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VIA ELECTRONIC MAIL ONLY

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Subject: RE: Draft Environmental Impact Report for the proposed modification to the existing CEMEX Rockfield Quarry (EIR No. 7763 and Unclassified Conditional Use Permit Application Nos. 3666 and 3667)

Dear Mr. Randall,

Friends of the River (FOR) is submitting this comment letter regarding the County of Fresno's Draft Environmental Impact Report (DEIR) 7763 for the CEMEX Rockfield Quarry: Rockfield Modification Project (proposed project).

FOR's mission is to protect and restore California rivers by influencing public policy and inspiring citizen action. In addition, FOR is one of the Settling Parties of the the San Joaquin River Restoration Program (SJRRP) which is currently being implemented in accordance with the San Joaquin River Restoration Settlement and the San Joaquin River Restoration Settlement Act (Act), included in Public Law 111-11. The proposed project is located within the SJRRP Restoration Area and has the potential to impact Reclamation's successful implementation of the SJRRP.

FOR appreciates the County of Fresno's efforts on the proposed project and consideration of our comments. General comments and specific comments are provided in the attached "Comments on the Draft Environmental Impact Report: CEMEX Rockfield Quarry: Rockfield Modification Project (EIR 7763) and Unclassified Conditional Use Permit Applications No.s 3666 and 3667."

FOR does not believe there are enough overriding conditions that could be used to justify the extension of the Conditional Use Permits and that the County of Fresno should deny the application. If the County does make finding of overriding concerns for those impacts not fully mitigated, CEMEX should be required to implement more comprehensive mitigation for wildlife, recreation, visual, and traffic impacts. For several CEQA required areas of disclosure, Fresno County decision makers, FOR, and the public does not have

enough information to adequately analyze the impacts of the proposed project on the resources for which we advocate. Also as an active party to the SJRRP settlement, we do not believe that the analysis is adequate to inform us in providing direction to the agencies implementing the SJRRP. We request additional information be provided in the DEIR regarding baseline conditions, impact analyses, and mitigation measures, as described in the attached document.

FOR appreciates the opportunity to comment on this proposed project and the County's consideration of our comments. Please contact John Shelton at [jshelton@friendsoftheriver.org](mailto:jshelton@friendsoftheriver.org) with any questions or if there is a need for discussion of these comments in more detail.

Sincerely,



John M. Shelton

Policy Advisor

Friends of the River

**Enclosure**

cc: Donald E. Portz, Program Manager, SJRRP  
Tom Johnson, Restoration Advisor, SJRRP  
Jason Phillips, Chief Executive Officer, Friant Water Authority  
Hamilton Candee, Altshuler Berzon LLP  
Rene Henery, California Science Director, Trout Unlimited  
Sharon Weaver, Executive Director, San Joaquin River Parkway and Conservation Trust



# Comments on the Draft Environmental Impact Report: CEMEX Rockfield Quarry: Rockfield Modification Project (EIR 7763) and Unclassified Conditional Use Permit Applications No.s 3666 and 3667

## Background

Staff from Friends of the River have reviewed the documents that Fresno County has made available on their website (<https://www.fresnocountyca.gov/Departments/Public-Works-and-Planning/divisions-of-public-works-and-planning/development-services-division/planning-and-land-use/environmental-impact-reports/cemex-rockfield-expansion> ). With the amount of information available, and the limited time for review, staff focused on issues that are important for our organization such as fisheries and wildlife, public health, and outdoor recreation. In accomplishing our review, we also discussed the project with other organizations and community members, press coverage, and social media discussions. We used these communications to note issues that should also be brought to the attention of those making the decision to move forward with this project. It is possible that some issues were covered adequately in the appendices to the Draft Environmental Impact (DEIR) or other documentation, but were not summarized adequately in the main DEIR.

## General Comments

Our organization, along with other environmental organizations and community members, does not believe that a gravel quarry and gravel processing plant is an appropriate land use for the San Joaquin River corridor currently or into the future. Historically, as the area developed and gravel mining operations were sited, the gravel and sand resources of the San Joaquin River and its immediate corridor were a fast and easy source. We understand that society's values change, and believe strongly that those values now reflect a desire to let the San Joaquin River and its associated floodplains and connected upland, recover from decades of sand and gravel extraction. In the last few decades, the State (Pappas & LiveScience 2014)

## Overriding Considerations and Need for Gravel Operations in the River Corridor

Statements within the DEIR and supporting documents are misleading to imply that the Plant and Quarry are needed for gravel supply for the NE Fresno and North Clovis areas. As reported in FresnoLand by Gregory Weaver (Weaver 2025) and documented by The California Geological Survey (Clinkenbeard & Gius 2018), this region is better than adequately resourced with developed

supplies for next 50 years. Although some benefits can accrue to specific segments of the County's economy, the analysis of whether those benefits are greater than the benefits of a completed San Joaquin River Parkway, that may be precluded for the next 100 years is not undertaken. In addition, the significant impacts to Visual Resources and Traffic, by themselves could show that the overall economic impact to this region is likely to be negative.

The San Joaquin River has been noted in the past as California's most endangered river (Pappas & LiveScience 2014). Since 2014, the San Joaquin River Restoration Program, the San Joaquin River Conservancy, both the Counties of Madera and Fresno, and the City of Fresno, have been intent of making the river more ecologically resilient by investing in properties for recreation, passing land use designations for the San Joaquin Parkway, and approving projects.

For these reasons, any finding of Overriding Considerations that are related to the economy, including employment, cannot be supported without much more analysis and information disclosure.

## Project Analysis Should Be Based on Both Existing and Future Impacts, Including the Length of Time Those Impacts are Occurring

- Analysis of ecological, recreational, and other impacts should be based both on existing conditions and length of impacts.
- Hydrology and wildlife (fisheries especially) should be analyzed for planned restoration from SJRRP, SJRC, Active Transportation, and other Future Land use projects
- Future impacts to water supply should quantify, based on future planned/predicted river hydrology from open water (transpiration) surfaces.

The DEIR does not adequately compare the Proposed Project to the No Project Alternative. While we agree with the assessment that the No Project Alternative is the best environmental option, the analysis and discussion should include more information on reasonably foreseeable projects and future conditions. For example, the analysis regarding transportation impacts does not fully discuss the intention of both the City and County of Fresno, and the City of Clovis, to implement numerous plans and policies that encourage Active Transportation. The impact of this project on the ability for these jurisdictions to encourage biking and walking within the affected area of this project is not analysis nor discussed other than with current conditions. The impacts of blasting, gravel truck traffic, and spread of rocks and gravel from transporting materials on Friant Avenue is likely to disrupt the implementation of Active Transportation elements significantly over time.

The hydrologic and wildlife impacts, similar to Transportation and recreation, should consider and analyze future hydrologic conditions that are being implemented by water agencies. The San Joaquin River Restoration Program has well publicized intents to implement full restoration flows on the San Joaquin River. This program, that has invested \$100's millions in the San Joaquin River, is based on a legally binding settlement and Federal Government law (<https://www.restoresjr.net/>). Analysis within the DEIR should consider the higher levels of flows within the river that is mandated by the program, the higher levels of fisheries resources that are being pursued, and other related information that is available.

Given the long timeframe of the extension of the CUPs, the DEIR should also acknowledge the US Fish and Wildlife Service's, National Marine Fisheries Service's, Department of Fish and Wildlife's, and the San Joaquin River Conservancy's plans for restoration of fish and wildlife resources. This project area is an important component of future habitat for several listed and candidate species, and species of special concern that, and programs for recovery well documented. These efforts should be reasonably foreseeable to increase the number and types of fisheries and wildlife over the 100 years of the length of this CEQA project.

Relative to hydrologic analysis and water supply, the DEIR should also find that reclaiming both the plant site and the quarry area will increase evaporation of water that is directly linked to groundwater flow or would intercept water from Little Dry Creek that would ultimately impact the River's flow. Although reclamation to other than open water habitat would likely be cost prohibitive for the Company that ultimately is the owner when reclamation is implemented, this impact needs to be stated as a unmitigated significant impact.

## Future Conditions Should be Analyzed with Climate Change Considerations

- Future conditions should be analyzed with climate change considerations
  - Hydrology – flood potential with climate modeling
  - Water Quality (algae blooms in open water pits)

Related to the above discussion of reasonably foreseeable future conditions, most of the analysis on the future conditions does not incorporate well documented future impacts due to climate change. Analysis regarding hydrological conditions for the San Joaquin River and Little Dry Creek do not include like conditions that will exist both by 2050 and 2100. As is well documented with climate models, including downscaled modeling and analysis for this region, the climate in this region will have both hotter conditions and more flashy climatological events (for examples, see Moser & Ekstrom 2010, Zhang et al. 2024, and Liu et al. 2021). The analysis of the integrity of the quarry site from inundation, including through higher levels of groundwater flow from increased height of the river, and power of the river, should be better analyzed. An especially important, mitigation that would prevent the failure of the walls of the quarry should be very robust. The analysis of the quarry site from inundation from extreme flows of Little Dry Creek is especially superficial. (see below for related issues).

Climate Change projections are nearly unanimous in the prediction of hotter summers for this region. Reclaiming the plant and quarry sites to open water habitat does not consider what the future conditions will mean for water temperatures and the likelihood of outbreaks of *Microcystis*, a potentially dangerous micro algae (Power et al. 2024). With the potential for *Microcystis* outbreaks, the DIER should consider the potential future implications to fishers, wildlife and humans.

## Better, more Comprehensive Mitigation Should be Implemented, Especially for Significant Impacts that Cannot be Fully Mitigated to Less Than Significant Impacts

An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures (§15093 of the State CEQA Guidelines). This project is one which takes a valuable resource of the County and State, and allows for the commercialization of that resource. The likelihood of a lucrative return to the local economy is documented within the DEIR. From this perspective, it is likely that CEMEX will significantly benefit from this project. For this reason, feasible mitigation measures need to be considered that in other instances could be deemed too expensive.

For Transportation impacts, especially for those that involve the safety of pedestrians and bicyclists, there are several mitigation measures that could reduce the over impacts of this proposed projects. The City and County of Fresno have identified multiple intersections along Friant Avenue within the likely travel routes for the gravel trucks. The County should consider the installation of pedestrian and bike bridges at the intersections of Fresno, Audubon, Shepard, Fort Washington, Champlain, Copper, and Willow. Potentially these overcrossings can be completed over time, with those nearest Woodward Park being the highest priority. Related to this is the impacts to the San Joaquin River Parkway multiuse trail. Although CEMEX states in their supporting documents that they could work with the San Joaquin River Conservancy to build this between the plant and Friant road, and along their quarry pit, both of these alignments will still have safety concerns with the increased truck traffic. The County should require that CEMEX build a the multiuse train and underpass at the entrance to their plant, in addition to constructing the multiuse trail on Ball Ranch, connecting by a bridge across the river to Ledger Island, and then reconnecting to the Fresno side of the river upstream of the quarry site and connecting it to Lost Lake Park. These additions would keep pedestrians and bicyclists away from the quarry and allow for safe travel by the plant site. In addition, this should also take more bicycle traffic off of Friant Road and avoid safety considerations of increased traffic.

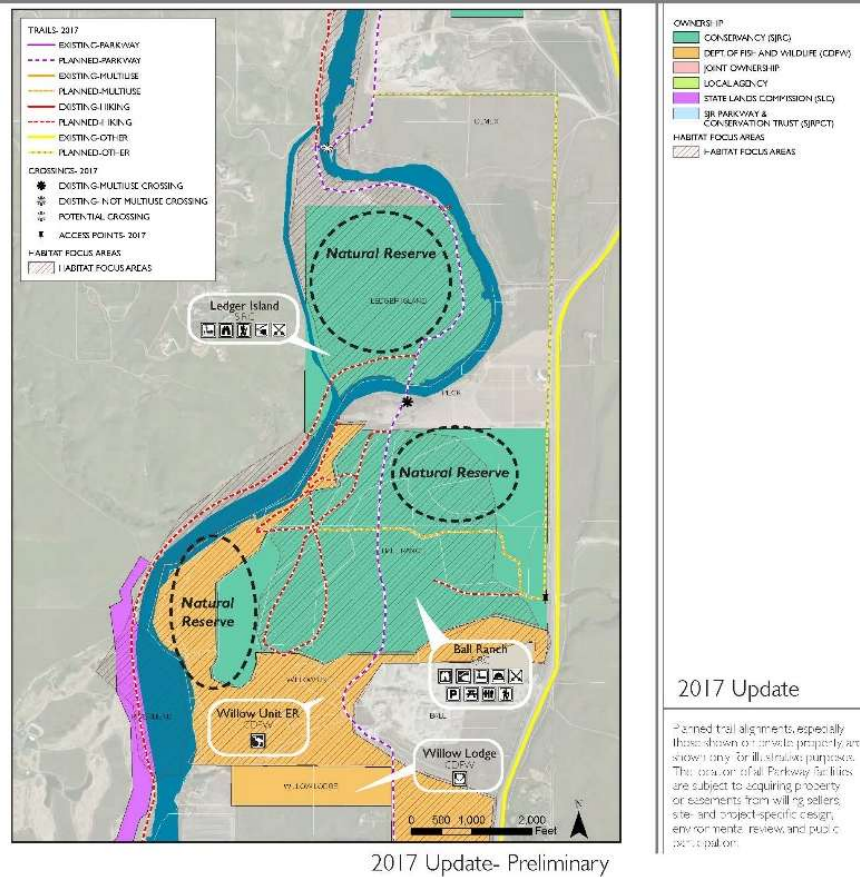


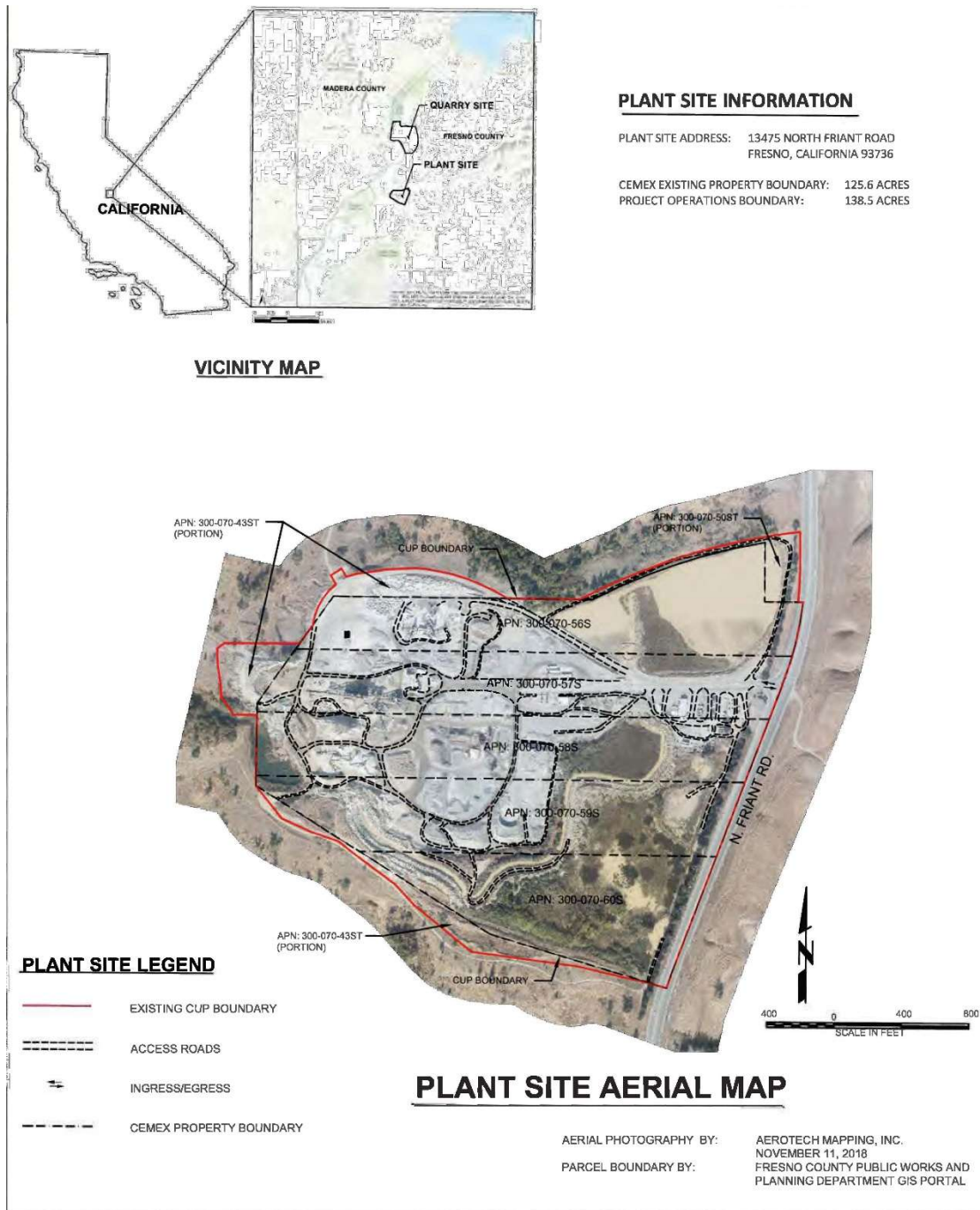
Figure 1. From the San Joaquin River Parkway Master Plan. Siting of existing and proposed multiuse trails with two crossing of the San Joaquin River.

## Specific Comments

### Silty discharge from Plant site ponds to Little Dry Creek active floodplain

The proposed project at the plant site (Figure 2) does not discuss past levee breakage and loss of water from the silt pond. Although the proposed project describes some protection from discharges of the silt pond, there is not much information on any increase in design characteristics to the levee than can justify more confidence that further discharges will not happen. As seen in Figures 3-7, the silt pond is located next to the active flood plain of Little Dry Creek and has likely discharged silt and silty water into that flood plain. With the existing water quality constituents of the silt pond as reported in DEIR, the proposed project should provide strong mitigation measures to assure that the levee separating the silt pond from Little Dry Creek is much stronger, better monitored, and include a spill cleanup and abatement plan.

Little Dry Creek supplies the Main Pond on Ball Ranch, that is used by the public for fishing, swimming and boating recreational activities. With the potential for future discharges of the silt pond, analysis should be done for the Main Pond on wildlife and fisheries species (see Figure 8), water quality issues, and impacts to hydrology from the proposed extension of the plant site CUP.



SOURCE: CEMEX 2021; arranged by Benchmark Resources in 2022

Figure 2. Figure 2-1 form DEIR showing the Plant Site's existing conditions. Note the property boundaries versus the project area disturbances and the location of the silt pond.

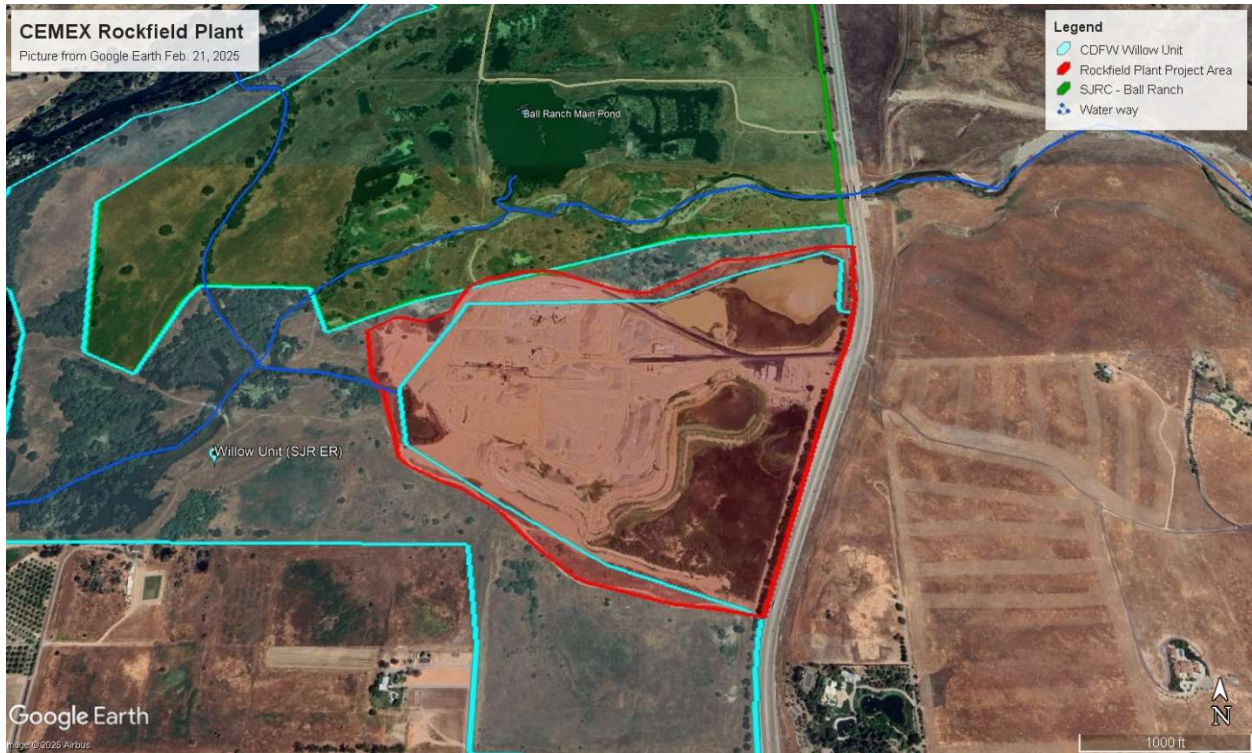


Figure 3: Rockfield Plant site from Google earth with approximate property boundaries. Note the proximity of the plant's northern boundary and silt pond to Little Dry Creek, especially Little Dry Creek's active floodplain.



Figure 4: Google Earth Image from March 2025 showing existing conditions with a focus on the silt pond and Little Dry Creek. Note the silt deposits next to the silt pond.



Figure 5: Google Earth image captured March 2025 and using the time series tool to show another instance of siltation in Little Dry Creek's floodplain next to the silt pond in May of 2020.



Figure 6: Google Earth image captured March 2025 and using the time series tool to show another instance of silty water in Little Dry Creek's floodplain next to the silt pond in August of 2018.



Figure 7: Google Earth image captured March 2025 and using the time series tool to show another instance of silty water in Little Dry Creek's floodplain next to the silt pond in August of 2013.



Figure 8: Sacramento Pikeminnow at the entrance of the Ball Ranch Main Pond. Photo taken April 12, 2029.

## Lack of any analysis of the Inlet Ditch that is connected to the San Joaquin River and Little Dry Creek

- Silt issues
- Crossing of Little dry Creek
- Low water crossing of Little Dry Creek
- Invasive species issues in Ditch
- Lack of Fish Screen
- Lack of Water Quality Analysis

Figure 2 also shows the CUP boundary, which is also described as the Project Area for the plant site. A very important area that is not included, but should be, is the inlet ditch that supplies water to the plant. Figure 3 also shows, approximately, the location of the inlet ditch as it connects to the plant site on its western boundary, travels west before turning north and connecting to the San Joaquin River. A very important note is that the ditch crosses Little Dry Creek at grade, causing the waters to commingle (Figure 9). The ditch supplies project related water supplies, and has required maintenance in the past, which is likely to continue being required for flow. For this reason, it should be included in the project area and its continued operations and maintenance described and mitigation for continued negative impacts covered.

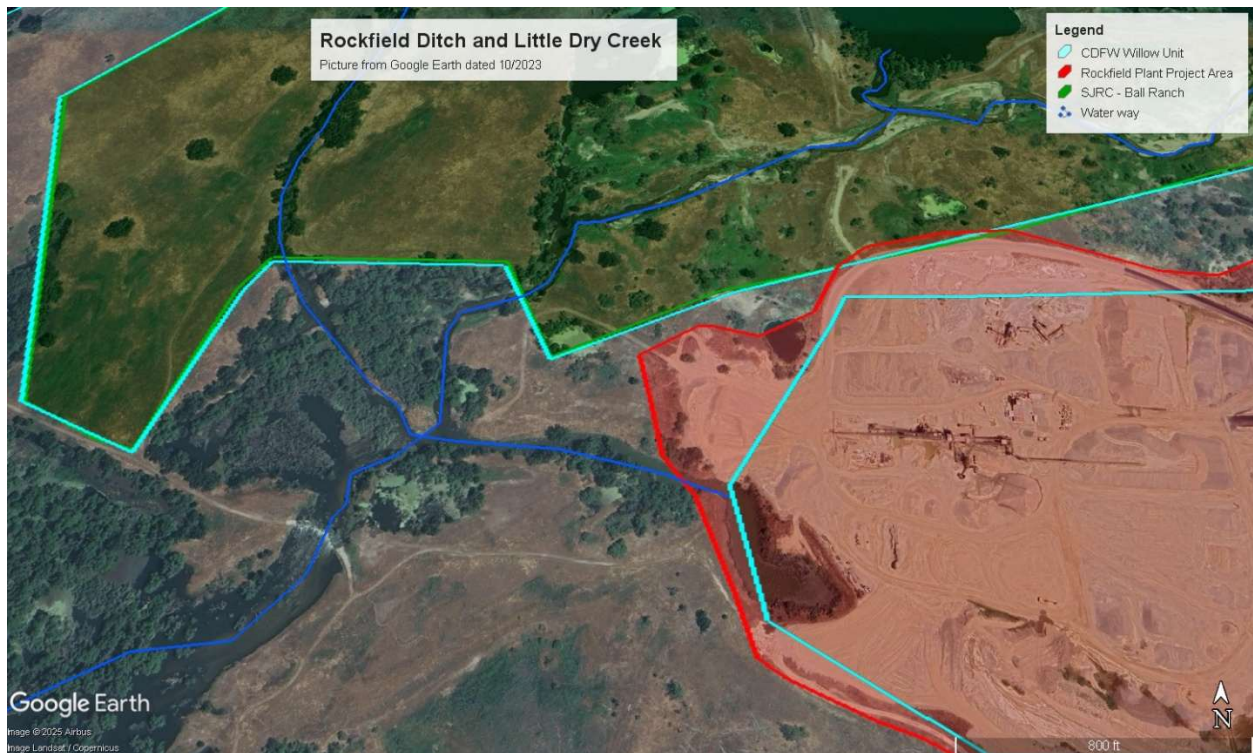


Figure 9: Rockfield water supply ditch with a focus on the crossing of Little Dry Creek from Google Earth, access in March 2025 and using the time series tool to show October 2023. Note the water within Little Dry Creek downstream of the inlet ditch crossing.

For example, Figure 10 shows how close land disturbance is to the inlet ditch pond at the plant site. This proximity of disturbance can allow silt and other contaminants to enter the water in the inlet ditch. With flows of Little Dry Creek, the likelihood of flow going back towards the River is likely. As with the water quality of the silt pond, water quality of the inlet ditch needs to be described. Mitigation and monitoring requirements need to be put into place to avoid, if possible, on going and future negative impacts. Siltation of fine sediments is especially problematic for the fisheries of the San Joaquin River and is identified as potential issues in the continue efforts as reestablishing a run of Chinook salmon.

An important mitigation measure to avoid some of the most important negative impacts from continued operations at the plant site is to separate the ditch water from Little Dry Creek. A siphon or some other such infrastructure should be required. In addition, none of the background information describes a right to use water from Little Dry Creek, and with the water comingled, CEMEX is taken water from a water body without any clam of rights for that.



Figure 10: Rockfield water supply ditch with a focus on the crossing of Little Dry Creek and the inlet pond from Google Earth, access in March 2025 and using the time series tool to show May 2023. Note that Little Dry is flowing and that the surface disturbance at the plant site goes up to the inlet pond, allowing siltation and contaminants to enter the inlet ditch waters that are connected to Little Dry Creek.

## Impacts to Fisheries and Wildlife Need a More Comprehensive Analysis and a Mitigation and Monitoring Plan that Adequately Prevents Impacts

Although the supporting documentation for the DEIR discusses modeling that purports to show that the likelihood of impacts from blasting to fisheries, including Spring run Chinook salmon, are not

expected, the monitoring, with mitigation measures if monitoring shows impacts taking place, is not sufficient to protect this very important resource. The 2013 State of Alaska Department of Fish and Game Blasting Standard (Alaska Blasting Standard) cited by the applicant identifies mitigation monitoring (hydrophones) that should be conducted in conjunction with blasting. The following is a recommended mitigation approach:

- Year 1 of blasting: Monitor blasting impacts at the river adjacent to the Quarry Site. Depending on monitoring results, implement the following actions:
  1. Below 0.6 pounds per square inch and 0.5 inches per second: no action.
  2. Between 0.6 pounds per square inch-6 pounds per square inch or 0.6 inches per second-2.0 inches per second: implement avoidance and minimization measures outlined in the Alaska Blasting Standard and continue monitoring.
  3. Above 7.3 pounds per square inch or 2.0 inches per second: implement avoidance, minimization, and mitigation measures outlined in the Alaska Blasting Standard and continue monitoring.

At the end of one year of monitoring, re-evaluate the need for monitoring using the following parameters:

- If after 1 year, river impacts stay below 0.6 pounds per square inch and 0.5 inches per second, no additional monitoring is needed so long as future blasting techniques don't create additional pressure or other river impacts.
- If after 1 year, river impacts have been between 0.6 pounds per square inch-6 pounds per square inch or 0.5 inches per second-2.0 inches per second, continue monitoring and implementing avoidance and minimization measures until 1 year of 0.6 pounds per square inch and 0.5 inches per second measurements.
- If after 1 year, river impacts exceeded above 7.3 pounds per square inch or 2.0 inches per second, continue to implement monitoring and avoidance, minimization, and mitigation measures until 1 year of lesser pounds per square inch measurements are experienced, at which point follow guidance for the range of pounds per square inch and inches per second measurements experienced.
- If at any point blasting technique changes so that blasts have the potential to be more impactful to the surrounding land than they were during a 1-year monitoring period where blasts registered below 0.6 pounds per square inch and 0.5 inches per second at the river, river monitoring should take place for the period of higher impact blasting to verify that the new blasting technique does not create additional impacts to the river. So long as impacts of the new blasting technique remain below 0.6 pounds per square inch and 0.5 inches per second at the river, no additional monitoring is necessary for that blasting technique. If the blasting technique creates impacts, either cease the technique or re-enter monitoring, avoidance, minimization, and mitigation measures described above.

The analysis of impacted wildlife species from operations, including blasting at the quarry site, does not adequately discuss probable species of wildlife expected in the area. The main example of this is any analysis of bat species. The North American Bat Monitoring Program has established monitoring sites very close to both the plant site and to the quarry site (NA Bat Monitoring Program 2023). This program has identified numerous species of bats adjacent to the project sites. In addition, Pallid Bats, recently listed as California's official state bat, have been identified in a night roosting site within 10 miles of the plant site (Figure 11). The DEIR should analyze the potential for blasting impacts of roosting of bat species, document their areas of concern, and potentially impacts for impaired water bodies such as the silt ponds on their diet.



*Figure 11: Pallid bats at the Lanes Road house of the San Joaquin River Conservancy. Photo taken by J. Shelton November 2022*

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