



YEAR-ROUND RECREATIONAL CENTER

CITY OF MT. SHASTA

Council Meets Second and Fourth Monday in Each Month

305 N. Mt. Shasta Blvd.

MOUNT SHASTA, CALIFORNIA 96067

PLANNING COMMISSION

April 16, 1980

PHONE 926-2418

Mr. Dave Hedberg
Siskiyou County Planning Department
Courthouse Annex
P. O. Box 1085
Yreka, CA 96097

Dear Mr. Hedberg:

The Mt. Shasta Planning Commission at their meeting of April 15, 1980, took the following actions on County applications:

UP-8-80 Spring Hill Enterprises

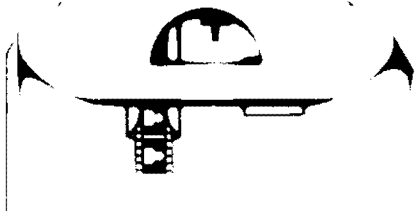
Recommends approval.

2-13-80 James B. & Velma M. Nile

Recommends approval.

Sincerely,

Sally A. Lee, Secretary
Mt. Shasta Planning Commission



RESOLUTION NO. CCR-94-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MT. SHASTA
APPROVING THE RENEWAL AMOUNT FOR FINANCIAL ASSURANCE
SOUSA READY MIX
SPRINGHILL MINE #91-47-0015

WHEREAS, on May 24, 1993, the Mt. Shasta City Council adopted Resolution CCR-93-33, approving the reclamation plan and financial assurance as required by the Surface Mining and Reclamation Act of 1975; and

WHEREAS, the financial assurance in the amount of \$20,910.02 has been renewed in the form of a cash deposit held at the City of Redding Bank of Commerce; and

WHEREAS, the financial assurance includes the City of Mt. Shasta/City Clerk and the State Geologists as holders; and

WHEREAS, the applicant has indicated that no changes have taken place with his reclamation plan to affect the current cost estimations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mt. Shasta finds it to be in the best interest of the City of Mt. Shasta to approve the financial assurance plan of Sousa Ready Mix for the Springhill Mine #91-47-0015.

ROLL CALL VOTE:

AYES: Council Member Dettman, Louie Melo, Tony Melo, White, Mayor Porterfield

NOES: None

ABSENT: None

ABSTAIN: None

DATED: July 25, 1994

CITY OF MT. SHASTA

/s/ Russ Porterfield

Russ Porterfield, Mayor

ATTEST:

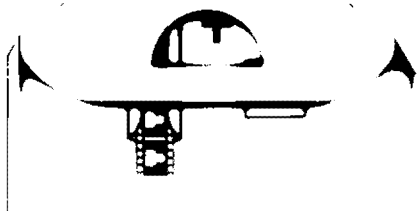
/s/ Prudence Simon

Prudence Simon, City Clerk

APPROVED AS TO FORM:

/s/ Robert D. Winston

Robert D. Winston, City Attorney



STAFF REPORT
Mt. Shasta Planning Department
Agenda Summary

Project 94.01
Parcel No. 57-771-070

Report Date: July 11, 1994
Agenda Date: July 25, 1994

SUBJECT: Springhill Mine #91-47-0015 (Sousa Ready Mix)
Annual Review - Financial Assurance Requirements

DESCRIPTION:

In 1987, the City annexed the Springhill area; Sousa's Gravel Pit way inherited with the annexation.

In 1990, Assembly Bill No. 3551 was enacted which required filing of reclamation plans with environmental findings and financial assurance procedures. The County had met the requirements until legislative procedures were taken over by the City in 1993.

On May 24, 1993, Resolution CCR-93-33 was adopted approving the reclamation plan and a cash deposit with the Redding Bank of Commerce meeting the financial assurance requirements.

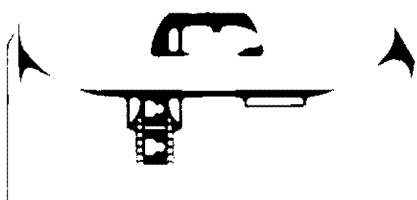
These requirements are to be reviewed annually, and if amended, submitted to the state for 45 day review prior to Council action on the changes.

Sousa has indicated that no changes have taken place with his reclamation plan and since the financial assurance was figured fairly high, requests only the renewal of the deposit.

RECOMMENDATION:

That the City Council:

1. Find that the approval of the financial assurance amount is not a project subject to CEQA; and
2. Approve the Resolution requiring the renewal of the financial deposit with proof placed on file with the Planning Department as the amount of \$20,910.02 is adequate to cover contingency costs, reasonable lead agency administrative costs, and the cost of the reclamation.



RESOLUTION NO. CCR-93-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MT. SHASTA
APPROVING THE ESTIMATED COST OF RECLAMATION
SOUSA READY MIX

WHEREAS, the Planning Commission, upon a public hearing held May 18, 1993, has recommended the City Council to approve at their public hearing and meeting of May 24, 1993; and

WHEREAS, upon receipt of the financial assurance in the amount of \$20,910.02, the project will comply with the service of the Mining and Reclamation Act city statute; and

WHEREAS, it is proposed by the applicant that the calculated amount is proposed in the form of a cash deposit to be held at the City of Redding Bank of Commerce; and

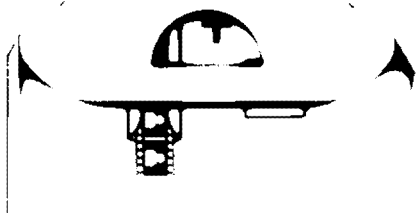
WHEREAS, the financial assurance shall include the City of Mt. Shasta/City Clerk and the State Geologists as holders; and

WHEREAS, in the event that Sousa Ready Mix does not meet reclamation requirements, the City of Mt. Shasta will be the responsible agency for assuring reclamation; and

WHEREAS, should the city not follow through on the reclamation of the land, the state would assume the bond and reclamation completion.

THEREFORE, BE IT RESOLVED, that the City Council of the City of Mt. Shasta finds it is in the best interest to approve the financial assurance plan of Sousa Ready Mix as indicated above.

BE IT FURTHER RESOLVED that staff shall prepare and execute this resolution for the signature of the Mayor and City Clerk in order to meet timeline requirements.



RESOLUTION NO. CCR-93-33
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ROLL CALL VOTE:

AYES: Council Member White, Dettman, Melo, Boss, Mayor
Porterfield


NOES: None

ABSENT: None

ABSTAIN: None

DATED: May 24, 1993

CITY OF MT. SHASTA



Russ Porterfield, Mayor

ATTEST:

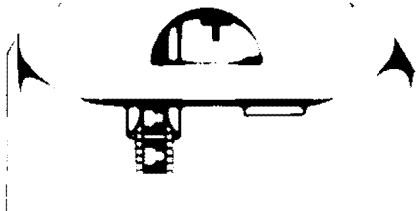


Kristine Michelon, Deputy City Clerk

APPROVED AS TO FORM:



Robert D. Winston, City Attorney

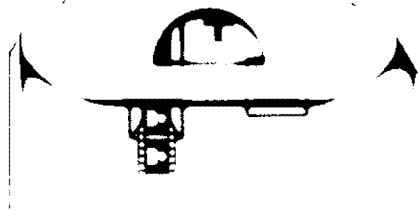


CITY CLERK'S CERTIFICATE

I, Kristine Michelon, Deputy City Clerk of the City of Mt. Shasta, County of Siskiyou, State of California, hereby certify that the attached and foregoing is a true and correct copy of Resolution No. CCR-93-33 adopted by the City Council of the City of Mt. Shasta at a Regular Meeting on the 24th day of May, 1993; original copy of Resolution No. CCR-93-33 being on file in the City Clerk's office at the City Hall, Mt. Shasta, California.

WITNESS MY HAND AND THE SEAL OF SAID CITY OF MT. SHASTA THIS 25TH DAY OF MAY, 1993.

Kristine Michelon
KRISTINE MICHELON, DEPUTY CITY CLERK
CITY OF MT. SHASTA



STAFF REPORT
Mt. Shasta Planning Department
Agenda Summary

Project No. 93.16
Parcel No. 57-771-070

Report Date: April 29, 1993
Agenda Date: May 24, 1993

SUBJECT: Sousa Ready Mix - Springhill Mine #91-47-0015
Financial Assurance Plan (SMARA Compliance)

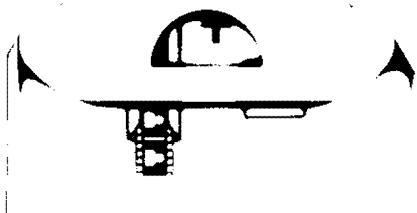
On April 16, ~~1990~~¹⁹⁸⁰, Sousa Ready Mix was granted approval of a Use Permit and Reclamation Plan (UP-8-80) for an Aggregate Quarry off of Springhill Drive. This approval was granted by the Siskiyou County Planning Commission with a recommendation for approval by the Mt. Shasta Planning Commission.

On April 3, 1987, the Springhill Mine was annexed into the City of Mt. Shasta as a portion of the Springhill Annexation (Resolution No. 4646).

On September 11, 1992, the Mt. Shasta City Council adopted Ordinance No. CCO-92-06; An Ordinance of the City of

Within that ordinance, provisions for assurance of reclamation were addressed: Section 18.80.070 Performance Bond Pursuant to SMARA Section 2770, all surface mining operators must obtain lead agency (City) approved financial assurances for reclamation. SMARA Section 2773.1 states that financial assurances must be made payable to the lead agency (City) and the State Geologist, and may only be in the form of a surety bond, irrevocable letter of credit, trust fund, or other forms as specified by the board through the regulatory process. The amount of the financial assurance must cover the cost to reclaim, pursuant to the approved reclamation plan, those lands currently disturbed by mining activities, and lands which are proposed to be disturbed within the upcoming 12-month period. Financial assurances are to be adjusted annually to account for (1) inflation, (2) completed reclamation, and (3) new lands disturbed. Financial assurances are also transferable in the event that ownership of the mining operation changes.

In compliance with the above provisions, a Financial Assurance Plan has been submitted for City Council approval by Sousa Ready Mix. This plan was submitted to the State Department of Conservation as required. On April 26, 1993, a telephone call was received from Tim Custic of the Department of Conservation, noting approval and acceptance of the proposed plan. It was further noted that no written documentation would follow this telephone confirmation.



LOCATION: Located 600 feet east of Abrams Lake Road off-ramp, on the north end of the City limits. T40N, R4W, Section 5, MDB&M.

APPLICANT: Phil Sousa, Sousa Ready Mix

OWNER: Sousa Ready Mix, Inc.

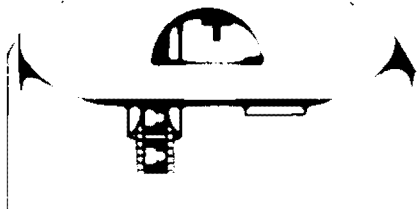
GENERAL PLAN DESIGNATION: Resource Lands (RL) are those that are identified as containing soils characteristics, natural conditions, or resources suitable for production of agricultural, timber, or mineral resources for commercial harvest, production, or conservation. Resource Land uses may include, and are not limited to, farming, ranching, orchards, food processing, mining, construction material processing, sawmills, and recreation-oriented uses such as a campground. Resource Lands include private and public open space areas, and areas of visual importance within the National Forest. The purpose of the zoning code is to identify which are permitted and which are conditional uses. General Agriculture, Agriculture Preserves, and Rural Residential are the zoning districts whose uses are permitted or conditionally permitted on Resource Lands, subject to the appropriate development standards, code regulations, and performance standards implemented through the General Plan.

ZONING: C-M Controlled Manufacturing

CEQA STATUS: Categorical Exemption
Section 15307; Actions by Regulatory Agencies for Protection of Natural Resources
Section 15308; Actions by Regulatory Agencies for Protection of the Environment

This estimated cost of reclamation review is categorically exempt from the California Environmental Quality Act. This project is determined not to have a significant effect on the environment. The required security will ensure that the site is reclaimed, thereby reducing the potential for environmental impacts.

The Reclamation Plan itself was subject to a Negative Declaration approved by the Siskiyou County Planning Commission on April 16, 1980.



Staff Report: Sousa F.A.P.
April 29, 1993
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ANALYSIS:

The Siskiyou County Planning Commission approved Reclamation Plan (UP-8-80) on April 16, 1980. At that time, financial assurance was not required for securing reclamation activities. Since that time, the Surface Mining and Reclamation Act (SMARA) requires financial assurances guaranteeing site reclamation.

In order to comply with recent SMARA amendments and city statute, Sousa Ready Mix has prepared an estimated cost of reclamation which also meets the criteria of the State Department of Conservation. Based on that estimate, in order to complete reclamation consistent with the approved reclamation plan, a security in the amount of \$20,910.02 is required.

RECOMMENDATION:

The Planning Department recommends that the Mt. Shasta City Council approve an estimated cost of reclamation at \$20,910.02 for the Springhill Mine #91-47-0015/Sousa Ready Mix, Inc., with the following Finding:

Finding:

Upon receipt of an acceptable financial assurance in the amount of \$20,910.02, this project will comply with the Surface Mining and Reclamation Act and city statute.

It is proposed by the applicant that the calculated amount is proposed in the form of a cash deposit to be held at the Redding Bank of Commerce.

Financial Assurance shall include the City of Mt. Shasta, and the State Board of Conservation as holders. In the event Sousa Ready Mix does not meet reclamation requirements, the City of Mt. Shasta will be the responsible agency for assuring reclamation. Should the city not follow through on the reclamation of the land, the State would assume the bond and reclamation completion. (Telephone confirmation: Alice Singh, Staff Analyst, State Department of Conservation 04/29/93, 2:25 p.m.)

