



**Siskiyou County
Planning Commission Staff Report
January 17, 2024**

**New Business Agenda Item No. 3
Brown's Quarry Reclamation Plan Amendment (RP-03-03-1M)
and Use Permit Amendment (UP-03-12-1M)**

Applicant: Eric Peters, Operator
LP Enterprises

Property Owners: Jeffrey & April Brown
1722 Ball Mountain Little Shasta Road
Montague, CA 96064

Representative: Jim Fitzgerald
GeoServ, Inc.
PO Box 831
Mt Shasta, CA 96067

Project Summary Proposed amendments to Use Permit (UP-03-12) and Reclamation Plan (RP-03-03) to include all property that has been disturbed as part of this mining operation, extend the end date of the operation to 2028 and update the monitoring and reclamation standards in order to bring the mine site into compliance, end mining operations, and reclaim the site.

Location: 1722 Ball Mountain Little Shasta Road, east of the city of Montague, on APNs 013-370-730 & 013-380-390; Township 45N, Range 6W, Sections 25 and 26, MDB&M (Latitude 41°43'34" N, Longitude 122°29'39" W).

General Plan: Building Foundation Limits: High Shrink Swell Behavior Soils, Soils: Severe Septic Tank Limitations.

Zoning: Prime Agricultural (AG-1), Non-Prime Agricultural, 40-acre minimum parcel size (AG-2-B-40)

**Planning Commission Staff Report
January 17, 2024**

Exhibits:

- A. Resolution PC-2024-003, a Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the Brown's Quarry Reclamation Plan Amendment (RP-03-03-1M) and Use Permit Amendment (UP-03-12-1M)
 - A-1. Notations and Recommended Conditions of Approval
 - A-2. Recommended Findings
- B. Draft Reclamation Plan
 - B-1. Maps
 - B-2. Revegetation Plan
 - B-3. Slope Stability Analysis
- C. Draft CEQA Determination
 - C-1. Adopted Mitigated Negative Declaration (SCH #2004052064)
- D. Use Permit (UP-03-12)
- E. Reclamation Plan (RP-03-03) and Agreement
- F. Planning Commission Minute Order – August 4, 2004
- G. Comments



Figure 1: Aerial Image showing Historic and Current Mining Activity (7/16/2022)

Background

The 26.65-acre project site consists of an existing rock quarry. The site currently contains equipment and disturbances associated with the existing mining operation. Ponds are present due to removal of product to levels below groundwater. The site is surrounded by agricultural/open space land mainly committed to dryland grazing. A few homes are scattered within a half-mile of the site. A state-operated wildlife refuge is adjacent to the west and south of the project parcel. The project site has direct access to Ball Mountain Little Shasta Road by the existing haul road.

The site has been quarried intermittently since 1951 and is believed to have been in existence since 1890. What was originally a rock knoll has been transformed into a pit due to quarrying activities. A Reclamation Plan was approved in 1985 to address the condition of the site at the conclusion of operation. As the mining operation was considered to be a vested right, a Use Permit was not required at the time. In order to extend the operations, the property owner applied for a Use Permit and Reclamation Plan in 2004, which the current quarrying activities are permitted under. The current permit allows for the intermittent excavation, crushing and screening of aggregates for the production of pit-run and base rock within a 14.5-acre portion of a 374-acre parcel.

Within the 374-acre parcel, approximately 50 acres show evidence of historic and current mining activities. Of those 50 acres, approximately 25 acres have not been disturbed since being considered reclaimed and are not subject to reclamation under the proposed plan. The proposal only incorporates areas that will require reclamation efforts due to mining related disturbance which has occurred since 2004. Areas where the property owner has utilized rock from the closed pit for use on this ranch, are not included in this plan and are not subject to SMARA.



Figure 2: Aerial Image showing Current Mining Activity (7/16/2022)

Project Description

Proposed Amendment

The applicant is requesting an amendment to the previously approved Use Permit (UP-03-12) and Reclamation Plan (RP-03-03). The proposed amendments would do the following:

- Expand the approved existing aggregate surface mining operation from 14.5 acres to 26.5 acres due to mining activity which has already occurred outside of the approved boundary.
- Increase the approved depth from 2,625 feet to 2,600 feet in order to equal the current excavated depth of 2,600 feet. (Figure 3)
- Remove a plant species, hedgehog dogtail grass, included in the original approved seed mix that is now classified as an invasive species and increase other seed, bottlebrush squirreltail grass, that is already included in the approved mix. (Figure 4)
- Extend the original May 24, 2025, mine closure date by three years to May 24, 2028. The existing Reclamation Plan and Use Permit was approved for 20 years from the date of issuance, May 24, 2005, and included reclamation activities and required revegetation monitoring. the mine site will not be closed by the end date of May 24, 2005. Therefore, the applicant also proposes to increase the end date by 3 years. The intent of this amendment is to bring the mine site in compliance with county ordinances and SMARA so reclamation activities can proceed. No further quarrying activities are proposed.
- Establish a phased Reclamation Plan. Phase 1 - grading to reduce cut slopes to 1:1 or less and fill slopes to 2:1 or less. Phase 2 - revegetation of the site in accordance with the updated seed mix. Once reclamation activities are complete, the 3-year revegetation monitoring will commence.

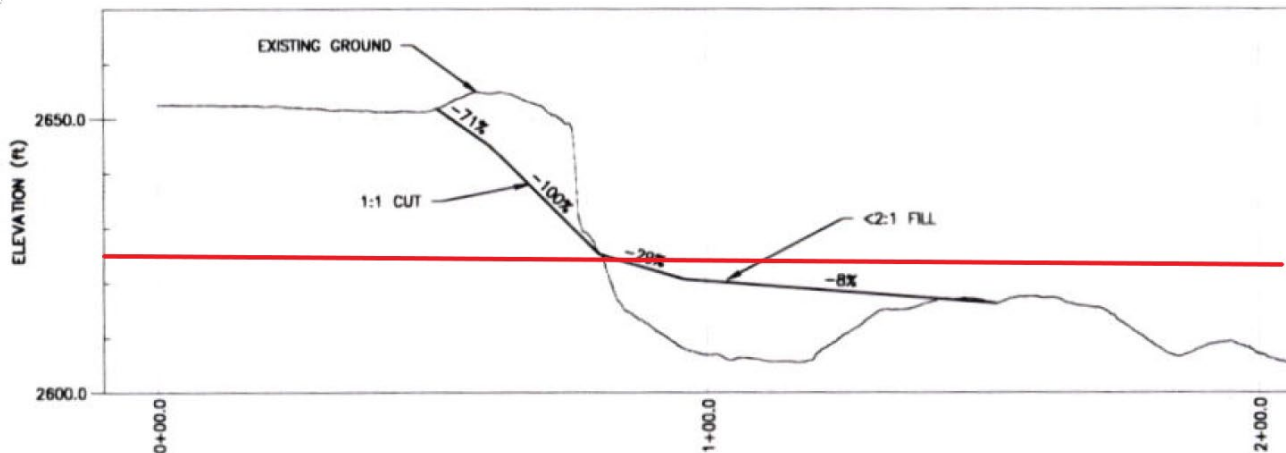


Figure 3: Image showing current, approved depth of 2625 feet (red) and proposed depth at 2600 feet

Approved Mining Plan of Operations

No additional quarrying is proposed as part of this amendment. Upon approval, reclamation activities will commence starting with the initial step of invasive plant control by spraying, then moving on to regrading, followed by revegetation and monitoring.

**Planning Commission Staff Report
January 17, 2024**

Approved Reclamation Plan

As quarrying operations have ceased, the site will remain relatively similar to what it is now. Slopes will be graded to 2:1 or flatter. In areas where steeper slopes have been identified to be stable, a 1:1 slope is proposed.

Any remaining soil and overburden will be distributed on graded slopes. Weed free straw mulch will be applied at 2 tons per acre. Compacted areas will be ripped and seeded.

Native Seed Mix - Plant Species	lb/ac	%
Rabbit Brush (<i>Ericameria nauseosa</i>)	2	14
Yarrow (<i>Achillea millefolium</i>)	3	21
Sulphur eriogonum (<i>Eriogonum umbellatum</i>)	1	8
Bottlebrush squirreltail grass (<i>Elymus elymoides</i>)	8	57
Total	14	100

Figure 3: Proposed seed mixture

Application of the seed mixture would be performed by broadcast seeding. The success of the revegetation will be based on the density, species richness and coverage being equal to or greater than the existing conditions and surrounding area.

Analysis

Zoning Consistency

The subject parcel is zoned Prime Agricultural (AG-1) and Non-Prime Agricultural, 40-acre minimum parcel size (AG-2-B-40) and is not proposed to be changed as part of this project.

Pursuant to Siskiyou County Code (SCC) Section 10-6.1501, the uses designated in Article 15 may be allowed subject to the issuance of a use permit. In evaluating a use permit request, the primary focus is compatibility of the proposed surface mining operation with the site and surrounding uses to determine if the proposed project should be allowed, and to review the configuration, design, location, and potential impact(s) of the proposed project. The Planning Commission may approve the use permit application, with or without conditions, only if all the required findings can be made. These findings are detailed in the Zoning Consistency Findings section of Exhibit A-2.

In order for the Commission to approve the requested Use Permit and Reclamation Plan amendments, the Commission must find that the proposed use is consistent with the General Plan, would not be detrimental to the public welfare or injurious to property or improvements in the surrounding area, and not be incompatible with the character of the area due to noise, dust, odors, or other undesirable characteristics. Based on staff's analysis of the proposed project, staff believes that the necessary findings to approve the proposal can be made subject to the incorporation of the recommended conditions of approval. These findings are detailed in the Zoning Consistency Findings section of Exhibit A-2 attached to this staff report and are submitted for the Commission's review, consideration, and approval.

Planning Commission Staff Report January 17, 2024

General Plan Consistency

The Land Use Element of the Siskiyou County General Plan identified the project site as being within the mapped overlay area for Slope and Wildfire Hazard. In addition, Planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.6, 41.7, 41.9, 41.12, 41.13 and 41.18 all apply to the proposed project.

Staff has conducted a detailed analysis of each of the required findings and has found that the proposed project is consistent with the applicable General Plan policies governing the subject site. Additionally, the use would be compatible with the surrounding land uses, would have adequate roadway access for transportation and public health and safety provisions, and would not create environmental impacts to on- or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings section of Exhibit A-2 attached to this staff report, and are submitted for the commissioner's review, consideration, and approval.

Discussion

Parcel Creation

APNs: 013-370-730 and 013-380-390 together with APN 013-370-700 are one legal parcel that was originally created by Parcel Map (Parcel IV-A, PMB 2, Page 16) as recorded with the Siskiyou County Recorder on April 25, 1974. It was later modified by and is Parcel B of Boundary Line Adjustment recorded as Siskiyou County Official Records, Document Number 2015-0005552 on June 19, 2015.

Environmental Review

An Initial Study and Mitigated Negative Declaration (SCH # 2004052064) was prepared and adopted for the previously approved Brown's Quarry. Based on the Initial Study/Mitigated Negative Declaration (IS/MND), it was determined that the activities associated with the proposed surface mining operation could not have any significant adverse impacts to the environment because mitigation measures were adopted to reduce potential adverse impacts to the environment to a less than significant level. The IS/MND was adopted by the Siskiyou County Planning Commission on August 4, 2004, with the following mitigation measures:

- Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer.
- Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transportation during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and County Public Works Department.
- Prior to Use Permit Issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road.
- During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Material Business Plan. No hazardous materials may be disposed of on the site.
- Where practicable, quarry operations, with the exception of material stock piling, handling and transport, shall be confined to within the pit itself. Material crushing and screening activities shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area.
- A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry.

**Planning Commission Staff Report
January 17, 2024**

CEQA Guidelines Section 15162 provides that once an MND is adopted for a project and when a subsequent discretionary approval is required for the project, the lead agency may determine, based on substantial evidence, whether additional environmental review of the project is warranted. If one or more of the conditions stated in Section 15162(a) are present, then the lead agency has the discretion to determine whether to require a lesser form of environmental review (an Addendum, Section 15164) or no further documentation (Section 15162 (b)). With respect to the proposed project amendment, Staff has determined that the amendment represents only changes to account for existing conditions and would not result in any new significant environmental effects not previously analyzed in the IS/MND.

The proposed Project amendment does not significantly change the project, there are no significant changes under which the project will be undertaken, and no new information has come to light regarding new or significant environmental effects. Therefore, it can be concluded with certainty that no additional CEQA documentation is required, and staff recommends the Planning Commission make the following findings:

1. There is no substantial change to the project.
Based on the proposed changes, the reclamation of the mine site remains substantially similar to the originally approved project in terms of end use, slope and revegetation. The original project approved the end use of low-value rangeland, which the proposed revegetation plan had been modified to better address invasive species and pollinator friendly practices. Within the original project, it was noted that areas where bedrock protrusions exist, steeper slopes may result. The proposed amendment addresses the specific areas where these steeper slopes will result and provides supporting documentation that these steep slopes will be stable, safe and appropriate for the end use once mining activities have ceased.
2. There are no substantial changes to the project's circumstances.
Circumstances have not changed under which the surface mine reclamation will occur. The environmental setting remains the same in regard to development in the area and surrounding uses. The intent of the proposed project is to bring into compliance what has already occurred. No new or additional mining operations are proposed as part of this project.
3. There is no new information of substantial importance.
Staff has not been made aware of any new information that was not known and could not have been know at the time the Planning Commission originally approved the project that increases environmental effects.

Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on January 3, 2024, and mailed to property owners within 300 feet of the subject property. No public comments were received at the time this staff report was written.

Agency Comments

California Department of Forestry and Fire Protection (Cal Fire) – July 7, 2023

Cal Fire has no requirements for the extension of the mine.

Planning Response: No response necessary.

**Planning Commission Staff Report
January 17, 2024**

California Department of Fish and Wildlife – July 19, 2023

CDFW recommends the incorporation of additional native plant species that are directly associated with listed bumble bee species. They also noted that the Revegetation Plan lacks objectives and desired future conditions, adaptive management strategies, success criteria and invasive species control. Additionally, they noted fencing could create hazards or barriers for wildlife and suggest wildlife friendly fencing techniques.

Planning Response: The applicant team responded to CDFW comments by adding to their proposed plan where necessary.

- *Native Plant Species for Pollinators – The county is not opposed to including seeds which will promote pollinators. However, as noted in the Vegetation Survey, Lupine and California Poppy are present and naturally revegetating.*
- *Revegetation objectives and future conditions are included within the Reclamation Plan Application (Page 34), specifying livestock grazing which would not preclude wildlife habitat. Success criteria is included in the Reclamation Plan Application (page 34) and management strategies within the Longform response to Reclamation Plan PRC 2772(c)(6), noting revegetation monitoring will be conducted annually and reseeded accordingly.*
- *Invasive species control – a waste disposal area for invasive plant matter and washing equipment prior to entering or leaving the area was incorporated into the revegetation plan.*
Pollinator-friendly herbicides will be utilized for invasive species control and have been incorporated into the revegetation plan.
- *The property is fenced. There is no new fencing proposed as part of this project.*

Siskiyou County Environmental Health Division – September 26, 2023

No objections to the proposed project. Expansion of the mine area does not affect existing improvements. A Chemical toilet with handwashing station is required for every 15 employees. Hazardous materials storage may require a Hazardous Materials Business Plan

Planning Response: Conditions of Approval were included in the approved permitting documents:

- *COA #7 - During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Materials Business Plan. No hazardous materials may be disposed on the site (Mitigation No. 4)*
- *COA #9 – A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry (Mitigation No. 6)*

Planning Commission Staff Report
January 17, 2024

Planning Staff Recommendations

- Adopt Resolution PC-2024-003 taking the following actions:
 - Approve the Use Permit and Reclamation Plan amendment request based on the recommended findings and subject to the recommended conditions of approval; and
 - Pursuant to CEQA Guidelines Section 15162, determine that approval of the above action would not result in any new or substantially more significant impacts than those examined in the IS/MND and no further environmental documentation is necessary.

Suggested Motion

I move that we adopt Resolution PC-2024-003, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the Brown's Quarry Use Permit amendment (UP-03-12-1M) and Reclamation Plan amendment (RP-03-01-1M) and determine that the approval would not result in any new or substantially more significant impacts than those examined in the IS/MND and no further environmental documentation is necessary.

Preparation

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Bernadette Cizin, Associate Planner
Siskiyou County Planning Division
806 S. Main Street
Yreka, California 96097

Resolution PC 2024-003

A Resolution of the Planning Commission of the County of Siskiyou, State of California Approving the Brown's Quarry Reclamation Plan and Use Permit Amendment Project (RP-03-03-1M & UP-03-12-1M)

Whereas, on July 1, 2003 the County of Siskiyou received a Use Permit and Reclamation Plan application (UP-03-12/RP-03-01) requesting approval to operate a 14.5-acre, open-pit, surface mining operation within a 164-acre parcel, and approval of a Reclamation Plan to reclaim the project site for an end use of open space and grazing; and

Whereas, Section 10-6.1502(d) of the Siskiyou County Code permits surface mining operations within the Prime Agricultural (AG-1) and Non-Prime Agricultural Zoning Districts subject to approval of a conditional use permit provided the required findings can be met and subject to conditions of approval; and

Whereas, Section 10-5.108(a) of the Siskiyou County Code requires approval of a Reclamation Plan for surface mining operations; and

Whereas, on August 4, 2004, the Planning Commission approved the Brown's Quarry Use Permit and Reclamation Plan (UP-03-12/RP-03-01) subject to the incorporated Mitigation Measures part of the approved Mitigated Negative Declaration (SCH#2004052064), requirements of the adopted Reclamation Plan, and Conditions of Approval; and

Whereas, the Brown's Quarry Use Permit and Reclamation Plan (UP-03-12/RP-03-01) included Condition of Approval #1, which established that the use shall be in accordance with the approved plot plan/reclamation plan and project description; and

Whereas, the Brown's Quarry Use Permit and Reclamation Plan (UP-03-12/RP-03-01) included Condition of Approval #13, which established that the approved Reclamation Plan would expire 20 years from the date of issuance, July 7, 2004; and

Whereas, the Brown's Quarry Use Permit and Reclamation Plan (UP-03-12/RP-03-01) included Condition of Approval #12, which established the approved seed mix for Reclamation of the quarry; and

Whereas, the Brown's Quarry Use Permit and Reclamation Plan (UP-03-12/RP-03-01) included the method of hand pulling for invasive plant species control; and

Whereas, on May 31, 2023, the County of Siskiyou received a Reclamation Plan and Use Permit Amendment application for the Brown's Quarry Permit Amendment project (UP-03-12/RP-03-01) to extend the boundaries of the Reclamation Plan and Use Permit for the Brown's Quarry to include area that had been disturbed outside of the approved boundary, extend the end date of the mine site to July 7, 2028, update the seed mix to exclude an invasive species and revise the invasive plant species abatement plan; and

Whereas, the Planning Division presented its oral and written staff report on proposed Brown's Quarry Permit Amendment project (UP-03-12/RP-03-01) at the Planning Commission's regularly scheduled meeting on January 17, 2024; and

Whereas, the Planning Division recommended the Planning Commission adopt the Brown's Quarry Amendment project (UP-03-12/RP-03-01) and determine that the approval would not result in any new or substantially significant impacts than those examined in the Initial Study/Negative Declaration (SCH#2004052064) pursuant to Section 15162 of the CEQA Guidelines and no further environmental documentation is necessary; and

Whereas, the Planning Division recommended approval of Brown's Quarr Permit Amendment project (UP-03-12/RP-03-01) subject to the conditions of approval provided in Exhibit A to this Resolution referenced hereto and incorporated herein; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on January 3, 2024; and

Whereas, hearing notices were posted pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

Whereas, on January 17, 2024, the Chair of the Planning Commission opened the duly noticed public hearing on the Brown's Quarry Permit Amendment project (UP-03-12/RP-03-01) to receive testimony, both oral and written, following which the Chair closed the public hearing and the Commission discussed the Brown's Quarry Permit Amendment project (UP-03-12/RP-03-01) prior to reaching its decision.

Now, therefore be it resolved that the Planning Commission adopts the recommended findings set forth in Exhibit B to this Resolution referenced hereto and incorporated herein; and

Be it further resolved that the Planning Commission, determine that the approval would not result in any new or substantially significant impacts than those examined in the Initial Study/Negative Declaration (SCH#2004052064 adopted by Siskiyou County on August 4, 2004) pursuant to Section 15162 of the CEQA Guidelines and no further environmental documentation is necessary and approves the Brown's Quarry Amendment project (UP-03-12/RP-03-01) subject to the notations and conditions of approval contained in Exhibit A to this Resolution referenced hereto and incorporated herein; and

Be it further resolved that the Planning Commission determines the requested amendment to Use Permit UP-03-12 and Reclamation Plan RP-03-01 Reclamation Plan for the Brown's Quarry to be consistent with the findings contained in the staff report dated January 17, 2024, referenced hereto and incorporated herein.

It is hereby certified that the foregoing Resolution PC-2024-003 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting of the Siskiyou County Planning Commission held on the 17th day of January, 2024, by the following voice vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

_____, Chair

Witness, my hand and seal this 17th day of January 2024.

Hailey Lang, Secretary of the Commission

Attachments:

Exhibit A: Notations and Conditions of Approval

Exhibit B: Findings

Exhibit A-1 to Resolution PC-2024-003
Notations and Recommended Conditions of Approval

Notations

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Siskiyou County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. This permit may be subject to revocation by the Planning Commission and all rights thereunder rescinded if not used for the above purpose within two years of approval.
3. The operation is subject to the requirements of PRC 4290 (Fire Safe Regulations).

Conditions of Approval (from the 2003 Use Permit)

1. The use shall be in accordance with the approved plot plan/reclamation plan and project description.
2. Prior to Use Permit issuance, the owners of the property shall sign and record a Right to Farm Statement of Acknowledgement on a form provided by the Planning Department.
3. Prior to use permit issuance, the applicant shall execute a Reclamation Plan agreement with the County of Siskiyou.
4. Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer (Mitigation No. 1).
5. Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transport during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and the County Public Works Department (Mitigation No. 2).
6. Prior to Use Permit issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road (Mitigation No. 3).

7. During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Materials Business Plan. No hazardous materials may be disposed on the site (Mitigation No. 4).
8. Where practicable, quarry operations, with the exception of material stockpiling, handling, and transport, shall be confined to within the pit itself. Material crushing and screening operations shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area (Mitigation No. 5).
9. A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry (Mitigation No. 6).
10. Prior to Use Permit issuance, the applicant shall provide public liability and property damage insurance in the amount of \$500,000 single liability from a company authorized for business in the State of California. Siskiyou County shall be named as additional insured on the policy of insurance.
11. Prior to Use Permit issuance, in order to secure the full and faithful performance of reclamation, pursuant to this agreement, the owner/operator shall deposit a performance bond or other security payable to the "Siskiyou County Treasurer and the California Department of Conservation," acceptable to the County, in the amount of \$89,126.68 providing for the faithful performance of the Use Permit (UP-03-12) and Reclamation Plan (RP-03-03). Said bond or other security shall be written by a company authorized to conduct business in California and acceptable to the County.
12. Revegetation of the site shall be conducted as prescribed by Botanist Robert Menzies. The plant material shall consist of the following formula:

Seed Mix:	Application Rate:
Chrysothamnus nauseosus (rabbit brush)	2 pounds per acre
Achillea millefolium (common yarrow)	3 pounds per acre
Erigonum umbellatum (sulphur eriogonum)	1 pounds per acre
Sitanion hystrix (bottlebrush squirreltail grass)	8 pounds per acre
Cynosurus echinatus (hedgehog dogtail grass)	4 pounds per acre
- ~~13. This permit shall expire twenty years from the date of issuance.~~

Conditions of Approval (for the 2024 Amendment)

13. Prior to commencing any mining or reclamation activities, the operator shall survey the mine site and establish survey points in the field based on the reclamation plan and the site plan to establish the limits of the approved boundaries approved by this permit. Boundaries shall be marked with semi-permanent markers, such as steel t-posts, to ensure they will not easily be knocked over by wildlife or livestock in the area. The limits shall be clearly visible and shall be maintained during the life of the operation, including reclamation.
14. The applicant shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining, the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers or employees, concerning the project, or to impose personal liability against such agents (including consultants), officer or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and effective prior to the date the application is approved. In the event that the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

Findings

Zoning Consistency Findings

1. The proposed use permit, as recommended for approval, is consistent with the applicable elements and policies of the Siskiyou County General Plan, as documented herein below.
2. The proposed use of the property for a surface mining operation is consistent with the applicable zoning provisions outlined in Section 10-1502 of the Siskiyou County Code.
3. Due to size, scale, intensity, and location of the project, the proposed use will not result in a significant change in the existing environment that would in any way threaten the public health, safety, peace, morals, comfort, convenience, or general welfare.
4. Due to the size, scale, intensity, and location of the project, the proposed use will not cause damage or nuisances from noise, smoke, odor, dust, vibration, explosion, contamination, fire, or traffic, and will be reasonably compatible with the existing and permitted uses in surrounding areas.
5. The Planning Commission has considered all written and oral comments received and based its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

General Plan Consistency Findings

Composite Overall Policies

Policy 41.3(e) All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.

The proposed reclamation plan amendment for the existing mine is compatible with the surrounding area as reclamation activities will be within the pit, visually and audibly screened from surrounding properties.

Policy 41.3(f) All proposed uses of the land may only be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.

The proposed reclamation of the site will not be disruptive or destroy the intent of protecting each mapped resource, as described herein.

Policy 41.9 Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

The proposed site has direct access to Ball Mountain Little Shasta Road, a public road. No new development is proposed as part of this project; however, the access is adequate to accommodate the immediate and cumulative traffic impacts of the reclamation project.

Policy 41.18 Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the project is consistent with the Siskiyou County General Plan.

Map 3: Building Foundation Limitations: High Shrink-Swell Behavior Soils

Policy 8 – Enforce building construction standards (uniform building code) and public works requirements.

No building construction is proposed as part of this project and public works submitted no comment.

Map 4: Soils: Severe Septic Tank Limitations

Policy 9 – The minimum parcel size shall be one acre on 0-15% slope and 5 acres on 16-29% slope.

No parcel reconfiguration is proposed as part of this project. The existing parcel is 403-acres in size.

Policy 10 – Single family residential, heavy or light industrial, heavy or light commercial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi public uses only may be permitted.

The permitted uses will not create erosion or sediment problems.

Erosion control measures and a sediment retention basin are implemented as part of the reclamation plan.

California Environmental Quality Act (CEQA) Findings

1. Pursuant to State CEQA Guidelines Section 15162 the County determines that project amendments described in this document would not result in any new or substantially more significant impacts than those examined in the Initial Study/Mitigated Negative Declaration (SCH # 2004052064) adopted by Siskiyou County on August 4, 2004, and do not require a subsequent EIR or Negative Declaration.
2. The Planning Commission has reviewed and considered the proposed CEQA determination, and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
3. Consistent with CEQA Section 15074(b), this CEQA determination reflects the Planning Department's independent judgment and analysis.
4. The Planning Commission has determined that the custodian of all documents and other material which constitute the record of proceedings shall rest with the County of Siskiyou Planning Department.
5. The Planning Commission has considered all written and oral comments received by staff and the public and based on its analysis of the entirety of the record before it, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area and would not create an adverse environmental impact.
6. No mitigation measures have been added, deleted, or revised for the proposed project. All existing measures previously adopted as a permit condition are found to reduce all potentially significant impacts identified in the Initial Study/Negative Declaration for the

proposed project to a less than significant level and are reflected in the Mitigation Monitoring and Reporting Program adopted in August 2004.

7. Comments received regarding the proposed project did not include substantial evidence that the proposal would have substantial changes or significant impacts not previously analyzed in the adopted negative declaration. Based on the analysis in the staff report, the introduced testimony contained general statements and inaccurate information that did not provide for a sufficient body of evidence for the lead agency to make a determination that a subsequent environmental review would be required.

County of Siskiyou Reclamation Plan Application County File No. RP _____

[Please type or print neatly in black ink. If a particular item is not applicable, please indicate by stating N/A.
If more room is necessary, please reference additional sheets.]

Section A General Ownership/Operator Information

- Mine Name.** Brown Quarry
Location of Mine. 1722 Ball Mountain Little Shasta Rd, Montague, CA 96064
(Include Siskiyou County street address, if applicable)

Attach a map that identifies how to access the mine site from the nearest highway.
Assessor's Parcel Number (s). 013-370-730 & 013-380-390
Section 25 Township 45N Range 6W Meridian
- Mine Operator(s).** LP Enterprises
Mailing Address. 5206 E. Louie Road, Montague, CA 96064
Telephone Number(s). 530-340-3214
- Landowner(s).** Jeffrey Brown & April Brown
(Property owner(s) of surface rights—list all owners)
Mailing Address. 1722 Ball Mountain Little Shasta Road, Montague, CA 96064
Telephone Number. 530-459-3321
- Project Representative.** Eric Peters
Mailing Address. 5206 E. Louie Road, Montague, CA 96064
Telephone Number. 530-340-3214
- Owner of Mineral Rights.** Jeffrey E. Brown
Mailing Address. 1722 Ball Mountain Little Shasta Road, Montague, CA 96064
Telephone Number. 530-459-3321

I certify under penalty of perjury that I am the legal owner(s) of the subject property (all individual owners must sign as their names appear on the deed to the land), corporate officer(s) empowered to sign for the corporation, or owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form), and that the foregoing is true and correct.

<small>DocuSigned by:</small> <u>Jeff Brown</u>	<u>5/22/2023</u>	<small>DocuSigned by:</small> <u>April Brown</u>	<u>5/22/2023</u>
<small>852B691E1B924DD...</small> Signature	Date	<small>852B691E1B924DD...</small> Signature	Date

Applicant submits the attached in place of Sections B through I. Applicant understands that Section J must still be signed before a Notary Public and submitted with the Rec. Plan Application.

Section B

General Considerations

See MRRC-2, Annual Report Instructions, Exhibit B, for mineral types and units of measure. *PRC Section 2772(c)2*). Pursuant to *SMARA Section 2773*, reclamation activities will comply with the following standards provided in the *California Code of Regulations (CCR), Title 14, Article 9, Sections 3700-3713*.

1. **Mined Mineral Commodity(ies).** Rock, aggregate
2. **Estimated Annual Production.** Average N/A Maximum N/A
3. **Estimated Total Production.** N/A
4. **Start-Up.** Currently Operating **End Date.** To be reclaimed
(Be as specific as possible). *PRC Section 2772(c)(3)*
5. **Total number of Acres to be Disturbed** 26.65 **Total number of Acres to be Reclaimed.** 26.65
6. **Maximum Anticipated Depth of Mining.** Feet 30 Elevation 2600'
7. **Reclamation Plan Maps.** Attach maps of lands that will be affected by mining operations. The maps scale should be 1" = 100' to 1" = 500' so that the following may be easily identified. *PRC Section 2772(c)(5) (A-F)*.
 - a. Existing site conditions
 - b. Size and legal description of lands affected by surface mining operations
 - c. Names and addresses of owners of all surface interests and mineral interests
 - d. Existing and final topography showing the configuration of the site before and after reclamation and contour lines at appropriate intervals.
 - e. Property lines, setbacks, and the reclamation plan boundary
 - f. Detailed geologic description of the area of the surface mining operation
 - g. Mining operation features
 - h. Designated areas for equipment storage and waste disposal
 - i. Existing and proposed structures, lighting features and signage
 - j. Final site configuration
 - k. Project location (showing the nearest readily identifiable access roads, temporary roads to be reclaimed, intersection or other landmark); locations of railroads, utility features, and any roads remaining for the end use)
 - l. Provide a geologic cross section of cut and fill slopes at locations at maximum slope height and identify cross section locations on the site map.
 - m. Identify all drainage, diversion structures, waterways, and erosion control facilities on the site map.
 - n. Identify all surface openings on the site map such as water wells, drillholes, and monitoring wells.
 - o. All maps, diagrams or calculations that are required to be prepared by a California-licensed professional shall include the preparer's name, license number, signature & seal
 - p. A reduced copy of exhibit maps (11"x17" maximum) is requested for duplications

8. **Lead Agency.** Any other information that the lead agency may require by ordinance. *PRC Section 2772(c)(11).*

The lead agency has no additional requirements.

9. **Mining method and schedule.** Describe the mining methods that provides for completion of mining on each segment so that reclamation can be concurrent or phased (show on your site map) and a time schedule for the reclamation of each area disturbed by mining. Indicate below the method of mining to be employed. *PRC Section 2772(c)(6)*

Operation will be (is). Continuous _____ Seasonal/Intermittent ^X _____
Developed-Not yet in operation _____ Temporarily deactivated _____ Stockpile in mine _____

10. **Water quantity and quality.** Estimate quantity (gallons per day) and quality of water required by the proposed operation, specifying proposed sources of this water, or method or its conveyance to this property and the quantity and quality of disposal of used and/or surplus water.

Upon approval of the reclamation plan ammendment, reclamation activities will commence and mining-related water will not be necessary.

11. **Nature of processing.** If processing of the ores or minerals is planned to be conducted at or adjacent to the site, briefly describe the nature of the processing and explain disposal method of the tailings or waste from processing.

Processing was simply crushing and screening of the harvested rock/aggregate. The area is now to be reclaimed.

12. **Contaminants.** Briefly explain how contaminants will be controlled and mine waste will be disposed (e.g., fuel storage). Note. If cyanide is used for on-site processing, *PRC Section 21151.7* requires the preparation of an environmental impact report under the California Environmental Quality Act.

As a non-metallic mine, the Brown rock pit did not generate contaminants related to extraction. Waste materials (fines, overburden, vegetation, topsoil, etc). will be utilized in reclamation. Contaminants such as fuel or oil leaks, if remaining onsite, will be immediately cleaned up and taken to an appropriate hazardous waste disposal facility.

13. **Subsequent uses(s).** Provide a description of the proposed end use (s) once mining ceases and reclamation is completed. *PRC Section 2772(c)(7).*

The proposed end use of the project area is a natively-vegetated rangeland/open space that would support wildlife and livestock.

14. **Notification of proposed use.** Provide evidence that all landowners have been notified of the proposed use. (e.g., copies of notices sent to landowner and mineral rights owner)
- Attached
- Applicant is the owner and has signed the included Statement of Responsibility (Section J)
15. **Future mining.** Describe how reclamation of the site will or will not affect future mining of the area. *PRC Section 2772(c)(9)*
Reclamation would not preclude future mining; the site would remain undeveloped open space.
16. **Pre-SMARA areas.** Mined lands disturbed prior to January 1, 1976, *and not disturbed after that date* may be excluded from the reclamation plan. *PRC Section 2776(b-c)*. Describe any pre-SMARA lands within the project site and delineate on provided plot map(s).
The entire observed mine boundary area is to be reclaimed. However, pre-SMARA mining did occur, as demonstrated by historic mining scales adjacent to Ball Mountain Little Shasta Road. These scales are within the permitted mine boundary but outside the observed mine boundary, and will not be removed.
17. **Public Health and Safety.** Considering the degree and type of present and probable future exposure of the public to the site, the following measures will be taken to help ensure Public Health and Safety. *CCR Section 3502(b)(2)*
The project site is on private property and is fenced by barbed wire fencing along the property line. As such, the public does not have access to the quarry site and no impacts to public health and safety would occur.
18. **Equipment storage and waste disposal.** All waste shall be disposed of in accordance with state and local health and safety ordinances. Describe designated areas for equipment storage and waste disposal and delineate on provided maps. *CCR Section 3709(a)*.
Reclamation will commence once this plan is approved. As such, all equipment will be removed and will no longer need to be stored onsite. Waste materials (Overburden, fines, topsoil, removed vegetation) will be utilized in reclamation. Oil spills or other equipment leaks, if present onsite, will be promptly cleaned up and taken to a hazardous waste facility.
19. **Buildings, structures, and equipment removal.** Describe the Buildings, structures, and equipment that shall be dismantled and removed at closure. Explain what will remain as they are necessary or consistent with the proposed end use. *CCR Section 3709(b)*.
Buildings, structures, and equipment onsite shall be removed during reclamation activities with the exception of the Newer scales and the historic quarrying scales from pre-SMARA quarrying activities (not used in this plan). These will be retained for cultural, historical, and aesthetic value. The old scales are visible from the road and would thus be observable by traveling motorists.

20. **Well Closures.** All surface openings shall be completed or abandoned in accordance with *CCR Section 3713(a)*, unless demonstrated necessary for the proposed end use. Identify any wells proposed to remain on-site as necessary or consistent with end use.

No wells or surface openings exist at the project, as this is a surface mining operation/rock quarry.

21. **Underground Openings.** Any portals, shafts, tunnels, or openings will be gated or protected in accordance with *CCR Section 3713(b)* (check box) from public entry, and to preserve access for wildlife (e.g. bats). Explain the reclamation procedures you will use to meet the standard cited above.

No wells or surface openings exist at the project, as this is a surface mining operation/rock quarry.

Section C Geology and Geotechnical

1. **Description.** Describe the general geology of the area to be mined and provide a detailed description of the geology of the mine site in accordance with *PRC Section 2772(c)(5)*.

The geology of the surrounding area consists of volcanic hills on a valley floor, as well as alluvium of the Little Shasta River. Onsite, materials consist of pale gray andesitic rock overlain with 3 inches - 2 feet of Lithic Haploxerolls soils. The area has been extensively quarried under a previous reclamation plan.

2. **Metallic Mines and Native American Sacred Sites or areas of special concern.** Additional criteria must be met for metallic mines on or near Native American Sacred Sites and areas of special concern. See *PRC Section 2773.3* for additional information.

This site is *not* a metallic mine (i.e. gold, silver, iron, nickel, etc.)

3. **Fill Materials.** The source and disposition of fill materials used for backfilling, grading, slope stability and recontouring will conform to *CCR Section 3502(b)(4)*.

The proposed End Use *does not* include roads, building sites or other improvements sensitive to settlement.

The proposed End Use includes roads, building sites or other improvements sensitive to settlement. Describe how the materials used for backfilling and grading will be compacted, in conformance with good engineering practices.

4. **Final Slopes.** The designed steepness and proposed treatment of the final slopes with consideration of the physical properties of the slope materials, its probable maximum water content, and landscaping requirements in accordance with *CCR Section 3502(b)(3)*.

- Slope angles shall be flatter than the critical gradient for the type of slope materials involved.
- A Slope stability analysis has been prepared and is attached.

5. **Financial Assurance for Metallic Minerals Mining.** A Financial Assurance is required to be maintained in an amount sufficient to provide for the backfilling and contour grading of the mined lands for *metallic minerals*. *CCR Section 3704.1*.

- This site is *not* a metallic mine (i.e., gold, silver, iron, nickel, etc.)

6. **Resource Conservation.** Where backfilling is required for resource conservation purposes (e.g., agriculture, fish and wildlife habitat, and wildland conservation). *CCR Section 3704(b)*.

- Resource conservation is not a component of the proposed end use.
- Fill material will be backfilled to the standards required for the resource conservation use as described below.

The wildlife habitat to be developed will be improved largely by native planting rather than by topography (though reclamation grading will make the area safer for wildlife). The improvement of the site from an introduced annual-grass and woad-dominated site to a native perennial grass/shrub site will improve the wildlife habitat value. No backfill standards are proposed.

7. **Fill Slopes.** *CCR Section 3704(d)*.

- Final reclaimed fill slopes, including permanent piles or dumps or mine waste rock and overburden *will not be steeper* than 2:1 (Horizontal. Vertical).
- Final reclaimed fill slopes, including permanent piles or dumps or mine waste rock and overburden *will be steeper than* 2:1 (Horizontal. Vertical). A geologic and/or engineer analysis is attached.

Provide any additional information to describe how the standard cited above will be met.

See attached Slope Stability Analysis. Cut slopes will be reduced to a maximum of 1:1, while fill slopes will be reduced to a maximum of 2:1.

8. **Closure.** Fill slopes shall conform with the surrounding topography and/or approved end use. *CCR Section 3704(e)*. Describe the final fill slopes of the site and how they will meet this standard.

See attached Slope Stability Analysis. Cut slopes will be reduced to a maximum of 1:1, while fill slopes will be reduced to a maximum of 2:1. This will ensure the area does not stand out against the surrounding topography.

9. **Cut Slopes.** Cut slopes, including final highwalls and quarry faces shall have a minimum slope stability factor of safety that is suitable for the proposed end use and conform with the surrounding topography and/or approved end use. *CCR Section 3704(f)*. Describe the final cut slopes of the site and how they will meet this standard.

See attached Slope Stability Analysis. Cut slopes will be reduced to a maximum 1:1 grade.

Section D Hydrology and Water Quality

1. **Flood Plain.** Whenever surface mining operations are proposed within the 100-year flood plain (defined by FEMA) and within one mile up or downstream of a state highway bridge, Department of Transportation shall be notified and provide a 45-day review and comment period. *PRC Section 2770.5*

The proposed site is not within the 100-year flood plain.

The proposed site is within the 100-year flood plain and within one mile of a state highway bridge.

A copy of the Caltrans notification is attached. Caltrans has not yet been notified.

2. **Contaminants and Waste.** Contaminants shall be controlled, and mine waste will be disposed in accordance with *PRC Section 2772(c)(8)(A)*. Describe the manner in which contaminants will be controlled and mining waste will be disposed.

Byproducts from mining (crushing/screening fines, overburden, and topsoil) will be utilized in reclamation. As such, no mine waste will be generated from the quarrying activities. As a rock quarry (not a metallic mine), no contaminants were generated from the project. Per applicable law, equipment spills (e.g., oil) will be immediately cleaned up and properly disposed if present onsite.

3. **Stream Banks/Beds:** Describe the manner in which stream banks/beds will be rehabilitated to minimize erosion and sedimentation. *PRC Section 2772(c)(8)(B)*.

No stream banks/beds are on the proposed mining site.

The national wetland mapper identifies riverine elements (Riverine, Intermittent, Streambed, Seasonally Flooded) within a larger freshwater wetland system, 50+ feet from the mining area. However, no mining or reclamation activities will occur within 50 feet of these features, as the observed mine boundary is the furthest extent of mining/reclamation activities.

4. **Sediment & Erosion Control.** Describe the site-specific criteria established for monitoring compliance of the reclamation plan. *PRC Section 2773(a)*.

Erosion will be controlled through the reclamation grading plan, which will reduce cut slopes to 1:1 maximum and fill slopes to 2:1 maximum. Sediment will be controlled via sediment detention basins, which will capture sediment prior to the discharge of water into the existing groundwater ponds. All runoff from the site will ultimately settle in the existing groundwater ponds.

5. **Streams/Watersheds.** Describe in detail the methods in which the Stream and Watershed diversions will be established. *CCR Section 3502(b)(6)*.

No stream or watershed diversions are proposed as a part of this project.

6. **Groundwater Recharge.** Operations shall be conducted to substantially prevent siltation of groundwater recharge areas. *CCR Section 3503(b)(2)*. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion. *CCR Section 3503(a)(2)*. Describe the procedures in which you will use to meet the standards cited.

Reclamation grading will reduce cut slopes to 1:1 maximum and fill slopes to 2:1 maximum.

Sediment will be controlled via sediment detention basins, which will capture sediment prior to the discharge of water into the existing groundwater ponds. All runoff from the site will ultimately settle in the existing groundwater ponds. Thus, runoff reaching groundwater ponds will not cause siltation.

7. **Erosion control facilities** such as ditches, stream bank stabilization, and diking shall be constructed and maintained where necessary to control erosion. *CCR Section 3503(a)(3)*. Describe the procedures in which you will use to meet the standard cited.

Sediment detention basins (See Sheet C2.0) will be used to prevent erosion and sedimentation.

8. **Settling ponds** or basins shall be constructed to prevent potential sedimentation of streams at operations where they will provide a significant benefit to water quality. *CCR Section 3503(b)(1)*. Describe the procedures in which you will use to meet the standard cited.

During quarrying operations, three groundwater ponds were incidentally created by extraction to levels below the water table. These groundwater ponds now capture the site's runoff. Final grading plans will include the removal of any piles near these ponds, and adding sediment detention basins that will filter runoff prior to reaching these groundwater ponds.

9. **Mine Waste Rock and Overburden.** Permanent piles or dumps of mine waste rock and overburden shall be stable and shall not restrict the natural drainage without suitable provisions for diversion. *CCR Section 3503(d)*. Describe the procedures in which you will use to meet the standard cited.

Mine waste/overburden will be used in reclamation along with topsoil to develop a soil base for revegetation efforts. Therefore, permanent piles are not expected. If piles are retained, they will be graded to levels that are stable per the attached Slope Stability Analysis (i.e. 2:1 or less).

10. **Grading and Revegetation.** Grading and revegetation will be designed to minimize erosion and convey surface runoff to natural drainage courses or interior basins. Spillway protection shall be designed to prevent erosion. *CCR Section 3503(e)*. Describe the procedures in which you will use to meet the standard cited.

Grading would direct water off of the quarry slopes into sediment detention basins which would filter the water prior to its final destination, previously created groundwater ponds. The revegetation plan includes a seed mix consisting of native species (perennial grasses/forbs) that would minimize erosion once their root base is established.

11. **Surface Mining and Reclamation Activities.** Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act. *CCR Section 3706(a)*. Describe the procedures in which you will use to meet the standard cited.

Grading would direct water off of the quarry slopes into sediment detention basins which would filter the water prior to its final destination, previously created groundwater ponds. As water will be drained to these groundwater ponds, no runoff will reach other surface water areas. Onsite groundwater ponds will be protected by the sediment detention basins.

12. **Water quality.** The quality of water, recharge potential, and groundwater storage that is accessed by others shall not be diminished. *CCR Section 3706(b)*. Describe the procedures in which you will use to meet the standard cited.

Grading would direct water off of the quarry slopes into small sediment detention basins which would filter the water prior to its final destination, previously created groundwater ponds. The sediment detention basins prior to the groundwater ponds will ensure groundwater is not contaminated by runoff.

13. **Siltation.** Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of surface mining operations to minimize siltation of lakes and water courses as per RWQCB/SWRCB. *CCR Section 3706(c)*. Describe the procedures in which you will use to meet the standard cited.

As mining is complete, the reclamation erosion and sediment control measured described previously explains how water resources will be protected from erosion, sedimentation, siltation, and other impacts.

14. **Drainage.** Surface runoff and drainage from mining activities shall be controlled by berms, silt fences, sediment ponds, revegetation or other erosion control measures, to protect surrounding land and water resources. Erosion control methods shall be designed for not less than 20 year/1 hour intensity storm event in accordance with *CCR Section 3706(d)*. Describe the procedures in which you will use to meet the standard cited.

Grading would direct water off of the quarry slopes into small sediment detention basins which would filter the water prior to its final destination, previously created groundwater ponds. These methods will be able to withstand a 20 year/1 hour intensity storm event.

15. **Runoff.** Where natural drainages are covered, restricted, rerouted, or otherwise impacted by surface mining activities, mitigation alternatives shall be proposed to assure that runoff shall not cause increased erosion and sedimentation. *CCR Section 3706(e)*. Describe the procedures in which you will use to meet the standard cited.

No natural drainages will be covered, restricted, rerouted, or otherwise impacted by the project.

16. **Stream diversions** shall be constructed in accordance with the Lake and Streambed Alteration Agreement (LSAA) between the operator and the Department of Fish and Wildlife and with Federal Clean Water Act and the Rivers and Harbors Act of 1899. *CCR Section 3706(f)(1) and (2)*.

- When no longer needed to achieve the purpose for which they were authorized, all temporary stream diversions shall be removed, and the affected land reclaimed. *CCR Section 3706(g)*.

Describe the procedures in which you will use to meet the standard cited.

No stream diversions are proposed.

17. **Surface and groundwater** shall be protected from siltation and pollutants in accordance with the Porter-Cologne Act, the Federal Clean Water Act, and RWQCB/SWRCB requirements. Streams, including surface and groundwater will be protected in accordance with *CCR Section 3710(a)*. Describe the procedures in which you will use to meet the standard cited.

No streams will be altered or impacted by reclamation activities, and were not impacted by previous mining activity. Groundwater will be protected as described above (sediment detention basins filtering water prior to settling in the groundwater ponds onsite).

18. **In-stream surface mining.** Operations shall be conducted in accordance with Section 1600 et seq. of the California Fish and Wildlife Code, Section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act of 1899. *CCR Section 3710(b)*. Describe the procedures in which you will use to meet the standard cited.

- No in-stream mining is proposed as a part of this project.

19. **River Channels.** Extraction of sand and gravel from river channels shall be regulated to prevent impacts to structures, habitats, riparian vegetation, groundwater levels, and banks. In-stream channel elevations and bank erosion shall be evaluated annually using extraction quantities, cross-sections, and aerial photos should be submitted with annual report. *CCR Section 3710(c)*. Describe the procedures in which you will use to meet the standard cited.

No extraction from river channels is proposed as a part of this project.

20. **Mine Waste.** Tailings and mine waste, including mine waste disposal units, are governed by SWRCB waste disposal regulations, and shall be reclaimed in accordance with this article. *CCR Article 1. Surface Mining and Reclamation Practice. Section 3500 et seq. CCR Section 3712*

No mine waste will be produced as a part of this project. *All overburden, unprocessed material and residue from processing will be utilized in the reclamation of the mine site.*

Piles/dumps of mining waste/fines, overburden, or other stockpiles will not be placed in wetlands, but will be ultimately utilized in reclamation activities to develop the soil base.

Section E Sensitive Species and Habitat

1. **Environmental Setting.** Describe the environmental setting of the site of operations and the effect that possible alternate reclaimed site conditions may have upon the existing and future uses of surrounding lands. *CCR Section 3502(b)(1)*.

The site & surrounding areas are relatively dry, dominated by annual grasses, sagebrush & shrubs. As with most California annual grasslands, introduced species are dominant. The surrounding area is influenced by grazing, agriculture, or both. As such, any reclamation activity that revegetates the area with native, perennial grasses will be an ecological improvement over the surrounding landscape.

2. **Fish and Wildlife Habitats.** Describe the measures that will be taken to protect the habitat of fish and wildlife. *CCR Section 3503(c)*. Provide a description of how the above protection will be accomplished. The National Wetland Inventory Mapper identified a Freshwater Emergent Wetland (Palustrine, Emergent, Persistent, Seasonally flooded) ~55ft south of mining activities at its closest point. However, mining/reclamation will not continue any closer to these elements & will remain 55+ feet away.

3. **Sensitive Species.** Endangered Species Act of rare, threatened, or endangered species or species of special concern or their habitat shall be conserved or mitigated. *CCR Section 3703(a)*. Describe proposed conservation and mitigation measures.

No Endangered, threatened or species of special concern were identified at the proposed site. Previous reclamation plan applications for this site did not identify any sensitive species at the site. Given the presence of quarry-related noise disturbances at the site, it is unlikely any sensitive species have since begun to utilize the site. Therefore, with the habitat protections for surrounding wetlands stated above, no impacts to sensitive species are expected.

4. **Disturbed Land.** Wildlife habitat shall be established on disturbed land in a condition at least as good as that which existed before the lands were disturbed by surface mining operations, unless the proposed end use precludes its use as wildlife habitat. *CCR Section 3703(b)*.

The proposed end use precludes its use as wildlife habitat. Reclaimed, revegetated land will improve the utility of the area for wildlife, above and beyond what existed prior to reclamation. The addition of native, perennial species to the area dominated by introduced annual grasses and invasive woad/starthistle will produce habitat quality superior to pre-mining conditions.

5. **Wetlands.** Wetland habitat shall be avoided. Any wetland habitat impacted as a consequence of surface mining operations, shall be mitigated at a minimum of one-to-one ratio (1.1) for wetland habitat acreage and wetland habitat value. *CCR Section 3703(c)*.

No wetland habitat is located within the proposed mine site. The created groundwater ponds will not be disturbed by quarrying or reclamation activities. Rather, nearby piles will be removed and used in reclamation. Wetlands identified ~55 feet outside of the quarry area will also not be disturbed. Therefore, no wetlands will be disturbed, and 1:1 wetland mitigation will not be required.

6. **Mine Waste.** Permanent placement of piles or dumps of mining waste and overburden shall not occur within wetlands without acceptable mitigation. *CCR Section 3704(g)*.

No wetlands are located within the proposed mine site. Piles/dumps of mining waste/fines, overburden, or other stockpiles will not be placed in wetlands, but will be ultimately utilized in reclamation activities to develop the soil base.

7. **In-Stream Mining.** In-streaming mining activities shall not cause fish to become entrapped in pools or off-channel pits or restrict migratory or spawning activities. *CCR Section 3710(d)*.

No in-stream mining activities are proposed as a part of this project.

Section F Topsoil

Revegetation is not consistent with the proposed end use. Topsoil will not be salvaged as part of the reclamation plan and this section is not applicable.

1. **Soil Erosion Control.** Removal of vegetation and overburden in advance of surface mining shall be kept to a minimum. *CCR Section 3503(a)(1)*. Describe the procedures in which you will use to meet the standard cited.

Removal of vegetation, topsoil, and overburden occurred immediately in advance of mining activity; topsoil and overburden stockpiles were seeded to prevent erosion. When reclamation begins (pending this plan), this topsoil will be utilized.

Removal of vegetation and overburden will be done immediately in advance of mining activity.

2. **Resoiling.** When resoiling is required, mine waste shall be leveled and covered with a layer of finer material then a soil layer. The use of soil conditioners, mulches, or imported topsoil shall be considered where such measures appear necessary. *CCR Section 3503(f)*. Describe the procedures in which you will use to meet the standard cited.

Overburden, fine materials, and topsoil will be used for reclamation, with fines laid down as a layer followed by topsoil to allow for revegetation activity. Native topsoil will be sufficient to revegetate the area with native plants.

3. **Mining Waste.** Mine waste shall be stockpiled to facilitate phased reclamation and kept separate from topsoil or other growth media. *CCR Section 3704(c)*. Describe the procedures in which you will use to meet the standard cited.

Fines and other non-product materials generated from the mining operation will be utilized as a base layer during reclamation. This base layer will be covered with the salvaged and stockpiled topsoil layer to facilitate the revegetation of the area.

4. **Soil Analysis.** Soil analysis shall be required to determine the presence or absence of elements essential for plant growth and to determine those soluble elements that may be toxic to plants if the soil has been chemically altered or if the growth media consists of other than the native topsoil in accordance with *CCR 3705(e)*.

Only native topsoil will be used in reclamation.

Soil Analysis is attached.

5. **Maintenance.** Salvageable topsoil shall be removed as a separate layer from areas to be disturbed by mining operations. Topsoil and vegetation removal should not precede mining by more than one year in accordance with *CCR Section 3711(a)*. Describe the procedures in which you will use to meet the standard cited.

Overlying topsoil, overburden, and vegetation was removed immediately prior to quarrying activities. Topsoil and overburden was stockpiled in separate stockpiles for future reclamation activities; the stockpiles were seeded to prevent erosion. Reclamation will commence upon approval of this plan amendment.

6. **Resources.** Topsoil resources shall be mapped prior to stripping and location of topsoil stockpiles shall be shown on a map in the reclamation plan. Topsoil and other growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation purposes. *CCR Section 3711(b)*. *Delineate topsoil resources, stockpiles and test plot locations on provided maps* and describe the procedures in which you will use to meet the standard cited.

Topsoil stockpiles (identified on Sheet C1.0) show the topsoil that will be utilized in reclamation.

7. **Soil salvage.** Operations and phases of reclamation shall be set forth in the reclamation plan to minimize the area disturbed and to achieve maximum revegetation success. *CCR Section 3711(c)*. Describe the procedures and phases of reclamation in which you will use to minimize disturbance and to meet the standard cited.

Mine byproducts (Fines generated from crushing and screening) and overburden will be spread across disturbed areas to create a base layer. Stockpiled topsoils will then be evenly distributed on top of this base layer to establish soil for revegetation activities. Upon soil redistribution, the area will be reclaimed with native seeds.

8. **Growth Media.** Topsoil and growth media shall be used to phase reclamation as soon as can be accommodated following the mining of an area. Topsoil stockpiles shall not be disturbed until needed for reclamation. Topsoil stockpiles shall be clearly identified. Topsoil shall be planted with vegetation or otherwise protected to prevent erosion and discourage weeds. *CCR 3711(d)*. Describe the schedule and procedures in which you will use to meet the standard cited.

Topsoil stockpiles and overburden stockpiles will be seeded with the approved revegetation plan seed mix (rabbit brush, common yarrow, sulphur eriogonum, bottlebrush squirreltail grass) to prevent erosion. Stockpiles will be clearly marked and shall not be disturbed until reclamation activities begin. Reclamation is due to begin upon approval of this plan, when growth media will be utilized.

9. **Topsoil.** Topsoil shall be redistributed in a manner resulting in a stable, uniform thickness consistent with the end use. *CCR 3711(e)*. Describe how topsoil will be redistributed in order to meet the standard cited.

Topsoil stockpiles will be evenly distributed across the disturbed areas. Prior to topsoil distribution, mine byproducts such as fines and other overburden will be laid down as a base layer to facilitate revegetation. The topsoil layer will cover this base layer.

Section G Revegetation

Revegetation is not consistent with the proposed end use and this section is not applicable to the proposed End Use of the mining site.

1. **Revegetation.** If the end use calls for revegetation, the available research addressing revegetation methods and the selection of species given the topography, resoiling characteristics and climate of the mined areas shall be used. *CCR 3503(g). Describe the proposed revegetation plan and how it was selected.*

When reclamation begins, the operator will rip compacted areas and fold the topsoil and process spoils into the substrate to provide an optimum seedbed. The chosen seed and plant mix is described in Question 2, below. Seeding will occur in the fall to coincide with the onset of seasonal rains.

Biological Survey is attached.

2. **Performance Standards.** Unless non-native species such as forage grasses or ornamentals will be used, specify at least four native species that occur on site or in the vicinity of the project and will be used for revegetation.

Native plants to be used in reclamation consist of rabbit brush (*Ericameria nauseosa*, 2 lb/acre), yarrow (*Achillea millefolium*, 3 lb/acre), sulphur eriogonum (*Eriogonum umbellatum*, 1 lb/acre), and Bottlebrush squirreltail grass (*Elymus elymoides*, 8 lb/acre). This will optimize the area for wildlife habitat and open space functions. This seed mix was approved in the initial reclamation plan, and was only modified to remove an ornamental grass now considered invasive by Cal-IPC.

Only non-native species are proposed for revegetation.

3. **Baseline Studies.** The vegetative density, cover, and species richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of mining activities. However, for areas that will not be reclaimed to prior conditions, the use of data from reference areas in lieu of baseline site data is permissible. *CCR Section 3705(a).*

Site will not be reclaimed to prior conditions. Data from reference areas described below was used. As the mine is currently in operation, nearby reference areas were utilized to assess local vegetative conditions. In general, the landscape is dry, supporting mainly annual grasses, shrubs, and sagebrush. This annual grass-dominated landscape is itself unnatural to the region's historic flora. As such, perennial grasses and forbs will be used for reclamation, and surrounding reference areas are not conducive to emulation of natural conditions.

Baseline studies are attached as the site will be reclaimed to prior conditions.

4. **Test plots.** Test plots shall be conducted simultaneously with mining to ensure successful implementation of the proposed revegetation plan. *CCR Section 3705(b)*. Describe where and when test plots will be conducted or why test plots are not necessary as described in the standard cited.

Mining is set to cease. Once final quarry grading is complete, revegetation will commence.

5. **Compaction.** Where surface mining activities result in compaction of the soil, such as ripping and disking, shall be used in areas to be revegetated to eliminate compaction and to establish a suitable root zone for planting. *CCR Section 3705(c)*. Describe the areas that will require decompaction and methods that will be used to meet the standard cited.

The only areas that would require decompaction are the roads utilized as transportation routes during quarrying activities. The operator will remove the road base, rip compacted areas and fold the topsoil and process spoils into the substrate to provide an optimum seedbed prior to revegetation.

6. **Roads.** Prior to closure, all access roads, haul roads, and other traffic routes to be reclaimed shall be stripped of any remaining road base materials, resoiled in accordance with Section 3705(g), and revegetated, unless exempted. *CCR 3705(d)*. Describe the areas and methods that will be used to meet the standard cited. Specify areas that will remain as they are necessary for the proposed end use.

Upon completion of mining activities, existing roads on the quarry area will be retained to allow access to reclaimed area for future monitoring of livestock grazing.

7. **Temporary Access.** Exploration or other short-term uses on arid (dry and void of vegetation) lands shall not disrupt the soil surface except where necessary to gain safe access. Barriers shall be installed to keep unauthorized vehicles out. *CCR Section 3705(f)*. Describe methods that will be used to meet the standard cited.

No arid lands are within the proposed site.

The project site consists of dry areas colonized mainly by annual grasses and invasive weeds (woad, starthistle). As such, there is a vegetative base that provides soil stabilization across non-disturbed areas. Nevertheless, the property is fenced with barbed wire, and public access is not permitted.

Unauthorized soil disturbance will not occur.

8. **Native Plant Species** shall be used except when introduced species are necessary to meet the end use specified. Areas to be developed for industrial, commercial, or residential shall be revegetated for the interim period to control erosion. *CCR Section 3705(g)*. Describe revegetation methods and plant species (native and non-native) that will be utilized to meet the standard cited.

Native Plant Species are not conducive to the proposed end use.

Native plants to be used in reclamation consist of rabbit brush (*Ericameria nauseosa*, 2 lb/acre), yarrow (*Achillea millefolium*, 3 lb/acre), sulphur eriogonum (*Eriogonum umbellatum*, 1 lb/acre), and Bottlebrush squirreltail grass (*Elymus elymoides*, 8 lb/acre). This seed mix was approved in the initial reclamation plan, with the only modification being the removal of a species now considered invasive.

9. **Planting.** Planting shall be conducted during the most favorable period of the year for plant establishment. *CCR Section 3705(h)*. Detail the proposed planting schedule in order to meet the standard cited.

Seeds will be spread just prior to the seasonal (fall) rains, ensuring the seeds will receive adequate precipitation for successful revegetation. The variety of species planted will ensure that natives will establish themselves regardless of water conditions that year.

10. **Soil.** Use of soil stabilizing practices and irrigation when necessary to establish vegetation. *CCR 3705(i)*. Describe practices that will be used to meet the standard cited.

Irrigation will not be necessary due to seeding occurring just prior to seasonal rains. Seeds will be delivered via hydroseeding, which will stabilize the soil and provide a baseline level of moisture to spur seed germination and root development.

11. **Irrigation.** If irrigation is used, the operator must demonstrate that the revegetation has been self-sustaining without irrigation for a minimum of two years prior to release of the financial assurances. *CCR Section 3705(j)*. Explain the irrigation method that will be used and how long it is anticipated to be necessary to establish vegetation.

Irrigation will not be used.

Strategic seeding of drought-tolerant grasses and shrubs prior to seasonal rains will eliminate the need for supplemental irrigation.

12. **Noxious Weeds.** Shall be monitored and managed. *CCR Section 3705(k)*. Describe practices that will be used to meet the standard cited

Noxious weeds, particularly Dyer's woad (*Isatis tinctoria*) and Yellow star-thistle (*Centaurea solstitialis*) have been identified as occurring on disturbed areas of the quarry site. Spraying of woad and other noxious weeds will occur during reclamation to reduce the potential for invasive spread. This will continue until the seeded plants establish themselves.

13. **Plant Protection.** Measures such as fencing, and caging shall be used where needed for revegetation success. Protection measures shall be maintained until revegetation efforts are successfully completed and the lead agency authorizes removal. *CCR Section 3705(l)*. Describe plant protection measures that will be taken to meet the standard cited.

The plant species included in the revegetation plan mainly consist of fast-growing grasses and shrubs which can recover from herbivory. Additionally, the project property has barbed wire fence surrounding it, which will keep out most herbivores. As such, no additional plant protection is currently proposed.

14. **Vegetative Cover.** Quantitative success standards for vegetative cover, density, and species richness shall be included in the reclamation plan. Monitoring to occur until success standards have been achieved. Sampling techniques for measuring success shall be specified. Sample size must be sufficient to provide at least an 80 percent statistical confidence level. *CCR Section 3705(m)*. Describe the monitoring program and sampling techniques that will be taken to meet the standard cited.

	Baseline	Performance Standard
Density (Note 1)	0-1	1 - 4
Cover (Note 2)	0% - 50%	25% - 50%
Species Richness (Note 3)	0 - 1	1 - 4

Note 1. Number of individual perennial plants rooted per 100 sq. ft.

Note 2. Vertical projection of perennial plants onto ground expressed as % (e.g., if the sun were directly over a specified area, what percentage of that area would be shaded by the trees, plants, etc.)

Note 3. Number of perennial species per 100 sq. ft.

Reference areas around the site are mowed/grazed lands dominated by introduced annual species. The only abundant perennial is sagebrush (*Artemisia* sp.), which is dense in isolated pockets. Revegetation with perennials will increase the density/cover/richness of perennial plants as estimated above. Mine size makes a full site walkthrough feasible for monitoring (80% confidence).

Section H Agriculture

The mining operation will not be conducted on Prime Agricultural lands and the site's end use will not be agricultural, therefore this section is not applicable.

1. Prime Agricultural Land Reclamation.

The mining operation will be conducted on Prime Agricultural lands, and the site's proposed end use is agricultural. Prime Agricultural lands shall be in conformance with *CCR Section 3707*. Explain how each standard cited will be met.

a. **End Use.** Where the end use will be agriculture, prime agricultural land shall be returned to a fertility level as specified below. *CCR Section 3707(a)*.

Wildlife habitat/Open Space and livestock grazing

b. **Topsoil.** When distinct soil horizons are present, topsoil shall be salvaged and segregated by defined A, B, and C soil horizons. Upon reconstruction of the soil, the sequence of horizons shall have the A atop the B, the B atop the C, and the C atop graded overburden. *CCR Section 3707(b)*.

Topsoil stockpiles will be evenly distributed across the disturbed areas. Prior to topsoil distribution, mine byproducts such as fines and other overburden will be laid down as a base layer to facilitate revegetation. The topsoil layer will cover this base layer.

- c. **Productivity Rates.** Post reclamation productivity rates for prime agricultural land must be equal to pre-project condition or to a similar site for two consecutive years. Post Reclamation Productivity rates shall be specified below. *CCR Section 3707(c).*

n/a, not agricultural.

- d. **Fertilizers.** The use of fertilizers and other soil amendments shall not cause contamination of surface or groundwater. *CCR Section 3707(d).* Describe how this will be ensured.

n/a, not agricultural.

- 2. **Non-Prime Agricultural Land.** For sites where the end use is to be agricultural, non-prime agricultural land must be reclaimed to be capable of sustaining economically viable crops common to the area. Non-Prime Agricultural lands shall be reclaimed in conformance with *CCR Section 3708.* Describe how this standard will be met.

n/a, not agricultural.

Reclamation success of agricultural lands will be judged on the following performance standard.

Baseline	Performance Standard	Productivity
----------	----------------------	--------------

Note. Performance standard should be based on productivity (e.g., bushels per acre, tons per acre)

Section I Monitoring

Pursuant to *CCR Section 3504(a)*, the lead agency shall establish and maintain in-house measures and procedures to ensure organized record-keeping and monitoring of surface mining reclamation under its jurisdiction. The success of reclamation will be monitored until performance standards are met, including for example, irrigation, fertilization or weeding. Remedial measures will be implemented as necessary to achieve the performance standards.

SMARA Sections 2770 and 2773.1 require mine operators to obtain a lead agency approved Financial Assurance to ensure reclamation occurs pursuant to Reclamation Plan.

- A copy of the proposed Financial Assurance Mechanism is attached
- A copy of the proposed Financial Assurance Cost Estimate is attached

Section J
Statement of Responsibilities

I, the undersigned, hereby agree to accept full responsibility for reclamation of all mined lands as described and submitted herein and in conformance with the applicable requirements of Articles 1 and 9 (commencing the sections 3500 *et seq.* and 3700 *et seq.*, respectively) of *Chapter 8 of Division 2 of Title 14 of the California Code of Regulations, the Surface Mining and Reclamation Act* commencing with *Section 2710 et seq.*, and with any modifications requested by the administering agency as conditions of approval. *PRC 2772(c)(10)*.

Signed this _____ day of _____ 2023.

Notarized signature(s) of Operator

Address

Attach notary certificate.

CONTACT LIST

ENGINEERING GEOLOGIST:
 JAMES FITZGERALD, OWNER
 GEOSERV, INC.
 PO BOX 831
 MOUNT SHASTA, CA 96067
 PH: (530) 227-8963

DESIGNER/STAFF ENGINEER:
 KALEB FITZGERALD
 GEOSERV, INC.
 PO BOX 831
 MOUNT SHASTA, CA 96067
 PH: (530) 925-1834

DESIGNER/STAFF GEOLOGIST:
 JACOB EWALD
 GEOSERV, INC.
 PO BOX 831
 MOUNT SHASTA, CA 96067
 PH: (530) 408-8492

SHEET INDEX

DESIGN SHEETS:
 COVER SHEET.....CS
 EXISTING SITE PLAN.....1.0
 RECLAMATION PLAN.....2.0
 RECLAMATION SECTIONS.....3.0
 RECLAMATION SECTIONS.....4.0
 REVEGETATION PLAN.....5.0

ABBREVIATIONS

CA	CALIFORNIA	GA	GRADE OR QUOTE
DA	DRAINAGE	GA	GALENA
EA	EARTHQUAKE	GA	GALENA
FA	FACILITY	GA	GALENA
GA	GRADE	GA	GALENA
HA	HIGHWAY	GA	GALENA
IA	INDUSTRIAL	GA	GALENA
JA	JOB	GA	GALENA
KA	KILN	GA	GALENA
LA	LAND	GA	GALENA
MA	MATERIAL	GA	GALENA
NA	NON-WEATHER	GA	GALENA
OA	ON CENTER	GA	GALENA
PA	PERMANENT	GA	GALENA
QA	QUARTZ	GA	GALENA
RA	RECLAMATION	GA	GALENA
SA	SETBACK	GA	GALENA
TA	TERRACE	GA	GALENA
UA	UNDERGROUND	GA	GALENA
VA	VALLEY	GA	GALENA
WA	WATER	GA	GALENA
XA	EXHAUSTION	GA	GALENA
YA	YARD	GA	GALENA
ZA	ZONING	GA	GALENA

PROJECT DATA

APPLICABLE CODES, LAWS, & REGULATIONS
 2018 CALIFORNIA BUILDING CODE (C.B.C.)
 ANY OTHER APPLICABLE LOCAL, STATE AND
 FEDERAL LAWS AND REGULATIONS

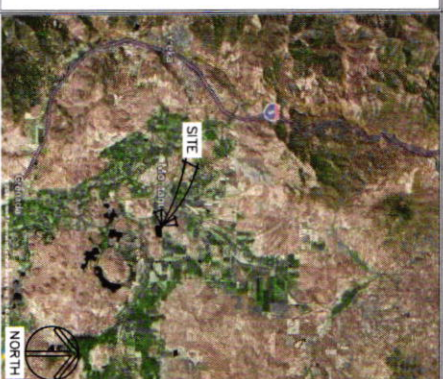
MPI BROWN PIT
 RECLAMATION PLAN
 CA MINE ID #: 91-47-0012
 APN: 013-380-390 & 013-370-730
 SISKIYOU COUNTY, CALIFORNIA



DESIGN PARAMETERS

- DESIGN SCOPE OF WORK
1. INVESTIGATE EXISTING SITE CONDITIONS.
 2. GROUND SURVEY EXISTING TOPOGRAPHY.
 3. DESIGN MINE RECLAMATION SLOPES, DRAINAGE AND REVEGETATION PLAN & RECLAMATION REPORT.
 4. PREPARE PROJECT DRAWINGS.

VICINITY MAP
 NOT TO SCALE



GENERAL NOTES FOR CONTRACTORS

1. THE CONTRACTOR SHALL VERIFY ON SITE ALL GRADES, EXISTING IMPROVEMENTS, PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES AND SUBSTRUCTURES. WHERE DISCREPANCIES OCCUR, CONTACT ENGINEER. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FAMILIARIZE WITH THE SITE AND PLANS OF THIS PROJECT AND CLARIFY WITH THE ENGINEER AND OWNER ALL POINTS OF MISUNDERSTANDING PRIOR TO SUBMITTING A BID FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK AS SHOWN BY THESE DRAWINGS.
2. ALL NEW CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF CODES ADOPTED BY LOCAL GOVERNING AGENCIES. THESE SHALL INCLUDE (BUT ARE NOT LIMITED TO) THE APPLICABLE CODES, LAWS AND REGULATIONS LISTED UNDER "CODE INFORMATION" ON THIS SHEET AS WELL AS ALL HEALTH AND SAFETY CODES AND ORDINANCES ADOPTED BY THE LOCAL GOVERNING AGENCIES.
3. THESE PLANS ARE FOR GENERAL CONSTRUCTION PURPOSES ONLY. THEY ARE NOT EXHAUSTIVELY DETAILED OR FULLY SPECIFIED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SELECT, VERIFY, RESOLVE AND INSTALL ALL MATERIALS AND EQUIPMENT FOR A COMPLETE BUILDING PROJECT.
4. THE ENGINEER SHALL NOT BE CONTINUOUSLY OBSERVING THE CONSTRUCTION OF THIS PROJECT (UNLESS A CONSTRUCTION MANAGEMENT CONTRACT HAS BEEN EXECUTED). THE CONTRACTOR IS RESPONSIBLE FOR THE QUALITY CONTROL AND CONSTRUCTION STANDARDS FOR THIS PROJECT.
5. WHERE DISCREPANCIES BETWEEN THE SITE CONDITIONS AND DRAWINGS OCCUR, CONTACT THE ENGINEER.

© GEOSERV, INC. RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS



PO BOX 831
 MOUNT SHASTA, CA 96067
 PH: (530) 227-8963
 FAX: (530) 925-1834

PROJECT:
 MPI BROWN PIT
 RECLAMATION PLAN
 CA MINE ID# 91-47-0012

ISSUED FOR
 REVIEW



COVER
 SHEET

REVISIONS:

PROJECT NO:
 230316

ISSUE DATE:
 5/22/2023

SCALE:
 AS NOTED

DRAWN BY:
 J.E., K.F.

ENGINEERED:
 J.F.

CHECKED:
 J.F.

SHEET:
CS



GEOSERV, INC.

PO BOX 831
MOUNTAIN VIEW, CA 94047
TEL: (530) 928-8800
FAX: (530) 928-8821

PROJECT:
MPI BROWN PIT
RECLAMATION PLAN
CA MINE ID# 91-47-0012

ISSUED FOR
REVIEW



SHEET NAME:

SITE PLAN
EXISTING

REVISIONS:

PROJECT NO:
230316

ISSUE DATE:
5/22/2023

SCALE:
AS NOTED

DRAWN BY:
J.E., K.F.

ENGINEERED:
J.F.

CHECKED:
J.F.

SHEET:

1.0

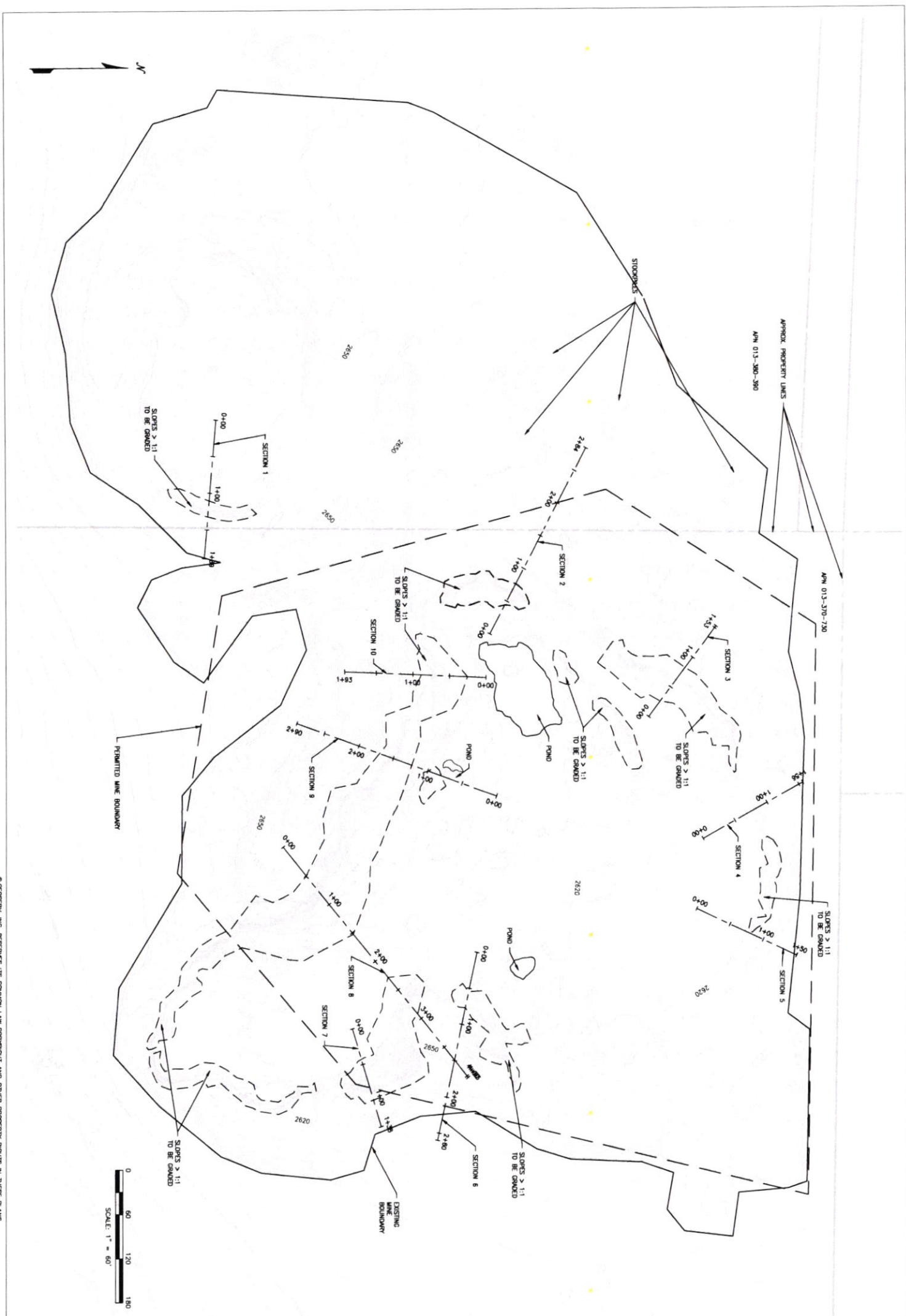
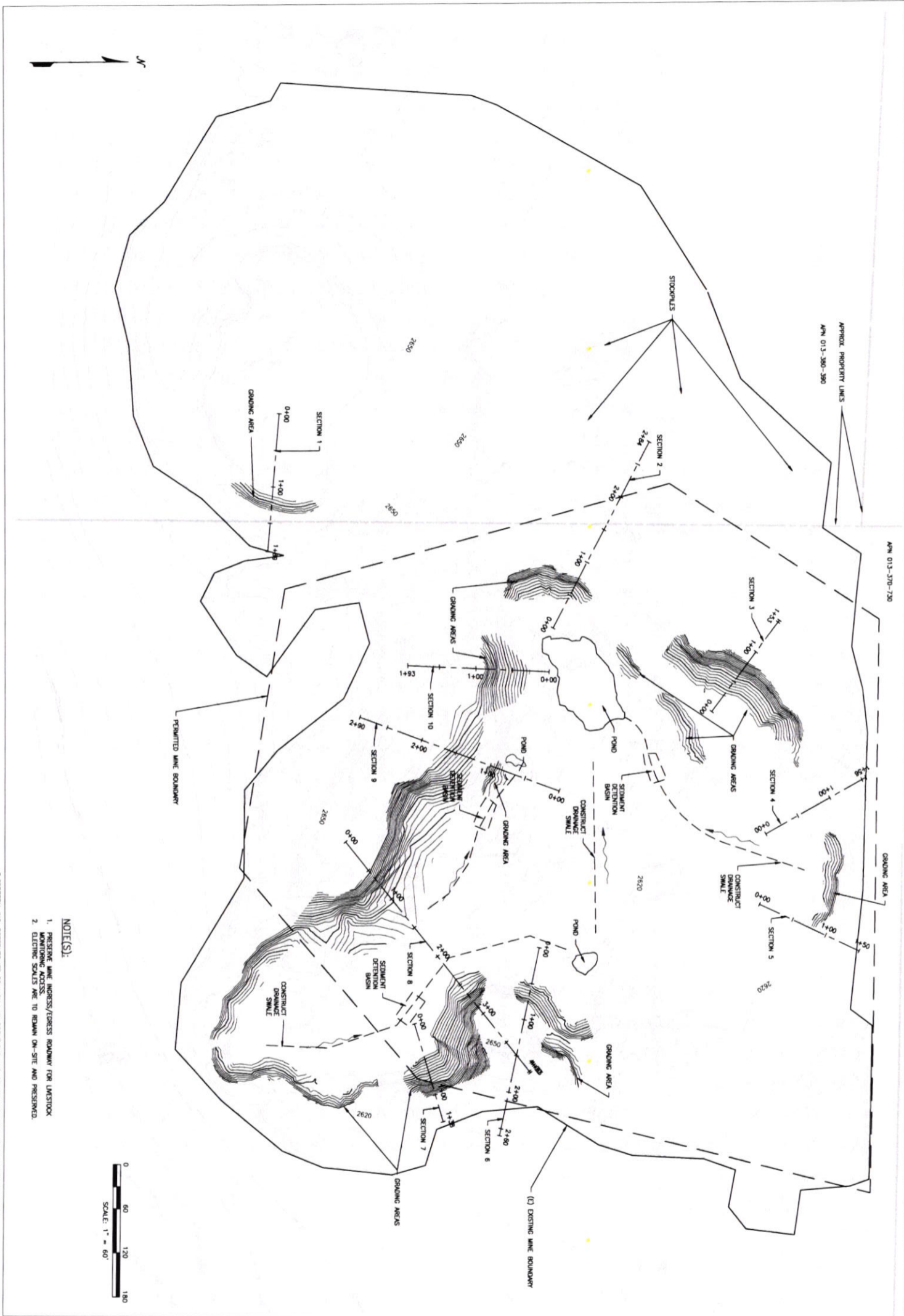


Exhibit B-1



- NOTES(S):
1. PRESERVE LINE ACCESS/FORESS ROWWAY FOR LIVESTOCK
 2. ELEVATION SCALES ARE TO REMAIN ON-SITE AND PRESERVED.

GEOSERV, INC. RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS.



GEOSERV, INC.
 PO BOX 831
 MOUNT SHASTA, CA 96087
 PH: (530) 478-8889
 FX: (530) 525-9281

PROJECT:
 MPI BROWN PIT
 RECLAMATION PLAN
 CA MINE ID# 91-47-0012

ISSUED FOR
 REVIEW



SHEET NAME:
 RECLAMATION
 PLAN

REVISIONS:

PROJECT NO.	230316
ISSUE DATE	5/22/2023
SCALE	AS NOTED
DRAWN BY:	J.E., K.F.
ENGINEERED:	JF
CHECKED:	JF
SHEET:	2.0

Exhibit B-1



GEOSEVRY, INC.
 P.O. BOX 631
 MOUNT SHASTA, CA 96067
 TEL: (530) 471-8899
 FAX: (530) 528-8921

PROJECT:
 MPT BROWN PIT
 RECLAMATION PLAN
 CA MINE ID# 91-47-0012

ISSUED FOR
 REVIEW



SHEET NAME:
 RECLAMATION
 SECTIONS

REVISIONS:

PROJECT NO: 230316
 ISSUE DATE: 5/22/2023
 SCALE: AS NOTED
 DRAWN BY: JE, KF
 ENGINEERED: JF
 CHECKED: JF
 SHEET: 3.0

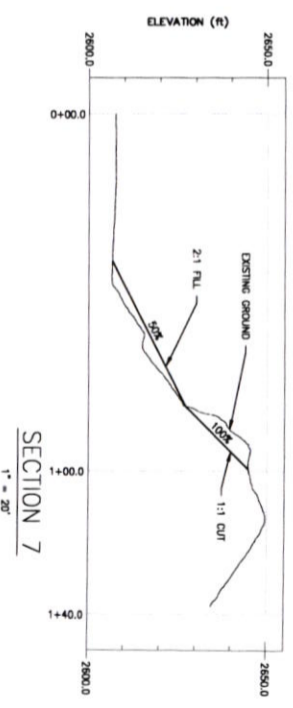
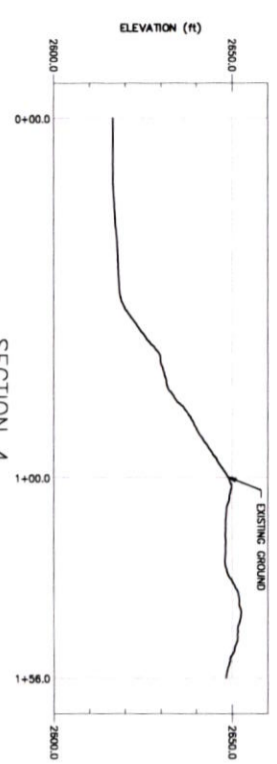
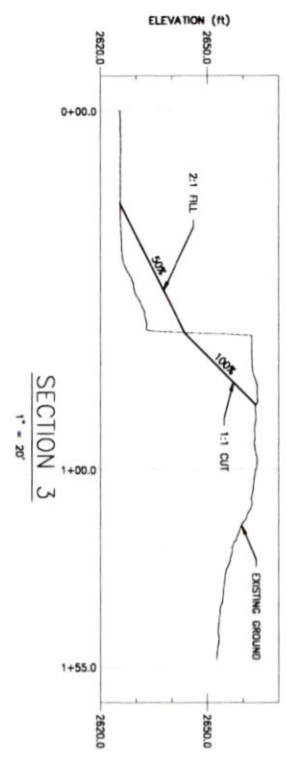
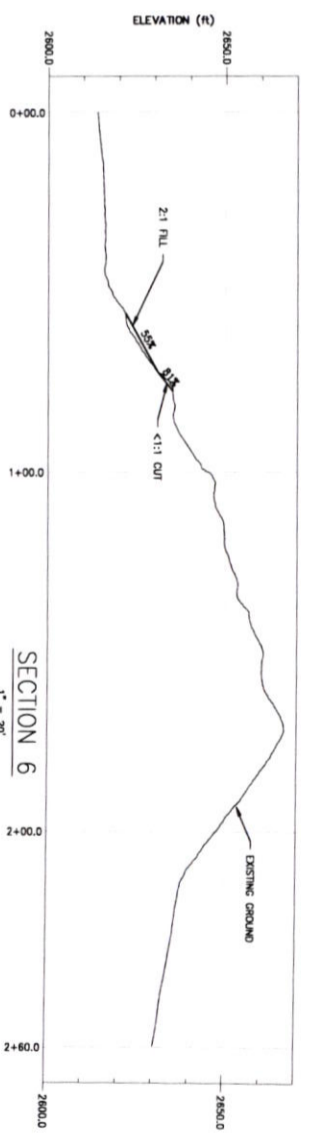
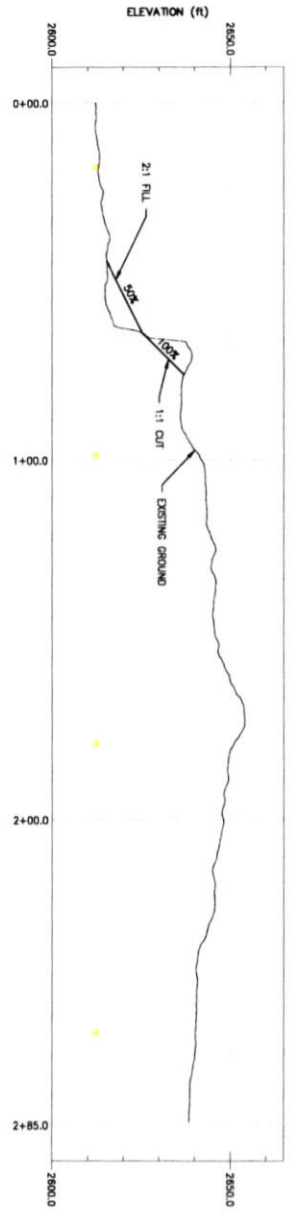
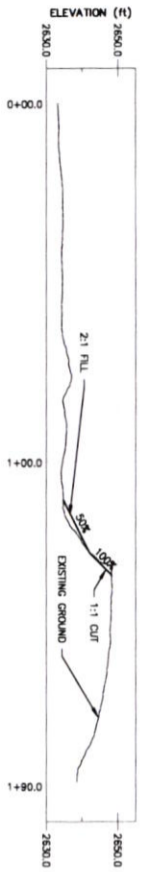
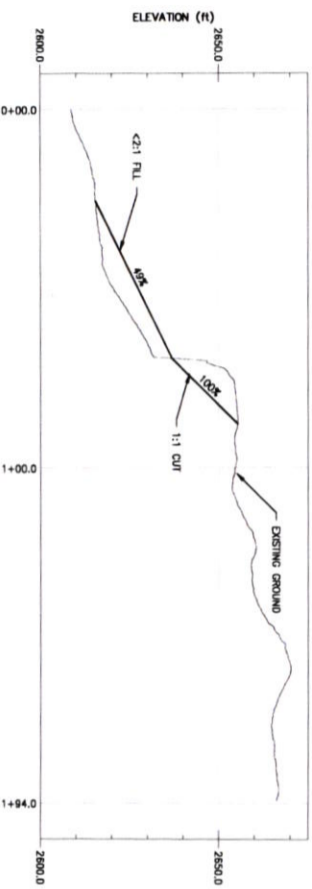
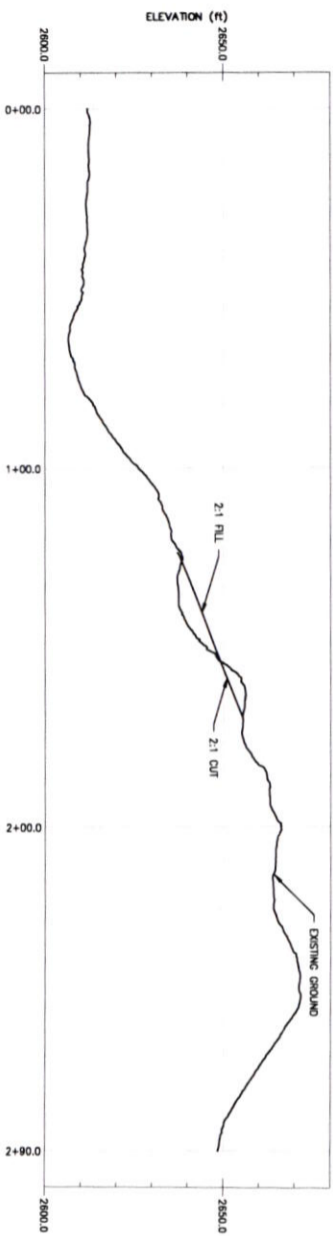
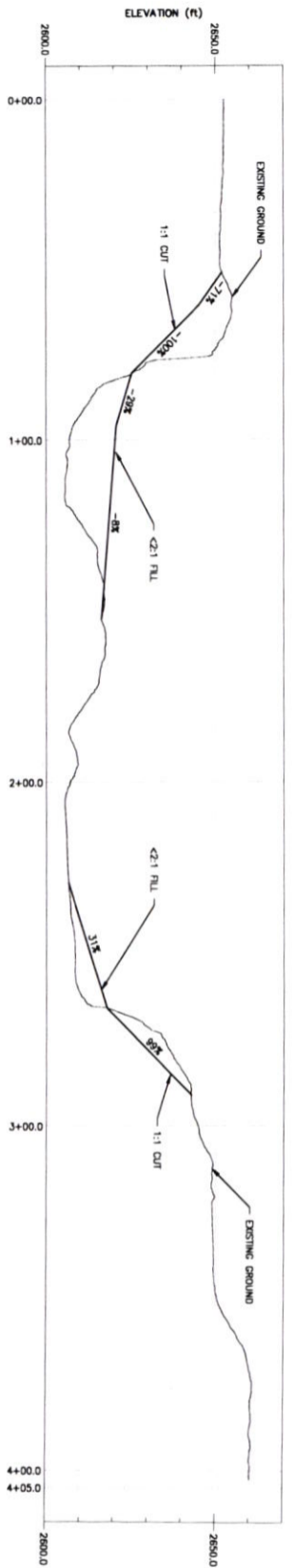


Exhibit B-1



GEOSERV, INC.

PO BOX 831
MOUNT SHASTA, CA 96067
PH: (530) 471-8899
FAX: (530) 928-8921

PROJECT:
MPI BROWN PIT
RECLAMATION PLAN
CA MINE ID# 91-47-0012

ISSUED FOR
REVIEW



SHEET NAME:
RECLAMATION
SECTIONS

REVISIONS:

PROJECT NO:	230316
ISSUE DATE:	5/22/2023
SCALE:	AS NOTED
DRAWN BY:	J.E., K.F.
ENGINEERED:	J.F.
CHECKED:	J.F.
SHEET:	4.0



GEOSERV, INC.

PO BOX 431
MOUNT SHASTA, CA 96087
PH: (530) 471-8899
FAX: (530) 928-8821

PROJECT:
MPL BRON PIT
RECLAMATION PLAN
CA MINE ID# 91-47-0012

ISSUED FOR
REVIEW



SHEET NAME:
REVEGETATION
PLAN

REVISIONS:

PROJECT NO:
230316

ISSUE DATE:
5/22/2023

SCALE:
AS NOTED

DRAWN BY:
J.E., K.F.

ENGINEERED:
J.F.

CHECKED:
J.F.

SHEET:
5.0



NOTE(S):

1. AREAS EXCLUDED FROM THE REVEGETATION PLAN ARE SURFACELY REVEGETATED WITH BERMUDA SPECIES MIXTURES, CHUKLES, AND DO NOT RECEIVE WATER FROM THE REVEGETATION PLAN.
2. WINE INDICES/TERRACE ROADWAY SURFACE SHALL BE ALSO EXCLUDED FROM REVEGETATION FOR LIVESTOCK GRAZING MONITORING ACCESS.

PERMITTED
WINE
BOUNDARY

OBSERVED
BOUNDARY

APPROX. PROPERTY LINES
APN 013-380-380

APN 013-370-730

LEGEND
REVEGETATION AREA
(OPEN SPACE & LIVESTOCK
GRAZING ONLY US)





East Brown Rock Quarry

Revegetation and Invasive Plant Management Plan



Siskiyou County, CA
APN: 013-370-730 & 013-380-390

For: Siskiyou County Community Development- Planning Division

Prepared on Behalf of: Jeffery & April Brown

Prepared by: GeoServ, Inc.



East Brown Rock Quarry Revegetation and Invasive Plant Management Plan

1. Seed reclaimed slopes with native seed mix (Table 1).
 - Seed application rate = 14 Lbs/Acre.
 - Apply seed mix in the fall, just prior to seasonal rains

Table 1. Native Seed Mix.

Native Seed Mix - Plant Species	lb/ac	%
Rabbit Brush (<i>Ericameria nauseosa</i>)	2	14
Yarrow (<i>Achillea millefolium</i>)	3	21
Sulphur eriogonum (<i>Eriogonum umbellatum</i>)	1	8
Bottlebrush squirreltail grass (<i>Elymus elymoides</i>)	8	57
Total	14	100

2. Retain pond vegetation
 - Willows (*Salix sp.*) and cattails (*Typha sp.*) are intact around groundwater ponds.
 - Avoid pond vegetation areas during grading.
 - Do not seed over pond vegetation areas.
3. Mulch slopes with certified weed free straw.
 - Straw mulch application rate = 2 Tons/Acre.
4. Mitigate noxious weed spread.
 - Clean construction equipment prior to entering project site, and prior to leaving project site to avoid weed spread. Wastewater from post-project washing shall remain onsite within the quarry boundaries by virtue of existing site topography.
 - Use only certified weed-free materials (see #3 above).
 - Uproot the sparse population of mullein, discarding it and other invasive plant material uprooted into designated invasive waste containers.
 - Prior to seeding of native species, spray invasive dyer's woad (*Isatis tinctoria*) and yellow starthistle (*Centaurea solstitialis*) present within the reclamation area.



- Utilize pollinator-friendly herbicides Chlorsulfuron (for [dyer's woad](#) and [yellow starthistle](#)) and Dicamba (for [yellow starthistle](#)), targeting only areas where invasives are present ([University of California Integrated Pest Management 2023](#)) and taking care not to spray non-target plants.
 - If necessary, spray annually until seeded, native species establish themselves (see #5 below).
5. Evaluate success of native species revegetation and invasive species eradication.
- Evaluate native revegetation and invasive eradication progress in the spring for three years following initial revegetation (i.e. 2025-2028).
 - Areas that do not meet revegetation performance standards listed in the Reclamation Plan Application (Section G, Revegetation, Question 14, Page 34) will be re-seeded to further promote native revegetation.
 - Areas where invasive species are observed during revegetation monitoring inspections will be sprayed again using the same spraying methods listed previously.
6. Promote pollinators such as Franklin's bumblebee.
- Do not disturb existing populations of *Eschscholzia* and *Lupinus* growing onsite with herbicides, reclamation equipment, or vehicles.

References:

DiTomasso, J.M., G.B. Keyser et al. 2013. *Weed Control in Natural Areas in the Western United States*. Weed Research and Information Center, University of California.

University of California. Integrated Pest Management. 2023. Bee Precaution Pesticide Ratings. Available: <https://ipm.ucanr.edu/bee-precaution-pesticide-ratings/>



May 19, 2023

GeoServ, Inc. Job No. 230316

Attention: Jeff Brown

Subject: Brown Quarry Slope Stability Analysis Report

Dear Jeff,

In accordance with your request and authorization of GeoServ, Inc. we have completed a slope stability at Brown Quarry. The attached report contains the results of our site investigation and engineering geologic evaluation of the slope stability elements of the project site.

Based on GeoServ Inc's subsurface investigations and our geotechnical and engineering evaluation, the project is considered feasible from an engineering geology standpoint provided the recommendations contained in the attached report are incorporated into the project design and construction. If you have any questions regarding our findings or recommendations, please do not hesitate to contact this office. The opportunity to be of service is appreciated.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "James Fitzgerald", is located below the closing text.

James Fitzgerald, CEG (2436)
GeoServ, Inc.



Slope Stability Analysis Report

East Brown Quarry



Siskiyou County, CA
APN: 013-370-730 & 013-380-390

For: Siskiyou County Community Development- Planning Division

Prepared on Behalf of: Jeffrey & April Brown

Prepared by: GeoServ, Inc.

Revision A date: 5/19/2023





Table of Contents

Introduction	2
Methods.....	2
Site Investigation Data Collection Methods.....	2
Slope Stability Model Methods.....	3
Site Investigation Results.....	4
Bedrock Mapping.....	4
Slope Stability	5
Limitations	5
References	6
Attachment A.....	7
Slope Stability Figures	7



Introduction

This slope stability report documents the Brown Quarry (CA Mine ID# 91-47-0012; APN: 013-370-730 and 013-380-390) slope stability analysis methods, data results, and slope stability analysis results. This analysis mapped and drafted lithotopo units using the site investigation data, anecdotal information, and historical photographs. The slope stability analysis results were used to evaluate the proposed slope geometry after mine reclamation. Professional judgement and model results were used to estimate and interpolate subsurface material types. To represent the different types of the rock slope, 2-D sections were cut and used to model slope stability for the proposed conditions (Sheets C1.0 to C4.0 and Attachment A).

Methods

Site Investigation Data Collection Methods

A site investigation was completed to obtain information on the engineering properties of the rock, soil, groundwater, and to inform the designs and construction techniques for the rock quarry. The engineering properties of the project area rocks and soils were assessed using industry standard methods (e.g., CDC 2001, Williamson 1984, and BOR 2001). The rocks and soils were classified and assessed following the most recent ASTM methods.

The site investigation was completed in April and May 2023. The bedrock mapping sites were located along the proposed quarry expansion area in safe accessible locations to characterize the spatial distribution of the terrane, rock, soil, and water conditions. This investigation process was intended to assess the spatial and temporal distribution of soil or rock near the ground surface.

The bedrock mapping occurred along the bedrock outcrops that are within the proposed quarry expansion area and were completed by GSI geologists. The accessible outcrops were classified using ASTM standards.



Slope Stability Model Methods

Slope stability model parameters were measured, calculated, or estimated using the available field data following standard methods. Slide 6.0 was used to model the permanent stability of the quarry face after reclamation. The 2-D slope stability analysis software is comprehensive for the level of design effort and performs finite element analysis. The quarry design was analyzed based on the proposed earthworks and the geometry of cut-slopes (Sheet C3.0 and C4.0). The following methods were used to model slope stability:

Slide 2D limit equilibrium slope stability model to complete non-circular and circular failure analyses on existing and design rock cut and fill slopes to help define critical rock slope failure mechanisms and planes (Rocscience, Inc. 2002).

- Spencer (Blake et. al. 2002), Army Corp #1, and Army Corp#2 methods to predict non-circular and circular critical failure planes and fill slope FOS.
- Plane Failure method to analyze rock slope stability (Hoek and Bray 1981).

The following criteria were used for the permanent slope stability analyses.

- Static Factor of Safety (FOS) for permanent rock cut-slopes = 1.5.

The model assumes uniform rock and soil engineering properties for the dominant rock type to include:

- Tertiary volcanic flow rocks; minor pyroclastic deposits (Tv) with horizontal beds from sequential eruptions.

The model assumes that the modern cut-slopes and fill-slopes are pseudo-stable (i.e., FOS = 1.0) along the existing quarry face. It also assumes that the rock slopes are presently in a pseudo-stable condition (i.e., FOS = 1.0) other than shallow rock fall (i.e., <5' into slope face).

The rock slope models factored freeze-thaw failure mechanisms by assuming conservative fracture/joint discontinuity cohesion and angle of internal friction values. It also assumed a value 33% for pore pressure for planar and rock topple failure models and that the groundwater level is lower than ground surface and fractures/joints in the rock are free draining.

Site Investigation Results

Bedrock Mapping

Accessible rock outcrops were mapped as part of the site investigation (Sheet C2.0). The results of the bedrock mapping are consistent with the Tertiary volcanic flow rocks; minor pyroclastic deposits (Tv) reported in the available geologic maps (Figure 1).

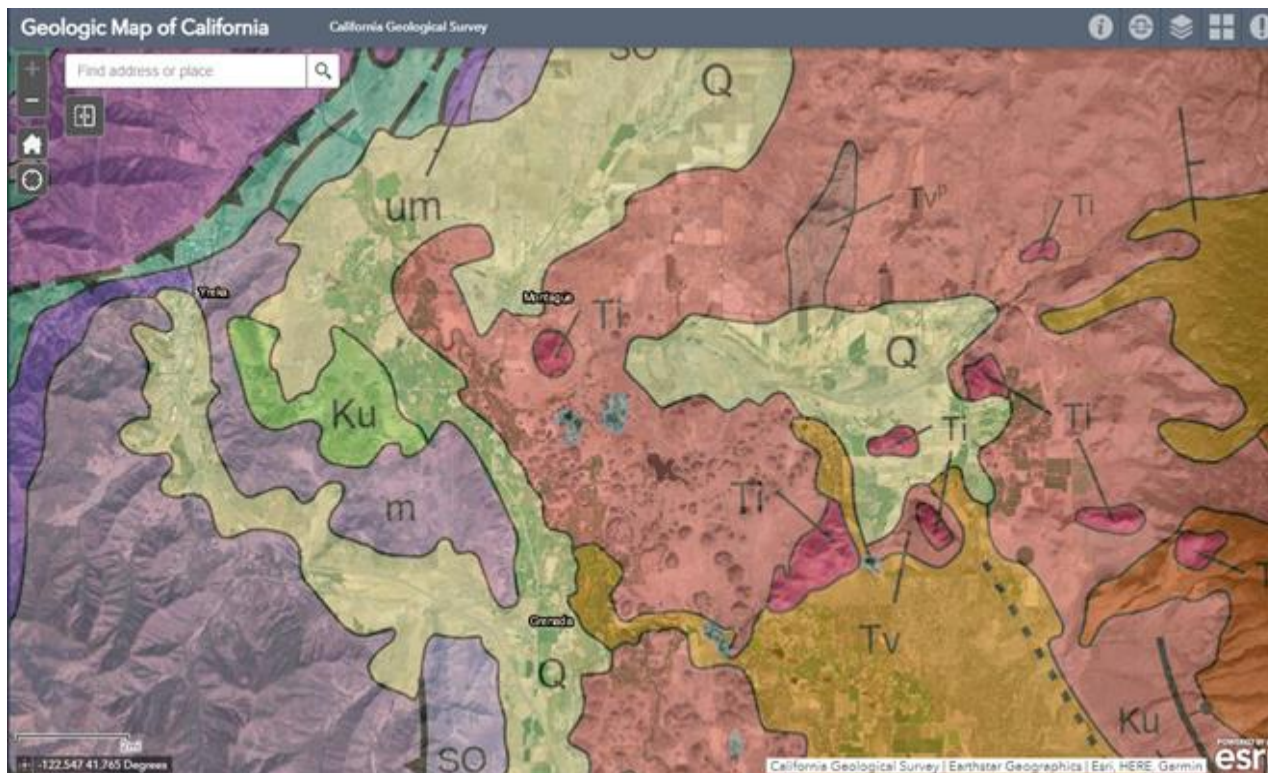


Figure 1. Geology map of the project area.



Slope Stability

Based upon GSI's review of the published geologic maps, aerial photographs, ground topography data, site reconnaissance, and slope stability modeling, the project area appears to be quasi stable under static conditions. The project area topography is steep due to shallow and hard Volcanic rock. No evidence of active or dormant landslide slip plain surfaces were observed as part of the site investigation and no springs or seeps were observed. There are two ponds within the quarry area (Sheet C1.0).

Slope stability modeling results indicate that the existing slopes have a FOS of 1 for static conditions. The design slopes have a FS greater than 1.5 under static conditions Attachment A. The site investigation results were used to estimate and interpolate subsurface material types. To represent the different types of slopes within the project area, 2-D sections were cut and used to model slope stability for existing and design conditions (Sheets C1.0 to C4.0 and Attachment A). Modeling results for static rock slope stability conditions indicate that the proposed quarry geometry is stable with FS greater than the design criteria (Attachment A).

Limitations

This investigation used existing data and information supplemented by field inventory data to investigate the geologic and slope properties, and slope stability of the reclaimed mine slopes. Given the project risks, the data collection, and analysis effort are sufficient to ensure that the recommendations made herein are adequate and there will be no adverse impacts from geologic hazards evaluated herein. The confidence is high that if the recommendations are followed as specified and special inspections occur, then the risks of slope failure is low.



References

Blake, T.F., Hollingsworth, R.A., and Stewart, J.P., eds (2002), Recommended Procedures for Implementation of DMG Special Publication 117, Guidelines for Analyzing and Mitigating Landslide Hazards in California, Organized through the American Society of Civil Engineers, Los Angeles Section (ASCE-LA) – SCEC), 110 pp.

California Department of Conservation (CDC), 1999. Factors Affecting Landslides in Forested Terrain. California Division of Mines and Geology, Note 50.

Cruden, D.M., and Varnes, D.J., 1996. Landslide types and processes. Pages 36-75 in A.K. Turner and R.L. Schuster, editors. Landslides Investigation and Mitigation. National Research Council Transportation Research Board Special Report 247, National Academy Press, Washington, DC.

Hoek and Bray, 1981. Rock Slope Engineering, 3rd edition, Chapman & Hall, London.

Rocscience, Inc., 2002. Slide 2D limit equilibrium slope stability for soil and rock slopes, User's Guide.

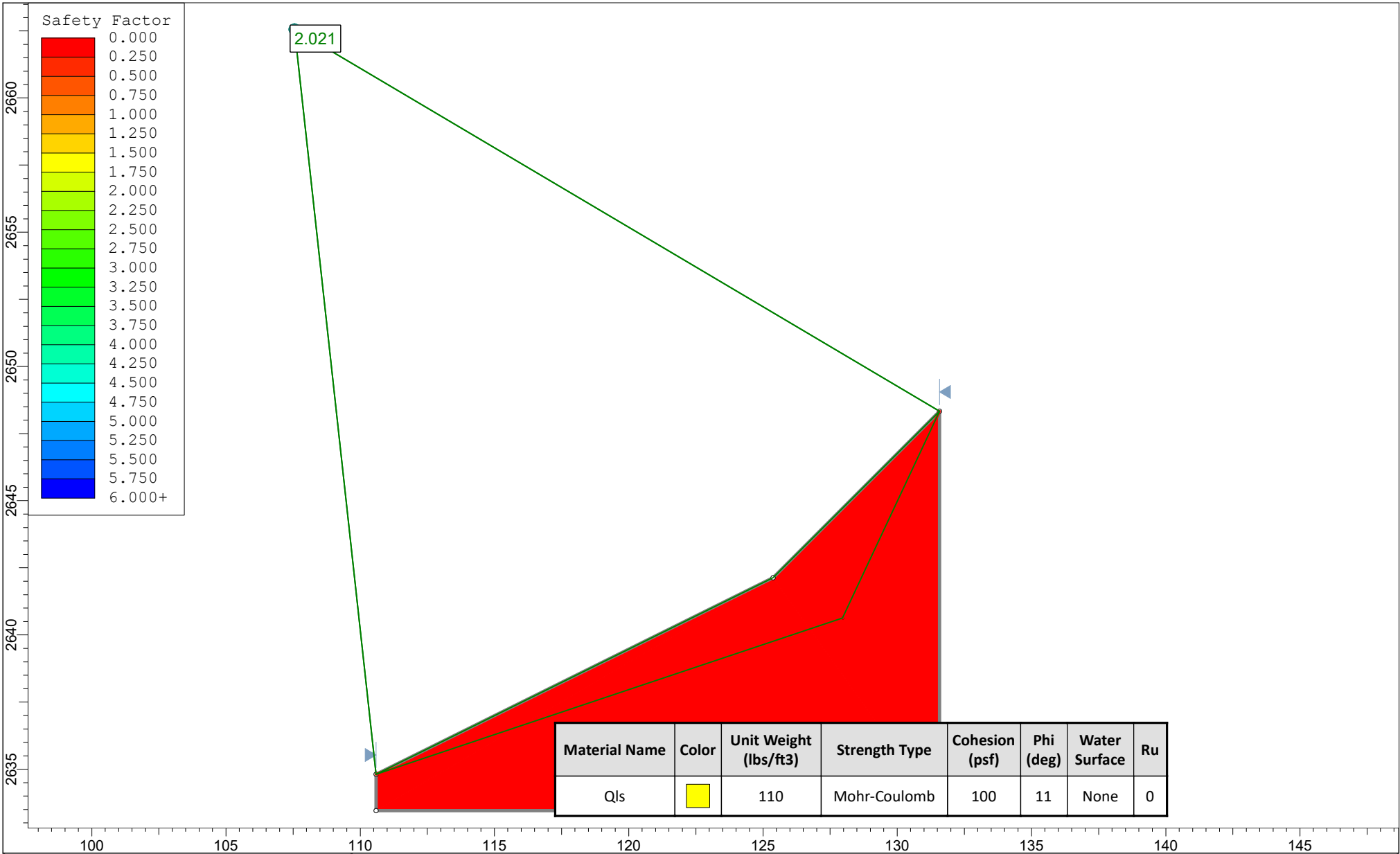
United States Army Corps of Engineers (ACOE), 2003. Engineering and Design: Slope Stability. Manual No. 1110-2-1902.

United States Bureau of Reclamation (BOR), 2001. Engineering Geology Field Manual, Second Edition, Volume I.

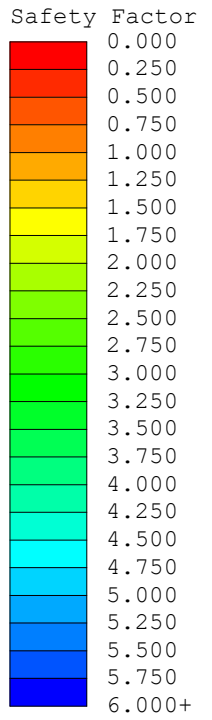
Attachment A


Slope Stability Figures





2.021



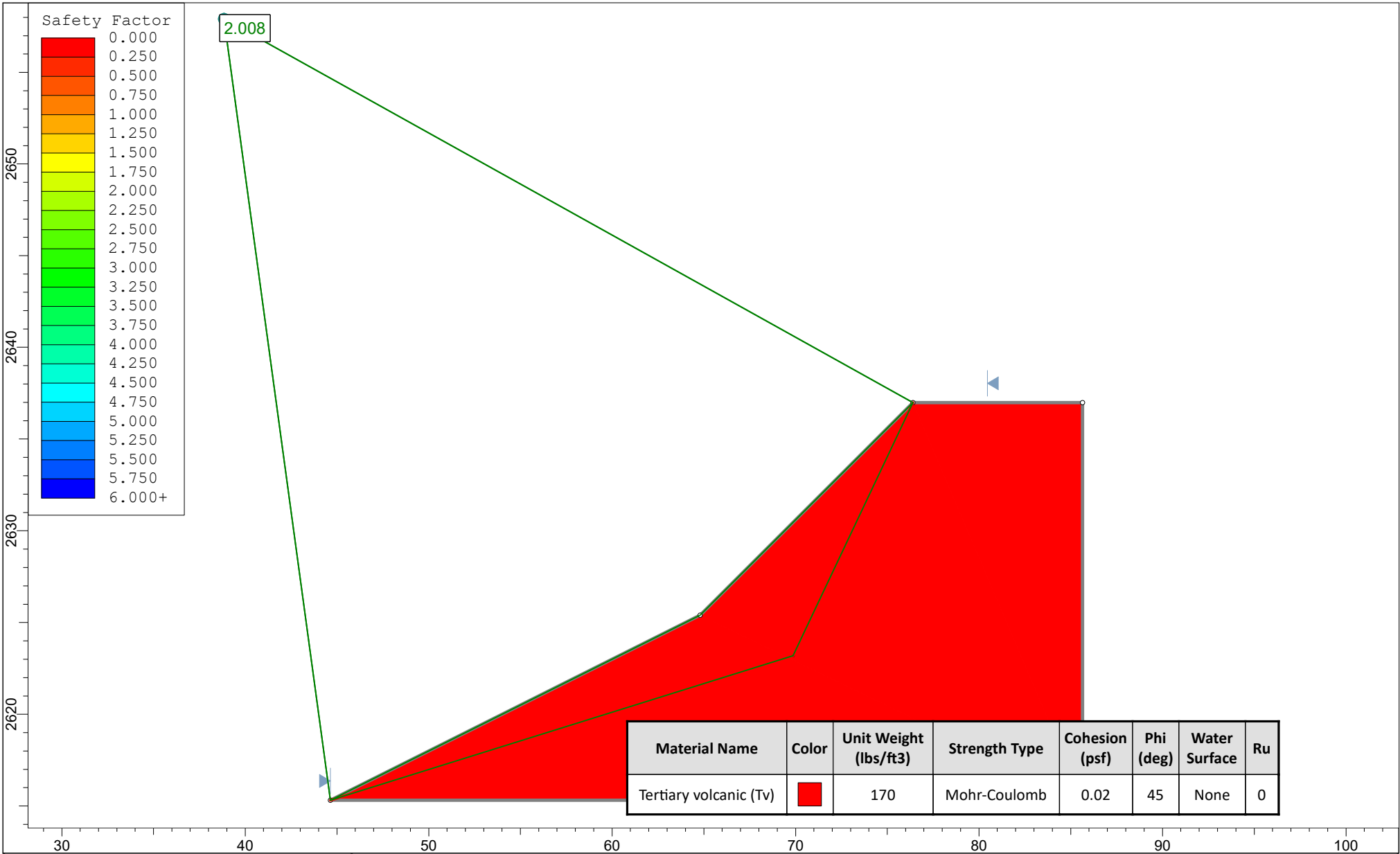
Material Name	Color	Unit Weight (lbs/ft3)	Strength Type	Cohesion (psf)	Phi (deg)	Water Surface	Ru
Qls		110	Mohr-Coulomb	100	11	None	0




<i>Project</i>		Brown Quarry	
<i>Analysis Description</i>		Rock Block Analysis	
<i>Drawn By</i>	James Fitzgerald	<i>Scale</i>	1:59
<i>Company</i>	GSI		
<i>Date</i>	5/9/2023		<i>File Name</i>
		Brown_Quarry_Slope_Stab_T1.slim	

SLIDEINTERPRET 6.03

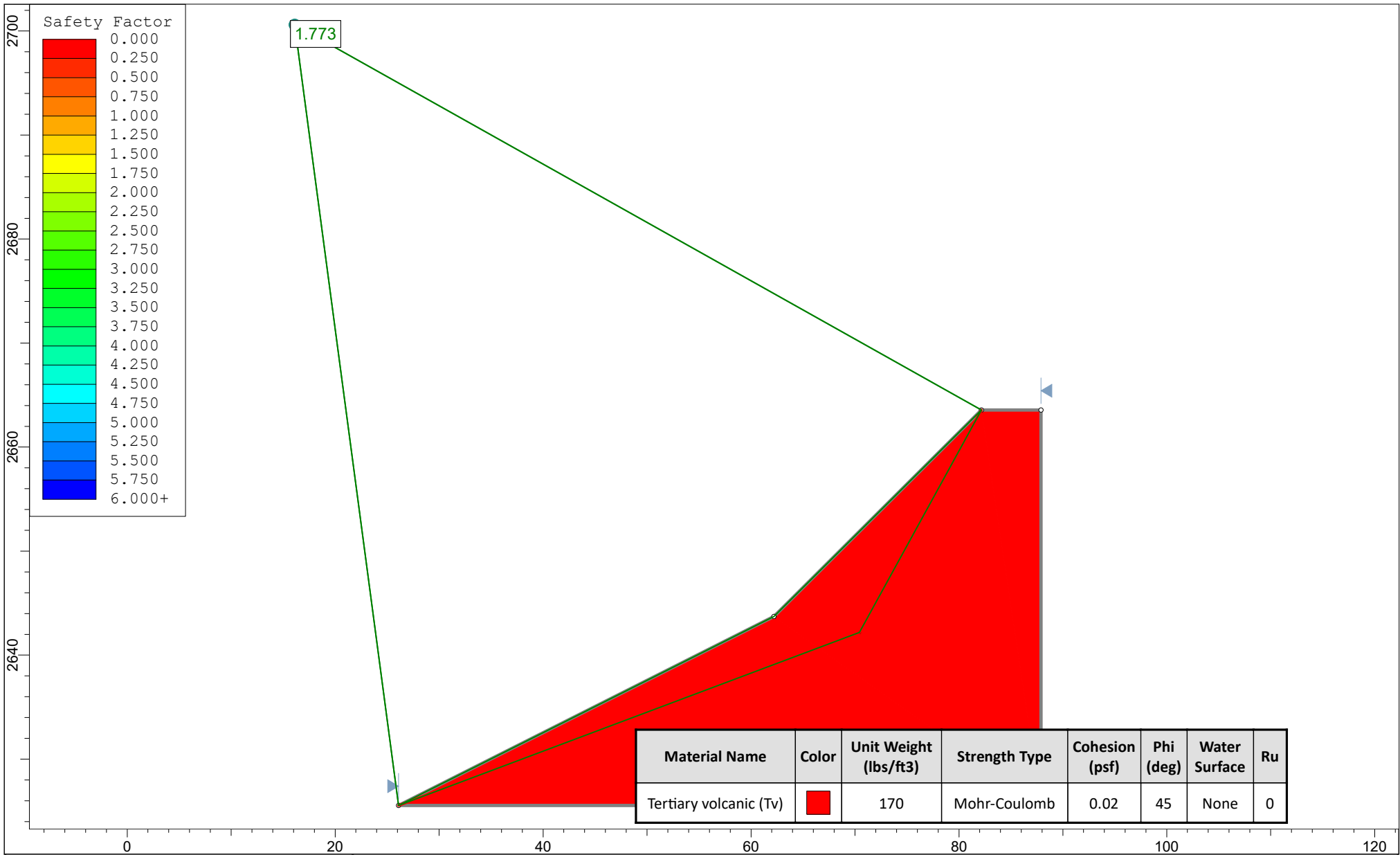
Exhibit B-3




	<i>Project</i>			Brown Quarry		
	<i>Analysis Description</i>			Rock Block Analysis		
	<i>Drawn By</i>	James Fitzgerald	<i>Scale</i>	1:87	<i>Company</i>	GSI
	<i>Date</i>	5/9/2023		<i>File Name</i>	Brown_Quarry_Slope_Stab_T2.slim	

SLIDEINTERPRET 6.03

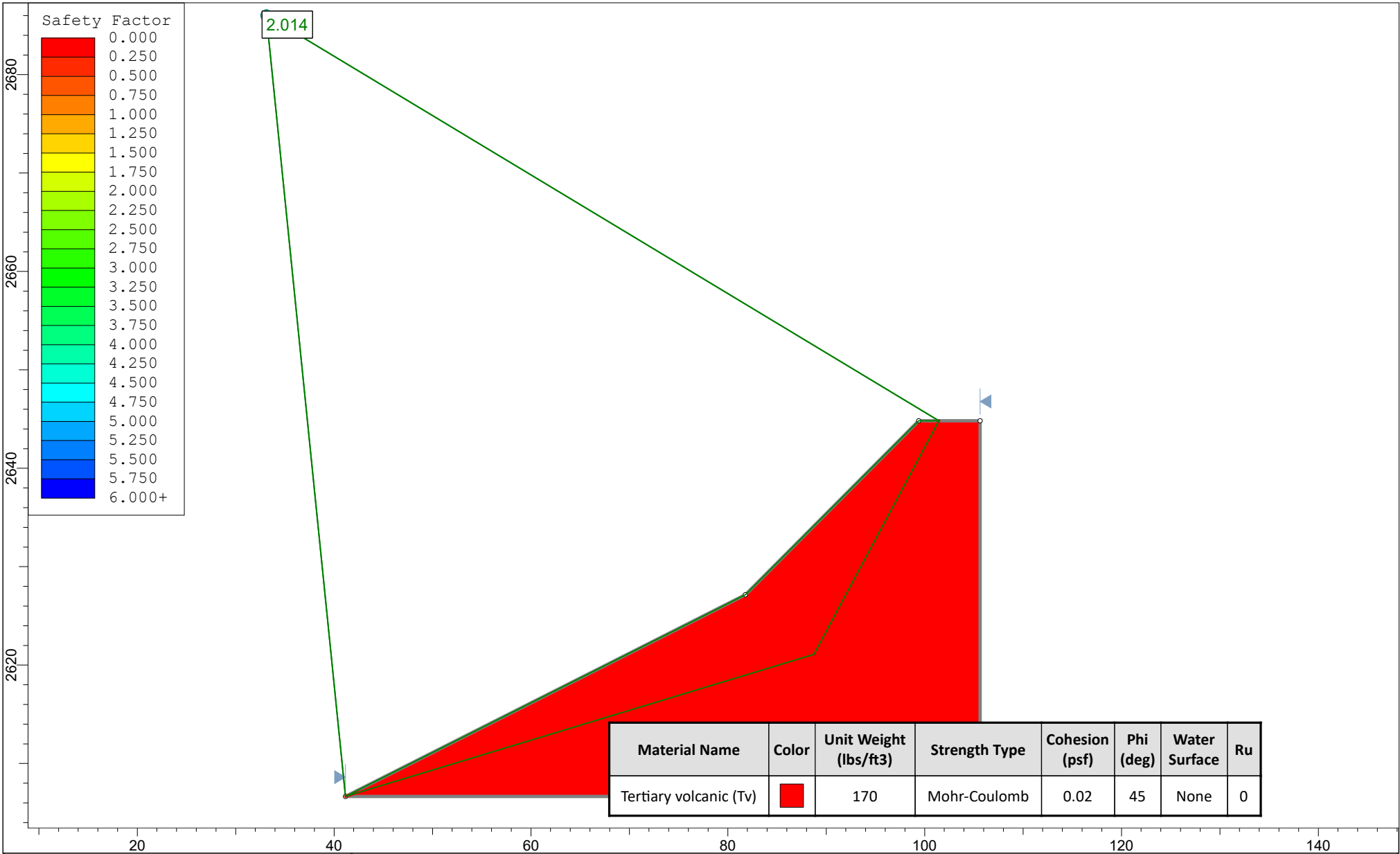
Exhibit B-3




	<i>Project</i>			Brown Quarry		
	<i>Analysis Description</i>			Rock Block Analysis		
	<i>Drawn By</i>	James Fitzgerald	<i>Scale</i>	1:153	<i>Company</i>	GSI
	<i>Date</i>	5/9/2023		<i>File Name</i>	Brown_Quarry_Slope_Stab_T3.slim	

SLIDEINTERPRET 6.03

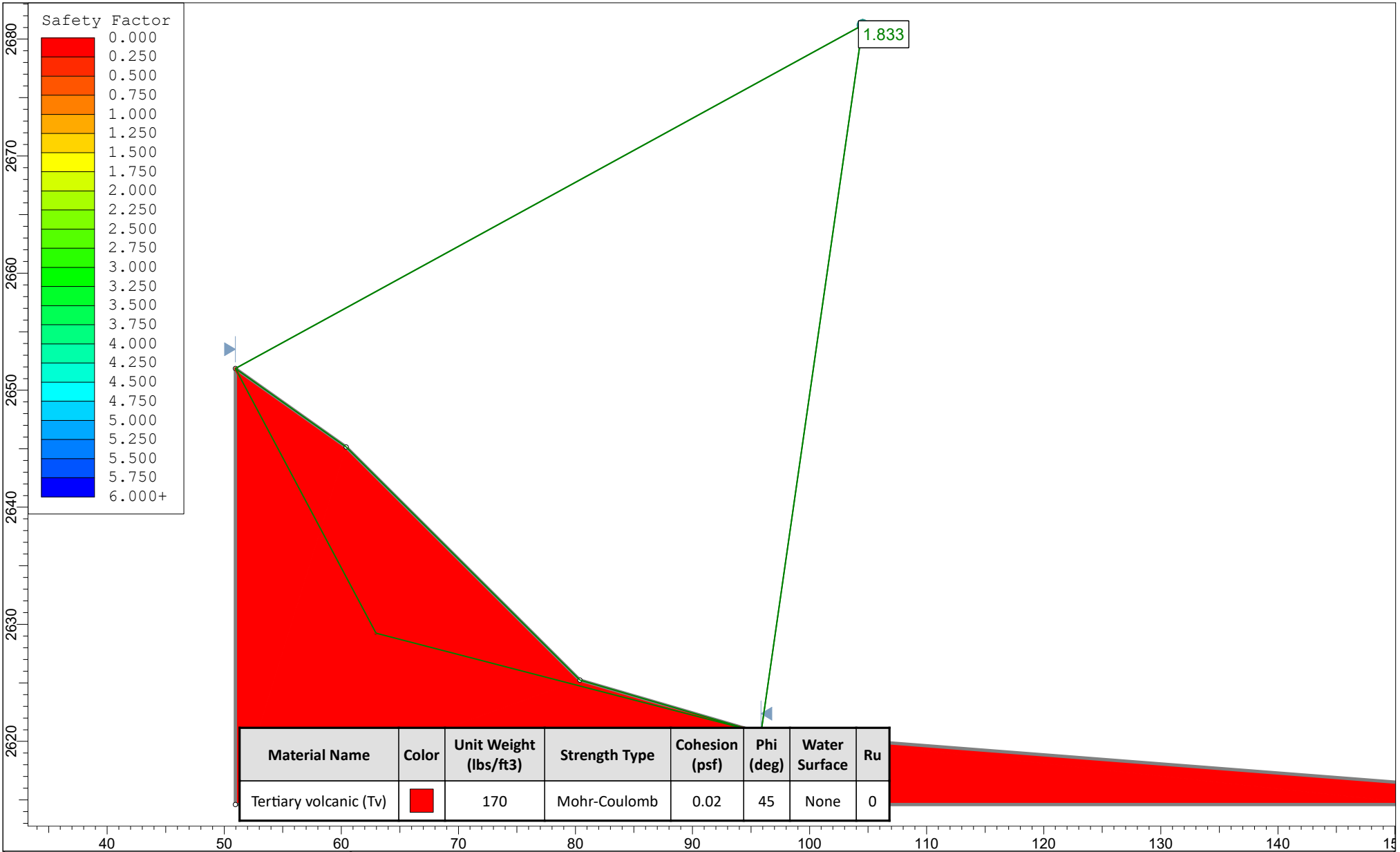
Exhibit B-3




	<i>Project</i>			Brown Quarry		
	<i>Analysis Description</i>			Rock Block Analysis		
	<i>Drawn By</i>	James Fitzgerald	<i>Scale</i>	1:162	<i>Company</i>	GSI
	<i>Date</i>	5/9/2023		<i>File Name</i>	Brown_Quarry_Slope_Stab_T7.slim	

SLIDEINTERPRET 6.03

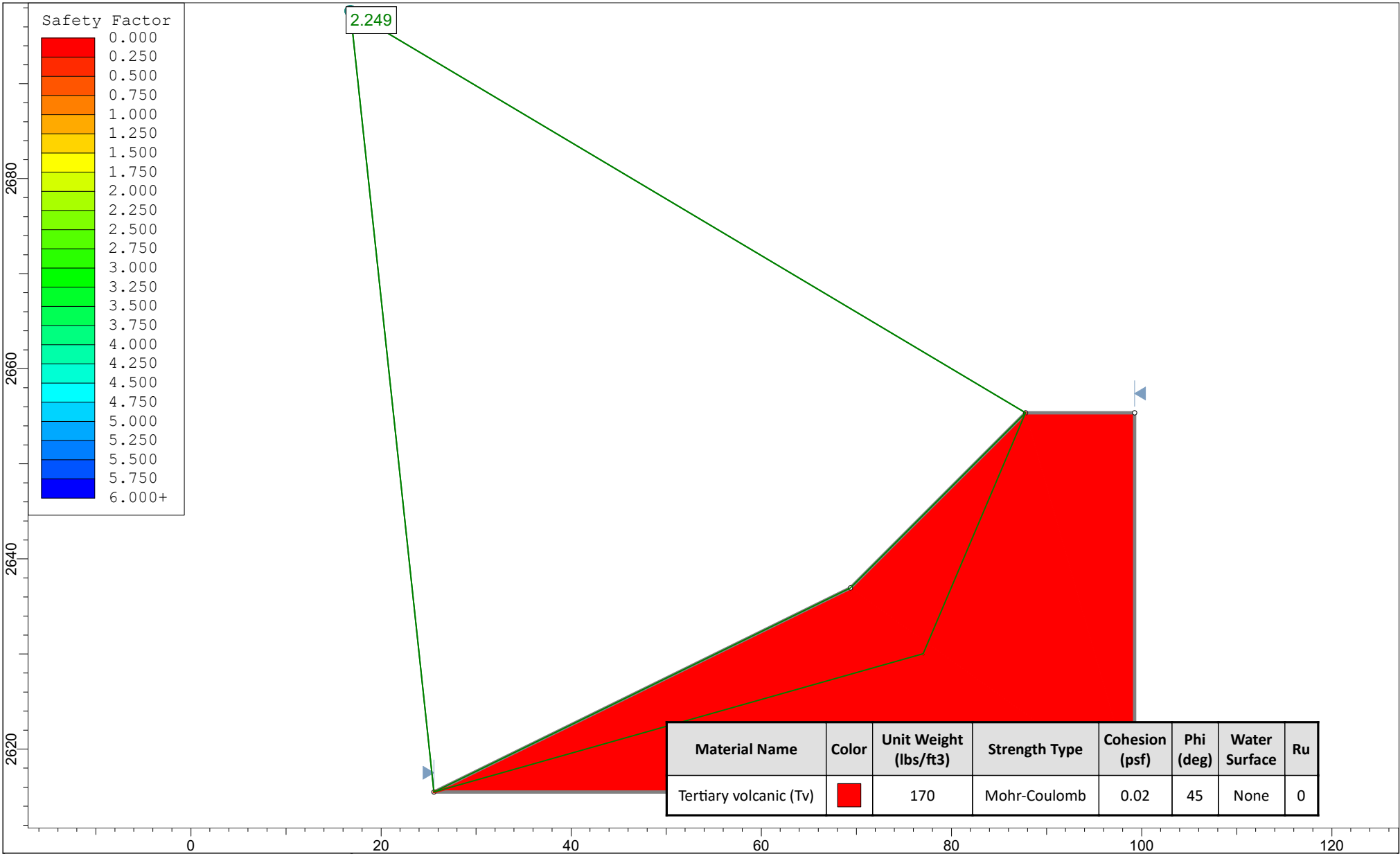
Exhibit B-3



	<i>Project</i>		Brown Quarry	
	<i>Analysis Description</i>		Rock Block Analysis	
	<i>Drawn By</i>	James Fitzgerald	<i>Scale</i>	1:136
	<i>Company</i>	GSI		
<i>Date</i>	5/9/2023		<i>File Name</i>	Brown_Quarry_Slope_Stab_T8.slim

SLIDEINTERPRET 6.03

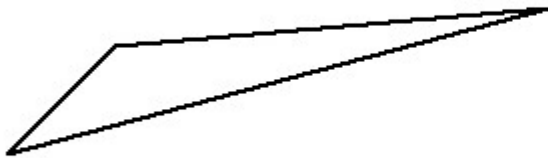
Exhibit B-3



<i>Project</i>		Brown Quarry	
<i>Analysis Description</i>		Rock Block Analysis	
<i>Drawn By</i>	James Fitzgerald	<i>Scale</i>	1:168
<i>Company</i>	GSI		
<i>Date</i>	5/9/2023	<i>File Name</i>	Brown_Quarry_Slope_Stab_T10.slim

SLIDEINTERPRET 6.03

Exhibit B-3



***** Summary *****
 Slope Height = 13
 Slope Face Angle = 45
 Upper Slope Angle = 5
 Cohesion = 0
 Friction Angle = 45
 Discontinuity Angle = 15
 Unit Weight of Rock = 175
 Unit Weight of Water = 62.43
 Crest Location = 13.00
 Discontinuity Length = 68.05
 Weight of Rock Block = 54738.4

 Stability Factor = 3.732

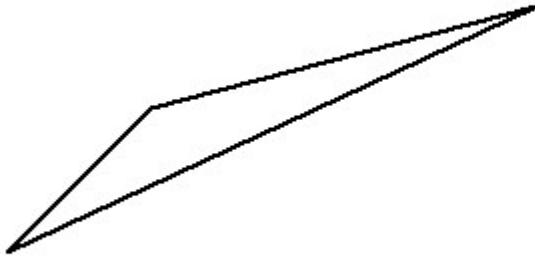
Transect-1



***** Summary *****
 Slope Height = 32
 Slope Face Angle = 45
 Upper Slope Angle = 5
 Cohesion = 0
 Friction Angle = 45
 Discontinuity Angle = 10
 Unit Weight of Rock = 175
 Unit Weight of Water = 62.43
 Crest Location = 32.00
 Discontinuity Length = 333.76
 Weight of Rock Block = 758055.1

 Stability Factor = 5.671

Transect-7



***** Summary *****
Slope Height = 40
Slope Face Angle = 45
Upper Slope Angle = 15
Cohesion = 0
Friction Angle = 45
Discontinuity Angle = 25
Unit Weight of Rock = 175
Unit Weight of Water = 62.43
Crest Location = 40.00
Discontinuity Length = 162.88
Weight of Rock Block = 275746.2

Stability Factor = 2.145

Transect-10

**REVISED INITIAL STUDY to support a
PROPOSED MITIGATED NEGATIVE DECLARATION,
for a USE PERMIT and RECLAMATION PLAN AMENDMENT
for
SHASTA VALLEY ASPHALT and AGGREGATE
(UP-03-12/RP-03-03)**

1. **Lead Agency:** Siskiyou County Planning Department
P.O. Box 1085
Yreka, CA 96097
2. **Lead Agency Contact:** Wayne Virag, Assistant Planning Director
(530) 842-8202
3. **Project Representative:** James G. Bray, RCE
220 Butte Street
Yreka, CA 96097
(530) 842-6813
4. **Property Owners:** Jeffrey Earl Brown
1722 Ball Mountain-Little Shasta Road
Montague, CA 96064
(530) 459-1126
5. **Applicant/Operator:** Shasta Valley Asphalt and Aggregate
P.O. Box 1231
Yreka, Ca 96097
(530) 842-7222
6. **Responsible, Trustee, and Reviewing Agencies:** Siskiyou County Public Works Department, Siskiyou County Public Health Department, Siskiyou County Air Pollution Control Officer, California Department of Fish & Game, California Department of Forestry and Fire Protection, California Department of Conservation, Office of Mine Reclamation, California Regional Water Quality Control Board (North Coast Region), Montague Fire Protection District, and Shasta Valley Resource Conservation District.
7. **General Plan Designation:** The site is within a Severe Septic Tank Limitation Area as designated in the General Plan Land Use Element.
8. **Zoning:** AG-2-B-40 (Non-Prime Agricultural, 40-acre minimum parcel size).
9. **Project Location:** The quarry is located on the south side of Ball Mountain - Little Shasta Road, one mile east of the City of Montague; T45N, R6W, Section 25; APN: 013-370-680.
10. **Project Description:** Shasta Valley Asphalt and Aggregate proposes a Use Permit and Reclamation Plan to extend the life of the Brown Quarry. The existing reclamation plan for the quarry has expired, yet considerable aggregate material remains. The proposal is to harvest up to 50,000 cubic yards of material annually over the next 20 years. Total estimated production is 240,000 cubic yards during the life of the mine. Quarrying would not expand the perimeter of the existing permitted mine. Planned activities include: excavation, rock screening, crushing, and stockpiling. Periodic blasting may prove necessary to loosen bedrock. No material batching is proposed with this application. This use permit and reclamation plan, if approved, would replace the existing reclamation plan (RP- 85-01).

Mining Plan of Operations: Quarrying operations are planned within a 14.5-acre portion of a 164-acre parcel. The site has operated as a quarry since 1951. Continued operation would require the intermittent excavation, crushing, and screening of aggregates for the production of pit-run and base rock. Drilling and blasting may prove necessary to loosen bedrock. No material batching is planned or proposed as part of operations. As planned,

the pit would be intensively operated with excavation equipment and a crusher until a sizable stockpile (20,000 to 30,000 cubic yards) is developed. The mine would then remain idle, except for the periodic loading and export of processed rock, until stockpiles are depleted and the process would begin again.

Mining began as a hilltop excavation on a small rock knoll. Years of material harvest have resulted in the knoll becoming an open pit with the slightly elevated pit rim being the only remnant of the former knoll. Excavation is limited due to the presence of groundwater in the pit floor, which fluctuates seasonally. Most excavation is planned outward to further reduce the pit rim. Aggregate processing would take place within the pit, which is entirely obscured from view from surrounding locations and the County road. Given the geology of the area, minimal topsoil is found on-site. Much of the reject and rip-rap materials have been stockpiled around the pit perimeter for eventual sale and export or burial and use in reclamation. Material stockpiles are also planned within the pit. A small truck scale is present at the upper bench nearest the adjacent roadway, although it is planned for removal as the underlying area would be mined. All equipment is planned to be diesel-powered.

As required by the California Surface Mining and Reclamation Act (PRC Section 2710 et. seq.) and County Code (Title 10, Chapter 5), the site would be periodically, and not less than annually inspected to verify compliance with permit conditions and the operations and reclamation plan. The operation would terminate 20 years from the date of issuance of the permit, or sooner if the material supply is exhausted.

Reclamation: As mining continues, it is planned that the pit will become wider and the pit rim less pronounced. The original reclamation plan (85-01) noted that final reclamation would simply level the knoll to mimic the surrounding grade and natural revegetation was prescribed. As proposed, the pit feature would be retained with side slopes contoured and stabilized with 2:1 slopes. Areas where bedrock protrusions are extant may result in steeper slopes. Ten-foot wide benches are planned at 30-foot elevation intervals. Conserved topsoil and process reject (waste rock/spoils) and fines would be spread over the pit floor, benches, and contoured side slopes, except where steep bedrock is at the surface. Before distribution of this surface layer, areas where soil is present would be ripped and the substrate blended with the topsoil to provide a seedbed. Revegetation would then occur using a native dryland seed mix prescribed by the project botanist. All interior roads to the pit would be reclaimed in this manner, although the access road would be retained for ranch use. No equipment would remain on-site. The site is ultimately planned for low-value dryland grazing and open space.

11. **Environmental Setting:** The quarry is centrally located in northern Shasta Valley, one mile east of the City of Montague. The quarry site is a small knoll resulting from a Pleistocene debris flow from Mt. Shasta. The knoll is comprised of hornblende andesite, which has been quarried intermittently since 1951. Soils mapping by the U.S. Soil Conservation Service indicate the hills of the area are comprised of rock outcrops with alluvial soils in the valleys between knolls comprised of Salisbury cobbly loam, a poor quality soil suited to dryland grazing.

Quarrying activity has transformed the rock knoll to a pit, 50 feet in depth at the deepest point. No water courses are present on the site, although groundwater intrusion occurs at the pit floor during wet years. Vegetation surrounding the site is limited, due to poor soil quality; common yarrow, rabbit brush, and star thistle predominate the landscape. Elevation at the site is approximately 2,740 feet.

A. ENVIRONMENTAL IMPACTS (* = Explanation of checklist response on attached sheets)

1 - No impact 2 - Less than Significant Impact 3 - Potentially Significant Unless Mitigated 4 -Potentially Significant Impact

I. LAND USE AND PLANNING: Would the proposal result in:	1 c. Seismic ground failure, including liquefaction?	1* g. Altered direction or rate of flow of groundwater?
1* a. Conflict with general plan designation or zoning?	1 d. Seiche, tsunami, or volcanic hazard?	1* h. Impacts to groundwater quality?
1 b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1 e. Landslides or mudflows?	1 i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?
3* c. Be incompatible with existing land use in the vicinity?	2* f. Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	V. AIR QUALITY: Would the proposal:
1* d. Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	1 g. Subsidence of the land?	3* a. Violate any air quality standard or contribute to an existing or projected air quality violation?
1 e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	1 h. Expansive soils?	2* b. Expose sensitive receptors to pollutants?
II. POPULATION AND HOUSING: Would the proposal result in:	IV. WATER: Would the proposal result in:	1 c. Alter air movement, moisture, or temperature, or cause any change in climate?
1 a. Cumulatively exceed official regional or population projections?	1* a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	2* d. Create objectionable odors?
1* b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	1* b. Exposure of people or property to water related hazards such as flooding?	VI. TRANSPORTATION/CIRCULATION: Would the proposal result in:
1* c. Displace existing housing, especially affordable housing?	2* c. Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	2* a. Increased vehicle trips or traffic congestion?
III. GEOLOGIC PROBLEMS: Would the proposal result in or expose people to potential impacts involving:	1 d. Changes in the amount of surface water in any water body?	2* b. Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
1* a. Fault rupture?	1 e. Changes in currents, or the course or direction of water movements?	2* c. Inadequate emergency access or access to nearby uses?
1 b. Seismic ground shaking?	2* f. Change in the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	1 d. Insufficient parking capacity on site or off site?
		1 e. Hazards or barriers for pedestrians or bicyclists?
		1 f. Conflicts with adopted policies supporting transportation (e.g., bus turnouts, bicycle racks)?

<p><u>1</u> g. Rail, waterborne or air traffic impacts?</p>	<p>X. NOISE Would the proposal result in:</p>	<p>XV. RECREATION Would the proposal:</p>
<p>VII. BIOLOGICAL RESOURCES Would the proposal result in impacts to:</p>	<p><u>2*</u> a. Increases in existing noise levels?</p>	<p><u>1</u> a. Increase the demand for neighborhood or regional parks or other recreational facilities?</p>
<p><u>2*</u> a. Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?</p>	<p><u>1*</u> b. Exposure of people to severe noise levels?</p>	<p><u>1</u> b. Affect existing recreational opportunities?</p>
<p><u>2*</u> b. Deterioration of any fish or wildlife habitat?</p>	<p>XI. PUBLIC SERVICES Would the proposal have an effect upon:</p>	<p>XVI. MANDATORY FINDINGS OF SIGNIFICANCE:</p>
<p><u>1</u> c. Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?</p>	<p><u>2*</u> a. Fire protection?</p>	<p><u>2*</u> a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>
<p><u>1</u> d. Wetland habitat (e.g. marsh, riparian and vernal pool)?</p>	<p><u>1</u> b. Police protection?</p>	<p><u>2*</u> b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?</p>
<p><u>2*</u> e. Wildlife dispersal or migration corridors?</p>	<p><u>1</u> c. Schools?</p>	<p><u>2*</u> c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>
<p>VIII. ENERGY AND MINERAL RESOURCES Would the proposal:</p>	<p><u>3*</u> d. Maintenance of public facilities, including roads?</p>	<p><u>3*</u> d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.</p>
<p><u>1</u> a. Conflict with adopted energy conservation plans?</p>	<p>XII. UTILITIES AND SERVICE SYSTEMS Would the proposal have an effect upon:</p>	<p><u>1</u> a. Power or natural gas?</p>
<p><u>2*</u> b. Use non-renewable resources in a wasteful and inefficient manner?</p>	<p><u>1</u> a. Power or natural gas?</p>	<p><u>1</u> b. Communication systems?</p>
<p><u>2*</u> c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?</p>	<p><u>1</u> b. Communication systems?</p>	<p><u>1</u> c. Local or regional water treatment or distribution facilities?</p>
<p>IX. HAZARDS Would the proposal involve:</p>	<p><u>1</u> c. Local or regional water treatment or distribution facilities?</p>	<p><u>1</u> d. Sewer or septic tanks?</p>
<p><u>2*</u> a. A risk of accidental explosion or release of hazardous substances including, but not limited to: oil, pesticides, chemicals or radiation)?</p>	<p><u>1*</u> d. Sewer or septic tanks?</p>	<p><u>1</u> e. Storm water drainage?</p>
<p><u>1</u> b. Possible interference with an emergency response plan or emergency evacuation plan?</p>	<p><u>1*</u> e. Storm water drainage?</p>	<p><u>1</u> f. Solid waste disposal?</p>
<p><u>2*</u> c. The creation of any health hazard or potential health hazard</p>	<p><u>1</u> f. Solid waste disposal?</p>	<p><u>1</u> g. Local or regional water supplies?</p>
<p><u>1</u> d. Exposure of people to existing sources of potential health hazards?</p>	<p>XIII. AESTHETICS Would the proposal:</p>	<p>XIV. CULTURAL RESOURCES Would the proposal:</p>
<p><u>2*</u> e. Increased fire hazard in areas with flammable brush, grass, or trees?</p>	<p><u>1</u> a. Affect a scenic vista or scenic highway?</p>	<p><u>1*</u> a. Disturb paleontological resources?</p>
<p></p>	<p><u>1*</u> b. Have a demonstrable negative aesthetic effect?</p>	<p><u>1*</u> b. Disturb archaeological resources?</p>
<p></p>	<p><u>1</u> c. Create light or glare?</p>	<p><u>1*</u> c. Affect historical resources?</p>

ATTACHMENT "A"

B. DISCUSSION OF ENVIRONMENTAL EVALUATION AND DETERMINATION (SEE ATTACHMENT "A")

Project Title: Brown Quarry - Use Permit and Reclamation Plan Amendment (UP-03-12/RP-03-03)

I. Land Use and Planning:

- a. As outlined throughout this report, the proposed quarry would not conflict with the County General Plan or Zoning. Mining is conditionally permitted in all zoning districts (County Code Section 10-6.1502(d)). The only General Plan mapped resource constraint is the Severe Septic Tank Limitation Area. Restroom facilities are planned to be portable; no septic systems are proposed or needed.

The proposed quarry site would be within a larger area that has been operating as a quarry since 1951. The site was used intermittently for quarrying, screening, and crushing of aggregates for the production of pit-run and sized material. The operation was granted a Reclamation Plan in 1985 (RP-85-01), at which time the operation became compliant with the Surface Mining and Reclamation Act (PRC 2700, et. seq.) and County Code. This proposal is to amend the reclamation plan to enable the continued operation of the mine where ample aggregate resources remain. While the pit is planned to be widened slightly, further excavation would provide the opportunity to better reclaim the site to more contemporary standards; slopes would be reduced, reject and boulders disposed of, topsoil spread to aid revegetation efforts. The original reclamation plan is clearly outdated.

Given that mining operations are allowed by County Code, and that the proposal would be a modification of an approved permit to allow the continued quarrying within the existing pit perimeter, the proposed change in the reclamation plan is viewed as minor, yet beneficial as outlined in the preceding paragraph. The proposed operation is therefore found to be consistent with the General Plan and zoning, and impacts are considered less than significant. No mitigation measures are needed.

- c. The plan to amend the approved Reclamation Plan and adopt a Use Permit would be compatible with the surrounding properties because the proposal includes a reclamation plan which is of a higher standard (provides for gentler slopes, disposal of all equipment and spoils, and revegetation of the site) which would result in a more natural-looking quarry upon it's closure. Also, the proposal is an amendment to an existing approved mining operation that worked without complaint of nuisance. *Following the drafting of this document, it was learned that the Air Pollution Control Officer (APCO) has received several complaints over the years concerning dust blowing from the quarry during crushing operations, and fugitive dust from truck traffic hauling aggregate out of the pit. Mitigation No. 1 has been extended to require that the operator maintain compliance with the requirements of the APCO. This would include dust control from pit operations and keeping the haul road watered during trucking activity. This mitigation would reduce this problem to less than significant levels. This is probably because there are few surrounding residents, and the fact that as mining continued the quarry became obscured from view as the pit deepened and expanded.* The proposal is to mine a 14.5-acre area within the existing quarry.

The remote location of the site also minimizes any potential for land use conflicts. Although only a mile from the Montague City limits, only two homes are within a quarter-mile of the quarry, and four within a half-mile. Otherwise, the quarry is bounded by large-acreage parcels utilized for dryland grazing. The California Department of Fish and Game operates a wildlife refuge immediately southeasterly of the site. Impacts are considered less than significant because of the lack of nearby sensitive receptors and since the operation would remain obscured from view with most operations conducted in the pit floor. No mitigation measures are necessary.

- d. The proposed quarry would be within an approved rock quarry that has operated since 1951. There would be no impact to agricultural resources because the area is already committed to mining. Further, due to poor soils and rocky terrain, the area is only suited as low-value rangeland. No mitigation measures are needed.

ATTACHMENT "A"

II. Population and Housing:

- b,c. The proposal would have no impact upon housing, nor would it induce the need for additional housing as it is an amendment to an approved mining operation. No impacts would result.

III. Geologic Problems:

- a. The project site is not located within a Fault Hazard Zone although there are several faults identified within the region; 13 miles southeasterly of the site in T43N, R4W and 20 miles easterly in T45N, R2W, as disclosed by the Natural Hazards mapping available in the County Planning Department. No impacts would result since quarrying activity would not require any construction or stationary equipment and operations would be intermittent. No mitigation measures are required.
- f. The site is not within an Erosion Hazard Area, as designated by the Land Use Element of the General Plan. Any erosion resulting from mining would be contained within the quarry as the entire disturbed area drains to the pit floor, thereby avoiding impacts resulting from erosion. No mitigation measures are needed.

IV. Water:

- a. It is not anticipated that changes in absorption rates would occur since the operation would allow the continued operation and eventual reclamation of a gravel quarry. The pit is planned to be excavated *to provide a more uniform pit floor* ~~deepened~~ and the pit rim lowered; the pit perimeter would change little. No mitigation measures are required.
- b. Community Panel No. 060362 0650 B of FEMA maps dated May 17, 1982, designates the project site in Zone "C", an area of minimal flooding. Although the site is not within a flood zone, the project engineer provided a storm drainage analysis which demonstrates that the pit would contain a 25-year, 1-hour storm event. No mitigation measures are necessary.
- c. The Regional Water Quality Control Board has indicated that quarrying activities fall within the category Mining - Crushed and Broken Stone, SIC Code 1429. The State's General Industrial Activities Storm Water Permit may be used for such facilities to regulate stormwater runoff and discharge of pollutants to surface water in the vicinity. The project may be subject to a Construction Stormwater Permit, as determined by the Regional Board since quarry activities would exceed one acre.¹ A Stormwater Pollution Prevention Plan and Monitoring Plan may also be required to be developed and implemented to the satisfaction of the Regional Board. Any stormwater runoff or associated erosion would be contained within the pit, thereby reducing or eliminating impacts. No mitigation measures are needed.
- f,g,h. During wet years, groundwater intrudes into the pit floor for limited periods. No work is proposed in wet areas and the pit is not planned to be deepened, therefore impacts to groundwater quality or quantity are viewed as less than significant.

V. Air Quality:

- a. The California Air Resources Board identifies the Northeast Plateau Air Basin (includes Siskiyou County) as in attainment (compliance) for all pollutants, except PM-10 (dusts/particulate matter). Quarry excavation, screening, crushing, and equipment maneuvering operations would generate dust. Additional vehicle emissions would also be generated from the added truck traffic. The proposal would allow the continued operation of the quarry, as has been done on an intermittent basis since 1951.

¹ A General Industrial Activities Storm Water Permit may not be required since the proposal is an amendment of an existing surface mining operation and no lands not already disturbed and approved for mining would be disturbed.

ATTACHMENT "A"

As a requisite of quarry operations, the operator would be required to secure an Authority to Construct and Permit to Operate from the County Air Pollution Control Officer to minimize dust emissions that may be associated with material handling, crushing, and vehicle maneuvering. The permit is designed to disclose the specific type of equipment used, including the power source, and prescribe appropriate conditions to ensure particulate emission thresholds are not exceeded.

In this case, all equipment is planned to be diesel-powered. Operations must be in compliance with the County Air Pollution Control Regulations. These regulations require that any air pollution discharge in excess of 250 pounds per day for any pollutant for which there is a national ambient air quality standard shall undergo a New Source Review with the Air Pollution Control Officer. This review includes a 30-day public review and may include additional control regulations to achieve compliance (Rule 6.1). These factors are expected to ~~contribute to compliance with established opacity standards as particulates would dissipate rapidly~~ *maintain compliance with established emission thresholds.*

To assure compliance with emission standards, the plan of operations identifies the use of a portable water truck during operation to keep dust to a minimum. This water would be used to wet those areas subject to vehicle maneuvering to minimize dust. Crushing equipment may be required to be equipped with spray bars at points where dust is generated (crusher/hopper, grizzly, conveyors, etc.), as determined by the Air Pollution Control Officer. Dust associated with the crushing and screening is expected to be minimal since the material would be wet. Any water needed for dust suppression would be pumped from an on-site sump or well.

Mitigation No. 1: Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer. *At a minimum, during material transport, all disturbed areas, including the haul road connecting to Ball Mountain-Little Shasta Road shall be kept sufficiently wet to prevent dust from leaving the property.*

Material transport can also be a source of dust. The California Streets and Highways Code Section 23114 requires covering of aggregate loads or a minimum two-foot freeboard to prevent material spills and minimize dust. This practice would be followed on all haul routes. Compliance with this statutory regulation is the responsibility of the truck drivers.

Following adopted standards and the mitigation measure cited above, impacts associated with air pollution are considered less than significant.

- b. Given the few homes (sensitive receptors) in proximity of the site, it is not anticipated that sensitive receptors would be exposed to significant levels of air pollutants. No mitigation measures are required.

VI. Transportation/Circulation:

- a/b/c. Access to the site would be provided by Ball Mountain-Little Shasta Road, a paved, two-lane County-maintained road. The distance required for material transport would vary depending upon the specific job site, but most material is anticipated to be trucked westerly to job sites. All roads in the area have a carrying capacity far greater than their current load, although they are impacted by heavy commercial traffic. While the level-of-service on affected roadways is not expected to be compromised, the haul road would be impacted by its continued use for material transport.

A typical active commercial gravel quarry generally produces a fairly constant volume of traffic while operational; the maximum amount of material is extracted and exported in the shortest time possible. Such sites are therefore fairly easy to analyze relative to traffic impacts. This proposal is for the intermittent operation of the pit. Typically, a crusher is brought to the pit and operated for a short duration (two to three weeks) to produce a considerable material stockpile. The quarry then becomes idle, with the exception of periodic loading and export of finished product for construction use.

ATTACHMENT "A"

For the purpose of analysis, the proposal is to provide an estimated annual production of 50,000 cubic yards of aggregate materials, and an overall estimated 240,000 cubic yards of aggregates exported over the 20-year life of the quarry. Assuming this worst-case scenario, this estimated annual activity would generate approximately 2,273 truck trips, utilizing a 22-yard transit truck. For a 200-day operating year, this translates to eleven average daily truck trips, plus employee trips to and from the site. This estimate may not be wholly realistic because the quarry would likely experience periods of heavy activity and lengthy periods of inactivity; therefore, trip generation would be highly variable.²

In any event, the addition of over 2,000 truck trips per year is not a significant impact to traffic and circulation or level-of-service, especially since this assumes the maximum projected harvest for the life of the quarry. Also, Ball Mountain-Little Shasta Road is not a heavily traveled roadway. This volume of heavy truck traffic does have the potential to degrade the surface of the haul road. To address this impact and reduce it to a less than significant level, the following mitigation measures are added:

Mitigation No. 2: Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transport during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and County Public Works Department.

Mitigation No. 3: Prior to Use Permit issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road.

VII. Biological Resources:

- a. Staff, in consultation with the Department of Fish and Game Natural Diversity Database, noted two species of special concern are known to exist in the area: *Hymenoxys lemmonii* (alkali hymenoxys, aka Lemmon's rubberweed) and the *Grus canadensis tabida* (greater sandhill crane).

The greater sandhill crane is known to use the Shasta Valley for foraging and as a nesting place during the late winter and spring season. It is unlikely the site is suited to sandhill crane habitat, given the ongoing heavy equipment operations associated with the quarry. Further, because the pit has operated for many decades, continued use does not have the potential to cause significant adverse impacts to the species.

A botanical survey of the site was conducted by Botanist Robert Menzies, Ph.D. Menzies concluded that there exist no rare or endangered plant species on the site. Since the proposal is an amendment to allow new uses within an existing quarry, impacts to wildlife and their habitats are considered less than significant. No mitigation measures are needed.

- b/d/e. The proposal is for the continued operation of a gravel pit that has been active since 1951. There is little habitat for fish or wildlife present, due to disturbance of the site and ongoing heavy-equipment operations. Additionally, the site is amidst an arid and rocky valley with no water courses or wildlife habitat values. Continued operation is not anticipated to have a significant effect to wildlife, their habitat, or dispersal or migration corridors. No mitigation measures are needed.

VIII. Energy and Mineral Resources:

- b/c. The proposal would allow the excavation of 240,000 cubic yards of aggregates over a 20-year period. The site is a small knoll comprised of hornblende andesite which has been

² Since this quarry does not typically produce rock which is of a quality for use in asphalt batching, it is primarily used for smaller construction applications; therefore, trip generation is less prone to the dramatic spikes and dips in truck activity experienced in pits mined for their asphalt-quality rock. Truck trips are more prone to coincide with construction cycles and weather patterns.

ATTACHMENT "A"

exploited as a construction rock source since 1951. The site contains aggregate resources far greater than is proposed for extraction. The quarry is within a region where rock resources are known to be plentiful, as evidenced by the similar geology throughout. The removal of this additional material would have minimal effect to mineral reserves. No mitigation measures are necessary.

IX. Hazards:

- a/c. Operating equipment is all planned to be diesel-powered. The larger equipment would be fueled by truck delivery, as has been done during previous operations. If fuels or other hazardous materials are planned for use or storage in significant amounts, as determined by the County Environmental Health Department, a Hazardous Materials Business Plan may be necessary, as required by statute.

Mitigation No. 4: During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Material Business Plan. No hazardous materials may be disposed on the site.

- e. Quarry operations could increase the risk of wildfire due to equipment operation and related activities. This risk is considered low since little vegetation is extant in the quarry area. Quarrying would necessitate the removal of what little vegetation exists. This, coupled with the availability of water from standing groundwater in the pit floor, would have a mitigating effect to fire hazards. Additionally, the operation must remain compliant with Public Resources Code Section 4290 (Fire Safe Regulations). The Fire Safe requirements include appropriate signage to identify the site, use of spark arresters on equipment, adequate access to and from the site, assurance that no physical impediments exist to fire prevention efforts, and the provision of an adequate supply of water for fire suppression. Compliance with PRC 4290 should ensure the potential for fire hazards are less than significant. No mitigation measures are required.

X. Noise:

- a. Quarrying has been ongoing in the pit on an intermittent basis since 1951. Continued use of the site would prolong the noise associated with quarry operation. Given that the proposal would allow the widening and deepening of the existing pit, much of the noise would be mitigated because operations would occur below grade, thereby reducing noise impacts to surrounding properties. The site is in an area of little development; only two homes are within a quarter-mile of the site. Nearly all of the surrounding land is devoted to dryland grazing and open space for an adjacent wildlife refuge. During the previous operations, there have been no noise complaints received, probably due to the fact that the quarry has been established on the landscape since 1951.

To aid in reducing the potential for impacts to surrounding properties, the following mitigation measure is added:

Mitigation No. 5: Where practicable, quarry operations, with the exception of material stockpiling, handling, and transport, shall be confined to within the pit itself. Material crushing, screening, and washing operations shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area.

Some limited blasting may prove necessary to loosen bedrock where mechanical means is ineffective. In the event blasting becomes necessary, it would be conducted for extremely brief periods on an infrequent basis. For these reasons, this impact is considered less than significant.

XI. Public Services:

ATTACHMENT "A"

- a. While quarry operations would increase the potential for wildfire hazards, any impact is considered negligible since the proposal is to modify an existing approved mining operation. All activities are subject to the PRC 4290 regulations. Any impact to fire protection services is considered negligible. No mitigation measures are needed.
- d. Wear and tear of Ball Mountain-Little Shasta Road and other surface streets would result from traffic generated from quarry operations. To offset this impact, the Public Works Department has imposed Mitigation No. 2 and 3, as outlined In Section VI above.

XII. Utilities and Service Systems:

- d. Quarry operations would necessitate the provision of restroom facilities when active. This need would be fulfilled through the use of portable toilets. No septic systems or permanent restroom facilities would be employed. To assure compliance with Public Health Department requirements, the following mitigation measure is added:

Mitigation No. 6: A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry.

- e. See Section IV for explanation concerning stormwater drainage. No mitigation measures are needed.

XIII. Aesthetics:

- b. Although mining operations can leave conditions which can be viewed as unnatural, the site has been an active quarry since 1951. Further, the requirement to reclaim the site pursuant to the Surface Mining and Reclamation Act would have mitigating effects on the operation's impacts to aesthetics by requiring reclamation to mimic the surrounding environment. Further, this proposal would amend an existing mining operation to allow the export of aggregates. The reclamation plan is viewed as a more comprehensive approach to restoring the site to its natural state than was previously approved. No mitigation measures are required.

XIV. Cultural Resources:

- b-e. The proposed amendment to the Use Permit and Reclamation Plan would the continued operation of a quarry used since 1951. All work would be confined to areas already committed to mining; therefore, no impacts would result and no mitigation measures are needed.

XV. Mandatory Findings of Significance:

- a. As shown through this Initial Study, the project does not have the potential to degrade the environment, substantially reduce or threaten fish and wildlife or their habitat, or negatively impact archeologic resources due to the project design and mitigation measures that have been added. No further mitigation measures are needed.
- b. The project does not have the potential to achieve short term, to the disadvantage of long-term, environmental goals, as documented in the context of the Initial Study. Granting of the permit amendment would allow the continued operation yet the revised reclamation plan would ensure the end result is a more natural, less contrived environment than is provided under the old permit and reclamation plan. This impact is viewed as beneficial.
- c. Potential cumulative impacts have been avoided because the proposed quarry permit amendment would not disturb lands not already committed to mining. No mitigation measures are needed.

ATTACHMENT "A"

- d. As outlined in this Initial Study, the project would not result in substantial adverse effects on human beings, either directly or indirectly. No further mitigation measures are warranted.

XVI. Project Sponsor's Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study for the Brown Quarry Use Permit and Reclamation Plan Amendment (UP-03-12/RP-03-03) application and particularly the mitigation measures identified herein. I/We hereby modify the application on file with the Siskiyou County Planning Department to include and incorporate all mitigations set forth in this Initial Study. I/we understand that mitigations identified herein may be subject to change as a result of public review

James G. Bray
Project Sponsor/Project Agent

June 7 '04
Date

Project Sponsor/Project Agent

Date

DETERMINATION: On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
[X] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Wayne Virag
Author's Signature
Wayne Virag, Assistant Planning Director
6/9/04
Date

Richard D. Barnum
Reviewed and Approved:
Richard D. Barnum, Planning Director
6-9-04
Date

RECLAMATION PLAN AGREEMENT
for
(RP-03-03)

THIS AGREEMENT, made and entered in this 22 day of November, 2005, by and between the **COUNTY OF SISKIYOU**, Board of Supervisors, hereinafter called the "**COUNTY**", and **Jeffrey E. Brown**, whose address is **1722 Ball Mt. Little Shasta Rd., Montague, CA 96064** hereinafter called the "**OWNER**", and **LP Enterprises** whose address is **5714 E. Louie Rd., Montague, CA 96064**, hereinafter called the "**OPERATOR**".

WITNESSETH:

1. **OWNER/OPERATOR**, for and in consideration of the approval by the **COUNTY** of a Reclamation Plan (RP-03-03) for a gravel mining operation on property known as Assessor's Parcels 031-370-680, hereby agrees, at the **OWNER/OPERATOR'S** own costs and expense, to furnish all labor, material and equipment necessary to implement and perform, within the time limits set forth by said Reclamation Plan, in a good and workmanlike manner the following work, to wit:

Conditions:

1. The use shall be in accordance with the approved plot plan/reclamation plan and project description.
2. Prior to Use Permit issuance, the owners of the property shall sign and record a Right to Farm Statement of Acknowledgment on a form provided by the Planning Department.
3. Prior to Use Permit issuance, the applicant shall execute a Reclamation Plan agreement with the County of Siskiyou.
4. Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer (Mitigation No. 1).
5. Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transport during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and County Public Works Department (Mitigation No. 2).
6. Prior to Use Permit issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road (Mitigation No. 3).
7. During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Material Business Plan. No hazardous materials may be disposed on the site (Mitigation No. 4).

8. Where practicable, quarry operations, with the exception of material stockpiling, handling, and transport, shall be confined to within the pit itself. Material crushing and screening operations shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area (Mitigation No. 5).
9. A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry (Mitigation No. 6).
10. Prior to Use Permit issuance, the applicant shall provide public liability and property damage insurance in the amount of \$500,000 single liability from a company authorized for business in the State of California. Siskiyou County shall be named as additional insured on the policy of insurance.
11. Prior to Use Permit issuance, in order to secure the full and faithful performance of reclamation, pursuant to this agreement, the owner/operator shall deposit a performance bond or other security payable to the "Siskiyou County Treasurer and the California Department of Conservation," acceptable to the County, in the amount of \$49,914 providing for the faithful performance of the Use Permit (UP-03-12) and Reclamation Plan (RP-03-03). Said bond or other security shall be written by a company authorized to conduct business in California and acceptable to the County.
12. Revegetation of the site shall be conducted as prescribed by Botanist Robert Menzies. The plant material shall consist of the following formula:

<u>Seed Mix:</u>	<u>Application Rate:</u>
Chrysothmrus nauseosus (rabbit brush)	2 pounds per acre
Achillea millefolium (common yarrow)	3 pounds per acre
Erigonum umbellatum (sulphur eriogonum)	1 pounds per acre
Sitanion hystrix (bottlebrush squirreltail grass)	4 pounds per acre
Cynosurus echinatus (hedgehog dogtail grass)	4 pounds per acre

The operator shall rip compacted areas and fold the topsoil and process spoils into the substrate to provide an optimum seedbed. Planting shall occur in late Fall to coincide with the onset of the rainy season.

13. This permit shall expire twenty years from the date of issuance.
 - a. Reclamation shall be in accordance with the approved Reclamation Plan.
2. The **COUNTY** shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage happening or occurring to the work specified in this Agreement prior to the completion and approval of same, nor shall the **COUNTY**, nor shall any officer or employee thereof, be liable for any persons or property injured by reason of the nature of said work, or by reason of the acts or omissions of the **OWNER**, his agents or employees, in performance of said work, but all agrees to protect and hold harmless the **COUNTY**, its officers and employees from any and all claims, demands, causes of action,

liability or loss of any kind or nature because of, or arising out of, the acts or omissions of the **OWNER/OPERATOR**, his agents and employees in the performance of said work, but all of said liabilities shall be assumed by the **OWNER/OPERATOR**. The **OWNER/OPERATOR** further agrees to protect and hold harmless the **COUNTY**, its officers and employees from any and all claims, demands, causes of action, liability or loss of any kind or nature because of, or arising out of, the acts or omissions of the **OWNER/OPERATOR**, his agents and employees in the performance of said Agreement.

3. Before work is performed, pursuant to the Reclamation Plan on which this Agreement is based, the **OWNER/OPERATOR** shall obtain and maintain in full force and effect for the period covered by this contract the following types of insurance in the amounts indicated:
 - (a) General Liability: \$500,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate is used, either the general aggregate limit shall apply separately to this project/location or the general limit shall be twice the required occurrence limit.
 - (b) Workers Compensation and Employers Liability: Worker's compensation limits as required by the Labor Code of the State of California and Employers liability limits of \$1,000,000 per accident.

The following additional insured endorsement must be attached to the policy and said additional insured endorsement must be provided to the **COUNTY** in addition to the Certificate of Insurance:

The **COUNTY**, its officers, employees and agents, shall be named as additional insured under the policy. The **OWNER/OPERATOR's** insurance coverage shall be primary insurance regarding the **COUNTY** and its officers, officials, employees. Any insurance or self-insurance maintained by **COUNTY** or its officers, officials or employees shall be excess of the **OWNER/OPERATOR's** insurance and shall not contribute with **OWNER/OPERATOR's** insurance. The addition of the **COUNTY** as a named insured shall be limited to matters arising out of or connected with said gravel mine operation.

4. In order to secure to the **COUNTY** the full and faithful performance of the reclamation pursuant to this Agreement, the **OWNER/OPERATOR** shall deposit a performance bond or other security acceptable to the **COUNTY** in the amount of \$49,914 made payable to Siskiyou County Treasurer or Department of Conservation, Office of Mine Reclamation providing for the faithful performance of the Use Permit (UP-03-12), Reclamation Plan (RP-03-03) and this Agreement. Said bonds or other security shall be written by a company authorized to do business in California and acceptable to the **COUNTY**.
5. Insurance is to be placed with insurers authorized to do business in the State of California and possess at least a Best's A:X rating or be with a company acceptable

to the COUNTY. Prior to commencing services pursuant to this Agreement, OWNER/OPERATOR shall furnish COUNTY with Certificates of Insurance and with endorsements evidencing coverage required by this Agreement. All certificates and endorsement shall be received and, at the COUNTY's sole discretion, approved by the COUNTY before any other term or condition of this Agreement is performed by OWNER/OPERATOR. COUNTY reserves the right to require complete, certified copies of all required insurance policies at any time.

6. All bonds or other security and insurance herein required to be purchased shall include, on the face thereon, a notice that any cancellation or expiration shall be specifically noted to the Siskiyou County Planning Department, attention Planning Director, P.O. Box 1085, Yreka, California 96097, at least 30 days prior to the termination date.

It is further agreed that before the OWNER/OPERATOR is entitled to proceed, pursuant to the entitlement, the insurance and bonds required by this entitlement and Agreement shall be deposited with the Planning Director and accepted by the Planning Director as satisfactory and in compliance with the requirements of the entitlement and this Agreement.

IN WITNESS WHEREOF, the OWNER has affixed his signature this 22nd day of NOVEMBER, 2005.

Jeffrey E. Brown
Jeffrey E. Brown

IN WITNESS WHEREOF, the OPERATOR has fixed his signature this 22 day of Nov, 2005.

Tim Louie
LP Enterprises, Tim Louie

APPROVED BY:

COUNTY OF SISKIYOU
State of California

By: Wayne Virag
Wayne Virag
Planning Director

11/22/05
Date

11/22/05
cc: Jeff Brown
Tim Louie

DATE STAMP
RECEIVED

JUN 01 2003

RP 03-03

SISKIYOU COUNTY
PLANNING DEPARTMENT
COUNTY OF SISKIYOU
RECLAMATION PLAN

(If a particular item is not applicable, please indicate by stating N/A. If more room is necessary, please reference additional sheets.)

I. GENERAL OWNERSHIP/OPERATOR INFORMATION:

- A. **MINE NAME:** EAST BROWN QUARRY
-
- Location of mine: BALL MTN LITTLE SHASTA ROAD
(1 MILE EAST OF MONTAGUE)
- Attach a map that identifies how to access the mine from the nearest highway.
- APNs: 013-370-680
- Section(s) 25 Township 45N Range 6W Meridian M.D.M.
- B. **MINE OPERATOR(S):** SHASTA VALLEY ASPHALT & AGGREGATE
- Mailing Address: 1251 FOOTHILL,
YREKA, CA 96097
- Telephone Number: (530) 842-7222
- C. **LANDOWNER(S):** JEFFREY EARL BROWN
- Mailing Address: 1722 BALL MTN. LITTLE SHASTA ROAD
MONTAGUE, CA 96064
- Telephone Number: (530) 459-1126
- D. **PROJECT REPRESENTATIVE:** JAMES G. BRAY, RCE
- Mailing Address: 220 BUTTE STREET, YREKA, CA 96097
- Telephone Number: (530) 842-6813
- E. **OWNER OF MINERAL RIGHTS:** JEFFREY EARL BROWN
- Mailing Address: 1722 BALL MTN LITTLE SHASTA ROAD
MONTAGUE, CA 96064
- Telephone Number: (530) 459-1126

II. GENERAL LEAD AGENCY INFORMATION

- A. **Lead Agency:** Siskiyou County Planning Department
P.O. Box 1085
Yreka, California 96097
- (916) 842-8200
- Staff Contact: Staff Planner
- B. SMARA Sections 2770 and 2773.1 require mine operators to obtain a lead agency approved Financial Assurance to ensure reclamation occurs pursuant to the Reclamation Plan. Attach a copy of the proposed Financial Assurance.
- Check here if you attached a copy of the proposed Financial Assurance.

III. GENERAL MINING OPERATION INFORMATION

- A. **Mined Mineral Commodity(ies):** Pit-Run and Screened Aggregates Rock
- B. **Estimated Annual Production:** 50,000 Cu. Yds (In tons or cubic yds per year)
- C. **Estimated Total Production:** 240,000 Cu. Yds (In tons or cubic yds per year)
- D. **Total Number of Acres to be Disturbed by the Surface Mining Operation:** 14.5 Ac. +-
- E. **Number of Acres to be Reclaimed:** 14.5 Ac. +-

F. Maximum Anticipated Depth of Mining: 30.0 Ft. Section 2625 Elevation

G. Start Up Date (indicate whether actual or proposed): 2003 (proposed)

H. Site Maps: Attach a map or maps of lands that will be affected by mining operations. The map scale should be 1" = 100' to 1" = 500' so that the following may be identified easily:

1. Existing site conditions
2. Mining operation features
3. Final site configuration
4. Project location (showing the nearest readily identifiable road, intersection or other landmark)
5. A reduced copy of exhibit maps (11" x 17" maximum) is requested to prepare transparencies for overhead projection. This will facilitate presentation at the Planning Commission meeting.

I. Attach a topographic map showing the configuration of the site before and after reclamation.

X Check here if map is attached.

J. Describe the environmental setting of the mine site, include a general description of vegetation and a list of at least four plants currently on site that may be suitable for reclamation.

Existing quarry in and around agricultural development.

K. Address the presence/absence of sensitive species, sensitive habitats (wetlands).

No presence/absence of sensitive species noted.

L. Describe the geology of the area surrounding the mine site.

Volcanic hills on valley floor; alluvium of the Little Shasta River in the river plain.

M. Describe the geology of the area to be mined.

Pale grey andesitic rock overlain with 3 inch to 2 feet of Lithic Haploxerolls soils.

N. Indicate the method of mining to be employed:

Open Pit	X	Gravel/Sand Pit	
Single Bench		Drill and Blast	X

Quarry:

Hill Top	X	Clay Pit	
Multibench		Truck to processing plant to (RR)	
Side Hill		Borrow Pit	
Dragline		Tailings Pond	
Low Level		Slurry Pump	
Shovel		Waste Dump	
Underground		Rail	
Gravel Bar Skimming		Other	

O. Operation will be (is): Continuous Seasonal Intermittent X

Developed-not yet in operation		Temporarily deactivated	X	Stockpile in mine
--------------------------------	--	-------------------------	---	-------------------

P. If processing of the ores or minerals is planned to be conducted at or adjacent to the site, briefly describe the nature of the processing and explain disposal method of the tailings or waste from processing:

Crushing and screening of materials on-site; overburden to be stockpiled on site for reclamation.

- Q. Estimate quantity (gallons per day) and quality of water required by the proposed operation, specifying proposed sources of this water, or method or its conveyance to this property and the quantity and quality and method of disposal of used and/or surplus water:

None

IV. **DETAILED DESCRIPTION OF RECLAMATION ACTIVITIES** [attach additional sheets, if needed] [PURSUANT TO PUBLIC RESOURCES CODE SECTION 2772]

- A. Describe the proposed use of the site once mining ceases and reclamation is completed:

The site will return to low-intensity dry range land & open space after reclamation.

- B. Attach evidence that all owners of a possessory interest in the land to be mined have been notified of the proposed end use (e.g. copies of notices sent to landowner and mineral rights owner).

X Check here if evidence is attached

- C. Provide a time schedule for the reclamation of each area disturbed by mining. If applicable, indicate reclamation and/or project phases on your site map.

The time schedule is ongoing in the area shown to be quarried for a 20 year duration.

- D. Discuss how the implementation of this Reclamation Plan will affect future mining in the area (e.g. reclamation will not preclude future mining at this site since reclamation calls for open space).

Reclamation will not preclude future mining, as the area available for quarrying is significantly larger than proposed.

- E. Describe how the proposed reclamation of the mine site will affect public health and safety, giving consideration to the degree and type of existing and probable future public exposure to the site.

Reclamation will improve the site using overburden to establish a layer of soil which will promote vegetation and wildlife habitat.

- F. Briefly discuss how contaminants will be controlled and mine waste will be disposed (e.g. fuel storage). Note: If cyanide is used for on-site processing, PRC Section 21151.7 requires the preparation of an environmental impact report under the California Environmental Quality Act.

No caustic or poisonous chemicals will be used at this site. Silts produced will be contained on site.

V. **RECLAMATION STANDARDS**

- A. Pursuant to SMARA Section 2773, my reclamation activities will comply with the following standards provided in the California Code of Regulations (CCR), Title 14, Article 9, Sections 3700-3710. (Check as applicable below.)

1. Topsoil salvage, maintenance, and redistribution - if the end use calls for revegetation or cultivation of disturbed lands, I agree to conduct topsoil salvage, maintenance, and redistribution activities in conformance with CCR Section 3711. Explain the reclamation procedures you will use to meet the standard cited above:

3" - 5" top soils (except existing quarry area) & overburden will be stockpiled on site & seeded to prevent wind & water erosion. Topsoils will be placed on mined areas & stockpile area & planted per revegetation plan.

2. Revegetation - Revegetation will be a part of my approved Reclamation Plan. I agree to conduct my revegetation activities in conformance with CCR Section 3705. Unless non-native species such as forage grasses or ornamentals will be used, specify at least four native species that occur on site or in the vicinity of the project and will be used for revegetation.

Revegetation will be to restore & enhance the minimal value of the land for both livestock and wildlife, by seeding with a dryland mixture & allowing for a natural revegetation of sage ans natural grasses.

3. Check this box if the end use precludes revegetation or the cultivation of disturbed lands.
4. Check this box if revegetation is not consistent with the approved end use.
5. Proposed revegetation plan:

D. Check Applicable Box

- X Backfilling, regrading, slope stability, and recontouring - I agree that all backfilling, regrading, slope stability, and recontouring will conform to CCR Section 3704. Explain the reclamation procedures you will use to meet the standard cited above.

Check this box if final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, will not exceed 2:1 (Horizontal:Vertical). Explanation:

N/A

Check this box if final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden will be 2:1 (Indicated slope ratio) which is not steeper than 2:1 (Horizontal:Vertical). Attach a site-specific geologic and engineering analysis that demonstrates that the proposed final slope will have a minimum slope-stability factor or safety that is suitable for the proposed end use, and that the proposed final slopes can be successfully revegetated. Explanation:

The final slopes will be mild enough to revegetate without problems.

- ✓ Please provide a geologic cross section of cut and fill slopes at locations at maximum slope height. Please identify cross section locations on the site map.

- E. Drainage, diversion structures, waterways, and erosion control - I agree that all drainage, diversion structures, waterways, and erosion control facilities will conform to CCR Section 3706. Explain the reclamation procedures you will use to meet the standard cited above.

The site will contain all runoff within its boundaries.

- ✓ Identify all drainage, diversion structures, waterways and erosion control facilities on the site map.

- F. Building, structure and equipment removal - I agree to reclaim any buildings, structures, and equipment areas in conformance with CCR Section 3709. Explain the reclamation procedures you will use to meet the standard cited above.

No additional buildings or structures will be erected on site. Equipment, including scales, will be portable and all

- ✓ Identify on the site map the location(s) where all equipment, supplies, and other materials will be stored.
- ✓ Identify which buildings, structures and equipment will be: (1) dismantled and removed off site; and/or (2) remain on site as consistent with the end use.

- G. Closure of surface openings - I agree to close all surface openings in accordance with CCR Section 3712. Explain the reclamation procedures you will use to meet the standard cited above.

G. - N/A H. NONE

- ✓ Identify all surface openings on site map.

- H. Check applicable box.

1. Stream protection, including surface and groundwater. I agree streams, including surface and groundwater will be protected in accordance with CCR Section 3710. Explain the reclamation procedures you will use to meet the standard cited above.

All runoff from quarry area will be trapped in the lower portions - none will leave the site.

2. Check this box if the mining operation is conducted in a stream or other waterway and attach cross sections, or aerial photographs, identifying streambed elevations.

- ✓ Changes in channel elevations and bank erosion shall be evaluated annually. Extraction quantities and annual cross sections and/or aerial photographs should be submitted with the annual report required by PRC Section 2207

3. Check this box if the mining operation is not conducted in a stream or other waterway.

X

Squirreltail Bottlebrush area native but not currently on site, will be introduced by seeding together with Luna Pubescent Wheatgrass by broadcast seeding & dragging cover, followed by natural revegetation.

6. Proposed revegetation mix:

Luna Pubescent Wheatgrass 75%, Squirreltail Bottlebrush 25%

7. Success of revegetation will be judged upon the effectiveness of the vegetation for the approved end use and by comparing quantified vegetative cover, density, and number of species of the reclaimed mined lands to local areas of naturally occurring vegetation or pre-mining conditions (baseline).

	Baseline	Performance Standard
Density (Note 1)		
Cover (Note 2)	N/A	
Species		
Richness (Note 3)		

Note 1: No. of individual perennial plants rooted per 100 sq. ft.

Note 2: Vertical projection of perennial plants onto ground expressed as % (e.g. if the sun was directly over a specified area, what percentage of that area would be shaded by the trees, plants, etc.)

Note 3: No. of perennial species per 100 sq. ft.

B. Proposed end uses - Check as applicable below.

- X 1. If the mining operation will not be conducted on Prime Agricultural lands, and the site's end use will not be agricultural, check this box.
2. If the mining operation will be conducted on Prime Agricultural lands, but the site's end use will not be agricultural, check this box.
3. Prime Agricultural land reclamation - The mining operation will be conducted on Prime Agricultural lands, and the site's end use will be agricultural. This, I agree to reclaim Prime Agricultural lands in conformance with CCR Section 3707. (Explain the reclamation procedures you will use to meet the standard cited above.)

N/A

- ✓ Reclamation success of agricultural lands will be judged on the following performance standard.

	Baseline	Performance Standard
Productivity	N/A	

Note: Performance standard should be based on productivity (e.g., bushels per acre, tons per acre.)

4. Other agricultural land reclamation - The mining operation will be conducted on Non-Prime Agricultural lands where the site's end use will be agriculture. Thus, I agree to reclaim Non-Prime Agricultural Lands in conformance with CCR Section 3708. (Explain the reclamation procedures you will use to meet the standard cited above.)

- ✓ Reclamation success of agricultural lands will be judged on the following performance standard.

	Baseline	Performance Standard
Productivity	<0.05 A.U.M	Same as existing

Note: Performance standard should be based on productivity (e.g., bushels per acre, tons per acre.)

5. If the mining operation will be conducted on Non-Prime Agricultural lands, but the site's end use will not be agriculture, check this box.

C. Wildlife Protection - I agree that all wildlife and wildlife habitat will be protected in accordance with CCR Section 3703 [check box]. Provide a description of how the above protection will be accomplished.

Revegetation of site using native plant species will restore the site back to natural habitat conditions.

VI. **MONITORING**

Pursuant to CCR Section 2773(a), the success of reclamation will be monitored for three years, or until performance standards are met, provided that, during the last two years, there has been no human intervention, including, for example, irrigation, fertilization, or weeding. Remedial measures will be implemented as necessary to achieve the performance standards.

VI. I, the undersigned, hereby agree to accept full responsibility for reclamation of all mined lands as described and submitted herein and in conformance with the applicable requirements of Articles 1 and 9 (commencing with Sections 3500 et seq. and 3700 et seq., respectively) of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations, the Surface Mining and Reclamation Act commencing with Section 2701 et seq., and with any modifications requested by the administering agency as conditions of approval.

Signed this 5th day of JUNE ~~19~~ 2003

Jeffrey E. Brown

Notarized Signature of Owner(s)

2502 BALL Mtn. RD, MONTAGUE, CA 96064
Address

PLACE NOTARY CERTIFICATE HERE.



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
 County of Siskiyou } ss.

On 6-05-03, before me, C.M. Gillingham, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared Jeffrey E. Brown
Name(s) of Signer(s)

- personally known to me
- 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.

WITNESS my hand and official seal.
C.M. Gillingham
Signature of Notary Public

Place Notary Seal Above

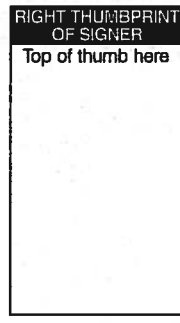
OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document
 Title or Type of Document: Co. of Siskiyou, Reclamation Plan
 Document Date: 06-05-03 Number of Pages: 6 pages
 Signer(s) Other Than Named Above: none

Capacity(ies) Claimed by Signer

- Signer's Name: _____
- Individual
 - Corporate Officer — Title(s): _____
 - Partner — Limited General
 - Attorney in Fact
 - Trustee
 - Guardian or Conservator
 - Other: _____



Signer Is Representing: _____

**PLEASE READ IMPORTANT NOTICES
ON THIS PAGE**

OPEN RANGE NOTICE

Siskiyou County is an Open Range county. You must fence livestock out! Copies of the laws affecting your property are available in the offices of the Planning Department and the Building Inspector. These laws do affect your property and you should be aware of their provisions.

**NOTICE TO APPLICANTS REGARDING SISKIYOU COUNTY'S POLICY
PERTAINING TO AGRICULTURAL OPERATIONS**

Siskiyou County has established agriculture as a priority use on productive agricultural lands, and residents of property in agricultural districts should be prepared to accept some inconvenience or discomfort from normal and necessary farm operations.

It will be recognized that the property in question may be in the vicinity of property utilized for agricultural purposes and residents of the development may be subject to the inconvenience or discomfort arising from the use of agricultural chemicals including herbicides, pesticides, and fertilizers; and from the pursuit of agricultural operations including plowing, spraying, pruning, and harvesting, which occasionally generates dust, smoke, noise and odor.

AUTHORIZATION TO ENTER PRIVATE PROPERTY

In filing an application with the Siskiyou County Planning Department, Siskiyou County and other state and federal agencies, will be requested to provide comments related to your proposed project. As affected agencies, environmental information is provided so Siskiyou County can meet requirements of the California Environmental Quality Act (CEQA) for your project.

Many agencies require that their employees have permission from the landowner to enter private property. In order for the county and other agencies to provide comments for the proposed project, we will need permission to enter your property to develop information and better familiarize ourselves with the project.

By signing this authorization to enter your property, you are granting the affected agencies access to your property. The authorization is valid from the date the authorization is received on your proposed project until the date of project determination.

PRINTED NAME: JEFFREY E. BROWN

SIGNATURE:

Jeffrey E. Brown

DATE:

6/5/03

RECLAMATION PLAN AGREEMENT
for
(RP-03-03)

THIS AGREEMENT, made and entered in this 22 day of November, 2005, by and between the **COUNTY OF SISKIYOU**, Board of Supervisors, hereinafter called the "**COUNTY**", and **Jeffrey E. Brown**, whose address is **1722 Ball Mt. Little Shasta Rd., Montague, CA 96064** hereinafter called the "**OWNER**", and **LP Enterprises** whose address is **5714 E. Louie Rd., Montague, CA 96064**, hereinafter called the "**OPERATOR**".

WITNESSETH:

1. **OWNER/OPERATOR**, for and in consideration of the approval by the **COUNTY** of a Reclamation Plan (RP-03-03) for a gravel mining operation on property known as Assessor's Parcels 031-370-680, hereby agrees, at the **OWNER/OPERATOR'S** own costs and expense, to furnish all labor, material and equipment necessary to implement and perform, within the time limits set forth by said Reclamation Plan, in a good and workmanlike manner the following work, to wit:

Conditions:

1. The use shall be in accordance with the approved plot plan/reclamation plan and project description.
2. Prior to Use Permit issuance, the owners of the property shall sign and record a Right to Farm Statement of Acknowledgment on a form provided by the Planning Department.
3. Prior to Use Permit issuance, the applicant shall execute a Reclamation Plan agreement with the County of Siskiyou.
4. Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer (Mitigation No. 1).
5. Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transport during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and County Public Works Department (Mitigation No. 2).
6. Prior to Use Permit issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road (Mitigation No. 3).
7. During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Material Business Plan. No hazardous materials may be disposed on the site (Mitigation No. 4).

8. Where practicable, quarry operations, with the exception of material stockpiling, handling, and transport, shall be confined to within the pit itself. Material crushing and screening operations shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area (Mitigation No. 5).
9. A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry (Mitigation No. 6).
10. Prior to Use Permit issuance, the applicant shall provide public liability and property damage insurance in the amount of \$500,000 single liability from a company authorized for business in the State of California. Siskiyou County shall be named as additional insured on the policy of insurance.
11. Prior to Use Permit issuance, in order to secure the full and faithful performance of reclamation, pursuant to this agreement, the owner/operator shall deposit a performance bond or other security payable to the "Siskiyou County Treasurer and the California Department of Conservation," acceptable to the County, in the amount of \$49,914 providing for the faithful performance of the Use Permit (UP-03-12) and Reclamation Plan (RP-03-03). Said bond or other security shall be written by a company authorized to conduct business in California and acceptable to the County.
12. Revegetation of the site shall be conducted as prescribed by Botanist Robert Menzies. The plant material shall consist of the following formula:

<u>Seed Mix:</u>	<u>Application Rate:</u>
Chrysothmrus nauseosus (rabbit brush)	2 pounds per acre
Achillea millefolium (common yarrow)	3 pounds per acre
Erigonum umbellatum (sulphur eriogonum)	1 pounds per acre
Sitanion hystrix (bottlebrush squirreltail grass)	4 pounds per acre
Cynosurus echinatus (hedgehog dogtail grass)	4 pounds per acre

The operator shall rip compacted areas and fold the topsoil and process spoils into the substrate to provide an optimum seedbed. Planting shall occur in late Fall to coincide with the onset of the rainy season.

13. This permit shall expire twenty years from the date of issuance.
 - a. Reclamation shall be in accordance with the approved Reclamation Plan.
2. The **COUNTY** shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage happening or occurring to the work specified in this Agreement prior to the completion and approval of same, nor shall the **COUNTY**, nor shall any officer or employee thereof, be liable for any persons or property injured by reason of the nature of said work, or by reason of the acts or omissions of the **OWNER**, his agents or employees, in performance of said work, but all agrees to protect and hold harmless the **COUNTY**, its officers and employees from any and all claims, demands, causes of action,

liability or loss of any kind or nature because of, or arising out of, the acts or omissions of the **OWNER/OPERATOR**, his agents and employees in the performance of said work, but all of said liabilities shall be assumed by the **OWNER/OPERATOR**. The **OWNER/OPERATOR** further agrees to protect and hold harmless the **COUNTY**, its officers and employees from any and all claims, demands, causes of action, liability or loss of any kind or nature because of, or arising out of, the acts of omissions of the **OWNER/OPERATOR**, his agents and employees in the performance of said Agreement.

3. Before work is performed, pursuant to the Reclamation Plan on which this Agreement is based, the **OWNER/OPERATOR** shall obtain and maintain in full force and effect for the period covered by this contract the following types of insurance in the amounts indicated:
 - (a) General Liability: \$500,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate is used, either the general aggregate limit shall apply separately to this project/location or the general limit shall be twice the required occurrence limit.
 - (b) Workers Compensation and Employers Liability: Worker's compensation limits as required by the Labor Code of the State of California and Employers liability limits of \$1,000,000 per accident.

The following additional insured endorsement must be attached to the policy and said additional insured endorsement must be provided to the **COUNTY** in addition to the Certificate of Insurance:

The **COUNTY**, its officers, employees and agents, shall be named as additional insured under the policy. The **OWNER/OPERATOR's** insurance coverage shall be primary insurance regarding the **COUNTY** and its officers, officials, employees. Any insurance or self-insurance maintained by **COUNTY** or its officers, officials or employees shall be excess of the **OWNER/OPERATOR's** insurance and shall not contribute with **OWNER/OPERATOR's** insurance. The addition of the **COUNTY** as a named insured shall be limited to matters arising out of or connected with said gravel mine operation.

4. In order to secure to the **COUNTY** the full and faithful performance of the reclamation pursuant to this Agreement, the **OWNER/OPERATOR** shall deposit a performance bond or other security acceptable to the **COUNTY** in the amount of \$49,914 made payable to Siskiyou County Treasurer or Department of Conservation, Office of Mine Reclamation providing for the faithful performance of the Use Permit (UP-03-12), Reclamation Plan (RP-03-03) and this Agreement. Said bonds or other security shall be written by a company authorized to do business in California and acceptable to the **COUNTY**.
5. Insurance is to be placed with insurers authorized to do business in the State of California and possess at least a Best's A:X rating or be with a company acceptable

to the COUNTY. Prior to commencing services pursuant to this Agreement, OWNER/OPERATOR shall furnish COUNTY with Certificates of Insurance and with endorsements evidencing coverage required by this Agreement. All certificates and endorsement shall be received and, at the COUNTY's sole discretion, approved by the COUNTY before any other term or condition of this Agreement is performed by OWNER/OPERATOR. COUNTY reserves the right to require complete, certified copies of all required insurance policies at any time.

6. All bonds or other security and insurance herein required to be purchased shall include, on the face thereon, a notice that any cancellation or expiration shall be specifically noted to the Siskiyou County Planning Department, attention Planning Director, P.O. Box 1085, Yreka, California 96097, at least 30 days prior to the termination date.

It is further agreed that before the OWNER/OPERATOR is entitled to proceed, pursuant to the entitlement, the insurance and bonds required by this entitlement and Agreement shall be deposited with the Planning Director and accepted by the Planning Director as satisfactory and in compliance with the requirements of the entitlement and this Agreement.

IN WITNESS WHEREOF, the OWNER has affixed his signature this 22nd day of NOVEMBER, 2005.

Jeffrey E. Brown
Jeffrey E. Brown

IN WITNESS WHEREOF, the OPERATOR has fixed his signature this 22 day of Nov, 2005.

Tim Louie
LP Enterprises, Tim Louie

APPROVED BY:

COUNTY OF SISKIYOU
State of California

By: Wayne Virag
Wayne Virag
Planning Director

11/22/05
Date

11/22/05
cc: Jeff Brown
Tim Louie

**SISKIYOU COUNTY PLANNING DEPARTMENT
LAND USE PERMIT**

PERMISSION IS HEREBY GRANTED TO:

Jeffrey E. Brown
1722 Ball Mt. Little Shasta Rd.
Montague, CA 96064

Shasta Valley Asphalt & Aggregate
P.O. Box 1231
Yreka, CA 96097

PURPOSE: To continue use of an existing quarry which has been in operation since before 1950

PROPERTY LOCATED: The quarry is located on the south side of Ball Mountain - Little Shasta Road, one mile east of the City of Montague; T45N, R6W, Section 25; APN: 013-370-680.

SUBJECT TO THE FOLLOWING: Shasta Valley Asphalt and Aggregate proposes a Use Permit and Reclamation Plan to extend the life of the Brown Quarry.

Conditions:

1. The use shall be in accordance with the approved plot plan/reclamation plan and project description.
2. Prior to Use Permit issuance, the owners of the property shall sign and record a Right to Farm Statement of Acknowledgment on a form provided by the Planning Department.
3. Prior to Use Permit issuance, the applicant shall execute a Reclamation Plan agreement with the County of Siskiyou.
4. Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer (Mitigation No. 1).
5. Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transport during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and County Public Works Department (Mitigation No. 2).

**SISKIYOU COUNTY PLANNING DEPARTMENT
LAND USE PERMIT**

6. Prior to Use Permit issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road (Mitigation No. 3).
7. During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Material Business Plan. No hazardous materials may be disposed on the site (Mitigation No. 4).
8. Where practicable, quarry operations, with the exception of material stockpiling, handling, and transport, shall be confined to within the pit itself. Material crushing and screening operations shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area (Mitigation No. 5).
9. A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry (Mitigation No. 6).
10. Prior to Use Permit issuance, the applicant shall provide public liability and property damage insurance in the amount of \$500,000 single liability from a company authorized for business in the State of California. Siskiyou County shall be named as additional insured on the policy of insurance.
11. Prior to Use Permit issuance, in order to secure the full and faithful performance of reclamation, pursuant to this agreement, the owner/operator shall deposit a performance bond or other security payable to the "Siskiyou County Treasurer and the California Department of Conservation," acceptable to the County, in the amount of \$49,914 providing for the faithful performance of the Use Permit (UP-03-12) and Reclamation Plan (RP-03-03). Said bond or other security shall be written by a company authorized to conduct business in California and acceptable to the County.
12. Revegetation of the site shall be conducted as prescribed by Botanist Robert Menzies. The plant material shall consist of the following formula:

SISKIYOU COUNTY PLANNING DEPARTMENT LAND USE PERMIT

<u>Seed Mix:</u>	<u>Application Rate:</u>
Chrysothmrus nauseosus (rabbit brush)	2 pounds per acre
Achillea millefolium (common yarrow)	3 pounds per acre
Erigonum umbellatum (sulphur eriogonum)	1 pounds per acre
Sitanion hystrix (bottlebrush squirreltail grass)	4 pounds per acre
Cynosurus echinatus (hedgehog dogtail grass)	4 pounds per acre


The operator shall rip compacted areas and fold the topsoil and process spoils into the substrate to provide an optimum seedbed. Planting shall occur in late Fall to coincide with the onset of the rainy season.

13. This permit shall expire twenty years from the date of issuance.

Notations:

1. This permit may be subject to revocation by the Planning Commission and all rights thereunder rescinded if not used for the above purpose within two years of approval.
2. The operation is subject to the requirements of PRC 4290 (Fire Safe Regulations).

DATE
APPROVED: July 7, 2004



 Wayne Virag, Secretary
 Siskiyou County Planning Commission

DATE
ISSUED: May 24, 2005

cc: Jeffrey E. Brown
 Shasta Valley Asphalt & Aggregate
 James G. Bray, RCE
 Assessor
 Building Department

Health Department
 Public Works Department

SISKIYOU COUNTY PLANNING COMMISSION
REGULAR MEETING

COUNTY OF SISKIYOU

STATE OF CALIFORNIA

AUGUST 4, 2004

PRESENT: Commissioners Jeff Fowle, Blair Hart, Mike McMahon and Chris Lazaris

ABSENT: Commissioner Stevens

ALSO PRESENT: Wayne Virag, Director; Cathie McCanna, Board Clerk; Supervisor LaVada Erickson, Liaison to the Planning Commission from the Board of Supervisors; and Bill Navarre, Land Use Program Manager, Health Department.

MITIGATED NEGATIVE DECLARATION / USE PERMIT / RECLAMATION PLAN FOR SHASTA VALLEY ASPHALT & AGGREGATE (UP-03-12/RP-03-03) (Continued from July 7, 2004 meeting)

Shasta Valley Asphalt and Aggregate proposes a Use Permit and Reclamation Plan to extend the life of the Brown Quarry, since considerable aggregate material remains in the 14.5-acre quarry. The applicant proposes to harvest up to 50,000 cubic yards of material annually over the next 20 years. Total estimated production is 240,000 cubic yards during the life of the mine. Quarrying would not expand the perimeter of the existing permitted mine. Planned activities include: excavation, rock screening, crushing, and stockpiling. Periodic blasting may prove necessary to loosen bedrock. No material batching is proposed with this application. This permit and reclamation plan, if approved, would replace the existing reclamation plan (RP- 85-01). The quarry is located on the south side of Ball Mountain - Little Shasta Road, one mile east of the City of Montague; T45N, R6W, Section 25; APN: 013-370-680

**MITIGATED NEGATIVE DECLARATION
USE PERMIT / RECLAMATION PLAN**

**APPROVED
APPROVED**

STAFF REPORT:

The previously circulated Staff Report was reviewed by the Commission and a presentation of the project was provided by Planning Staff.

MITIGATED NEGATIVE DECLARATION

The Planning Department recommends approval of the Negative Declaration with the following Mitigation Measures and Findings:

Mitigation Measures:

1. Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer.
2. Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transport during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and County Public Works Department.
3. Prior to Use Permit issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road.
4. During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Material Business Plan. No hazardous materials may be disposed on the site.
5. Where practicable, quarry operations, with the exception of material stockpiling, handling, and transport, shall be confined to within the pit itself. Material crushing and screening activities shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area.
6. A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry.

Findings:

1. On the basis of the Initial Study and comments received, the proposed project could not have a significant effect on the environment because mitigation measures have been added to the project to avoid or reduce potential impacts to less than significant levels.
2. The record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant adverse effect on wildlife resources or the habitat upon which wildlife depends, as defined in Section 711.2 of the Fish & Game Code.
3. Consistent with CEQA Section 15074(b), this Negative Declaration reflects the Planning Department's independent judgment and analysis.

4. Mitigation monitoring requirements will be met because mitigations have been incorporated into the project as conditions. Monitoring will be funded by annual inspection fees, paid by the operator, and conducted through the mandatory annual inspection and report of the quarry to assure compliance.

AMENDED USE PERMIT AND RECLAMATION PLAN

The Planning Department recommends approval of the Use Permit and Reclamation Plan Amendment with the following Conditions, Notations, and Findings:

Conditions:

1. The use shall be in accordance with the approved plot plan/reclamation plan and project description.
2. Prior to Use Permit issuance, the owners of the property shall sign and record a Right to Farm Statement of Acknowledgment on a form provided by the Planning Department.
3. Prior to Use Permit issuance, the applicant shall execute a Reclamation Plan agreement with the County of Siskiyou.
4. Prior to operations, the operator shall demonstrate compliance with the requirements of the Siskiyou County Air Pollution Control Officer (Mitigation No. 1).
5. Prior to Use Permit issuance, the applicant shall enter into a road maintenance agreement to provide for a proportionate share of the ongoing maintenance of roads used for material transport during the life of the quarry. The agreement may include, and is not limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the applicant and County Public Works Department (Mitigation No. 2).
6. Prior to Use Permit issuance, the applicant shall secure a Commercial Encroachment Permit for the planned access to Ball Mountain-Little Shasta Road (Mitigation No. 3).
7. During quarrying operations, the operator shall maintain compliance with County Environmental Health Department requirements concerning the handling and storage of hazardous materials. This may include the filing of a Hazardous Material Business Plan. No hazardous materials may be disposed on the site (Mitigation No. 4).
8. Where practicable, quarry operations, with the exception of material stockpiling, handling, and transport, shall be confined to within the pit itself. Material crushing and screening operations shall be located so as to screen the operation to mitigate visual and audible impacts to the surrounding area (Mitigation No. 5).

9. A chemical toilet shall be located on-site during periods of operation. The toilet shall be provided and serviced by a licensed septic pumper, to the satisfaction of the Public Health Department. Bottled water shall be provided on-site if employees are used in conjunction with the quarry (Mitigation No. 6).
10. Prior to Use Permit issuance, the applicant shall provide public liability and property damage insurance in the amount of \$500,000 single liability from a company authorized for business in the State of California. Siskiyou County shall be named as additional insured on the policy of insurance.
11. Prior to Use Permit issuance, in order to secure the full and faithful performance of reclamation, pursuant to this agreement, the owner/operator shall deposit a performance bond or other security payable to the "Siskiyou County Treasurer and the California Department of Conservation," acceptable to the County, in the amount of \$49,914 providing for the faithful performance of the Use Permit (UP-03-12) and Reclamation Plan (RP-03-03). Said bond or other security shall be written by a company authorized to conduct business in California and acceptable to the County.
12. Revegetation of the site shall be conducted as prescribed by Botanist Robert Menzies. The plant material shall consist of the following formula:

<u>Seed Mix:</u>	<u>Application Rate:</u>
Chrysothamnus nauseosus (rabbit brush)	2 pounds per acre
Achillea millefolium (common yarrow)	3 pounds per acre
Erigonum umbellatum (sulphur eriogonum)	1 pounds per acre
Sitanion hystrix (bottlebrush squirreltail grass)	4 pounds per acre
Cynosurus echinatus (hedgehog dogtail grass)	4 pounds per acre

The operator shall rip compacted areas and fold the topsoil and process spoils into the substrate to provide an optimum seedbed. Planting shall occur in late Fall to coincide with the onset of the rainy season.

13. This permit shall expire twenty years from the date of issuance.

Notations:

1. This permit may be subject to revocation by the Planning Commission and all rights thereunder rescinded if not used for the above purpose within two years of approval.
2. The operation is subject to the requirements of PRC 4290 (Fire Safe Regulations).

Findings:

The Use Permit and Reclamation Plan Amendment is in conformance with all applicable elements and policies of the Siskiyou County General Plan and Zoning Ordinance, specifically:

LAND USE ELEMENT

1. The proposed Use Permit and Reclamation Plan Amendment is consistent with the elements and policies of the Siskiyou County General Plan and Zoning Ordinance, as follows:
 - a. Mining is a conditionally permitted use, pursuant to County Code Section 10-6.1502(d).
 - b. Policy 41.3(a): The quarry has access directly onto Ball Mountain-Little Shasta Road, a County-maintained road capable of supporting the continued traffic associated with quarry operation.
 - c. Policy 41.3(c): The quarry is in a remote location with only a few scattered homes within a half-mile of the site.
 - d. Policy 41.3(e): The quarry would be compatible with surrounding land uses because the plan would be to expand and deepen an existing pit quarry where most activity would be within the pit, visually, and to a lesser extent, audibly, screened from surrounding properties.
 - e. Policy 41.3(f): As outlined in the above findings, the quarry would not be disruptive nor destroy the intent of protecting mapped resources.
2. The quarry is adequately served by existing improvements and would provide for an orderly and beneficial use of the property since the amendment would allow the continued exploitation of mineral resources in a site already committed to mining and the plan would ultimately reclaim the quarry to a condition consistent with the surrounding environment.
3. Due to size, scale, intensity and location of the project, the proposed continued use of the quarry would not result in a significant change in the existing environment and would not in any way threaten the public health, safety, peace, morals, comfort, convenience or general welfare, because all mining would be confined to an area already disturbed and operations would be confined to within the pit where obscured from view.
4. Due to the size, scale, intensity and location of the project, the proposed uses would not cause damage or nuisances from noise, smoke, odor, dust, vibration, explosion, contamination, fire or traffic and will be reasonably compatible with

the uses permitted in surrounding areas because the plan is to allow the continued operation of the quarry and all activity would be contained within the pit, thereby minimizing potential audio and visual nuisances. Also, mitigation measures would further reduce potential impacts to less than significant levels.

PUBLIC INPUT: Project representative Jim Bray indicated that the applicant has no objection to the Conditions as presented and indicated that he was available for questions from the Commission.

AGENCY INPUT: None

Commissioner McMahon questioned whether this amendment would bring the pit up to today's standards.

Director Wayne Virag indicated that the only difference is that it is in a confined area within a larger historical quarry. The 14 acres is included in this amendment, however the surrounding area is not on the table for discussion and would no longer be permitted once amendment is approved.

There being no further input, the Commissioner Lazaris closed the Public Hearing.

Commissioner Fowle questioned whether the other acreage from past mining activity is included within the Reclamation Plan.

Planning Director Wayne Virag stated that only the 14 acres within the site is included in this Reclamation Plan.

Commissioner Fowle questioned possible future amendments to reclaim the outer areas.

Planning Director Wayne Virag indicated that there are considerable additional resources off site and should the proponents have interest in pursuing these, it would be of benefit to the site to go through the amendment process again.

Project representative James Bray stated that work had been done by previous operators on the outer areas and they did regrade and smooth, not to modern reclamation standards, and it has shaped up nicely. The mess that was left by previous operators is all part of this permit in this pit area.

Commissioner Fowle clarified that the extension will be for 20 years. He further questioned why limited hours of operation were not included.

Planning Director Wayne Virag indicated that the only complaint was regarding dust and the Agriculture Department has addressed that issue with the use of water.

Commissioner McMahon whether action on this type of activity would encourage more of the same in the future.

Planning Director Wayne Virag shared his view that the pits that are established need to be continued since it is difficult to establish new pits anymore and there are no protections to the owners and operators and this a viable way to enable additional resources to be utilized and not generate new controversies.

Planning Director Wayne Virag informed the Commission that the conditions were met under old standards and the Planning Department had no authority to do change the old permit. This amendment allows the opportunity to clean up the site.

MOTION: Following discussion, it was moved by Commissioner Fowle, seconded by Commissioner McMahon that, on the basis of the Initial Study and comments received, to make the finding that the proposed project **COULD NOT** have a significant adverse effect on the environment because mitigation measures have been added to the project, and directing that a **MITIGATED NEGATIVE DECLARATION** be approved and further granting approval of the Use Permit and Reclamation Plan Amendment for the Brown Quarry (UP-03-12/RP-03-03) with the Conditions, Notations, and Findings.

STATE OF CALIFORNIA
COUNTY OF SISKIYOU

I, Cathie McCanna, Board Clerk of the Siskiyou County Planning Commission, do hereby certify the foregoing to be a full, true and correct copy of the Minute Order of said Siskiyou County Planning Commission passed on August 4, 2004.

/s Cathie McCanna
SISKIYOU COUNTY PLANNING COMMISSION
STATE OF CALIFORNIA

From: [Curran, Ernest@CALFIRE](mailto:Curran,Ernest@CALFIRE)
To: [Dianne Johnson](mailto:Dianne.Johnson)
Subject: Re: Dianne Johnson shared the folder "RP-0303-1M_UP-0312-1M BROWNS QUARRY" with you.
Date: Friday, July 7, 2023 11:41:57 AM
Attachments: [AttachedImage](#)
[AttachedImage](#)
[AttachedImage](#)
[AttachedImage](#)
[Outlook-Logo_Desc.png](#)

CAL FIRE has no requirements for the extension of the mine.



Ernest Curran – ID# 2235
Fire Captain Specialist - Siskiyou
Unit
Fire Prevention Bureau
1809 Fairlane Road, Yreka, CA
96097
(530) 598-2675 Cell
(530) 842-0806 Office

WARNING/NOTICE: This e-mail, and any attachment, is only intended for the use of the person or entity to which it is addressed and may contain information that is privileged and confidential. All recipients, including employees of the California Department of Forestry and Fire Protection, are obligated to maintain this communication in a safe, secure and confidential manner. Unauthorized disclosure, or failure to maintain confidentiality, is strictly prohibited and may be a violation of state and/or federal law(s), which carry criminal and/or civil penalties. If you are not the intended recipient, please immediately notify the sender by return e-mail and delete this message from your computer without making a copy or distribution.

From: Dianne Johnson <dmjohnson@co.siskiyou.ca.us>
Sent: Thursday, July 6, 2023 1:41 PM
To: Bernadette Cizin <bpcizin@co.siskiyou.ca.us>; Eric Olson <eolson@co.siskiyou.ca.us>; Jeremy Lipke <jlipke@co.siskiyou.ca.us>; Michael Kobseff <mkobseff@co.siskiyou.ca.us>; Terry E. Smith <tesmith@co.siskiyou.ca.us>; Thomas Deany <tdeany@co.siskiyou.ca.us>; Boyl, Heather@CALFIRE <Heather.Boyl@fire.ca.gov>; Bushey, Tyler@CALFIRE <Tyler.Bushey@fire.ca.gov>; R1CEQARedding@wildlife.ca.gov <R1CEQARedding@wildlife.ca.gov>; Curran, Ernest@CALFIRE <Ernest.Curran@fire.ca.gov>; mpetersinc@yahoo.com <mpetersinc@yahoo.com>; jeffebrown53@gmail.com <jeffebrown53@gmail.com>; je@geoscienceserv.com <je@geoscienceserv.com>; James Fitzgerald - GeoScienceServ <jf@geoscienceserv.com>; ml@geoscienceserve.com <ml@geoscienceserve.com>

Subject: Dianne Johnson shared the folder "RP-0303-1M_UP-0312-1M BROWNS QUARRY" with you.

Warning: this message is from an external user and should be treated with caution.



Dianne Johnson shared a folder with you

Good afternoon,

Attached is the 15 day review for application RP-0303-1m and UP-0312-1m. Please note, all responses to the application must be received by July 20, 2023.

If you are having trouble opening the drive or require more documentation please feel free to contact me.

Thank you,

Dianne Johnson
Planning Permit Technician
Siskiyou County Community Development
806 S. Main Street, Yreka, CA 96097
530-841-2148



RP-0303-1M_UP-0312-1M BROWNS QUARRY



This link will work for anyone.

Open



[Privacy Statement](#)



From: [Iacona, Erika@Wildlife](mailto:Iacona,Erika@Wildlife)
To: [Dianne Johnson](mailto:Dianne.Johnson)
Cc: [Hawk, Debra@Wildlife](mailto:Hawk,Debra@Wildlife)
Subject: Early Consultation for RP 03-03/ UP 03-12
Date: Wednesday, July 19, 2023 2:56:09 PM
Attachments: [image001.png](#)

Dear Dianne Johnson,

The California Department of Fish and Wildlife (CDFW) has reviewed the consultation request for Reclamation Plan 03-03 and Use Permit 03-12, a proposal to amend the existing Reclamation Plan and Use Permit for the Brown Rock Quarry to begin reclamation activities (Project) located at 1722 Ball Mountain Little Shasta Road, Montague in Siskiyou County. As a trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, CDFW administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. CDFW offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq. The following are informal comments intended to assist the Lead Agency and Project proponent in making informed decisions early in the Project development and review process.

Promoting Pollinators

The Project area bisects the range of Western bumble bee (*Bombus occidentalis*) and Franklin's bumble bee (*Bombus franklini*), candidates for state listing under the CESA. While the revegetation section of the review package incorporates a native seed list of species known to occur throughout Siskiyou County, CDFW strongly recommends the incorporation of additional native species known to occur in Siskiyou County that are directly associated with listed bumble bee species including *Lupinus*, *Eschscholzia*, *Agastache*, *Monardella*, and *Vicia*. The California Native Plant Society (CNPS) website (<https://www.cnps.org>) includes a variety of useful information and tools to help determine which native plant species occur in a particular area, care and maintenance of native species, and contacts for purchasing native plants or seeds. The CNPS tool Calscape (<https://calscape.org/>) generates a list of native plants that grow in an area based on a specific address, and can be used to develop a planting palette for landscaping plans. For more information regarding the importance of using native species in landscaping, please see the CNPS Guidelines for Landscaping to Protect Native Vegetation from Genetic Degradation at: <https://www.cnps.org/wpcontent/uploads/2018/04/landscaping.pdf>.

Revegetation Plan

The Revegetation Plan lacks pertinent information and context necessary to identify if the proposed revegetation efforts will be adequate in remediating the land to a pre-disturbed state. CDFW concurs with utilizing native species local to this area of Siskiyou County however, the plan should also include:

- Revegetation objectives and desired future conditions
- Adaptive management strategies
- Success criteria

CDFW recommends including the above information in the Revegetation Plan and re-submitting the plan for CDFW review prior to project approval. The parcel is adjacent to the Shasta Valley Wildlife Area, which may serve as a worthy reference site for revegetation objectives and success criteria.

Additionally, the Revegetation Plan includes ripping topsoil to prepare the area for native seed spread but does not specify how invasive species spread will be subsequently minimized. CDFW recommends designating waste disposal areas for invasive plant materials and containing invasive plant material during ripping of topsoil, collection of topsoil, grading, and spreading of native seed. High pressure, low volume wash systems are recommended to thoroughly wash vehicles, vehicle parts, underbody of vehicles and other equipment to remove soil, mud, caked dirt, plant parts, the seeds, and vegetative parts. Wastewater should be contained by a wash system. Cal IPC has written several Best Management Practice Manuals for controlling the spread of weeds which can be found here at the Cal IPC website: <https://www.cal-ipc.org/resources/library/publications/#BMPs>. Straw and mulch should be weed-free and erosion control materials should be made of natural fiber jute netting, coconut fiber blanket or similar. Synthetic (plastic or nylon) materials with welded weaves should not be used.

Invasive Species Control

The Revegetation Plan includes spraying invasive botanical species annually until native species have been established. CDFW concurs with the effort to remove and control the spread of invasive species. CDFW strongly encourages the preparation of an invasive species prevention and control plan prior to Project approval and implementation to identify specific control strategies and adaptive management strategies.

Due to their adverse impacts to native pollinators, herbicide use is discouraged however, if herbicide use cannot be precluded from the Project:

- CDFW strongly encourages herbicide applicators to follow the best management practices described by the [Guidance to Protect Habitat from Pesticide Contamination](#).
- Avoid using pesticides marked with the US Environmental Protection Agency's bee hazard icon.
- Avoid spraying pesticides onto any flowering plant, with special care to avoid sensitive taxa.
- Use pesticides with a short residual toxicity to bees- pesticide toxicity to bees can be checked via UC ANR's [Bee Precaution Database](#).
- Use targeted application instead of broadcast spraying whenever possible.
- Avoid mixtures of pesticides as they are only evaluated in scenarios in which they are not combined, therefore potential harmful synergies are also unknown.
- Avoid usage of soil fumigants, which penetrate the soil and can poison ground nesting bees.
- All pesticide applications must be conducted by a Licensed and Certified Pesticide Applicator and should be used as directed by the manufacturer.

Additional guidance on this topic is provided by the [United States Environmental Protection Agency](#) and the [California Department of Pesticide Regulation](#).

Fencing

The review package indicates the reclaimed area will be used for livestock grazing. CDFW understands fences are essential for controlling trespass, however, inappropriately designed or placed fencing may create serious hazards and/or barriers for wildlife. CDFW recommends perimeter fencing be designed and implemented to alleviate these potential hazards to wildlife. This resource may provide useful information about wildlife friendly fencing techniques: A Landowners Guide to Wildlife Friendly Fences: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161708>

CDFW appreciates the Counties solicitation of comments and recommendations early in the Project development process. Please send any questions and all future consultation requests to R1CEQARedding@wildlife.ca.gov.

Kind Regards,
Erika

--

Erika Iacona
Senior Environmental Scientist, Specialist
Interior Habitat Conservation Planning
(530) 806-1389
601 Locust Street
Redding, CA 96001



SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
LAND DEVELOPMENT REVIEW

OWNER BROWN, JEFFREY & APRIL

FILE # 013-370-730
013-380-390

LOCATION BALL MOUNTAIN RD,
MONTAGUE

T 45N , R 6W ,

SEC. 25,26 PD#

RP0303-1M
UP0312-1M

REQUIREMENTS:

Sewage Disposal Test/Information:

- () None Required: Connection to Approved Sewage System
- () Engineered Percolation Tests –
Parcels # _____
- () Wet Weather Testing
- () Engineered Sewage Disposal System
- () Other _____

Water Supply Tests/Information:

- () None Required: Connection to Approved Water System
- () Well Logs (Existing Wells) () Well Logs for Adjoining Property
- () Drilled Well – Parcels # _____ () Spring Source-Verification
- () Pump Test (Static Level) _____ Hours
- () Bacteriological Analysis () Chemical Analysis () Physical Analysis
- () Other _____

Project Information:

- () Location Map () Mark Project Area () Contour Map
- () Food Establishment Plans () Swim Pool/Spa Plans
- () Waste Information (Non-Sewage)
- () Other _____

Comments/Conditions:

SEE ATTACHED

REHS

DATE 9/26/23

ENVIRONMENTAL HEALTH ACTION

- (X) Application Accepted () Application Rejected as Incomplete (see comments)

- (X) Approved () Recommended for Denial
- () Approved with conditions (see comments)

REHS

DATE 9/26/23

Date sent to Planning:

Environmental Health has no objections to the proposed use permit.

APN 013-370-730 is developed with a single family residence with septic (PN 281-81) and three wells. (PN W15-160, W21143)

Provide (1) chemical toilet and hand washing station for every (15) employees.

The storage of hazardous materials exceeding 55 gallons of a liquid, 500 pounds of solid, or 200 cubic feet of a compressed gas requires the submittal of a Hazardous Materials Business Plan. A facility may be subject to annual hazardous materials inspections and all applicable laws and regulations regarding hazardous materials handling and storage. Any amount of hazardous waste generated in association with an existing or proposed business is subject to a Business Plan and approval from the County Health Department. The discharge of hazardous waste on-site is prohibited.

Expansion of the mine area does not affect existing improvements on parcel.