



Siskiyou County
Planning Commission Supplemental Staff Report
August 21, 2024

New Business Agenda Item No. 2.9
Nash Pit (UP-98-08) and SP-24-02

Property Owners: Steven & Dusty Nash
5816 N Highway 3
Etna, CA

Project Summary Use Permit 98-08 Revocation

Location: South of the community of Greenview, East of Highway 3, on APNs 024-242-140 and 024-242-150; Township 43N, Range 9W, Section 32, MDB&M (Latitude 41°32'19" N, Longitude 122°54'22" W).

Exhibits:

- A. Nash Pit UP-98-08
- B. Reclamation Determination by Lead Agency
- C. Determination concurrence by the State Agency
- D. Letter from Property Owner
- E. Draft Resolution PC-2024-022

Background

Land Use Permit UP-91-20 was approved by the Siskiyou County Planning Commission on November 3, 1999 (Exhibit A) for a gravel mine operation. This Use Permit automatically terminated and all rights thereunder rescinded when, once established, not used for one year, Notation #1 of the Use Permit. The notation also allows for one two-year extension subject to county review and approval.

Notations:

1. This use permit is automatically terminated and all rights thereunder rescinded when not used for the above purpose within two years of approval or, if once established, not used for one year. One, two year time extension may be granted subject to county review and approval (Ordinance 90-22)

Figure 1: Use Permit UP-91-20 Notation #1

According to Inspection and production reports on file, the Nash Pit was never mined. A site inspection was conducted in April of 2016 in which Siskiyou County, as the Lead Agency, determined that reclamation was unnecessary as no land disturbance has occurred due to mining activity. The determination was sent to California Department of Conservation, Division of Mine Reclamation (DMR formerly Office of Mine Reclamation OMR) on April 6, 2016 (Exhibit B) and DMR responded with their concurrence (Exhibit C) on August 18, 2016.

On April 16, 2016, Steve and Dusty Nash, property owners, submitted a letter to the Planning Division expressing their desire to close the mine but retain the use permit (Exhibit D).

As the Use Permit was never used for the purpose permitted, the permit automatically terminated and to formalize the termination of the Use Permit, staff believe it is appropriate for the corresponding use permit to be revoked in accordance with Siskiyou County Code Section 10-6.1402.



Figure 2: Nash Pit - Aerial Image showing existing site conditions (8/15/2023)

Discussion

Conditional Use Permits run with the land and benefit successor property owners. In order to formalize the termination of a Use Permit due to the closure of the mine site and conclusion of the effective date, the permit would need to be formally revoked through notice to the current property owner and a hearing.

Under the Siskiyou County Code (Section 10-6.1402), before the Board shall consider the revocation of any permit, the Planning Commission shall hold a public hearing thereon after giving written notice thereof to the permittee at least ten (10) days in advance of such hearing and in the same time and manner provided by law. Within five (5) days thereafter, the Planning Commission shall transmit a report of its findings and its recommendations on the revocation to the Board.

Findings

The following finding must be made in order for the Planning Commission to recommend revocation to the Board of Supervisors:

Use Permit UP 98-08 was not used for the permitted purpose within two years of approval and therefore automatically terminated as identified in Notation #1.

Environmental Review

The revocation of a use permit is considered to be a Class 21 Categorical Exemption pursuant to Section 15321 of the California Environmental Quality Act (CEQA), Enforcement Actions by Regulatory Agencies.

Comments

No comments have been received at the time this staff report was written.

Planning Commission Staff Report August 21, 2024

Planning Staff Recommendations

- Adopt Resolution PC-2024-022 taking the following actions:
 1. The Planning Commission recommends that the Board of Supervisors find pursuant to Siskiyou County Code 10-6.1402 that UP-98-08 is no longer effective and should be revoked.
 2. The Planning Commission recommends that the Board of Supervisors revoke use permits UP-98-08.
 3. The Planning Commission determines this project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321.

Suggested Motion

I move that we adopt Resolution PC-2024-022, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permit of Nash Pit (UP-98-08), Make All Necessary Findings Required Under the Siskiyou County Municipal Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

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

RECEIVED
VANCOUVER, WASHINGTON

SISKIYOU COUNTY PLANNING COMMISSION
LAND USE PERMIT

SEP 19 02

PERMISSION IS HEREBY GRANTED TO:

Steve and Dusty Nash
5816 North Highway 3
Etna, CA 96027

<u>ENV</u>	<u>PS</u>	<u>DIV</u>
SP - JD -	PB - DS -	DC -
CN - JL -	BE - JD -	AK -
RR - AZ -	TV - RZ -	SH -
TC - KP -	TM -	PD -
CB - SC -	SS -	JG -
FR - RK -	MS -	SF -
GS - DR -	TP -	
SF - MD -	JM -	
DC - LV -		
TK - TT -		

PURPOSE: For a gravel mine operation.

PROPERTY LOCATED: The mine site is located in Scott Valley, ±1 mile south of the community of Greenview, south of Kidder Creek and immediately east of the State Highway at 5316 North State Highway 3 in T43N, R9W, Section 32, MDB&M; APNS: 024-242-140 and 024-242-150.

SUBJECT TO THE FOLLOWING BEFORE THE USE COMMENCES:

Conditions:

1. The use shall be in accordance with the approved plot plan and project description. The Planning Department shall be notified in writing 30 days prior to commencement of mining activity and upon resumption in subsequent calendar years.
2. All county road and yard setbacks must be met.
3. 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 pursuant to Section 10-11.04(b)[2].
4. The operator shall obtain a Hazardous Materials Business Plan from the Health Department for the storage of more than 55 gallons of liquid, 500 pounds of a solid or 200 cubic feet of a compressed gas. The discharge of hazardous waste into a septic system is prohibited. In addition, the site shall be made accessible for annual inspection purposes to review the site for conformance with all applicable laws regarding hazardous waste handling and storage (Mitigation 13). A copy of the approved plan shall be submitted to the Planning Department.
5. Prior to Use Permit issuance, the operator shall provide a copy of the Spill Prevention Control and Counter Measure Plan to the Health and Planning Departments.
6. Prior to quarry operations, the operator shall obtain Encroachment Permits for the existing landowner's driveway and the proposed access into Phases 1 and 2. As a part of the encroachment process, the operator shall upgrade the proposed access road located south of the existing landowner's driveway and shown to be the southern entrance into the quarry (Phases 1 and 2) as reflected on the site plan to a type "C" standard road connection. In addition, the landowner's driveway will be required to be upgraded to a type "D" standard road connection. This shall be completed to the satisfaction of the California Department of Transportation, District 2 (Mitigation 11).
7. If cultural or historical resources are encountered during subsequent development, the Planning Department shall be notified and all work should halt pending evaluation of the find by a Registered Archeologist. (Mitigation 18).
8. The operator shall maintain a 10-foot wide buffer minimum between quarrying activities and prime agriculturally zoned land as depicted on the zoning map of Siskiyou County. Prior to commencing mining activities, prime agricultural land shall be staked or otherwise identified to prohibit encroachment of mine activities to the satisfaction of the Planning Department.

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9. Hours of operation for mining activities, including trucks, shall be limited to Monday through Friday, 7 am to 5 pm. Use of equipment for watering of access roads for dust abatement may occur outside the specified hours of operation. The performance of routine maintenance on mine equipment may occur up to 9 pm, Monday through Friday, and Saturday 8 am to 4 pm.
10. Prior to commencing mining operations, vegetative screening shall be planted and maintained within the 100-foot front yard and side yard setbacks of the project. Vegetation shall be planted densely and continuously across these setbacks. Willows and Cottonwoods shall be obtained and planted as rooted cuttings during their dormant season at 8-foot on center. Shrubbery shall be obtained as containerized units and planted at 5-foot on center to establish a dense vegetative screen for the purpose of obscuring mining activities from highway travelers as they approach and pass the site. Vegetation shall be drip irrigated to foster plant growth and replaced if the initial planting does not establish the required density. The following species shall be utilized:
 - Rabbitbrush (*Chrysothamnus nauseosus*)
 - Buckbrush (*Ceanothus cuneatus* var. *caneatus*)
 - Antelope bush (*Purshia tridentata* var. *tridentanta*)
 - Black cottonwoods (*Populus Balsamifera*, ssp. *tricocarpa*)
 - Dusky willows (*Salix Melanopsis*)
11. Lighting shall be limited for security purposes only. The operator shall utilize low sodium lights with hoods and shielding of exterior lighting fixtures to limit light exposure on site. This shall be completed to the satisfaction of the Planning Department consistent with Section 10-6.5602, Siskiyou County Code (Mitigation 17).
12. The applicant shall prepare a Dust Abatement Plan to mitigate fugitive dust through the utilization of spray bars on crushing equipment and shall provide a water tender on site to ensure roadways, stockpiles and machine areas are adequately watered to prevent fugitive dust during site operations, to the satisfaction of the Air Pollution Control Officer of Siskiyou County.
13. As a part of immediate mining operations, the operator shall establish a noise berm between the rock crusher and the landowner's residence to mitigate ambient noise to a less than significant level in compliance with the Noise Element. The berm shall be at least 12 feet high and located as depicted on the site plan (Mitigation 14).
14. During quarrying operations, the landowner shall provide a chemical toilet on site and bottled drinking water for employees, to the satisfaction of the Health Department (Mitigation 15).
15. Prior to commencing mining operations, the operator shall establish safety hazard signs alerting drivers on State Highway 3 to slow moving and cross traffic in the vicinity. The signs shall be positioned approximately 300 yards north and south of the proposed quarry access road along State Highway 3. In addition, a sign shall be posted along the access road alerting drivers to traffic on State Highway 3. All safety signs shall be approved by CalTrans prior to installation (Mitigation 12).
16. The landowner/operator shall comply with all Federal, State and Local laws as may be applicable.

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17. By August 15 of each calendar year, the landowner/operator shall submit to the Planning Department the required annual inspection fee and make said mine available for inspection as required by Section 10-5.115(b) of County Code.
18. The landowner/operator shall submit to the Planning Department an annual status report on a date established by the Department of Conservation upon forms furnished by the State Mining and Geology Board consistent with Section 10-5.115(a) of County Code.
19. No mining shall occur where groundwater is encountered. If groundwater is encountered, said areas shall be filled with stockpiled overburden to recover said areas and no further depth excavation shall occur. Fuel dispensers shall be maintained free of leaks and covered when not in use. Any tank or petroleum product container surface containing petroleum residues shall be covered to avoid rainwater contact. Rainwater captured by containment structures shall be inspected by the operator for the presence of petroleum product prior to removal. All rainwater captured by containment structures and containing petroleum products shall be contained and stored for appropriate treatment or disposal. Records of treatment and disposal at a licensed facility shall be maintained by the operator and made available to the Planning Department upon request (Mitigation 9).
20. Prior to Use Permit approval the landowner/operator shall establish a Mitigation Monitoring Program consistent with Article 29, Siskiyou County Code.
21. Prior to commencing mining operations, the operator shall implement a Storm Water Pollution Prevention Plan to mitigate potential stormwater pollutants resulting from industrial operations (Mitigation 7).
22. The operator/landowner shall engineer and construct a berm along the northern and eastern perimeter of the Phase I excavation area to create a barrier between the mine and potential flood waters. Said berm shall be established to the same height as the existing top of bank elevation for the dike located immediately upstream of the State Highway 3 bridge on the right bank of Kidder Creek which is at an elevation of ± 2800 feet above sea level. The height of the berm shall be verified by a Registered Professional Engineer and the Planning Department provided a copy of the Engineer's design and approval for the installation of the berm.
23. As mining operations commence, the operator shall implement the Storm Water Monitoring and Reporting Program as reflected in the project proposal and provide the Planning Department copies of the results of all tests conducted and inspections completed.
24. Prior to commencing mining operations, the operator shall obtain an Air Quality Permit from the Air Pollution Control Officer of Siskiyou County. A copy of the issued permit shall be provided to the Planning Department.
25. Mining shall not occur in Phase 3 when standing water is present in the quarry.
26. Transport trucks will follow the Streets and Highways Code Section 23114. This section requires covering of aggregate loads or a minimum of freeboard to prevent material spills and minimize dust. This procedure will be followed on all haul roads, not just highways. When hauled material is subject to wind blowing, transit trucks will cover their loads.

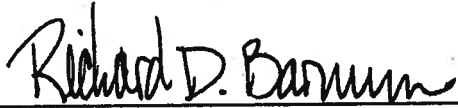
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27. Within 90 days of completing an aggregate contract, all mining equipment shall be removed from the project site and no night security lighting shall be utilized.
28. The Planning Department shall be notified within 90 days of the quarry becoming idle, consistent with SMARA Section 2770(h)1 and County Code Section 10-5.110.
29. Prior to commencing mining operations in any calendar year, test wells shall be drilled between March 1 and April 30th in locations determined by the Planning Department in Phases 1, 2 and 3 and certified by a registered professional engineer to establish the proximate depth of groundwater. The operator shall provide a copy of the results of the drilling report to the Planning Department. Once the depth to groundwater has been determined, the operator shall attempt to maintain a 1-foot separation between groundwater and the maximum depth of quarrying activities.
30. The operator shall control any seepage from the adjacent Jenner irrigation ditch into the quarry.
31. There shall be no operation of the Nash Quarry by any operator who is actively in violation of County Codes or State Law as a result of any mining operation elsewhere in the County until such time remediation takes place.

Notations:

1. This use permit is automatically terminated and all rights thereunder rescinded when not used for the above purpose within two years of approval or, if once established, not used for one year. One, two year time extension may be granted subject to county review and approval (Ordinance 90-22)
2. An agreement has been reached between property owner Nash and irrigation ditch owner Jenner, establishing a total setback of 100 feet along the length of the Jenner irrigation ditch to assure seepage will not occur from the irrigation ditch into the quarry.

DATE: November 3, 1999
APPROVED



Richard D. Barnum, Secretary
Siskiyou County Planning Commission

DATE
ISSUED: September 13, 2002

cc: SHN Consulting Engineers
Kiewit Pacific Company, Inc.
Public Works, B. McDermott
Building Department, B. Fiock
Assessor, C. Preble
Health Department



COUNTY OF SISKIYOU

COMMUNITY DEVELOPMENT DEPARTMENT
Building ♦ Environmental Health ♦ Planning
806 South Main Street Yreka, California 96097
Phone: (530) 841-2100 · Fax: (530) 841-4076
www.co.siskiyou.ca.us/phs

GREG PLUCKER
DIRECTOR

STEPHEN KOLPACOFF, M.D.
HEALTH OFFICER

April 6, 2016

Mr. Roger Le-Hinds
Department of Conservation
Office of Mine Reclamation
801 K Street, MS-09-06
Sacramento, CA 95814-3530

RE: 2016 Closure Inspection Report (MRRC-1) of the Nash Pit Quarry; California Mine ID# 91-47-0057

Dear Mr. Le-Hinds,

Pursuant to PRC Section 2774(b) of the Surface Mining and Reclamation Act (SMARA) an inspection of the Nash Pit Quarry, CA Mine ID# 91-47-0057, was conducted by this Department on April 5, 2016. Enclosed for your review and records is a copy of the inspection report (MRRC-1), a photo log of the inspection, a copy of the approved Use Permit UP-98-08 and Reclamation Plan RP-98-05 for this mine site. No violations of SMARA were noted and this Department, following the completion of this inspection, has determined that the reclamation of this mine site is unnecessary as active mining or land disturbing activity associated with this mine site has not occurred. This Department, as the lead agency for Siskiyou County, has determined that there remains no outstanding reclamation liabilities associated with this closed mining operation. A Financial Assurance Cost Estimate, prepared by the lead agency, pursuant to CCR Section 3805.5(a)(2) is included with this closure report for your review and records. Please contact this Department if you should have question or concerns in regards to this matter.

Sincerely,


William J. Navarre, REHS
Deputy Director of Environmental Health

Cc: Mr. & Mrs. Steve Nash

Enclosures (5)

BUILDING
Michael Crawford, Deputy Director
Telephone: (530) 841-2100
Fax: (530) 842-0111

ENVIRONMENTAL HEALTH
William J. Navarre, Deputy Director
Telephone: (530) 841-2100
Fax: (530) 841-4076

PLANNING
Richard Tinsman, Deputy Director
Telephone: (530) 842-8203
Fax: (530) 841-4076

Exhibit B

SURFACE MINING INSPECTION REPORT

(See reverse side of each form page for completion instructions)

I. Mine Name (As Shown on Approved Reclamation Plan) NASH PIT QUARRY	Inspection Date: April 5, 2016	CA MINE ID# 91- 47-0057
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II. Mine Operator Steve & Dusty Nash		Telephone (530) 598-0242
Onsite Contact Person Steve & Dusty Nash		Telephone (530) 598-0242
Mailing Address 5816 North Highway 3		
City Etna	State CA	ZIP Code 96027
E-mail Address (optional)		

III. Designated Agent Same as Operator		Telephone ()
Mailing Address		
City	State	ZIP Code
E-mail Address (optional)		

IV. SMARA Lead Agency Name (City, County, BCDC, or SMGB) Siskiyou County		
Inspector Bill Navarre		Telephone (530) 841-2112
Title Deputy Director of Environmental Health	Organization	
Mailing Address 806 South Main Street		
City Yreka	State CA	ZIP Code 96097
E-mail Address (optional) bnavarre@co.siskiyou.ca.us		

V. Does the operation have:	P	NR	No	Yes
A Permit to Mine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permit # - Start and Expiration Dates UP-98-08; Approved on November 3, 1999; No End Date Established Year of Lead Agency determination
Vested Right to Mine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
A Reclamation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RP# RP-98-05 Date Approved November 3, 1999 RP Amendment # (as applies) Date Approved or Status of Amendment
Reclamation Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Has the Operator filed a Mining Operation Annual Report (Form MRRC-2) this Year? Check One: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Year of Most Recent Filed Annual Report: 2014				

VI. Is this Operation on Federal Land? Check One: If "Yes," Provide One or Both of the Federal Mine Land Identification Numbers Below: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
California Mining Claim Number (CAMC#): N/A	Latitude/Longitude at Mine Entrance (Decimal Degrees):
U.S. Forest Service or BLM Identification Number (Plan of Operations #): N/A	Status of Plan of Operations (Current/Expired/In Process): N/A

DISTRIBUTION: Lead Agency sends copies of inspection notice & completed MRRC-1 to operator, operator's designated agent, BLM or USFS (if required) & retains original.

SURFACE MINING INSPECTION REPORT

VII. Financial Assurance		Inspection Date: April 5, 2016	CA MINE ID#: 91-47-0057	
Type of Financial Assurance Mechanism(s)	Financial Assurance Mechanism Number(s)	Amount of Mechanism	Date of Expiration	Date of Lead Agency Approval of Mechanism
Certificate of Deposit	CD# 174009150	\$2,854.85	Automatic Renewal	February 4, 2014
Total Amount of Mechanism(s)		\$2,854.85		
<input type="checkbox"/> Financial Assurance Mechanism Pending Review by Lead Agency? If yes, provide date submitted/explanation and amount of pending mechanism:				
Has there been a change of operator since last inspection? If yes provide the date of notice. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date of Change:	If yes, has the new operator posted a Financial Assurance Mechanism? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, describe status of new operators Financial Assurance Mechanism:			Does new operator's Notice of Change include a statement of responsibility for reclamation? <input type="checkbox"/> Yes <input type="checkbox"/> No

Date and Amount of Most Recent Approved Financial Assurance Cost Estimate:	Date: February 4, 2014 Amount: \$2,852.00
<input type="checkbox"/> Financial Assurance Cost Estimate Pending Review with Lead Agency?	Date Submitted/Explanation/Amount of pending estimate:
<input type="checkbox"/> Financial Assurance Cost Estimate Appealed by Operator?	Date Submitted to State Mining and Geology Board or Lead Agency for Appeal/Explanation:
<input type="checkbox"/> Other?	

DISTRIBUTION: Lead Agency sends copies of Inspection notice & completed MRRC-1 to operator, operator's designated agent, BLM or USFS (if required) & retains original.

Exhibit B

SURFACE MINING INSPECTION REPORT

VIII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VIII on reverse side of page. [Use separate sheet(s) where necessary. Refer to item numbers below]		CA MINE ID # <div style="font-size: 1.5em; font-weight: bold;">91- 47-0057</div>	
Potential Reclamation Plan Requirements:	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note Site Conditions and Compliance Issues (Note additional comments on Page 5 as necessary)	VN?
1) General Information	See Attachment #1		<input type="checkbox"/>
a) Permitted Mineral Product(s)			
b) Approved Production Amount <small>(Annual/Gross)</small>			
c) End Date of Operations Per RP			
d) Permit end date			
e) End Use			
2) Boundaries			<input type="checkbox"/>
a) Property Boundary			
b) Permit Boundary			
c) Rec. Plan Boundary (RPB)			
d) Setbacks			
3) Slopes – Grading			<input type="checkbox"/>
a) Fill Slopes – Note Condition of:			
i) Slopes – Working (max/current)			
ii) Slopes – Reclaimed			
iii) Compaction			
b) Cut Slopes – Note Condition of:			
i) Slopes – Working (max./current)			
ii) Slopes – Reclaimed			
4) Erosion Control			<input type="checkbox"/>
a) BMPs			
b) Grading			
c) Vegetation			<input type="checkbox"/>
5) Ponds			<input type="checkbox"/>
a) Design – Function			
b) Capacity (area/depth/volume)			
c) Maintenance			<input type="checkbox"/>
6) Stream & Wetland Protection			<input type="checkbox"/>
a) Buffers (distance to channel)			
b) Berms (distance/length/height)			
c) Best Management Practices			
d) Drainage			
e) Grading & Slopes			
f) Stockpiles			
g) Stream Diversions			
7) Sensitive Wildlife & Plant Protection			<input type="checkbox"/>
a) List Species			
b) Protection Measures			

DISTRIBUTION: Lead Agency sends copies of inspection notice & completed MRRC-1 to operator, operator's designated agent, BLM or USFS (if required) & retains original.

SURFACE MINING INSPECTION REPORT

VIII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VIII on reverse side of page. [Use separate sheet(s) where necessary. Refer to Item numbers below]		CA MINE ID # 91- 47-0057	
Potential Reclamation Plan Requirements:	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note Site Conditions and Compliance Issues (Note additional comments on Page 5 as necessary)	VN?
8) Soil/Overburden Stockpile Management			<input type="checkbox"/>
a) Topsoil			
i) Location			
ii) Slope Stability			
iii) BMPs			
b) Overburden			
i) Location			
ii) Slope Stability			
iii) BMPs			
c) Topsoil Application			
i) Amendments			
ii) Depth			
iii) Moisture			
iv) Application Methods			
9) Revegetation			
a) Test Plots			
b) Species Mix			
c) Density			
d) Percent Cover			
e) Species Richness			
f) Protection			
g) Success Monitoring			
h) Invasive Species Control			
10) Structures			<input type="checkbox"/>
11) Equipment			<input type="checkbox"/>
12) Closure of Adits			<input type="checkbox"/>
13) Other Reclamation Plan Requirements			<input type="checkbox"/>

DISTRIBUTION: Lead Agency sends copies of Inspection notice & completed MRRC-1 to operator, operator's designated agent, BLM or USFS (if required) & retains original.

SURFACE MINING INSPECTION REPORT

IX. List comments/description/sketches to support observations of mine site conditions, including violations. Where any violations are noted, list in numerical order, along with suggested corresponding corrective actions. Also describe preventative measures recommended by the inspector to avoid or remedy potential violations. Indicate if you have attached photos, sketches, and/or notice(s) of violation(s) or other documents to this form.
(Add additional sheets as necessary)

No violations were noted during this inspection. This mine site is considered a newly permitted mine and has not conducted land disturbing activity in association with the use permit and reclamation plan. Reclamation of this mine site has been determined by the lead agency to be unnecessary as no land disturbance has occurred due to mining activity. The Community Development Department, as lead agency for the SMARA program for Siskiyou County, has determined that reclamation has been completed in accordance with California Code of Regulation (CCR) Section 3805.5 and that there are no outstanding reclamation liabilities.

The following documents pertinent to this inspection report are attached:

- 1) A Financial Assurance Cost Estimate prepared by the lead agency pursuant to CCR Section 3805.5(a)(2) indicating that there are no further outstanding reclamation liabilities associated with this closed mine site.
- 2) A photo documentation of the inspection report.
- 3) Copy of Reclamation Plan RP-98-05.
- 4) Copy of Use Permit UP-98-08.

Active mining has not occurred at this site and the owner/operator has indicated his intent not to mine this site. No ground disturbing activity associated with the mine has occurred.

A Financial Assurance Mechanism (FAM) in the form of a certificate of deposit is currently being held in safekeeping with the Siskiyou County Treasurer's Office. Upon acknowledgment from OMR that the land has remained undisturbed from mining activity and concurs with the lead agency's determination that no further outstanding reclamation liabilities remain, the lead agency will release its interest in the Financial Assurance Mechanism (FAM) for this closed mine site.

CA MINE ID #

91- **47-0057**

Inspection Date:

April 5, 2016

Weather Code(s):

CR

Duration of Inspection: 30 Minutes

Start Time: **11:00 pm**

End Time: **12:00 pm**

Status of Mine Code(s):

NP

Status of Reclamation Code(s):

RC

Approximate Acreage Under Reclamation:

None

Approximate Acreage the lead agency has determined reclaimed in accordance with the approved reclamation plan: **None**

Approximate Total Disturbed Acreage:

None

Approximate Pre-SMARA Disturbed Acreage:

None

Disturbed Acreage Identified in Most Recent Financial Assurance Cost Estimate:

None

Previous Inspection Date (and Number of Violations then Noted):

October 12, 2015; No Violations

Violations Corrected? (explain in block to left)

N/A

Inspection Attendees and Affiliations:

X. Number of Current Violations:

No Violations Noted

Inspectors Signature: 

Date Signed: **4-6-2016**

If inspector is a contractor for the lead agency give license type and number.

2016 Surface Mining Inspection Report
Nash Pit Quarry; CA Mine ID# 91-47-0057
April 5, 2016

MRRC-1, Section VIII

1) General Information

Reclamation Plan Requirements

The Reclamation Plan RP-98-05 and Use Permit UP-98-08 were approved on November 3, 1999 by the Siskiyou County Planning Commission for a 33 acre mine site located on two (2) parcels identified as Assessor Parcel Numbers 024-242-140 and 024-242-150. The quarry consists of two extraction areas divided into three separate phases. Phases I & II represent the first area of extraction and account for 28 acres of the mine site. The second area is Phase III and it accounts for 5 acres of the site. Use Permit condition #26 prohibits active mining to occur within Phase III when standing water is present. Prior to site development the boundaries of the quarry shall be surveyed and permanent field markers shall be established. Operations conducted at the quarry site will include the excavation, crushing and screening of aggregate materials. Phase I will result in the removal of approximately 367,000 cubic yards of rock covering an area of approximately 19 acres. Phase II will account for approximately 180,500 cubic yards and Phase III for approximately 87,500 cubic yards for a total estimate of 635,000 cubic yards for the 33 acre mine site.

Following completion of mining and reclamation of the disturbed areas, the site is to be utilized for sub-irrigated and non-irrigated pasture.

The site is located approximately 1 mile south of Greenview, California in the northern half of Section 32, T43N, R9W, MDBM. Access to the quarry is from State Highway 3 by means of a private gravel road. In the description of operations it is noted that the mine will be intermittent with an expected life of 10-15 years. An end date of mining operations for this site was not established under either the use permit or the reclamation plan.

No mining is to occur if groundwater is encountered. Prior to conducting mining operations in any of the three (3) phases of the quarry, test wells are to be drilled to determine the depth to groundwater between March 1 and April 30th. Once a groundwater elevation has been determined for that mining phase, extraction operations shall maintain a separation between groundwater and the maximum depth of mining.

Use Permit Condition #10, a vegetative screening shall be planted along the front and side yards of the property to provide a visual screen from the highway.

Site Conditions and Compliance Issues Noted

A copy of the 2014 Mining Operational Annual Report (MRRC-2) was received by the lead agency on July 1, 2015. Active mining has not occurred on this site as of this date. The

submitted MRRC-2 report indicates a newly permitted mine reflective of the observed inactivity of this site.

A Financial Assurance Cost Estimate was prepared by the lead agency (Copy Enclosed) pursuant to CCR Section 3805.5(a)(2) indicating that there are no further outstanding reclamation liabilities associated with this closed mine site.

A Financial Assurance Mechanism (FAM) in the form of a certificate of deposit is currently being held in safekeeping with the Siskiyou County Treasurer's Office. Upon acknowledgment from OMR that the land has remained undisturbed from mining activity and concurs with the lead agency's determination that no further outstanding reclamation liabilities remain, the lead agency will release its interest in the Financial Assurance Mechanism (FAM) for this closed mine site.

Vegetative screening of the front yard was initiated by the property owners, but due to the lack of continued irrigation of these plantings, the vegetation has died.

2) Boundaries

Reclamation Plan Requirements

The 33 acre mine site is located within two (2) parcels owned by the mine operators. The depth of mining is restricted by the depth of the determined groundwater depth as measured annually between March 1st and April 30th of the year in which mineral extraction is to occur.

In accordance with the reclamation plan the boundaries of the quarry, including each separate phase and the top of the slopes of each mining phase prior to extraction of the mineral resource. Permanent markers of the surveyed boundaries are to be established in the field in order to ensure compliance with the reclamation plan.

Per Condition #8 of the Use Permit, a minimum 10 foot wide buffer of undisturbed land shall be maintained between the quarry activity and the prime agriculturally zoned (AG-1) land as depicted on the zoning map of Siskiyou County and as shown on the site maps of the approved reclamation plan.

Site Conditions and Compliance Issues Noted

Mining operations have not occurred. The owner/operator of this mine site has indicated his intention to close the mine site and will not be conducting surface mining on these parcels.

3) Slopes – Grading

Reclamation Plan Requirements

The depth of mining is restricted and dependent upon the determined depth of the seasonal groundwater elevation as determined between March 1st and April 30th. The final grade of the quarry floor within Phases I and II will have a slight (1-1.5%) easterly gradient. The final slope of the quarry floor within Phase III will have a slight northerly gradient (1.5%).

Excavation slopes along the perimeter of the extraction area with the exception of the western slopes of Phase II and Phase III, will have final 3H:1V slopes. The western limits of the extraction areas of Phase II and Phase III are to be sloped at a 2H:1V slope angle.

Site Conditions and Compliance Issues Noted

Active mining of this quarry has not occurred and the owner/operator of this mine site has indicated his intention to close the mine site and will not be conducting surface mining on these parcels. The extraction of minerals or surface disturbance activity associated with mining has not occurred at this site.

Erosion Control

Reclamation Plan Requirements

Topsoil stockpiles are to be mulch and seeded to prevent erosion of these temporary stockpiles prior to reclamation of the mine site. The sloped perimeter limit of the three (3) mining phases required the redistribution of salvaged topsoil on these slopes and on the quarry floor. Revegetation of these slopes is required to prevent erosion.

Site Conditions and Compliance Issues Noted

Active mining or land disturbance activity has not occurred on this quarry site. The owner/operator of this mine site has indicated his intention to close the mine site and will not be conducting surface mining on these parcels.

4) Ponds

Reclamation Plan Requirements

No natural ponds exist within the approved boundary of the mine. A portion of the Phase III excavation has been designed to function as a seasonal stock watering pond. The stock watering pond will be formed when a portion of the Phase III excavation base floor is inundated by shallow groundwater.

Site Conditions and Compliance Issues Noted

No ponds currently exist on the site.

6) Stream & Wetland Protection

Reclamation Plan Requirements

There are no streams or designated wetlands located on this mine site.

7) Sensitive Wildlife & Plant Protection

No sensitive plant or wildlife species were identified to inhabit this area where the quarry resides.

8) Soil/Overburden Stockpile Management

Reclamation Plan Requirements

Topsoil is to be salvaged and stockpiled in an area identified on the site maps for this purpose. The area identified for stockpile storage of salvaged topsoil is northwest of Phase I. Topsoil stockpiles are to be seeded with orchard grass, wild rye, velvet grass and vetch at a rate of 50 pounds per acre. Seeding during the summer or falls months will require the placement of erosion control matting. A straw mulch may be used if the seeding of these stockpiles is conducted during the winter or spring months. Topsoil will be salvage immediately proceeding each phase of the mining operations. The depth of topsoil salvaged will be based upon the actual depth mapped (Figure 4 of the reclamation plan) and upon visual observations conducted in the field.

Site Conditions and Compliance Issues Noted

Active mining of this quarry has not occurred at the present time. The owner/operator of this mine site has indicated his intention to close the mine site and will not be conducting surface mining on these parcels.

9) Revegetation

Reclamation Plan Requirements

The revegetation plan under RP-98-05 consists of the redistribution of topsoil over the quarry floor and the side slopes of each phase of operations. Prior to the redistribution of topsoil, the pit floor of the quarry is to be ripped 6 to 12 inches deep. Side slopes are to be track walked perpendicular to the slope. Reseeding will consist of a mixture of pasture grasses containing fescue and red clover with an application rate of 50 pounds per acre. Sloped surfaces will be mulched with straw at a rate of 1 to 1.5 tons per acre.

Revegetation efforts are to meet a minimum 80% coverage.

Site Conditions and Compliance Issues Noted

Revegetation has been determined by the lead agency as unnecessary as active mining or disturbance of lands associated with conducting mining activity has not occurred on this mine site. The owner/operator of this mine site has indicated his intention to close the mine site and will not be conducting surface mining on these parcels.

10) Structures

Reclamation Plan Requirements

All equipment and structures are to be removed from the site during final reclamation.

Site Conditions and Compliance Issues Noted

No permanent structures are currently located on the mine site.

11) Equipment

Reclamation Plan Requirements

All equipment is to be removed from the site upon final reclamation.

Site Conditions and Compliance Issues Noted

No equipment is currently present on the mine site.

12) Closure of Adits

No adits exist on this mine site.

Photo Supplement to the 2016 Closure Inspection Report
Nash Pit Quarry; California Mine ID# 91-47-0057
April 5, 2016

Photograph #1



View of Phase III (5 acres) looking west toward Hwy 3

Photograph #2



View of Phase III from the ranch access roadway.

Photograph #3



View of Phase I looking to the SE from the home site.

Photograph #4



Phase II (10 acres) as seen from Highway 3.

Photograph #5



View of the west 1/2 of Phase III looking northwest.

Photograph #6



View of the northwest corner of Phase II.

Photo Supplement to the 2016 Closure Inspection Report
Nash Pit Quarry; California Mine ID# 91-47-0057
April 5, 2016

Photograph #7



Phase II as viewed from Highway 3 looking southeast.

Photograph #8



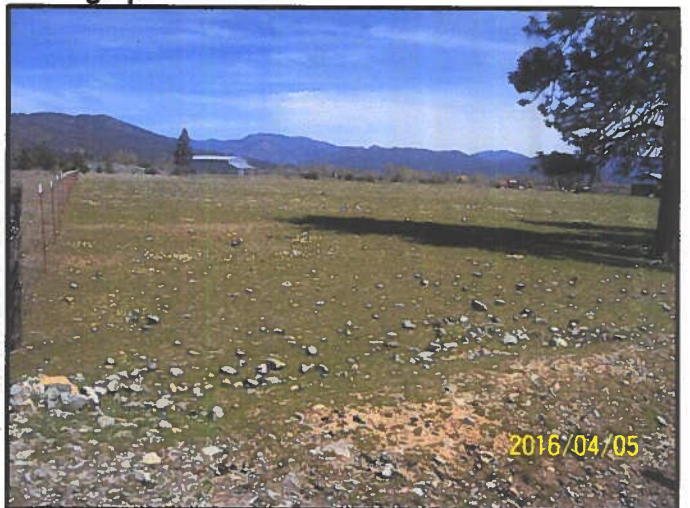
Phase III looking west toward Highway 3.

Photograph #9



Phase I as view from the home site looking east.

Photograph #10



Phase III looking north from the SW corner of the site.

Photograph #11



Portion of Phase II looking SW towards highway 3

Photograph #12



Phase I looking east from the west end of the site.



State of California • Natural Resources Agency
Department of Conservation
Office of Mine Reclamation
801 K Street • MS 09-06
Sacramento, CA 95814
(916) 323-9198 • FAX (916) 445-6066

Edmund G. Brown Jr., Governor
Pat Perez, Assistant Director

April 18, 2016

VIA EMAIL: bnavarre@co.siskiyou.ca.us
ORIGINAL SENT BY MAIL

RECEIVED APR 19 2016

Mr. William Navarre
County of Siskiyou
Public Health and Community Development Department
806 South Main Street
Yreka, California 96097

Dear Mr. Navarre:

RE: RELEASE OF FINANCIAL ASSURANCE FOR NASH QUARRY, CA MINE ID # 91-47-0057
SISKIYOU COUNTY, CALIFORNIA

The Department of Conservation's Office of Mine Reclamation (OMR) received documents on April 7, 2016 from Siskiyou County (County), submitted pursuant to California Code of Regulations (CCR), Title 14, Section 3805.5(a), regarding the Nash Quarry (mine), California Mine ID # 91-47-0057. The County is the lead agency for the purposes of the Surface Mining and Reclamation Act of 1975 (SMARA). The County has requested written concurrence from OMR that: (a) reclamation of the site is unnecessary as the site was not mined; and, (b) the financial assurance for the mine can be returned to the operator.

It is our understanding that active mining has not occurred at this site and the owner/operator has indicated their intent not to mine this site. The mine operator is Nash Ranch and the owners of the property are Steve and Dusty Nash.

OMR received the following documents from the lead agency in their submittal:

- A letter from the County, dated April 6, 2016, indicating mining was not performed.
- An MRRC-1 Inspection Report dated April 5, 2016.
- A financial assurance cost estimate for 2016 indicating zero reclamation costs remain for Nash Quarry.
- Site photographs documenting the condition of the site.

OMR staff reviewed the submitted documents and performed a review of recent aerial photography. The intent of the approved reclamation plan was to reclaim the mine to "pasture land". Reclamation of the site has been determined by the lead agency to be unnecessary as no land disturbance has occurred due to mining activity.

OMR concurs with the County that the financial assurance may be released for Nash Quarry. This letter shall serve as confirmation from the Department of Conservation that the County has fulfilled the requirements of CCR Section 3805.5 and may release the financial assurances for Nash Quarry.

Mr. William Navarre
April 18, 2016
Page 2

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 323-9198.

Sincerely,



Pat Perez
Assistant Director

This letter dated April 11th, 2016 is from
Steve + Dusty Nash regarding closure of Nash Pit
Quarry, ID # 91-47-0057. We hereby submit that
we wish to close said mine. However we
wish to retain use permit with the land.

Thank you,

Steve + Dusty Nash
5816 N. Hwy 3,
Etna, CA 96027
530-598-9025
OR
530-598-0242

Resolution PC 2024-022

A Resolution of the Planning Commission of the County of Siskiyou Recommending that the Siskiyou County Board of Supervisors Formalize the Termination of Use Permit for Nash Pit by Revoking Use Permit UP-98-08 and Determine the Project Exempt from the California Environmental Quality Act (CEQA)

Whereas, Use Permit UP-98-08 was approved for the Nash Pit by the Planning Commission on November 3, 1999 for a gravel mine operation that never commenced; and

Whereas, the mine associated with use permit UP-98-08 is closed; and

Whereas, use permit UP-98-08 was not used for the permitted purpose within two years of approval and therefore automatically terminated as identified in Notation #1; and

Whereas, revocation of use permit UP-98-08 is necessary to properly close out the County's associated mine file; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on June 12, 2024; and

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

Whereas, notification of the Community Development Department's intent to seek revocation of UP-98-08 and hearing notices were mailed first class to all property owners of the properties associated with Use Permit UP-98-08; and

Whereas, the Planning Division presented its oral and written staff report on the revocation of UP-98-08 at the Planning Commission's regularly scheduled meeting on August 21, 2024; and

Whereas, on August 21, 2024, the Chair of the Planning Commission opened the duly noticed public hearing on the revocation of UP-98-08 to receive testimony, both oral and written, following which the Chair closed the public hearing and the Commission discussed the revocation of use permit UP-98-08, prior to reaching its decision; and

Whereas, the Planning Division recommended that the revocation of UP-98-08 be determined categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the CEQA Guidelines because this determination is defined as an enforcement action taken by a regulatory agency; and

Now, Therefore Be It Resolved that the Planning Commission, based on the evidence in the record, hereby takes the following actions on the revocation of UP-98-08:

1. The Planning Commission recommends that the Board of Supervisors find pursuant to Siskiyou County Code 10-6.1402 that UP-98-08 is no longer effective and should be revoked.
2. The Planning Commission recommends that the Board of Supervisors revoke use permits UP-98-08.
3. The Planning Commission determines this project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321.

It is hereby certified that the foregoing Resolution PC-2024-022 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 21st day of August 2024, by the following voice vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

Jeff Fowle, Chair

Witness, my hand and seal this 21st day of August 2024.

Hailey Lang, Secretary of the Commission