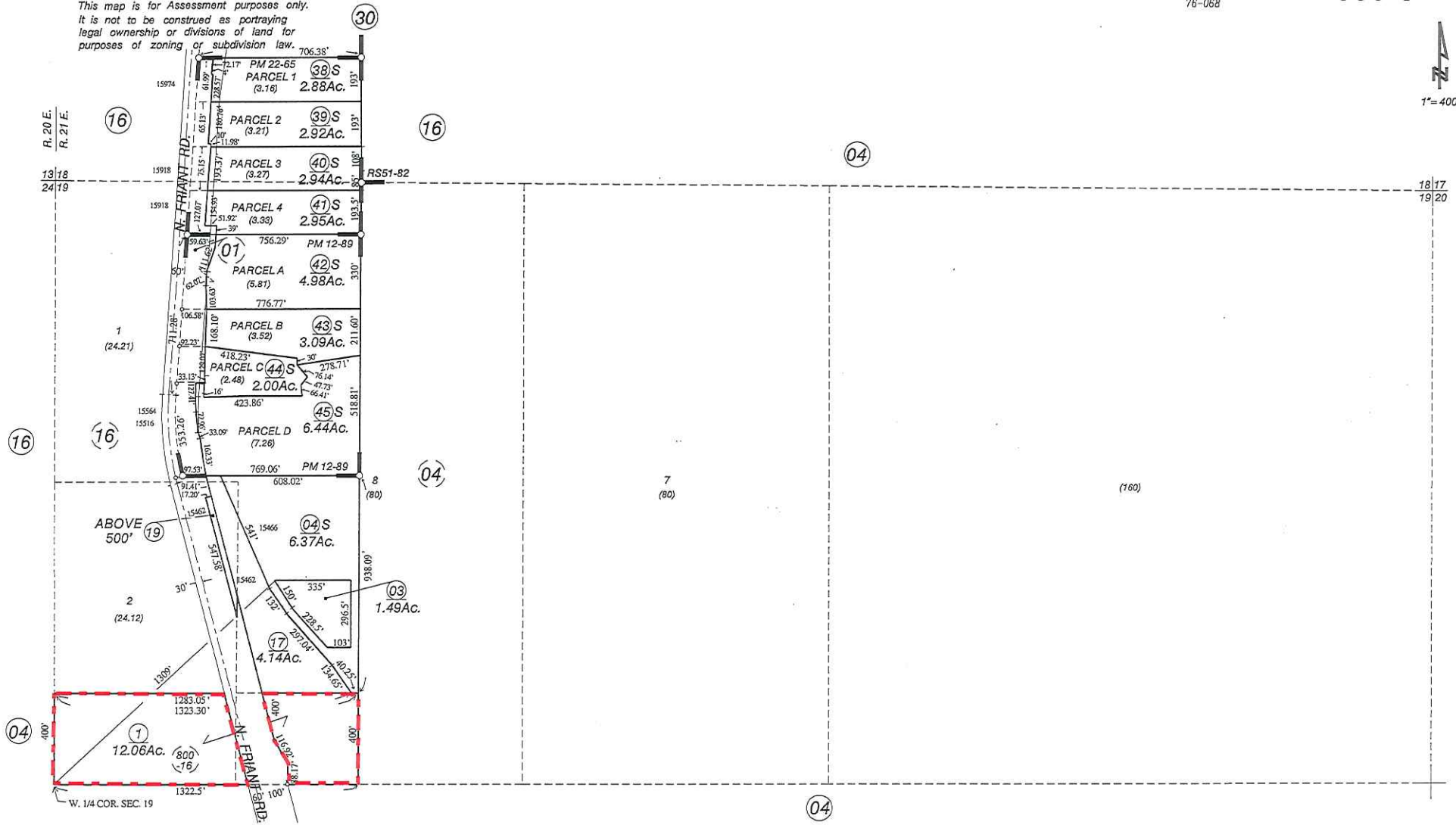
Bk. 580

NOTE - C.O.C. IS CITY OF CLOVIS
NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Bk. 581

Assessor's Map Bk. 300 - Pg. 08
County of Fresno, Calif.

--- NOTE ---
This map is for Assessment purposes only.
It is not to be construed as portraying
legal ownership or divisions of land for
purposes of zoning or subdivision law.



Parcel Map No. 1877 - Bk. 12, Pg. 89
Parcel Map No. 3049 - Bk. 22, Pg. 65
Record of Survey - Bk. 51, Pgs. 82-88

Assessor's Map Bk. 300 - Pg. 31
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

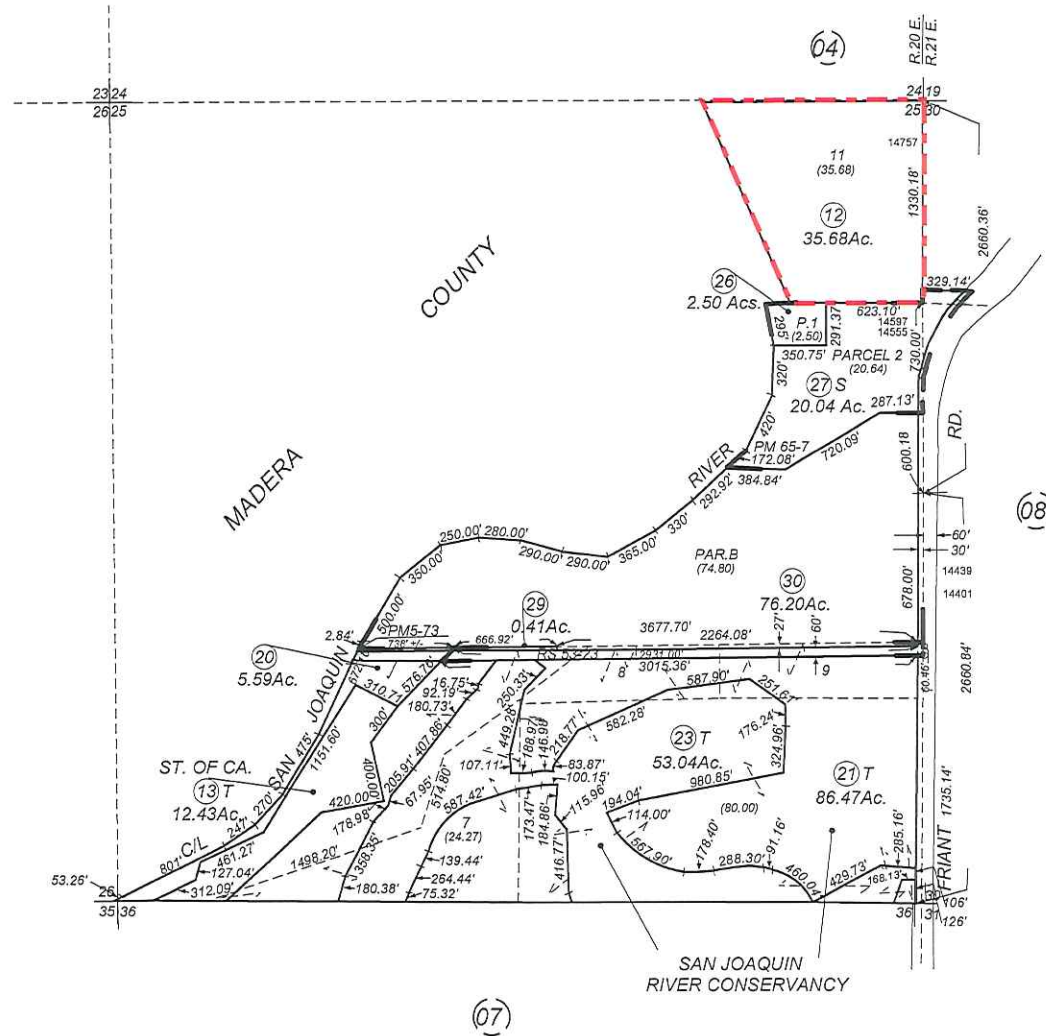


-NOTE-
 This map is for Assessment purposes only.
 It is not to be construed as portraying legal
 ownership or divisions of land for purposes
 of zoning or subdivision. law.

SUBDIVIDED LAND & POR. SEC'S. 25, 26 & 30, T.11 S., R.20 & 21 E., M.D.B.& M.

Tax Rate Area
 76-068

300-25



Parcel Map No. 1175 - Bk. 5, Pg. 73
 Parcel Map No. 7939 - Bk. 65, Pgs. 7-9
 Record of Survey - Bk. 53, Pg. 23

Note - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 300 - Pg. 25
 County of Fresno, Calif.

December 10, 2019

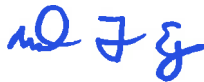
To Whom It May Concern:

Lone Star California, Inc., merged with and into RMC Pacific Materials, Inc. (a Delaware corporation) on December 31, 2009. RMC Pacific Materials, Inc., converted to a Delaware limited liability company by the name of RMC Pacific Materials, LLC, on December 31, 2012.

Alejandro Ortiz Robles is a Vice President of RMC Pacific Materials, LLC, as of the date hereof and, as such, is authorized to execute and deliver documents, agreements and deeds on behalf of RMC Pacific Materials, LLC, and its predecessor company, Lone Star California, Inc.

Please contact Jeana White, Corporate Paralegal, jeanal.white@cemex.com with any questions.

Regards,



Mike F. Egan
General Counsel
RMC Pacific Materials, LLC

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"LONE STAR CALIFORNIA, INC.", A DELAWARE CORPORATION, WITH AND INTO "RMC PACIFIC MATERIALS, INC." UNDER THE NAME OF "RMC PACIFIC MATERIALS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF DECEMBER, A.D. 2009, AT 4:18 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF DECEMBER, A.D. 2009, AT 12:45 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2961643 8100M

091141039

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 7726846

DATE: 12-29-09

CERTIFICATE OF MERGER

MERGING

LONE STAR CALIFORNIA, INC.

(a Delaware corporation)

INTO

RMC PACIFIC MATERIALS, INC.

(a Delaware corporation)

The undersigned corporation, duly organized under and by virtue of the General Corporation Law of the State of Delaware (the "*General Corporation Law*"), does hereby certify that:

FIRST: The name and jurisdiction of incorporation of each of the constituent corporations in the merger are as follows:

<u>Name</u>	<u>State</u>
RMC PACIFIC MATERIALS, INC.	Delaware
Lone Star California, Inc.	Delaware

SECOND: An Agreement of Merger, dated as of December 18, 2009 (the "*Agreement of Merger*"), by and between Lone Star California, Inc. and RMC PACIFIC MATERIALS, INC. ("*Acquiring Company*") has been approved, adopted, executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 251 and by the unanimous written consent of their respective stockholders in accordance with Section 228 of the General Corporation Law.

THIRD: The name of the surviving corporation is RMC PACIFIC MATERIALS, INC. (the "*Surviving Company*").

FOURTH: The certificate of incorporation of Acquiring Company as in effect immediately prior to the effective time of the merger shall be, from and after the effective time of the merger, the certificate of incorporation of the Surviving Company.

FIFTH: The merger shall be effective at 12:45 p.m. EST on December 31, 2009.

SIXTH: The executed Agreement of Merger is on file at the principal place of business of the Surviving Company. The address of the principal place of business of the Surviving Company is 920 Memorial City Way, Suite 100, Houston, Texas 77024.

SEVENTH: A copy of the Agreement of Merger will be furnished by the Surviving Company on request and without cost, to any stockholder of any constituent corporation.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned has caused this Certificate of Merger to be
duly executed in its name this 18 day of December, 2009.

RMC PACIFIC MATERIALS, INC., a
Delaware corporation

By: Leslie S. White
Name: Leslie S. White
Title: General Counsel and Assistant
Secretary

WHEN RECORDED MAIL TO

Property Manager
RMC PACIFIC MATERIALS, INC.
P. O. Box 5252
Pleasanton, CA 94566



Fresno County Recorder
William C. Greenwood
DOC- 2000-0041825

Check Number 264896
Friday, APR 07, 2000 12:26:41
TCF \$4.00 MOD \$5.00 MIC \$1.00
DRF \$9.00
Ttl Pd \$19.00 Nbr-0000315400
gsf/R1/1-5

Filer Requests that Transfer Tax Not Be Recorded
NOTE: This conveyance is exempt from transfer taxes pursuant to California Revenue and Tax Code Section 11925(d).

GRANT DEED

For valuable consideration, RMC LONESTAR f/k/a Lone Star Aggregates, a California general partnership ("Grantor"), hereby grants to LONESTAR CALIFORNIA, INC., a Delaware corporation ("Grantee"), the real property located in the County of Fresno, State of California, described in Exhibit A, attached hereto and made a part hereof ("Property").

IN WITNESS WHEREOF, Grantor has executed this Grant Deed as of December 31, 1999.

Grantor:
RMC LONESTAR, a California general partnership

Grantee:
LONESTAR CALIFORNIA, INC., a Delaware corporation

By: CALIFORNIA READYMIX, INC., a Delaware corporation, its General Partner

By: E. F. Woodhouse
Name: E. F. Woodhouse
Its: President

By: E. F. Woodhouse
E. F. WOODHOUSE

Its: President

By: LONESTAR CALIFORNIA, INC., a Delaware corporation, its General Partner

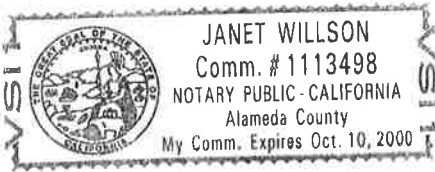
By: E. F. Woodhouse
E. F. WOODHOUSE

Its: President

STATE OF CALIFORNIA)
)
COUNTY OF ALAMEDA)

On this 31 day of DECEMBER, 1999, before me, the undersigned a Notary Public in and for said State, personally appeared E.F. WOODHOUSE, personally known to me (or 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/it executed the same in his/here/their authorized capacity(ies), and that by his/her/its signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

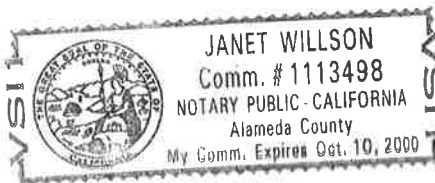


Janet Willson
Notary Public
My commission expires: OCTOBER 10, 2000
(Seal)

STATE OF CALIFORNIA)
)
COUNTY OF ALAMEDA)

On this 31 day of DECEMBER, 1999, before me, the undersigned a Notary Public in and for said State, personally appeared E.F. WOODHOUSE, personally known to me (or 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/it executed the same in his/here/their authorized capacity(ies), and that by his/her/its signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



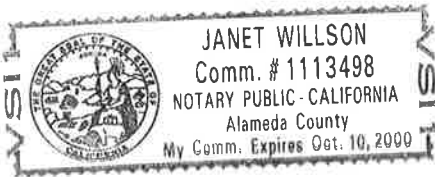
Janet Willson
Notary Public
My commission expires: OCTOBER 10, 2000
(Seal)

2

STATE OF CALIFORNIA)
)
COUNTY OF ALAMEDA)

On this 31 day of DECEMBER, 19 99, before me, the undersigned a Notary Public in and for said State, personally appeared E.F. WOODHOUSE, personally known to me (or 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/it executed the same in his/here/their authorized capacity(ies), and that by his/her/its signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Janet Willson
Notary Public
My commission expires: OCTOBER 10, 2000
(Seal)

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EXHIBIT A

All that certain real property situate in the County of Fresno, State of California, described as follows, to-wit:

PARCEL 1:

Government Lots 7 and 8, and the East Half of the Southeast Quarter (E/2 of SE/4) of Section 24, Township 11 South, Range 20 East, M.D.B.&M., according to the Official Plats thereof.

EXCEPTING THEREFROM, any portion thereof lying within the boundaries of the San Joaquin River.

PARCEL 2:

Government Lot 11 in Section 25, Township 11 South, Range 20 East, M.D.B.&M., according to the Official Plats thereof.

EXCEPTING THEREFROM, any portion thereof lying within the boundaries of the San Joaquin River.

APN'S: 300-040-19 and 300-250-12

PARCEL 3:

The Southerly 400 feet of Lot 2 in Section 19, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, the Southerly 400 feet of the West 31.69 rods of Lot 8 in said Section 19; the Northwest quarter of the Southeast quarter of Section 24, Township 11 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, Lot 9 in said Section 24; all that portion of the south half of the Northeast quarter of said Lot 10 in said Section 24, described as follows:

Commencing at the Southwest corner of Lot 10 in said Section 24; thence Easterly along the half section line running East and West through said Section 24, to the quarter corner of the East boundary of said Section 24; thence Northerly, along the East boundary of said Section 24, a distance of 400 feet; thence South 89 degrees 25' West, 1780.3 feet; thence North 0 degrees 35' West, 800 feet; thence South 89 degrees 25' West 1156.4 feet, a little more or less to the intersection of the West boundary of Lot 10 in said Section 24; thence Southerly along the Westerly boundary of said Lot 10, to the point of commencement.

Excepting therefrom a strip of land 100 feet wide through said Section 19, as granted to the San Joaquin Valley Railway Company by deed dated March 29, 1892, and recorded April 4, 1892 in Book 143 Page 215 of Deeds;

Also excepting therefrom a strip of land 80 feet in width, lying 40 feet on each side of the centerline of the San Joaquin Valley Railroad, as granted to Southern Pacific Railroad Company by deed dated December 19, 1893, and recorded December 23, 1893 in Book 173 page 126 of Deeds.

PARCEL 4:

Lots 3, 4, and a portion of Lot 5 of the Southwest quarter of Section 19, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, and Lots 1, 2, and a portion of Lot 8 of the Northwest quarter of Section 30, Township 11 commencing at the Southwest corner of the Northwest quarter of said Section 30 and running thence North 88 degrees 37' East 10.81 chains; thence 5 degrees 30' East, 26.16 chains; thence North 8 degrees 15' East 2.00 chains; thence North 14 degrees 45' East 2 chains; thence North 21 degrees 0' East 2 chains; thence North 19 degrees 30' East 2 chains; thence North 14 degrees 15' East .91 chains to the North line of said Section 30; thence continuing through the Southwest quarter of Section 19 in said Township and Range, North 14 degrees 15' East 1.09 chains; thence North 8 degrees 45' East 2 chains; thence North 3 degrees 30' East 2 chains; thence North 2 chains; thence North 0 degrees 25' West 10 chains; thence North 1 degree West 2 chains; thence North 5 degrees 0' West 2 chains; thence North 9 degrees 0' West 2 chains; thence North 12 degrees 45' West 2 chains; thence North 14 degrees 45' West 16 chains; thence South 89 degrees 30' West 13.73 chains; thence South 80.64 chains to the point of commencement.

Excepting that portion thereof described as follows:

That portion of said Section 30 bounded and described as follows:

Commencing at the intersection of the Westerly right of way line of the friant branch of the Southern Pacific Railroad with the South line of the Northwest quarter of said Section 30, thence Westerly along the South line of the Northwest quarter of said Section, a distance of 710.45 feet, a little more or less, to the Southwest corner of the said Northwest quarter of Section 30; thence North along the West line of said Section 30, a distance of 1383 feet to a point; thence North 89 degrees 36' East, a distance of 500 feet, a little more or less, to a point on the Easterly right of way line of the county road; thence Northeasterly along the said Easterly line of the county road to its intersection with the Westerly line of the right of way of the friant branch of the Southern Pacific Railroad; thence Southerly and Southwesterly along said Westerly right of way line to the point of commencement.

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