



Oliver de Silva, INC



For Immediate Release, May 21, 2009

**Historic Conservation Agreement Signed for Apperson and Sunol Quarries
With Center for Biological Diversity and Alameda Creek Alliance**

***Apperson Quarry Project Will Be Delayed Until 2030; Substantial
Mitigations for Wildlife***

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SUNOL, *Calif.* – Two conservation groups and a mining company today announced a historic cooperative conservation agreement for two quarry projects in the Sunol area — the Apperson Ridge Quarry and the Sunol Valley Quarry. The Center for Biological Diversity and the Alameda Creek Alliance signed an agreement in December 2008 with Oliver de Silva, Inc. that will dramatically change the Apperson Quarry project, protect and enhance endangered species habitat, provide millions of dollars for fish-passage projects and restoration of Alameda Creek, secure habitat enhancements for tule elk, and address greenhouse gas emissions.

“We are proud to announce conservation plans for the Apperson Ridge and Sunol Valley quarries that allow us to support both projects, and we applaud Oliver de Silva’s commitments to environmental protections and restoration efforts through these projects,” said Jeff Miller, director of the Alameda Creek Alliance. “This unprecedented agreement will significantly reduce the biological impacts of the Apperson Quarry, contribute to restoration of Alameda Creek, and provide extensive mitigation and conservation measures to protect and restore habitat for endangered and locally rare species such as steelhead trout, tule elk, and red-legged frog.”

“The Apperson agreement is a model for cooperative conservation planning between environmental groups and private companies,” said Peter Galvin, conservation director at the Center for Biological Diversity. “These historic conservation plans will result in permanent protection of more than 600 acres of endangered species habitat and secure funding for reintroduction and enhancement of tule elk. This agreement is a good deal for wildlife and a boon for conservation and restoration projects in the area for the next half century.”

“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 DeSilva, chairman of Oliver de Silva, Inc.

Under the agreement, Oliver de Silva will fund and implement an Apperson Ridge Conservation Plan that will reduce potential impacts of the approved Apperson Quarry operation on native wildlife species and their habitats, provide mitigation for any environmental impacts, and permanently protect and enhance habitat for special-status species. Oliver de Silva will also fund a Sunol Quarry Conservation Plan that will assist in fish passage projects for steelhead trout and significantly advance the restoration of Alameda Creek.

The Apperson Quarry (Surface Mining Permit 17 or “SMP-17”) is a hard-rock quarry approved by Alameda County in 1984, with a footprint of approximately 116 acres, located within a 680-acre leasehold on a private ranch east of the Sunol Valley. The Sunol Valley Quarry (“SMP-30”) is an existing gravel operation approved in the 1960s, on 325 acres of public land in the Sunol Valley, under lease from the San Francisco Public Utilities Commission.

The conservation agreement proposes changes to both quarry operations that, if approved by regulators, will dramatically reduce impacts to biological resources at Apperson Ridge. Quarrying at Apperson Ridge would be deferred until 2030 or cessation of operations at the Sunol Quarry site, whichever is later. Already approved processing plants to produce asphalt and concrete would be moved from Apperson Ridge to the Sunol Quarry site, which does not have habitat for special-status species. Material from Apperson Ridge would be transported for processing using a conveyor system, rather than an approved haul road, reducing road grading, truck traffic, and noise disturbance associated with the access road.

One of the major mitigation measures in the agreement is replacement of habitat loss at Apperson Ridge within the footprint of quarrying and due to project infrastructure, through purchase and/or permanent protection of similar habitats on private land, at a replacement ratio of 3 to 1, and with a minimum parcel or parcels consisting of 600 acres protected. The plan provides robust mitigation for any loss of breeding habitat for several focal species at a 4 to 1 replacement ratio. Oliver de Silva will also initiate an incidental-take permit process under the Endangered Species Act, using a federal Habitat Conservation Plan with the U.S. Fish and Wildlife Service.

The agreement contains a comprehensive tule elk mitigation and monitoring plan, including \$250,000 in initial funding and up to \$250,000 annually when activity begins at Apperson Ridge, to enhance and protect elk habitat and establish a tule elk reserve in northern California.

Oliver de Silva will contribute several million dollars for fish passage projects to help restore steelhead trout to Alameda Creek, including funding fish ladders at the BART

weir and inflatable rubber dams in the lower Alameda Creek flood-control channel, and a fish passage project at a PG&E gas pipeline crossing of Alameda Creek in the Sunol Valley. The company will also revegetate stream banks and restore more natural stream function to enhance habitat quality in the stream reaches adjacent to the Sunol Quarry, and contribute financial support for an SFPUC Sunol Valley Restoration Plan to stabilize and restore the entire Sunol Valley reach of Alameda Creek.

Oliver de Silva has additionally committed to measures to reduce the greenhouse gas emissions of the Apperson Quarry project and to purchase approved offsets for 100 percent of the greenhouse gas emissions. It will also provide significant ongoing funding to the signatory conservation groups for efforts to protect wildlife and wild areas in the greater San Francisco Bay Area.

The agreement contains measures designed to avoid biological impacts, such as focused species surveys to determine presence of special-status species and the extent of suitable habitat, potential stockpiling of quarried rock at the SMP-30 site to allow for seasonal constraints on SMP-17 operations to minimize potential noise disturbance to wildlife, and “take” avoidance measures to exclude special status species from quarry areas before construction.

The changes to the Apperson Quarry project, as well as the avoidance, mitigation, and habitat enhancement measures contained in the conservation plans are contingent upon and triggered by agency approvals of the lease and lease extensions for the Sunol Quarry project (SMP-30) and agency approvals for the revised Apperson Quarry project (SMP-17).

More information about the Apperson Quarry agreement can be found on the Center for Biological Diversity Web site at:

www.biologicaldiversity.org/campaigns/apperson_quarry_conservation_agreement/index.html