



Siskiyou County
Planning Commission Supplemental Staff Report
August 21, 2024

New Business Agenda Item No. 2.5
M-1 South Mine (UP-96-07 & UP-03-08) and SP-24-02

Property Owners: Thomas J. Archie Trust
1105 Wetter Way
Red Bluff, CA

Project Summary Use Permit UP-96-07 & UP-03-08 Revocation

Location: On Spring Meadows Road, east of Squaw Valley Road, south of the community of McCloud, on APN 028-450-290; Township 39N, Range 3W, Section 24, MDB&M (Latitude 41°12'48" N, Longitude 122°08'18" W).

Exhibits:

- A. M-1 South UP-96-07
- B. M-1 South UP-03-08
- C. Reclamation Determination by Lead Agency
- D. Determination concurrence by the State Agency
- E. Draft Resolution PC-2024-014

Background

Land Use Permit UP-96-07 was approved by the Siskiyou County Planning Commission on September 4, 1996 (Exhibit A) for an existing rock quarry to remove material to reduce the existing quarry slope. All Mining was to be completed by October 2002 as noted in Condition of Approval #8 (Figure 1) of the Use Permit. UP-96-07 was amended by UP-03-08 (Exhibit B) which was approved by the Siskiyou County Planning Commission on September 3, 2003 and Issued on July 14, 2004 to provide an additional two years to remove material and reclaim the mine as noted as Condition of Approval #17 (Figure 2) of the Use Permit.

8. All mining and reclamation shall be completed not later than October, 2002.

Figure 1: Use Permit UP-96-07 Condition of Approval #8

17. This permit shall expire two years from the date of issuance.

Figure 2: Use Permit UP-03-08 Condition of Approval #17

According to records on file, the M-1 South Rock Quarry had been mined intermittently since the 1950s. In 1996, the owner applied for a Use Permit and Reclamation Plan to bring the site into compliance with County Code and SMARA. Under this Use Permit, it was proposed that they would be able to remove enough material to bench back the quarry face to a stable slope. In 2003 an amendment to the existing Use Permit and Reclamation Plan became necessary as the approved end date had been met and during the course of work under the mining permit, the material encountered was softer than expected. Attempts to remove the softer material to expose bedrock were unsuccessful. A Slope Stability Study was conducted, and it was recommended that additional material be removed to additionally lay back the face. The amendment was approved with the added condition that Slope Stability analysis be completed following the construction of every other bench. Reclamation activities were initiated with the required slope stability reporting being met. A final slope stability report confirmed the stability of the final slope in October of 2009. A site inspection was conducted in November of 2011 in which Siskiyou County, as the Lead Agency, determined that reclamation had been completed. The determination was sent to California Department of Conservation, Division of Mine Reclamation (DMR formerly Office of Mine Reclamation OMR) on August 8, 2012 (Exhibit C) and DMR responded with their concurrence (Exhibit D) on January 25, 2013.

As the mine site has officially been deemed reclaimed in accordance with the approved reclamation plan and to formalize the termination of the Use Permits, staff believe it is appropriate for the corresponding use permits to be revoked in accordance with Siskiyou County Code Section 10-6.1402 as the effective dates of the Use Permits have expired.



Figure 3: M-1 South - Aerial Image showing existing site conditions (07/16/2022)

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 96-07 is expired as the effective period, identified in Condition of Approval #8 has ended.

Use Permit UP-03-08 is expired as the effective period, identified in Condition of Approval #17 has ended.

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 Staff Recommendations

- Adopt Resolution PC-2024-014 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-96-07 and UP-03-08 are no longer effective and should be revoked.
 2. The Planning Commission recommends that the Board of Supervisors revoke use permits UP-96-07 and UP-03-08.
 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-2024-014, A Resolution of the Planning Commission of the County of Siskiyou, Recommending that the Siskiyou County Board of Supervisors Revoke the Use Permits of M-1 South Mine (UP-96-07 and UP-03-08), 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

UP-96-07
AP#: 28-450-290

SISKIYOU COUNTY PLANNING COMMISSION

LAND USE PERMIT

PERMISSION IS HEREBY GRANTED TO:

Archie Thomas
455 Homestead Drive
Red Bluff, CA 96080

Terry Hitchcock
PO Box 872
McCloud, CA 96057

PURPOSE: Use Permit and Reclamation Plan for an existing rock quarry on a 2.25 acre site within a 103.5 acre parcel zoned AG-2-B-40 (Non-Prime Agricultural, 40 acre minimum parcel size). To comply with Surface Mining and Reclamation Act, the Use Permit for mining will allow the applicants to reclaim the site by removing additional material which will result in the reduction of the existing quarry slope. The disturbed area will be revegetated and reclaimed, consistent with the Reclamation Plan.

PROPERTY LOCATED: The project site is located approximately 2.7 miles south of McCloud and approximately 200' southeast of the intersection of Spring Meadows Road and Spring Creek Road in T39N, R3W, Section 24, MDB&M.

SUBJECT TO THE FOLLOWING MITIGATIONS AND CONDITIONS:

Mitigations:

1. The mining operators shall perform any necessary maintenance to the unsurfaced portion of Spring Meadows Road during mining operations. Any potholes or irregular surfaces resulting from mining operations shall be filled and/or graded to maintain roadway conditions.
2. The operator shall place temporary construction area safety fencing between Spring Meadows Road and the sediment retention basin and one construction area caution sign in each direction of Spring Meadows Road prior to Use Permit issuance, to the satisfaction of the Siskiyou County Planning Department.
3. Consistent with general requirements of the California Department of Fish and Game for Secondary Tributaries, no mining activities shall occur within 25' from the outside edge of the existing riparian dripline.
4. All mining and reclamation activities shall be limited to the hours between 8 a.m. and 5 p.m., Monday through Friday only.

Conditions:

1. The use shall be in accordance with the approved plot plan.
2. The Use Permit does not supersede deed restrictions.
3. All county road and yard setbacks must be met.
4. The sediment basin shall be filled and leveled at the time of final reclamation.
5. The operators shall obtain a NPDES General Industrial Storm Water Permit from the Central Valley Regional Water Quality Control Board.

SISKIYOU COUNTY PLANNING COMMISSION

LAND USE PERMIT

6. If materials in the amount of 55 gallons of liquid, 500 pounds of solids or 200 cubic feet of compressed gas are stored on site, a Hazardous Materials Business Plan shall be submitted to and approved by the Siskiyou County Public Health Department. The discharge of waste water associated with the project is subject to prior approval of the California Department of Fish & Game and/or the Regional Water Quality Control Board.
7. If potentially significant unidentified cultural materials are encountered below the surface during the course of future mining activities, all activity shall cease in the area of the find and an archaeological consultation shall be sought immediately.
8. All mining and reclamation shall be completed not later than October, 2002.
9. During project operations, one chemical toilet and bottled drinking water shall be provided on site to the satisfaction of the Siskiyou County Health Department.
10. All mining related equipment shall be removed during periods of non-operation and at the conclusion of mining.
11. During mining and reclamation, the operators shall apply 1-2 lignin applications to Spring Meadows Road per year, as necessary to control dust.
12. The operators shall strip and stockpile the approximately 3 to 5 inches of topsoil which is available in the 0.81 acre not previously disturbed by mining activities. The stockpile shall be covered and/or vegetated to protect from erosion. The topsoil shall be applied where possible prior to revegetation, consistent with the Reclamation Plan.

Notation:

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

DATE: September 4, 1996
APPROVED


Richard D. Barnum, Secretary
Siskiyou County Planning Commission

DATE
ISSUED: October 1, 1996

pc: James G. Bray, RCE
Public Works, L. Inman
Building Department, B. Fiock
Assessor, E. Kische
Health Department
File

**SISKIYOU COUNTY PLANNING DEPARTMENT
LAND USE PERMIT (UP-03-08)**

PERMISSION IS HEREBY GRANTED TO:

Archie Thomas
455 Homestead Dr.
Red Bluff, CA 96080

Terry Hitchcock
P.O. Box 872
McCloud, CA 96057

PURPOSE: To amend the permit to operate the gravel quarry off Spring Meadows Road in McCloud.

PROPERTY LOCATED: The project is located at 536 Spring Meadows Road, $\frac{2}{3}$ -mile east of Squaw Valley Road, south of the town of McCloud; T39N, R3W, Sec 24, MDM; APN: 028-450-290.

SUBJECT TO THE FOLLOWING:

Conditions:

1. The use shall be in accordance with the approved plot plan and project description. It shall include the mitigation measures outlined in the Negative Declaration for Use Permit 96-07 and Reclamation Plan 96-03.
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. The hours of operation shall be limited to 6:00 a.m. through 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday.
4. Prior to Use Permit issuance, a sediment retention basin shall be constructed to contain a 20-year one-hour storm event, to the satisfaction of the Central Valley Regional Water Quality Control Board.
5. Prior to Use Permit issuance, the operator shall prepare an updated Storm Water Pollution Prevention Plan, to the satisfaction of the Central Valley Regional Water Quality Control Board. Quarry operation shall include monitoring and the use of Best Management Practices to prevent or reduce pollutants discharged to storm water.
6. Prior to Use Permit issuance, the applicant shall provide a baseline survey of road condition for Spring Meadows Road. The road shall be maintained in a condition equivalent to or better than its current condition, to the satisfaction of the applicant's engineer, throughout the life of the project.

**SISKIYOU COUNTY PLANNING DEPARTMENT
LAND USE PERMIT (UP-03-08)**

7. Prior to Use Permit issuance, the operator shall demonstrate compliance with applicable air pollution control regulations, to the satisfaction of the County Air Pollution Control Officer.
8. The operator shall continue to maintain a minimum 25-foot disturbance setback from the riparian corridor adjacent to Spring Meadows Creek. Best Management Practices shall be employed at all times to reduce potential harm to the stream and riparian corridor.
9. Construction fencing shall be used between Spring Meadows Road and the quarry.
10. Prior to Use Permit issuance, the applicant shall execute a Reclamation Plan agreement with the County of Siskiyou.
11. Prior to Use Permit issuance, the operator shall enter into a road maintenance agreement to cover the cost of a proportionate share of maintenance to Squaw Valley Road. Said agreement shall be for the duration of the mining operation and may include, and is not necessarily limited to, the provision of aggregate materials and/or financial contributions, as mutually agreed between the operator and Public Works Department.
12. 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.
13. 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 \$12,550 providing for the faithful performance of the Use Permit (UP-03-08) and Reclamation Plan (RP-03-02). Said bond or other security shall be written by a company authorized to conduct business in California and acceptable to the County.
14. Performance standards for revegetation shall be monitored and compared to similar sites in the immediate area. Success shall be measured annually by Planning Department staff during annual mining inspections and for two years after the conclusion of reclamation.

**SISKIYOU COUNTY PLANNING DEPARTMENT
LAND USE PERMIT (UP-03-08)**

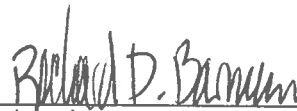
15. Revegetation of the site shall be conducted as prescribed by Aldous Landscaping. The plant material shall consist of indigenous coniferous trees such as *Pinus ponderosa* (Ponderosa pine), *Pinus lambertiana* (sugar pine), *CalOcedrus decurrens* (incense cedar) and *Pseudotsuga menziesii* (Douglas fir). Tree spacing shall be at four to eight-foot centers and shall include 250 to 300 trees covering the benches and quarry bottom.
16. Seedlings will be protected from browsing by deer. Plants that die or are eaten will be replaced within the two-year period.
17. This permit shall expire two years from the date of issuance.
18. The operator shall provide a site evaluation and report by a professional qualified in geotechnical/slope analysis. Said evaluation shall be completed at the conclusion of every other bench, or if adverse conditions are encountered.

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: September 3, 2003



Richard D. Barnum, Secretary
Siskiyou County Planning Commission

DATE ISSUED: July 14, 2004

cc: Archie Thomas
Terry Hitchcock
James G. Bray, RCE
Assessor
Building Department
Health Department
Public Works Department



COUNTY OF SISKIYOU

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

TERRY BARBER
DIRECTOR

STEPHEN PERLMAN, M.D.
HEALTH OFFICER

August 8, 2012

Ms. April Balestreri
Department of Conservation
Office of Mine Reclamation
Reporting and Review Unit
801 K Street, MS-09-06
Sacramento, CA 95814

RE: 2011 Closure Inspection Report (MRRC-1) of M-1 South Quarry; California Mine ID# 91-47-0039

Dear Ms. Balestreri,

Pursuant to PRC Section 2774(b) of the Surface Mining and Reclamation Act (SMARA) an inspection of the M-1 South Quarry, CA Mine ID# 91-47-0039, was conducted by this department on November 15, 2011. Enclosed for your review and records is a copy of the inspection report (MRRC-1). No violations of SMARA were noted and this department, following the completion of this inspection, has determined that mine reclamation has been completed in accordance with the approved reclamation plan and that there are no outstanding reclamation liabilities associated with this closed mining operation. This mine site is in compliance with the approved Reclamation Plan (RP-03-02) as permitted under Use Permit #UP-03-08. A Financial Assurance Cost Estimate, prepared by the lead agency, is included with this closure report for your review. Please contact this department if you should have question or concerns in regards to this matter.

Sincerely,


William J. Navarre, REHS
Land Use Division Manager

Cc: Terry Hitchcock, Hitchcock Construction

Enclosures (3)

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

**OFFICE OF
EMERGENCY
SERVICES**
Robert L. Rowley,
Deputy Director
Telephone: (530) 841-2155
Fax: (530) 841-4076

PERSONAL HEALTH
Terri Funk,
Deputy Director
Telephone: (530) 841-2100
Fax: (530) 841-4094

PLANNING
Greg Plucker,
Deputy Director
Telephone: (530) 842-8203
Fax: (530) 841-4076

Exhibit C

DEPARTMENT OF CONSERVATION**OFFICE OF MINE RECLAMATION**

MRRC-1 Page 1 of 3 (Rev. 09/05)

SURFACE MINING INSPECTION REPORT

Instructions for completing this form are on the reverse side. Attach notice(s) of violation(s) and order(s) to comply for all observed non-compliance.

I. Mine Name as reported by Operator on Mining Operation Annual Report M-1 SOUTH	Inspection Date: November 15, 2011	CA MINE ID#: 91 - 47-0039
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II. SMARA Lead Agency Name (City or County <u>only</u>) Siskiyou County		
Inspector Bill Navarre		Telephone (530) 841-2112
Title Land Use Program Manager	Organization Public Health & Community Development	
Mailing Address 806 South Main Street		
City Yreka	State CA	ZIP Code 96097
E-mail Address (Optional) navarre@co.siskiyou.ca.us		

III. Mine Operator Hitchcock's Construction INC.		
Contact Person Terry Hitchcock		Telephone (530) 964-2013
Mailing Address P.O. Box 872		
City McCloud	State CA	ZIP Code 96057
E-mail Address (Optional) tphitch@frontiernet.net		

IV. Does the operation have:	P	NR	No	Yes
A permit to mine?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permit # UP-03-08
An approved Reclamation Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RP # RP-03-02
Has the operator filed a Mining Operation Annual Report (form MRRC-2)? Check one: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown				
Is this operation on Federal Land? Check one: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If "Yes", provide one or both of the Federal Mine Land Identification Numbers below:				
California Mining Claim Number (CAMC#): N/A				
U.S. Forest Service Identification Number (USFS ID#): N/A				

DISTRIBUTION: Original to Operator. Copies to: State (by Lead Agency), Lead Agency, State (by Operator), and BLM or USFS (if required).

Exhibit C

DEPARTMENT OF CONSERVATION**OFFICE OF MINE RECLAMATION**

MRRC-1 Page 2 of 3 (Rev. 09/05)

SURFACE MINING INSPECTION REPORT

V. Does the Operator currently have a Lead Agency approved Financial Assurance? Check one: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", complete section below. If "No", refer to instructions on the reverse of this page and complete Section VI.		Inspection Date: November 15, 2011	CA MINE ID#: 91 - 47-0039
Type of Financial Assurance Mechanism(s)	Financial Assurance Mechanism Number(s)	Current Amount on File	Date of Expiration
<input type="checkbox"/> Surety Bond		\$	
<input checked="" type="checkbox"/> Certificate of Deposit	#29180	\$ 30,396.83	Continuous
<input type="checkbox"/> Letter of Credit		\$	
<input type="checkbox"/> Trust Fund		\$	
<input type="checkbox"/> Pledge of Revenue		\$	
<input type="checkbox"/> Budget Set Aside		\$	
<input type="checkbox"/>		\$	
The Financial Assurance Amount must be adjusted annually. Attach a copy of the revised Financial Assurance Amount calculation with this report.		Date of Financial Assurance Amount Calculation: November 5, 2010	
Does the current mechanism(s) on file cover the new annual calculation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		If "No", date operator was notified that a new mechanism is required:	

VI. Financial Assurance comments.

Currently the Operator has a Certificate of Deposit (CD#29108) from Scott Valley Bank on file with the County of Siskiyou Treasurer in the amount of \$30,396.83.

A FACE report for 2010 was submitted for review by the operator on November 5, 2010. This cost estimate was approved by the lead agency and a copy of the report was forwarded to OMR for their review and concurrence on November 9, 2010. As comments in regards to the submitted FACE report were not received from OMR, the operator was notified by the lead agency on February 10, 2011 of the approval of the FACE report. The amount of funds held in the Certificate of Deposit exceeds the calculated amount of the FACE report.

Attached to this inspection report is a Financial Assurance Cost Estimate prepared by the lead agency for review pursuant to California Code of Regulations (CCR), Title 14, Article 11, Section 3805.5(a)(2).

DEPARTMENT OF CONSERVATION**OFFICE OF MINE RECLAMATION**

MRR-1 Page 3 of 3 (Rev. 09/05)

SURFACE MINING INSPECTION REPORT

VII. Is the operation in compliance with provisions of the approved Reclamation Plan with respect to:	OK	VN	NI	NA	CA MINE ID # 91 - 47-0039
Wildlife Habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Inspection Date: November 15, 2011
Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Agricultural Land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Weather Code(s): CR
Stream Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Duration of Inspection: 1 Hour
Tailings and Mine Waste Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Closure of Surface Openings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approximate Disturbed Acreage: 0 Acres
Building, Structure, and Equipment Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Topsoil Salvage, Maintenance, and Redistribution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Status of Operation Code(s): MC
Backfilling, Regrading, Slope Stability, and Recontouring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Drainage, Diversion Structures, Waterways, and Erosion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Status of Reclamation Code(s): RC
Other (list or explain below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

VIII. Comments/Description of Violation(s) and Corrective Measure(s) Required [NOTE: please indicate if you have attached notice(s) of violation(s) and correction order(s), in lieu of description on this form]:

The mine site is a hillside, benched quarry in which metamorphic shales and interbedded sandstones were removed to use as cover material for the McCloud landfill cap. The mine operates under an amended Reclamation Plan (RP 03-02) and Use Permit (UP 03-08). The amended use permit and reclamation plan were determined necessary as attempts to stabilize the quarry's slopes under the previous reclamation plan were unsuccessful. The mine is located along the south side of Spring Meadow Road, five miles south of the town of McCloud, California; T39N, R3W, Section 24, MDM; APN 028-450-290.

Report continues on the following pages

IX. Number of Violations: None	Inspector's Signature: 	Date Signed: August 8, 2012
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DISTRIBUTION: Original to Operator. Copies to: State (by Lead Agency), Lead Agency, State (by Operator), and BLM or USFS (if required).

Exhibit C

Supplemental to the 2011 Annual Inspection Report
M-1 South Mine; California ID# 91-47-0039

Section VIII; Comments/Descriptions (continued)

Observations:

Slope Stability:

A Slope Stability Analysis prepared by The Galli Group and dated March 28, 2003 was submitted for review during the review process for the amended reclamation plan and use permit. The report recommended final cut slopes be no steeper than 1H:1V and have 10 foot wide benches for every 40 foot vertical height distance. Final cut slopes in soil overburden should be no steeper than 2H:1V. During the Siskiyou County's Planning Commission review of this project, the Commission added a condition to the project (condition #18) that a slope stability analysis be completed following the construction of "every other bench, or if adverse conditions are encountered". The slope stability report noted above was prepared for the review and approval of this land use project. A follow-up analysis is necessary in order to comply with condition #18 of the approved use permit/reclamation plan. A slope stability report, dated October 7, 2009, was submitted to this department. The report confirmed the stability of the final slopes of this mine site. This submittal of a slope stability report satisfies condition #18 of Use Permit 03-08.

Revegetation and Topsoil:

Revegetation of the quarry floor and benches with pine seedlings at 4-8 foot centers is required. The operator has planted and inter planted seedlings over the years following the completion of mining, documented as occurring on October 1, 2003. Established plants are growing and native seedlings of Ponderosa Pine and Sugar Pine are evident throughout the quarry floor. Plantings and native tree species consisting of Ponderosa Pine, Sugar Pine and Douglas Fir were observed in a stocking density consistent with the approved reclamation plan. Per the approved reclamation plan, the performance standards for revegetation of this mine site was to be evaluated annually by the lead agency following completion of mining activity and for two years following the reclamation of the site. Inter planting of pine seedlings has regularly occurred and has been routinely initiated by the operator since the completion of active mining at this site. Inter planting of the quarry floor and the constructed benches into the cut face of this quarry have been the focus of reclamation activities since the initial revegetation efforts conducted in 2003.

The benches of the quarry were inspected during this annual inspection. As noted above, the width of the benches per the reclamation plan is to be 10 feet. These benches when initially constructed were cut to conform to the reclamation plan standard of ten feet in width. Over time, due to the sloughing of material, the width of portions of these benches has been reduced. The stability analysis addresses this issue and determined that the stability of the slopes have not been impacted as a result. The report notes that

implementation of erosion control measures as the best method of addressing the sloughing of material onto the benches of this quarry. The establishment of vegetation on these benches is the preferred method towards slope stability and erosion control. Areas previously identified that would require additional inter planting with pine seedlings have been planted by the operator.

Drainage and Erosion:

The mining operation was under a Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, WDID Number: 5R471012706. This NPDES permit was terminated by the Central Valley Regional Water Board on September 24, 2004 (copy of Notice of Termination letter attached). Under this storm water permit runoff from the mine site was directed by drainage ditches to a settling basin located on the quarry floor at the base of the cut slope. An overflow ditch directs overflow water through a vegetated swale from the sediment pond to a 12 inch culvert which straddles Spring Meadow Creek. Storm water from this culvert is carried away from the creek drainage through an irrigation ditch to pasture land located west of the quarry and Spring Meadow Creek. On May 9, 2012 an inspection was conducted by the Central Valley Regional Water Board in order to confirm that there are no outstanding liabilities associated with potential impacts to Spring Meadow Creek from this previously mined site. Attached is a letter received from the CVRWQCB addressing site conditions and the less than significant threat to Spring Creek from storm water runoff from this site (letter attached).

Observation of the settling basin indicates very little accumulation over the past year of sediment due to erosion.

Stream Protection:

Straw bales were placed end to end along the property access road to filter discharge from the access road. The road, as now graded, directs runoff back into the quarry floor and away from this riparian area. While these straw bales no longer serve a purpose, they are will be allowed to remain and will continue to decompose naturally.

Structure Removal:

There are no structures located on this closed mining site.

Conclusions:

The reclamation of this site has been ongoing over the past 9 years. Per an added condition to Use Permit UP-03-08, a slope stability analysis prepared by a geotechnical professional was provided to the lead agency in 2009. The report concluded that the existing quarry slope is stable and only minor raveling and sloughing of rock material

from portions of the slope face are expected. The revegetation efforts conducted over the years since the close of active mining operations has been in conformance with the approved reclamation plan. Plantings of pine and fir species native to the area and the occurrence of naturally established tree species invading the quarry floor, benches and portions of the cut slopes of the quarry have exceeded the reclamation plan's total number of 300 trees over the quarry floor and benches. The reclamation plan established a bench width of 10 feet and initially these benches were cut to the required width. Over time sloughing and raveling of rock and soil has decreased the width of the upper benches to less than the width noted in the reclamation plan. This issue was addressed in the slope stability analysis and does not present a problem with the overall stability of these final cut slopes. As noted in the report, raveling of these slopes will continue to occur over time and long term stability will be achieved by allowing established conifer seedlings to continue to mature.

Erosion measures established on this site have been reviewed by the RWQCB and are considered acceptable and determined to require no ongoing monitoring and maintenance. The sediment pond established at the base of the cut will continue to function as a detention pond. Over time this pond will fill in with sediment and will naturally revegetate successional.

Pursuant to Title 14, CCR, Section 3805.5, reclamation of this mine site has been determined by the lead agency to have been completed in accordance with the approved reclamation plan and that there are no aspects of the reclaimed surface mining operation that are inconsistent with the meaning of reclamation as defined in Public Resources Code Section 2733 and the Surface Mining and Reclamation Act of 1975. The lead agency determines that there are no outstanding reclamation liabilities governing this mining operation and is recommending the release of financial assurance liabilities associated with this mine site.

Photo Supplement to the 2011 Annual Inspection Report
M-1 South Quarry; California Mine ID# 91-47-0039
November 15, 2011

Views of the quarry floor and sedimentation pond

Photograph #1



Photograph #2

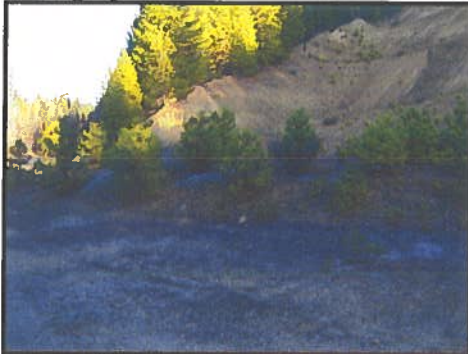


Photograph #3



Views of the quarry floor, access road and the lower slopes of the cut face of the quarry

Photograph #4



Photograph #5



Photograph #6



Views of the lower slopes of the quarry from the floor, 1st, and 2nd bench

Photograph #7



Photograph #8



Photograph #9



Photo Supplement to the 2011 Annual Inspection Report
M-1 South Quarry; California Mine ID# 91-47-0039
November 15, 2011

Views of the middle benches of the quarry

Photograph #10



Photograph #11



Photograph #12

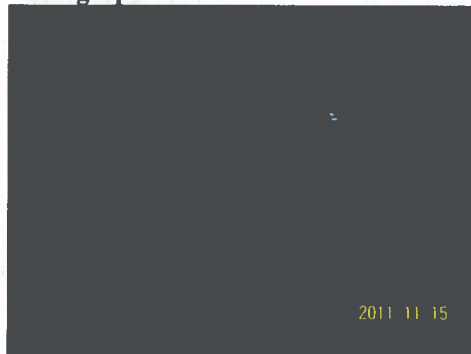


Views of the quarry from the upper bench and the top of the cut looking down

Photograph #13



Photograph #14



Photograph #15



Views entrance gate, the access road along the bottom edge of the pit and the culvert across Spring Meadow Creek

Photograph #16



Photograph #17



Photograph #18



Bill Navarre



From: Berchtold, Dannas@Waterboards [DBerchtold@waterboards.ca.gov]

Sent: Friday, July 20, 2012 9:21 PM

To: Bill Navarre

Cc: tphitch@frontiernet.net; Day, George@Waterboards

Subject: Hitchcocks Construction Storm Water System

Bill,

Based on the site conditions observed during our May 9, 2012 inspection of the Hitchcocks Construction mining operation located on Spring Meadows Road, McCloud, Siskiyou County, I have the following comments:

The facility's coverage under the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities was terminated on September 24, 2004. The Notice of Termination (NOT) was granted on the grounds the facility was closed, and clean-up activities were complete. I conducted a Post -NOT inspection of the facility on May 9, 2012, at the request of the discharger and Siskiyou County Health Department to assist them in completing and finaling the reclamation plan for the facility. The County inspector, William Navarre, specifically requested assistance in determining if the site was stabilized, and if the storm water detention basin and effluent outfall pipe needed to be removed prior to considering the reclamation activities complete.

Based on my inspection observations, I find that although the project site lacks 70% vegetative cover it appears to be stabilized and does not pose an ongoing threat to water quality. I recommend that the storm water collection system and detention pond remain in place as a sustainable storm water treatment BMP that will require no ongoing monitoring and maintenance. Discharging the storm water runoff from the site to the irrigated pasture on the opposite side of the creek also provides an opportunity for additional storm water treatment and water quality benefits. The system appeared to be relatively simple, in good condition, not in need of maintenance, and mostly sustainable. However, the pipe conveying the storm water across the creek may require maintenance over time.

If you have any questions or require any additional information please feel free to contact me.

Dannas J. Berchtold, , Engineering Associate
Central Valley Water Board – Redding Office
Storm Water & Water Quality Certification Unit
530.224.4783

Exhibit C

8/1/2012

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION**Central Valley Regional Water Quality Control Board**

01/21/2006

TERRY Hitchcock
Hitchcocks Construction Inc
PO Box 872
McCloud CA 96057

WDID Number: 5R47I012706
Site/Facility Info: Hitchcocks Const Inc Mi South
Spring Meadows Road
Mc Cloud CA 96057
Review Date: 01/21/2006
NOT Effective Date: 09/24/2004

Dear Permittee:

This letter is to inform you that we have approved the Notice of Termination (NOT) of Coverage under the Statewide Storm Water General Permit for WDID number as referenced above. Please keep this letter as proof of termination under the Statewide Storm Water General Permit. Should site conditions change such that coverage under the Storm Water General Permit is again necessary, you must submit a new Notice of Intent, site map, and appropriate fee.

Please note if there are applicable unpaid invoice(s) when the NOT is approved, all outstanding invoices are required to be paid in full. If you have any questions regarding fees, please contact the Fee Unit at (916) 341-5247.

If you have any further questions, please contact the California Regional Water Quality Control Board, Central Valley Regional Water Quality Control Board at 530-224-4845.

Sincerely,
Carole Crowe
Central Valley Regional Water Quality Control Board

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON, EXECUTIVE OFFICER

415 Knollcrest Drive, Redding, California, 96002 | www.waterboards.ca.gov/centralvalley, ph:530-224-4845, fax:530-224-4857

♻️ RECYCLED PAPER

Exhibit C

State of California

DEPARTMENT OF CONSERVATION
Financial Assurance Cost Estimate
Form OMR-23 (New 06/96)

FINANCIAL ASSURANCE COST ESTIMATE

FOR

M-1 SOUTH

CA MINE ID # 91- 47-0039

Prepared by:

Bill Naves
Public History + Community Development

Date: 8-8-2012

Note: This worksheet was developed by the Office of Mine Reclamation to assist lead agencies and operators prepare a reclamation cost estimate and determine an appropriate amount for the financial assurance in conformance with Section 2773.1 of SMARA. It should be used in conjunction with the *Financial Assurance Guidelines* adopted by the State Mining and Geology Board.

I. PRIMARY RECLAMATION ACTIVITIES

Page 2 of 7

Description of Task:

Methods to be Used:

Reclamation Activity Completed

Miscellaneous Information:

Overburden (cubic yards): _____ Topsoil (cubic yards): _____ Acres: _____
 Production Rate (cubic yards/hour): 1. _____ 2. _____ 3. _____ 4. _____
 Haul Distance (feet): 1. _____ 2. _____ 3. _____ 4. _____

A. Equipment - List all equipment required to complete identified task. For large reclamation jobs separate mine areas for ease of accounting.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)
1.				
2.				
3.				
4.				

Total Equipment Cost for this Task \$ 0

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)

Total Labor Cost for this Task \$ 0

C. Materials - List all materials required to complete identified task (include disposal costs).

Item	Quantity	\$/Unit	Cost (\$)

Total Materials Cost for this Task \$ 0

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost = \$ 0

II. REVEGETATION

Page 3 of 7

Description of Task:

REVEGETATION Activity Completed

Methods to be Used:

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)

Total Equipment Cost for this Task

\$ 0

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)

Total Labor Cost for this Task

\$ 0

C. Materials - List all materials required to complete identified task.

Item / Plant Species	Unit of Measure	# of Units	\$/Unit	Cost (\$)

Total Materials Cost for this Task

\$ 0

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost

\$ 0

III. PLANT STRUCTURES AND EQUIPMENT REMOVAL

Page 4 of 7

Description of Task:

NO STRUCTURES OR EQUIPMENT TO BE REMOVED

Methods to be Used:

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)

Total Equipment Cost for this Task \$ 0

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)

Total Labor Cost for this Task \$ 0

C. Demolition - List all structures and equipment to be dismantled or demolished.

Structure / Equipment	Type of Material	Volume (cubic feet)	Unit Cost Basis	Disposal Cost	Cost (\$)

Total Materials Cost for this Task \$ 0

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Demolition Cost = \$ 0

E. Surplus / Salvage Value

1. Total cost to reclaim plant structures and equipment pursuant to the approved reclamation plan. \$ 6
2. Net salvage value of the plant structures and equipment.* \$ 0
3. Subtract Line 2 from Line 1 \$ 0
4. If Line 3 is greater than \$0, enter this amount on the total plant structures and equipment removal cost line under Section VIII (Summary of Costs). If Line 3 is less than \$0, enter \$0 on the appropriate line in Section VIII.

***NOTE** This is the value of plant structures, buildings and equipment on a salvage basis — e.g. after the structures and equipment have been removed for sale or use off-site. In order to include net salvage value in the financial assurance calculation, the operator must provide a letter of agreement, signed contract, bid or quote from an independent company which provides industrial dismantling or equipment salvage services, or is in the business of buying and selling scrap metals or similar products.

IV. MISCELLANEOUS COSTS

Page 6 of 7

Examples of this type of cost could include temporary storage of equipment and materials off site, special one-time permits (i.e. transportation permits for extra wide or overweight loads, etc.), decommissioning a process mill (i.e. decontamination of equipment), or disposal of warehouse inventories.

Item / Task	Quantity	\$/Unit	Cost (\$)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Total Miscellaneous Costs

\$ 0

V. MONITORING

Monitoring Task	\$/Visit	# Visits/Year	# of Monitoring Years	Cost (\$)
1.				
2.				
3.				
4.				
5.				

Total Monitoring Costs

\$ 0

VII. SUMMARY OF COST

Total of all Primary Reclamation Activities Costs	\$ <u>0</u>
Total of all Revegetation Costs	\$ <u>0</u>
Total of all Plant Structures & Equipment Removal Costs	\$ <u>0</u>
Total of all Miscellaneous Costs	\$ <u>0</u>
Total of all Monitoring Costs	\$ <u>0</u>
Total of Direct Costs	\$ <u>0</u>
 Supervision (____%)	 \$ <u>0</u>
Profit/Overhead (____%)	\$ <u>0</u>
Contingencies (____%)	\$ <u>0</u>
Mobilization (____%)	\$ <u>0</u>
Total of Indirect Costs	\$ <u>0</u>
 15% Total of Direct and Indirect Costs	 \$ <u>0</u>
(±0%) Lead Agency Administrative Cost* (Determined by the Lead Agency)	\$ <u>0</u>
 Total Estimated Cost of Reclamation	 \$ <u>0</u>

***Note** The Financial Assurance Guidelines recommend that when reviewing and approving a financial assurance cost estimate, lead agencies should include their administrative cost to draw on the financial assurance and implement the reclamation plan, should it become necessary.



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 445-6066 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

January 25, 2013

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



Dear Mr. Navarre,

RECLAMATION AND RELEASE OF FINANCIAL ASSURANCE, M1 SOUTH PIT (CA MINE ID #91-47-0039), COUNTY OF SISKIYOU

The Department of Conservation (Department) has received documents submitted pursuant to California Code of Regulations (CCR), Title 14, Section 3805.5(a), indicating that the M1 South Pit has been reclaimed in accordance with the approved reclamation plan. The County of Siskiyou is the Surface Mining and Reclamation Act lead agency for this surface mining operation.

According to these documents, the lead agency has determined that the area of the M1 South Pit has been reclaimed in accordance with the approved reclamation plan and that there are no other outstanding reclamation liabilities. The lead agency is therefore recommending a release of the remaining financial assurance pursuant to California Code of Regulations (CCR) 3805.5.

The Office of Mine Reclamation (OMR) has completed its review in accordance with CCR 3805.5(b). OMR concurs that there are no outstanding reclamation liabilities on the mined land. This letter shall serve as confirmation from the Department that the lead agency has fulfilled the requirements of CCR Section 3805.5. Therefore, the lead agency may release the financial assurances for this mine in accordance with PRC Section 2773.1.

If you have any questions, please contact me at (916) 323-9198.

Sincerely,

Thomas Ferrero, P.G. 3950 C.E.G. 1806
Senior Engineering Geologist
Compliance Unit Supervisor

cc:

Resolution PC 2024-014

**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 M-1 South Mine by Revoking Use Permits UP-96-07
and UP-03-08 and Determine the Project Exempt from the California
Environmental Quality Act (CEQA)**

Whereas, Use Permit UP-96-07 was approved for the M-1 South Mine by the Planning Commission on September 4, 1996 to remove material from an existing quarry to improve the quarry slope, and later amended by Use Permit UP-03-08 which was approved by the Planning Commission on September 3, 2003 to provide an additional two years to remove material and reclaim the quarry, which all mining activities were discontinued as of 2009, with reclamation completed as of November 2011; and

Whereas, the mine associated with use permits UP-96-07 and UP-03-08 is closed; and

Whereas, use permit UP-96-07 is expired as the effective period, identified in Condition of Approval #8, has ended; and

Whereas, use permit UP-03-08 is expired as the effective period, identified in Condition of Approval #17, has ended; and

Whereas, revocation of use permits UP-96-07 and UP-03-08 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-96-07 and UP-03-08 and hearing notices were mailed first class to all property owners of the properties associated with Use Permits UP-96-07 and UP-03-08; and

Whereas, the Planning Division presented its oral and written staff report on the revocation of UP-96-07 and UP-03-08 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-96-07 and UP-03-08 to receive testimony, both oral and written, following which the Chair closed the public hearing and the Commission discussed the revocation of use permits UP-96-07 and UP-03-08, prior to reaching its decision; and

Whereas, the Planning Division recommended that the revocation of UP-96-07 and UP-03-08 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-02-07:

1. The Planning Commission recommends that the Board of Supervisors find pursuant to Siskiyou County Code 10-6.1402 that UP-96-07 and UP-03-08 are no longer effective and should be revoked.
2. The Planning Commission recommends that the Board of Supervisors revoke use permits UP-96-07 and UP-03-08.
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-2024-014 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