
PLUMAS COUNTY
ZONING ADMINISTRATOR
Minutes of the Meeting of April 8, 2015

The Plumas County Zoning Administrator convened in a meeting on April 8, 2015, at 10:05 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Randy Wilson, presiding. Senior Planner, Rebecca Herrin, is in attendance.

I. AGENDA

The agenda is approved as submitted.

II. PUBLIC COMMENT OPPORTUNITY

No public comment is presented.

III. AMENDMENT OF RECLAMATION PLAN FOR ROCKY POINT BORROW PIT (CA MINE ID# 91-32-0010) AND ADOPTION OF NEGATIVE DECLARATION #667: PLUMAS COUNTY PUBLIC WORKS DEPARTMENT; APN 025-110-027; T.23N/R.14E/S.29 MDM

The proposal to amend the reclamation plan for a drill and blast quarry, which provides materials used by the Plumas County Department of Public Works for maintenance and repair projects in the county, located at 77841 Rocky Point Road, Portola, is presented. Rebecca Herrin gives an overview of the project as outlined in the Staff Report. The public hearing is opened at 10:07. There being no comments the public hearing is closed at 10:07. Randy Wilson, Zoning Administrator, questions if the applicant has read and agrees with the conditions of approval. Bob Perreault, Public Works Director, states Jim Graham is the lead staff member on this application and will respond to most of the questions, but a full staff meeting was held and they thoroughly vetted the subject of today's public hearing so everyone understands the conditions. Jim Graham proposes, for clarification, the addition of one condition having to do with water quality protection measures. The proposed condition reads: "Water quality protection measures shall be established and implemented through the SWPPP and shall supersede specific water quality protection measures referenced in the application."

Wilson questions if the applicant agrees with Condition #10 regarding reclamation. Graham comments that reclamation cannot occur until you reach a certain stage. Herrin states it is a standard condition and that a phased operation has been proposed, so it's not complete reclamation. It is not binding that everything in one area has to be completely reclaimed, including revegetation. Additionally, Herrin clarifies that the condition states "reclamation may be performed" not "shall be". Perreault suggests rewording the condition to state, "Reclamation, to the extent possible, will be conducted annually . . . ". Graham suggests striking the phrase "on an annual basis". Herrin adds that the intent of the condition is to try to reduce the financial assurance mechanism as reclamation is completed. Wilson states he will remove the phrase "on an annual basis". Wilson questions how the project is bonded. Graham states a budget has been set aside and they file their operator annual reports each year along with Financial Assurance Cost Estimate revisions with the Department of Conservation.

DECISION

Wilson states he will take the actions recommended by staff, and 1) After reviewing and considering the proposed Negative Declaration #667, adopt Negative Declaration #667 pursuant to Section 15074 of the California Environmental Quality Act Guidelines, making findings A through C; and 2) Approve the amendment to the reclamation plan subject to the conditions of approval outlined in Exhibit 3, with the amendment of Condition #10 and addition of Condition #17 as read into the record and reflected in the final conditions, making findings A through D as follows:

ENVIRONMENTAL DETERMINATION FINDINGS

- A) That there is no substantial evidence in the record supporting a fair argument that the proposed project, as conditioned, might have any significant adverse impact on the environment; and
- B) That the proposed Mitigated Negative Declaration reflects the independent judgment of the Plumas County Zoning Administrator; and
- C) That the location and custodian of the documents which constitute the record of these proceedings is Plumas County Planning and Building Services, Planning Division, 555 Main Street, Quincy, California.

FINDINGS

- A) The Negative Declaration was prepared to address the potential environmental effects associated with the project. The Negative Declaration was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines).
- B) This project is consistent with the General Plan and zoning because mining is permitted in Mining Resource Lands and Mining zoning (M). The project is consistent with the General Plan Conservation and Open Space Element Policies pertaining to Mineral Resources (COS 7.4.1 through 7.4.7). The proposed end uses are consistent with the Mining Resource lands designation and the Mining (M) zoning district.
- C) Mining has taken place on the site since 1973. This project was determined to be a vested mining operation by the Plumas County Zoning Administrator in 1990. At that time a reclamation plan was adopted for the operation. This amendment to the approved reclamation is consistent with the requirements of the Surface Mining and Reclamation Act (SMARA).
- D) That a written response to the State Department of Conservation will be prepared, describing the disposition of major issues raised by that Department. Where the County's position is at variance with the recommendations and objections raised by the State Department of Conservation, said response will address in detail, why specific comments and suggestions were not accepted.

CONDITIONS

1. The initiation date for the Reclamation Plan will be the date of signature of the permit by the Applicant/Operator.
2. The Permit to Mine/Reclamation Plan will expire April 8, 2147, unless an extension of time is granted. Activities related to reclamation of the site may extend past this date as necessary to complete reclamation per the approved plan, except that no further mining activity shall be started after the expiration date. All final reclamation activities shall be completed by December 31, 2147.
3. Senate Bill 108, which became law on January 1, 2012, changed the definition of “idle” mines under the Surface Mining and Reclamation Act (SMARA). “Idle” is now defined as a one-year reduction in mineral production by more than 90 percent of its maximum annual production within any of the last five years. Previously, the law stated that a mine was idle if there was a 90 percent reduction compared with a mine’s historic maximum production. This amendment to the reclamation plan can be seen as a new permit as it replaces the previous. It is possible, given the scope of the project and the fluctuation in the need for material that an Interim Management Plan will need to be filed with the County if the mine meets the definition of idle.
4. The Permit to Mine/Reclamation Plan shall be conducted in compliance with the plan and plan maps submitted in ***Reclamation Plan for Rocky Point Borrow Site, CA Mine ID No. 91-32-0010, County of Plumas Department of Public Works – June 2012, Revised July 7, 2014, prepared by Steven C. Devin, P.E., G.E., Civil and Geotechnical Engineering Services***, unless modified by the following conditions.
5. Notice shall be provided to the Beckwourth Fire Protection District 24 hours before any blasting activity takes place at the site. This notice may take the form of email, fax or telephone notification.
6. If stationary fuel tanks are to be used in lieu of a mobile refueling truck, a Spill Prevention, Control and Counter Measures plan (SPCC) shall be submitted to Plumas County Environmental Health for review and approval prior to commencement of fueling operations.
7. Sewage disposal, including any means of sewage disposal such as blue huts, shall be located at a minimum of 100 feet from the bank of any surface waters, water supply well, or natural spring. The Operator shall have a current and valid contract with an approved provider for routine service of such facilities.
8. All applicable permits for the operation, including but not limited to a National Pollutant Discharge Elimination System (NPDES) Storm Water Pollution Prevention (SWPPP) permit for the control, discharge, and monitoring of storm water, shall be adopted and issued by the California Regional Water Quality Control Board prior to commencement of the operations.
9. A copy of this permit (plan) shall be kept at the project site. The Operator shall oversee the permit’s (plan’s) implementation. Best Management Practices will be implemented during reclamation activities. If unforeseen circumstances require new and/or revised best management practices, they will be employed immediately by the Operator.

10. Reclamation may be performed in stages compatible with continuing operations, or upon completion of all excavation, removal or fill. It is the responsibility of the Operator to reclaim the mined lands in accordance with the approved reclamation plan. The progress of mining and reclamation are subject to annual inspections to verify compliance with the plan, as required by Public Resources Code 2774 and California Code of Regulations 3504.5.

In addition to the areas to be reclaimed each year, areas of disturbance not located within the active mining and processing area will require the implementation of temporary erosion control measures, as set forth in the permit/plan. .

11. Appropriate permits for new on-site stationary equipment sources shall be obtained from the Northern Sierra Air Quality Management District, if necessary.
12. The District Rules of the Northern Sierra Air Quality Management District are applicable to this project. Operator shall submit a Dust Control Plan to the Northern Sierra Air Quality Management District.
13. Revegetation meeting all the requirements of California Code of Requirements section 3705 shall be performed on an annual basis after mining activities are completed.
14. A detailed financial assurance cost estimate and corresponding financial assurances shall be provided to the Planning Director for review and approval. Upon approval of the financial assurances by the Planning Director, and review by the Department of Conservation, Office of Mine Reclamation, a financial assurance mechanism shall be provided in a form acceptable to the Planning Director and the Department of Conservation, Office of Mine Reclamation. The financial assurance cost estimate shall be subject to annual review.
15. Financial assurances held for reclamation work will be released when the performance standards of the reclamation plan are satisfied.
16. The Reclamation Plan shall be signed and returned within forty (40) days of the date of approval or the permit will be voided.
17. Water quality protection measures shall be established and implemented through the SWPPP and shall superseded specific water quality protection measures referenced in the application.

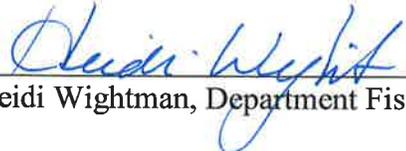
Zoning Administrator Notation: Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) days of the decision. If the tenth day lands on the weekend, the end of the appeal period will be the next working day. The appeal will need to be based on relevant information stated or submitted at or prior to this meeting by a commenting public member or representative, or certain County department heads as stated by County Code. There is a filing fee for the appeal and the fee information is available from Planning and Building Services.

ADJOURN

There being no further business, the meeting adjourns at 10:20 a.m. The next regularly scheduled Zoning Administrator meeting is set for May 13, 2015, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.



Randy Wilson, Zoning Administrator



Heidi Wightman, Department Fiscal Officer II