

# Agreement Opens Way for Quarrying on Apperson Ridge

## Deal with Conservationists Delays Mining till 2030



Ridge from Sunol Regional Wilderness. Photo by Jeff Miller.  
by Laura Hautala

Apperson

A recently announced agreement between two environmental groups and a quarry operator appears to open the way for gravel mining at Apperson Ridge, adjacent to Sunol Regional Wilderness, and continued mining at an existing quarry nearby, though the Apperson site would not be quarried until 2030 at the soonest.

The agreement comes after two years of negotiation between the Alameda Creek Alliance, the Center for Biological Diversity (CBD), and Oliver de Silva, Inc. The agreement between activists and rock miners will allow mining to go forward in the southeastern Alameda County locations – after several environmental conditions are met.

Environmentalists have voiced major concerns for protected species in this vast grassland habitat and watershed since the ridge site was leased to Oliver de Silva by private landowners in 1984. This opposition continued in 2005, when the San Francisco Public Utilities Commission (SFPUC) announced exclusive negotiations with Oliver de Silva for the existing Sunol Valley Quarry, which sits on the SFPUC's public lands. Then, says Jeff Miller of the Alameda Creek Alliance, representatives from the mining company approached the environmentalists.

"We were very skeptical at first," says Miller. "[But] when it looked like they would be able to do most of what we wanted, we started negotiating. We negotiated for two years." The agreement, which Miller terms "unprecedented" and "visionary," reflects a new approach for two environmental organizations that have pursued costly litigation to protect habitats in the past.

"We decided we probably could not have stopped the project. It was more worthwhile to put that effort and money into creating a conservation plan," says Miller.

"This provides a rare, once-in-a-lifetime opportunity to marry two projects and provide major environmental enhancements that would not be possible if we were not working together with the conservation groups," said Ed de Silva, chairman of Oliver de Silva, Inc., in a recent press release.

Seeking the least possible damage, environmentalists ended up with a plan that includes unprecedented provisions, such as offsets for 100 percent of greenhouse gases released by the quarries. More germane to concerns over sensitive species, Oliver de Silva will purchase replacement habitat for protected species at ratios of 3-1. For target species like tule elk, the replacement ratio is 4-1. The proposed mine has a 116-acre footprint, meaning that mitigations could result in over 600 acres of new protected lands.

For environmentalists, the most appealing part of a deal with Oliver de Silva was the ability to delay mining on Apperson Ridge by at least 20 years. According to the agreement, Oliver de Silva will not mine on Apperson Ridge until operations cease at Sunol Valley, or until 2030, whichever happens later. Allowing Oliver de Silva to operate both mines will also lessen two of the biggest dangers to the existing tule elk population at Apperson: noise created by processing rock and the massive truck traffic that would be required to remove rock. Instead of roads, conveyor belts will be used to move rock from Apperson to the Sunol Valley Quarry, where it will be processed with existing infrastructure.

Oliver de Silva is also committed to giving \$250,000 to other tule elk habitats in Northern California if the Apperson Ridge herd doesn't thrive.

Mitigations, often seen as a lesser-evil option, can be difficult to assess if, for example, lands protected as mitigation are not under immediate threat. What's more, this agreement does not specify where new protected habitat must be created – just that it be done before the new quarry opens. However, Miller says he is confident that the agreement will result in useful protected spaces in the mine's vicinity, due to the requirement to purchase land that offers the same habitat and the high replacement ratios. Land is available, he says, because "ranchers and private landowners know there's a market for mitigation land."

Protected lands will be turned over to the East Bay Regional Park District, and under a previous agreement, this organization will also have first buyer's rights should the Apperson Ridge Quarry go up for sale.

As for the Alameda Creek watershed – the second largest watershed flowing into the San Francisco Bay – Oliver de Silva will contribute to habitat restoration and the protection of endangered species on several fronts. The company will dedicate several million dollars in funding for fish passage projects throughout the watershed, in addition to directly improving habitat by re-vegetating stream banks and improving flow where streams run near the Sunol

Valley Quarry. Oliver de Silva funds will also go to an SFPUC Sunol Valley Restoration Plan to benefit the region's waterways.

Save Our Sunol (SOS), a local community group that has been critical of quarrying in the past, granted that Oliver de Silva made significant environmental concessions. "I do think they have gone out of their way to answer some of the conservation questions in their agreement," says Pat Stillman, president of SOS. However, she voiced concerns over threats to community health that she says past mining operations have ignored. "We have a number of children in the school that are asthmatic," says Stillman. SOS would like to see a fund for downtown improvements and support for the school from Oliver de Silva, and the group is discussing internally how to move forward with these requests.

A spokesperson for Oliver de Silva was not immediately available to respond to SOS's concerns over potential links between mining and asthma.

Approval of mining operations at Sunol Valley are pending with the SFPUC. That means the agreement with the creek alliance and CBD hinges on the utilities commission's decision; if the Sunol quarry lease is not approved, Oliver de Silva will move to mine Apperson Ridge immediately and the environmental organizations will sue after all.

The SFPUC will vote on the Sunol lease on June 9. Says Miller, "I think the commission is likely to approve. Giving Oliver de Silva the lease makes sense, certainly from a conservation point of view, and the PUC has a strong interest in having that mining infrastructure moved off the ridge above their watershed land."

Pending the SFPUC approval, the San Francisco board of supervisors will vote on the matter in July or August. Further approvals from the SFPUC and environmental reviews from Alameda County will determine whether all aspects of the sequential mining will take place.