Agenda

County of Inyo
Planning Commission

Board of Supervisors Room
Inyo County Administrative Center
Independence, California

INYO COUNTY PLANNING COMMISSION

Howard Lehwald	**First District**	Inyo County Planning Commission
Caitlin (Kate) J. Morley	**Second District (Chair)**	Post Office Drawer L
Todd Vogel	**Third District**	Independence, CA 93526
Callie Peek	**Fourth District (Vice Chair)**	(760) 878-0263
Aaron Cassell	**Fifth District**	(760) 872-2712 FAX
		inyoplanning@inyocounty.us

STAFF

Cathreen Richards	Planning Director
Danielle Visuaño	Senior Planner
Ryan Standridge	Associate Planner
Cynthia Draper	Associate Planner
Sally Faircloth	Project Coordinator
Michael Errante	Public Works Director
Denelle Carrington	Interim County Administrator
Christian Milovich	Assistant County Counsel

This meeting will be held in the Board of Supervisors Room located at 224 N. Edwards Street, in Independence California, beginning at 10:00 a.m.

- Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order, or the items are continued. Estimated start times are indicated for each item. The times are approximate, and no item will be discussed before its listed time.
- Lunch Break will be given at the Planning Commission's convenience.
- The Planning Commission Chairperson will announce when public testimony can be given for items on the agenda. The Commission will consider testimony on both the project and related environmental documents.
- The applicant or any interested person may appeal all final decisions of the Planning Commission to the Board of Supervisors. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days per ICC Chapter 15 [California Environmental Quality Act (CEQA) Procedures] and Chapter 18 (Zoning), and 10 calendar days per ICC Chapter 16 (Subdivisions), of the action by the Planning Commission. If an appeal is filed, there is a fee of $300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

Public Notice: In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

October 28, 2026

10:00 A.M.

1. **PLEDGE OF ALLEGIANCE.**

2. **ROLL CALL** – Roll Call to be taken by staff.

3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the agenda.

4. **APPROVAL OF MINUTES** – Approval of minutes from the September 23, 2026, Planning Commission Meeting.

5. **AMENDMENT TO RECLAMATION PLAN 1996-10 – CALTRANS DEATH VALLEY JUNCTION MATERIAL SITE #286A-** The applicant, California Department of Transportation (Caltrans), requests an amendment to Reclamation Plan No. 96-10 for the Death Valley Junction Material Site #286A (Mine ID #91-14-0046). The amendment proposes to extend the term of the Reclamation Plan through 2046 and update the revegetation provisions, including incorporation of a site-specific native seed mixture. The amendment does not propose an expansion of the existing disturbance area, an increase in the established maximum excavation depth, or a change in the approved post-mining land use of open space and wildlife habitat. Continued use of the site is subject to applicable authorization from the Bureau of Land Management. The project is exempt from CEQA pursuant to CEQA Guidelines §15301 (Existing Facilities), Class 1.

Action Items Public Hearing

6. **STIPULATED ORDER -SOUTHWEST GLOBAL (GLOBAL PUMICE)** : The Public hearing to consider approval of a Stipulated Order to Comply for the Global Pumice Olancha Mine pursuant to Public Resources Code §2774.1. The Order addresses violations identified in a June 26, 2026 Notice of Violation related to continued mining beyond the approved permit term, phased mining, concurrent reclamation, revegetation, and financial assurance requirements, and establishes requirements and a schedule for the operator to achieve compliance. Action is exempt from CEQA (Guidelines §15321)

7. **COMMISSIONERS' REPORTS/COMMENTS**

8. **PLANNING DIRECTOR'S REPORT**

9. **ADJORN**

COUNTY OF INYO
PLANNING COMMISSION

MINUTES OF SEPTEMBER 23, 2026 MEETING

COMMISSIONERS:

HOWARD LEHWALD	FIRST DISTRICT	Inyo County Planning Commission
CAITLIN (KATE) J. MORLEY	SECOND DISTRICT (CHAIR)	Post Office Drawer L
TODD VOGEL	THIRD DISTRICT	Independence, CA 93526
CALLIE PEEK	FOURTH DISTRICT (VICE)	(760) 878-0263
AARON CASSELL	FIFTH DISTRICT	(760) 872-0712 FAX

STAFF:

CATHREEN RICHARDS	PLANNING DIRECTOR
CHRISTIAN MILOVICH	ASSISTANT COUNTY COUNSEL
RYAN STANDRIDGE	ASSOCIATE PLANNER
DANIELLE VISUANO	SENIOR PLANNER
CYNTHIA DRAPER	ASSISTANT PLANNER
SALLY FAIRCLOTH	PROJECT COORDINATOR
DAVID FRASER	INTERIM COUNTY ADMINISTRATOR
MIKE ERRANTE	PUBLIC WORKS DIRECTOR

The Inyo County Planning Commission met in regular session on Wednesday, September 23, 2026. Commissioner Morley opened the meeting at 10:00 a.m. These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

ITEM 1: **PLEDGE OF ALLEGIANCE –** All recited the Pledge of Allegiance at 10:01 a.m.

ITEM 2: **ROLL CALL -** Commissioners Todd Vogel, Callie Peek, Aaron Cassell, and Kate Morley, were present.

Staff present: Cathreen Richards, Planning Director, Ryan Standridge, Associate Planner, and Christian Milovich, Assistant County Counsel.

Staff absent: Denelle Carrington, Interim County Administrator; Michael Errante, Public Works Director.

ITEM 3: **PUBLIC COMMENT PERIOD –** This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the agenda.

Chair Morley opened Public Comment Period at 10:03 a.m. and explained that members of the public could address the Commission regarding matters not otherwise scheduled on the agenda. Chair Morley requested that comments concerning Items 6 and 7 be held until those items were heard.

Chair Morley asked if there was anyone in the audience wishing to make a public comment.

No comments were made.

Chair Morley closed Public Comment Period at 10:03 a.m.

ITEM 4: APPROVAL OF MINUTES FROM THE JANUARY 28, 2026 PLANNING COMMISSION MEETING

The Commission considered the January 28, 2026 Planning Commission meeting minutes, which had previously been continued from the July 22, 2026 meeting. Commissioner Peek moved to approve the minutes, and Commissioner Cassell seconded the motion. The motion carried 4-0, with one Commissioners absent.

ITEM 5: APPROVAL OF MINUTES FROM THE JULY 22, 2026, PLANNING COMMISSION MEETING

The Commission considered the July 22, 2026 Planning Commission meeting minutes. Commissioner Vogel moved to approve the minutes, and Commissioner Peek seconded the motion. The motion carried 4-0, with one Commissioner absent.

ITEM 6: BONANZA PEAK SOLAR PROJECT - Renewable Energy Development Agreements (REDAs) 2026-01 and 2026-02 - Informational Presentation and Public Comment

Planning Director Cathreen Richards introduced the proposed Renewable Energy Development Agreements (REDAs) associated with the Bonanza Peak Solar Project. Ms. Richards explained that the Planning Commission was not being asked to approve the REDAs because, under the Inyo County Code, the Board of Supervisors is the approval authority. She stated that the Planning Commission hearing was informational and intended to receive public comment. Comments received at the meeting, as well as written comments received prior to the Board hearing, would be provided to the Board of Supervisors for consideration.

Ms. Richards introduced Stacey Simon, County Counsel, who had assisted with the negotiation and preparation of the proposed REDAs.

Ms. Simon explained that development agreements are not frequently used in Inyo County because the County does not typically process development projects of this scale. She explained that a development agreement provides a developer with certainty regarding the local development regulations that will apply to a project during the term of the agreement. In exchange, the County may negotiate community benefits beyond those otherwise required as project mitigation.

Ms. Simon explained that two REDAs are proposed for the Bonanza Peak Solar Project, corresponding to two project regions.

For Region 1, the developer agreed to provide $2 million through the County to the Southern Inyo Fire Protection District for the planning, assessment, approval, and construction of a firehouse in Charleston View. Ms. Simon explained that the proposed firehouse resulted from outreach conducted with the Charleston View community regarding benefits residents believed would be appropriate for the area.

For Region 2, the developer agreed to provide $500,000, prior to issuance of a building or grading permit, toward completing the environmental review required to implement the existing Charleston View Community Plan. Ms. Simon explained that a community planning process had previously been completed for Charleston View, but the plan had not been implemented because the necessary environmental review had not been completed. Any portion of the $500,000 remaining after completion of the environmental review would not be returned to the developer and could instead be used for road signage and firefighting supplies and equipment.

Ms. Simon also discussed changes to the agreements made after publication of the Planning Commission packet. She explained that State law currently provides a property tax exclusion applicable to solar energy systems and that the exclusion is scheduled to sunset January 1, 2027. The REDAs include provisions addressing the possibility that the exclusion could be extended or reenacted. If an applicable exclusion prevents collection of property tax otherwise attributable to the project, the developer agreed to make an in-lieu payment intended to make the County and other affected taxing jurisdictions whole.

Ms. Simon further explained that the developer agreed to take all necessary steps to allocate sales and use taxes paid in connection with project construction to Inyo County to the maximum extent permitted by law and to require its contractors and subcontractors to do the same.

Ms. Richards then provided an overview of the Bonanza Peak Solar Project. The proposed project consists of an approximately 500-megawatt photovoltaic solar energy facility on approximately 2,400 acres within the Charleston View Solar Energy Development Area.

Ms. Richards explained that the project would include photovoltaic panels, power conversion systems consisting of inverters and medium-voltage transformers, an underground electrical collection system, a high-voltage substation, operations and maintenance facilities, a power plant control and monitoring system, communications infrastructure, security fencing, and perimeter and interior access roads.

The project also includes an approximately nine-mile-long, 230-kV generation tie line. Approximately one-half mile of the generation tie line would be located on the project site in Inyo County, with the remainder crossing BLM-administered land in Nevada and connecting to the Trout Canyon Substation.

Ms. Richards explained that the County's Renewable Energy General Plan Amendment establishes development limits for the County's Solar Energy Development Areas. If the Bonanza Peak project is approved as proposed, it would utilize the full 500-megawatt development allowance shared by the Charleston View and Sandy Valley Solar Energy Development Areas, and no additional utility- or commercial-scale solar development would be available under that allocation.

Ms. Richards reviewed public outreach associated with the project. The applicant began outreach in April 2024 by sending information to residents and property owners in the Charleston View area. Additional public presentations and discussions occurred in October and December 2024, with additional outreach continuing in 2025 and 2026.

Ms. Richards explained that issues raised through community outreach resulted in changes to the proposed project.

The applicant had initially proposed a Battery Energy Storage System (BESS) that would allow electricity generated during daylight hours to be stored and transmitted later. Community members and the Southern Inyo Fire Protection District expressed concerns regarding lithium battery fire hazards. In response to those concerns, the applicant removed the BESS component from the proposed project.

Ms. Richards also discussed groundwater concerns raised during community outreach. She stated that the project is anticipated to use approximately 1,085 acre-feet of water during the approximately eight-month construction period. Following construction, anticipated operational water use would decline to approximately 0.5 acre-foot annually for the remainder of the project life.

In response to groundwater concerns, the applicant proposed a Voluntary Groundwater Monitoring Program during construction. Ms. Richards explained that owners of wells within approximately one-half mile of the project could request that their wells be monitored during construction. If monitoring identifies an effect on a participating well, a contingency process would be available to address the issue.

Ms. Richards discussed the environmental review for the project and explained that the County previously certified a Program Environmental Impact Report as part of the Renewable Energy General Plan Amendment (REGPA). A project-specific Addendum to the Program EIR was prepared for the Bonanza Peak Solar Project, together with applicable technical surveys and studies. She stated that the Addendum evaluates the project against the impacts, mitigation measures, and site-specific review requirements established through the REGPA Program EIR.

Ms. Richards stated that the REDAs were tentatively scheduled for consideration by the Board of Supervisors on October 27, 2026, in Tecopa, and that comments received by the Planning Commission would be included with the materials provided to the Board.

Commission Discussion

Commissioners asked how electricity generated by the project would be transmitted and whether Charleston View would directly receive electricity generated by the facility.

Staff explained that electricity generated by the facility would enter the larger electrical grid and could not simply be designated for delivery directly to Charleston View.

Commissioners discussed the relationship between the project's 500-megawatt capacity and the development allowance established for Charleston View and Sandy Valley. Staff clarified that the areas share the 500-megawatt allocation and that development of the Bonanza Peak project at its proposed capacity would use the available allocation.

Commissioners also asked questions regarding the proposed Charleston View fire station, including whether funding would provide for equipment in addition to construction of the facility. Staff and County Counsel discussed the allocation of REDA funds and the ability

to use remaining Region 2 funds for firefighting equipment and supplies after completion of the Charleston View Community Plan environmental review.

A Commissioner asked about the project's proposed water source and whether existing wells were located on the project site.

The applicant stated that approximately six wells exist on the property, several of which have not been used for an extended period. The applicant stated that it may be more practical to drill a new well rather than rehabilitate some of the older wells and that the applicant was also exploring contracts with industrial-scale water suppliers as another potential source of construction water.

Following Commission questions, Chair Morley opened the public hearing. Chair Morley explained that comments received would be recorded and forwarded to the Board of Supervisors.

Public Comment

An applicant representative responded to earlier questions concerning where electricity generated by the project would go. The representative explained that electricity flows through the interconnected electrical grid based upon system conditions and that the project would connect to the Trout Canyon Substation, which, although located in Nevada, is interconnected with the California Independent System Operator (CAISO) system.

Laura identified herself as the California Director for Western Watersheds Project and stated that she had previously commented on the County's Renewable Energy General Plan Amendment.

She stated that she would have preferred greater reliance on distributed and rooftop solar rather than utility-scale solar development and expressed concern that utility-scale renewable energy development was being concentrated in remote areas of Inyo County.

She stated that she was involved in commenting on and opposing several large utility-scale solar projects proposed across the Nevada border in the southern Pahrump Valley and described those areas as federally threatened desert tortoise habitat.

Laura Cunninghan expressed concern regarding cumulative groundwater impacts. She stated that groundwater issues in the Pahrump Valley are significant and expressed concern about the Bonanza Peak project's anticipated use of more than 1,000 acre-feet of construction water in an already overdrafted basin. She stated that residents in Pahrump have had to deepen wells and questioned how the project's groundwater contingency measures would address those conditions.

She also expressed concern regarding fossil resources, rare plants, desert tortoise habitat, and the overall landscape of the southern Pahrump Valley. She described the area as environmentally and visually significant and stated that people outside Charleston View also have an interest in protecting the area.

Kevin Emmerich identified himself as representing Basin and Range Watch and stated that his organization had followed renewable energy projects in the area for several years.

Mr. Emmerich discussed transmission infrastructure in the Pahrump Valley and stated that an existing transmission line was being upgraded from 230 kV to 500 kV. He stated that approximately eight solar projects were active or proposed in the Pahrump Valley in connection with increased transmission capacity.

Mr. Emmerich discussed cumulative groundwater use associated with the proposed solar projects. He stated that when the construction water requirements of the various projects are considered together, the total could approach approximately 6,500 acre-feet. He stated that the basin is already over drafted and asked the County to consider cumulative groundwater impacts rather than evaluating the Bonanza Peak project in isolation.

Mr. Emmerich also discussed cumulative impacts to desert tortoise habitat. He stated that approximately 20,000 acres of solar development are proposed on the Nevada side of the Pahrump Valley and referenced Bureau of Land Management analysis concerning fragmentation of desert tortoise habitat. He expressed concern that development of all of the proposed projects could substantially fragment habitat and affect the continued presence of desert tortoise in the area.

Mr. Emmerich stated that impacts from utility-scale solar projects are not temporary and that projects of this size permanently alter the landscape despite mitigation measures.

He also expressed concern regarding the project's proximity to the Old Spanish National Historic Trail, potential visual impacts to the historic trail, and impacts to Charleston View residents whose properties could be surrounded by solar development.

Bill Helmer discussed the adequacy of the environmental review and requested preparation of an Environmental Impact Report rather than reliance on an Addendum.

Mr. Helmer stated that his concern regarding preparation of an EIR was separate from the proposed development agreement and community benefits, including the proposed fire station. He emphasized that the CEQA process provides the public an opportunity to understand a project's environmental effects, provide information, and comment on potential impacts and mitigation.

Mr. Helmer specifically discussed the Old Spanish National Historic Trail. He stated that he was a member of an organization associated with the trail, had previously worked for the National Park Service, participated in the trail feasibility study beginning in approximately 1998, and had personally hiked approximately 350 miles of the trail, including through the Charleston View area.

Mr. Helmer expressed concern that the Addendum and supporting cultural resource analysis did not adequately address site-specific impacts to the Old Spanish Trail. He stated that the trail should not be evaluated solely as a narrow line on a map but as a broader historic **corridor**. He referenced previous National Park Service, Bureau of Land Management, and California Energy Commission studies that he stated recognized the broader historic landscape associated with the trail.

Mr. Helmer stated that the Bonanza Peak Solar Project is located within that historic corridor and expressed concern that the cultural resource analysis relied in part on the physical distance between the project and the mapped trail alignment in determining impacts. He stated that the trail should be evaluated as a historic resource and cultural landscape rather than solely as an archaeological resource.

Mr. Helmer expressed concern that previous studies and analyses of the Old Spanish Trail corridor were not adequately considered in the project's cultural resource analysis.

Mr. Helmer requested preparation of an EIR so that site-specific impacts could be more fully evaluated, the public could participate in the environmental review process, and potential mitigation measures could be considered.

Lynn Bolton identified herself as a resident of Lee Vining and Conservation Chair for the Range of Light Group of the Sierra Club, which covers Inyo and Mono Counties.

Ms. Bolton stated that she had been following and commenting on solar projects in the Pahrump Valley as well as other environmental issues throughout the region. She acknowledged that public meetings had been conducted in Tecopa, Shoshone, and Charleston View but stated that those communities do not represent everyone who has an interest in the Charleston View area.

Ms. Bolton stated that she had visited and photographed Charleston View and described the area as a creosote ecosystem with views of the surrounding mountains. She stated that people who do not live immediately within Charleston View may nevertheless care about the area and its environmental resources.

Ms. Bolton expressed concern regarding public access to project information. She stated that she had heard about earlier meetings concerning the project and proposed fire station but did not have documents available to review at that time. She stated that she received project materials in connection with notice of the Planning Commission meeting and had begun reviewing them.

Ms. Bolton requested that project maps identify Tecopa Road and the Old Spanish Trail so that members of the public could better understand the relationship and distance between the proposed solar facilities, the roadway, and the historic trail.

Ms. Bolton also requested that any well-used to provide project water be monitored and metered and that pumping data be reported to the Inyo County Water Department and made available to the public.

She expressed concern regarding groundwater conditions in Pahrump Valley Basin 162, stated that the basin is over drafted, and expressed concern that without metering and reporting, the public would not know the actual amount of groundwater used during construction.

Ms. Bolton also requested additional information concerning desert tortoise populations and habitat. She expressed concern that the project area functions as a wildlife corridor and that additional solar development could further restrict desert tortoise movement in conjunction with other solar projects in the Pahrump Valley.

Ms. Bolton requested more complete environmental information and stated that a fuller CEQA review would provide the public with additional information concerning the project's environmental impacts.

Following public testimony, Chair Morley requested clarification regarding the County's CEQA process, including why the project was being reviewed through an Addendum rather than a new EIR and under what circumstances additional environmental review would be required.

Robert Eckerton of HELIX Environmental Planning, the County's environmental consultant for the Bonanza Peak Solar Project, addressed the Commission.

Mr. Eckerton explained that the Charleston View Solar Energy Development Area was specifically evaluated as part of the Program Environmental Impact Report prepared for the Renewable Energy General Plan Amendment. He explained that CEQA provides for tiering and streamlining from a program-level environmental document when a subsequent project is consistent with the program previously evaluated.

Mr. Eckerton explained that the project-specific Addendum compares the Bonanza Peak Solar Project with the impacts and mitigation measures analyzed in the REGPA Program EIR. He stated that the analysis examines whether the project would result in a new impact, substantially increase a previously identified impact, or require mitigation not contemplated by the Program EIR.

Mr. Eckerton stated that if the site-specific analysis identified an impact outside the environmental envelope evaluated by the REGPA Program EIR, the County could not continue processing the project through an Addendum and a higher level of environmental review, such as a subsequent or focused EIR, would be required.

Mr. Eckerton stated that site-specific technical analysis had been conducted for the environmental topic areas addressed by the REGPA Program EIR and that the Addendum was supported by numerous technical studies. He stated that the County's preliminary determination was that the Bonanza Peak Solar Project fits within the environmental impact envelope previously evaluated by the REGPA Program EIR and that further CEQA analysis was therefore not required.

Staff stated that the Addendum and supporting technical studies were available on the County's website.

Chair Morley asked whether the explanation addressed the questions raised concerning the CEQA process.

Following the discussion, Chair Morley asked whether any additional members of the public wished to comment. No additional comments were received.

Chair Morley closed the public hearing.

Chair Morley stated that the Planning Commission would not take action on the REDAs because the hearing was informational. She stated that the Commission had received the public testimony and written comments and that the comments would be forwarded to the Board of Supervisors.

Staff reiterated that the Board of Supervisors hearing was tentatively scheduled for October 27, 2026, in Tecopa and encouraged members of the public to submit comments in writing and participate in the Board hearing.

A member of the public asked whether another hearing would occur before the October 27 Board hearing. Staff explained that the Planning Commission hearing was the Commission-level informational hearing and that the next scheduled public hearing would be before the Board of Supervisors. Staff clarified that written comments could continue to be submitted prior to the Board hearing.

No action was taken by the Planning Commission on Item 6.

ITEM 7: ZONE TEXT AMENDMENT 2026-02

Planning Director Cathreen Richards introduced the item and clarified for the record that the Zone Text Amendment had incorrectly been identified as 2026-01 and should be identified as Zone Text Amendment 2026-02.

Ms. Richards explained that during review of the Bonanza Peak Solar Project, Planning identified ambiguity in Inyo County Code Section 21.20.020 regarding the types of development standards that may be modified for renewable energy projects.

Ms. Richards stated that the existing section contains a list of standards that may be modified but does not clearly identify setbacks. Staff explained that the ambiguity became relevant to the Bonanza Peak project because the project encompasses numerous individual parcels. Application of a 50-foot setback to each side of every internal parcel boundary could result in approximately 100 feet of separation between solar facilities located on adjoining parcels.

Ms. Richards explained that the proposed amendment would remove the existing itemized list and clarify that the Planning Commission and Board of Supervisors may establish project-specific development standards and mitigation measures determined appropriate for a renewable energy project. Standards not specifically modified would continue to be governed by Title 18.

Commissioners discussed maintaining setbacks around the exterior project perimeter while allowing flexibility along internal parcel boundaries. Staff stated that the Bonanza Peak project would retain the applicable exterior setback and that the issue primarily involved internal parcel boundaries.

Ms. Richards explained that the amendment was intended to clarify existing authority and provide greater flexibility to address renewable energy projects on a case-by-case basis.

Chair Morley opened the public hearing.

No public comments were received.

Chair Morley closed the public hearing and returned the item to the Commission.

Commissioner Vogel moved to recommend that the Board of Supervisors approve Zone Text Amendment 2026-02 and adopt the associated ordinance based upon the findings contained in the staff report. Commissioner Peek seconded the motion.

Chair Morley called for a roll-call vote. The motion carried 4-0, with one Commissioner absent.

ITEM 8. COMMISSIONERS' REPORT/COMMENTS

Commissioners discussed opportunities for Planning Commissioner training and attendance at planning-related conferences.
Discussion included prior training experiences and whether future County budgets could include funding specifically for Commissioner training or conference attendance. Commissioners noted that training could be particularly beneficial to newly appointed Commissioners in understanding their roles and responsibilities.

No action was taken.

ITEM 9. DIRECTOR'S REPORT

Planning Director Cathreen Richards discussed scheduling the next Planning Commission meeting in consideration of the October 27, 2026 Board of Supervisors meeting in Tecopa and County Counsel availability.

Ms. Richards and the Commission discussed retaining the regularly scheduled October 28, 2026 meeting date but changing the meeting time from 10:00 a.m. to 2:00 p.m.
The next Planning Commission meeting was scheduled for October 28, 2026, at 2:00 p.m., subject to confirmation of County Counsel availability.

ADJOURNMENT

Commissioner Peek moved to adjourn the meeting. Commissioner Vogel seconded the motion. The motion carried 4-0, with One Commissioner absent.

Chair Morley adjourned the meeting at 11:45 a.m.

Prepared by:
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AGENDA ITEM NO.: **5** (Action Item – Public Hearing)

PLANNING COMMISSION MEETING DATE: October 27, 2026

SUBJECT: Amendment to Reclamation Plan 1996-10 New Death Valley Junction MS#286A California Department of Transportation.

EXECUTIVE SUMMARY

The California Department of Transportation (Caltrans) has submitted an application to amend the approved Reclamation Plan for Material Site #286A (Mine ID 91-14-0046), commonly known as the New Death Valley Junction Material Site. The material site is located on Bureau of Land Management (BLM) land approximately 5.5 miles west of Death Valley Junction along State Route 190. The proposed amendment would extend the approved reclamation plan through 2046 to allow Caltrans to continue using the site as a source of sand and gravel for highway maintenance, emergency repairs, and road construction projects within the region. The amendment maintains an estimated annual production of approximately 7,500 cubic yards and a maximum extraction volume of 150,000 cubic yards over the extended life of the operation. The amended reclamation plan also updates the revegetation component of the plan by incorporating a site-specific native seed mix developed from a 2026 vegetation survey while maintaining the post-mining land use as open space and wildlife habitat. Upon completion of mining, the site will be reclaimed in accordance with the approved reclamation plan and applicable SMARA performance standards

PROJECT INFORMATION.

Supervisory District: 5

Project Applicant: California Department of Transportation (Caltrans).

Property Owner: Bureau of Land Management (BLM)

Site Address/ The project is located approximately 5.5 miles west of Death Valley Junction, south side of SR 190 near PM 135.5.

Community: Death Valley Junction

A.P.N.: 043-070-03

General Plan: State and Federal Lands (SFL)

Zoning: Open Space (OS)

Size of Parcel: Approximately 5,962.48-acres

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Mine	State and Federal Lands (SFL)	Open Space - 40 acre minimum (OS-40)
North	Vacant/Open Space	State and Federal Lands (SFL)	Open Space - 40 acre minimum (OS-40)
East	Vacant/Open Space	State and Federal Lands (SFL)	Open Space - 40 acre minimum (OS-40)
South	Vacant/Open Space	State and Federal Lands (SFL)	Open Space - 40 acre minimum (OS-40)
West	Vacant/Open Space	State and Federal Lands (SFL)	Open Space - 40 acre minimum (OS-40)

Staff Recommended Action: **1.) Approve the Amendment to Reclamation Plan 96-10 Death Valley Junction MS #286A, Caltrans, with the Findings and Conditions as identified in the Staff Report and find the project is exempt under CEQA.**

Alternatives:

1.)Deny Amendment to Reclamation Plan 1996-10 Death Valley Junction Material Site #286A. Caltrans, thereby not allowing the applicant to update its Reclamation Plan, or move forward with the closure of the site

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2.) Approve the Amendment Reclamation Plan 1996-10 Death Valley Junction Material Site #286A. Caltrans with additional Conditions of Approval.

3.) Continue the public hearing to a future date and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner: Ryan Standridge, Associate Planner

STAFF ANALYSIS

Background and Overview

In 1997, Caltrans prepared Reclamation Plan #96-10 for Material Site #286A (Mine ID 91-14-0046), also known as the New Death Valley Junction Material Site. The plan identified an approximately 7.7-acre site on BLM-administered land, with approximately 7.2 acres identified for intermittent extraction of sand and gravel for road maintenance and construction. The plan anticipated approximately 150,000 cubic yards of material extraction over a 20-year period and reclamation of the site to open space and wildlife habitat. On June 25, 1997, the Inyo County Planning Commission approved Reclamation Plan #96-10 subject to Conditions of Approval.

Caltrans has now submitted an amendment to extend the term of Reclamation Plan #96-10 through 2046 to correspond with its anticipated continued use of Material Site #286A, subject to applicable BLM authorization. Caltrans anticipates removal of approximately 7,500 cubic yards of material annually, not to exceed 150,000 cubic yards over the extended 20-year period. Material would continue to be used primarily for emergency road repair and highway maintenance, with potential use for road construction.

The proposed amendment does not expand the existing disturbance area, increase the established excavation depth, or change the approved post-mining land use. The amendment also updates the revegetation provisions based on vegetation surveys conducted in 2026, including incorporation of a site-specific native seed mix. Reclamation would continue to return disturbed areas to open space and wildlife habitat through recontouring, decompaction, replacement of salvaged growth media, revegetation with native species, and implementation of erosion-control measures.

Inyo County Code

Surface Mining and Land Reclamation in Inyo County are governed by Chapter 7.70 of the Inyo County Code which incorporates California's Surface Mining and Reclamation Act of 1975 ("SMARA", Public Resource Code Section [PRC] 271 et seq. and California Code of Regulations Section 3500 et seq.). The County is the "lead agency" (ref. PRC Section 2728) with State Mining and Geology Board-certified Surface Mining and Reclamation Ordinance (ref. PRC Section 2774.)

General Plan Consistency

The project site is designated State and Federal Lands (SFL) by the Inyo County General Plan. The SFL designation recognizes lands under State or federal ownership and allows resource-related uses consistent with the requirements of the applicable land management agency. The project site is located on land administered by the Bureau of Land Management (BLM), and continued mining is subject to applicable BLM authorization and the requirements of the approved Reclamation Plan. The proposed amendment is consistent with the General Plan's goals and policies for mineral resources. Section 8.4.4 of the General Plan identifies the objective of protecting the current and future extraction of mineral resources important to the County's economy while minimizing impacts to the

public and the environment. The proposed amendment would allow continued intermittent extraction of sand and gravel from the existing Caltrans material site for highway maintenance, emergency repairs, and road construction while maintaining reclamation requirements for the site

Zoning Ordinance Consistency

The project site is zoned Open Space (OS) under the Inyo County Zoning Ordinance. The OS district allows mining and the processing of natural resources as a conditional use. The existing Caltrans material site has historically been used for the intermittent extraction of sand and gravel for highway maintenance, emergency repairs, and road construction.

The proposed amendment would extend the operational life of Material Site #286A through 2046 and update the reclamation provisions, including the revegetation requirements. The amendment does not propose an expansion of the existing disturbance area or a change in the established mining depth or post-mining land use.

Upon completion of mining, the site would be reclaimed in accordance with the Reclamation Plan to a post-mining use of open space and wildlife habitat. The proposed continued mining and subsequent reclamation are therefore consistent with the uses contemplated within the Open Space .

ENVIRONMENTAL REVIEW

The proposed amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15301, Existing Facilities (Class 1). Material Site #286A is an existing Caltrans material site used intermittently for the extraction of sand and gravel for highway maintenance, emergency repairs, and road construction. The amendment would extend the operational term through 2046 and update reclamation and revegetation provisions. It does not propose an expansion of the existing disturbance area, an increase in the established mining depth, or a change in the existing use or ultimate reclaimed land use. Therefore, the amendment involves negligible or no expansion of the existing use. Staff has reviewed the exceptions to categorical exemptions under CEQA Guidelines §15300.2 and found no evidence that an exception applies that would preclude use of the Class 1 categorical exemption.

NOTICING & REVIEW

Amendment to Reclamation Plan 96-10 Death Valley Junction MS#286A California Department of Transportation (Caltrans) was noticed in the Inyo Register and sent to all property owners within 300 feet of the project ten days before the Planning Commission Hearing. No public comments have been received to date.

RECOMMENDATION

Planning Department staff recommends the approval of the Amendment to Reclamation Plan 96-10 Death Valley Junction MS#286A, California Department of Transportation with the following Findings and Conditions of Approval:

FINDINGS

1. The proposed Amendment to Reclamation Plan #96-10 is exempt under CEQA Guidelines 15301, Existing Facilities – Class 1 and the provisions of the California Environmental Quality Act have been satisfied.
   [Evidence Material Site #286A is an existing Caltrans material site used intermittently for the extraction of sand and gravel for highway maintenance, emergency repairs, and road construction. The amendment extends the term of Reclamation Plan #96-10 through 2046 and updates reclamation and revegetation provisions. The amendment does not propose an expansion of the existing disturbance area, an increase in the established excavation depth, or a change in the existing use or ultimate reclaimed land use. Therefore, the amendment involves negligible or no expansion of the existing use. Staff reviewed the exceptions to categorical exemptions under CEQA Guidelines §15300.2 and found no evidence that an exception applies that would preclude use of the Class 1 categorical exemption..].

2. The proposed Amendment to Reclamation Plan 96-10 Death Valley Junction MS#286A CALTRANS is consistent with the Inyo County General Plan Land Use designation of State and Federal Land (SFL).
   [Evidence: The project site is located on land administered by the Bureau of Land Management (BLM) and is designated State and Federal Lands (SFL) by the Inyo County General Plan. The SFL designation recognizes lands under State or federal ownership and allows resource-related uses consistent with the requirements of the applicable land management agency. Continued use of Material Site #286A is subject to applicable BLM authorization and the requirements of the approved Reclamation Plan. General Plan Section 8.4.4 establishes the objective of protecting the current and future extraction of mineral resources important to the County's economy while minimizing impacts to the public and the environment. The amendment extends the term of Reclamation Plan #96-10 through 2046 and maintains reclamation of the site to the approved post-mining land use of open space and wildlife habitat.]

3. The proposed Amendment to Reclamation Plan 96-10 Death Valley Junction MS#286A CALTRANS is consistent with the Inyo County Zoning Ordinance, which permits "Mining Uses" as a Conditional Use in the Open Space Zoning District.
   [Evidence: The project site is zoned Open Space – 40-acre minimum (OS-40). The Open Space zoning district provides for mining and the processing of natural resources as a conditional use. Material Site #286A is an existing Caltrans material site located on BLM-administered land and has historically been used for the intermittent extraction of sand and gravel. The proposed amendment does not expand the existing disturbance area, increase the established excavation depth, or change the approved post-mining land use. Upon completion of mining, the disturbed area will be reclaimed to open space and wildlife habitat in accordance with Reclamation Plan #96-10, as amended.]

4. The proposed Amendment to Reclamation Plan 96-10 Death Valley Junction MS#286A, CALTRANS is necessary or desirable.

[Evidence: Material Site #286A is an existing Caltrans material site that provides sand and gravel for highway maintenance, emergency repairs, and road construction in the Death Valley region. The amendment extends the term of Reclamation Plan #96-10 through 2046 to correspond with Caltrans' anticipated continued use of the existing material site, subject to applicable BLM authorization. The amendment also updates the reclamation and revegetation provisions while maintaining the existing disturbance limits, established excavation depth, and approved post-mining land use of open space and wildlife habitat. The amendment therefore provides for continued implementation of an approved reclamation plan consistent with applicable SMARA requirements.]

5. The proposed amendment is properly related to other uses and transportation and service facilities in the vicinity.
   [Evidence: Material Site #286A is an existing Caltrans material site located adjacent to State Route 190 and has historically provided sand and gravel for highway maintenance, emergency repairs, and road construction. The proposed amendment does not expand the existing disturbance area or require new access or service facilities.]

6. The proposed Amendment to Reclamation Plan 96-10 Death Valley Junction MS#286A CALTRANS would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.
   [Evidence: Material Site #286A is an existing Caltrans material site used intermittently for the extraction of sand and gravel. The proposed amendment does not expand the existing disturbance area, increase the established excavation depth, or change the existing use or approved post-mining land use. The amended Reclamation Plan and Conditions of Approval require implementation of erosion control, revegetation, noxious weed control, monitoring, and other reclamation measures intended to stabilize the site and return disturbed areas to the approved post-mining land use of open space and wildlife habitat..]

7. Reclamation requirements necessitate the amendment for the site.
   [Evidence: Reclamation Plan #96-10 was approved for a 20-year term and requires amendment to address Caltrans' anticipated continued use of Material Site #286A through 2046. The amendment extends the term of the Reclamation Plan, updates the revegetation provisions based on the 2026 vegetation survey, and maintains requirements for reclamation of the site to the approved post-mining land use of open space and wildlife habitat. The amendment does not expand the approved disturbance area or increase the established excavation depth. Continued use of the site remains subject to applicable BLM authorization..]

CONDITIONS OF APPROVAL

Term of Plan and Timing of Reclamation

1.The term of Reclamation Plan #96-10, as amended, shall extend through 2046. The Reclamation Plan is based on the removal of approximately 7,500 cubic yards of material annually, not to exceed 150,000 cubic yards over the extended 20-year period. The approved reclamation area shall remain limited to the existing approximately 7.2-acre material site and 0.2-acre access area, and the established maximum excavation depth shall remain 30 feet below existing ground surface. This amendment does not authorize an expansion of the approved disturbance area or an increase in the established excavation depth. Reclamation shall be completed in accordance with the approved Reclamation Plan, this amendment, the Conditions of Approval, and applicable SMARA requirements. Continued use of the site is subject to applicable authorization from the Bureau of Land Management.

Interim Management Plan
2. During periods of idle operation, the approved Interim Management Plan shall be implemented in accordance with SMARA and the approved Reclamation Plan.

Mapping
3. Within two (2) years of approval of this amendment, Caltrans shall submit an updated Reclamation Plan map to the Inyo County Planning Department depicting current site conditions, including current topography and elevations, existing disturbance limits, reclamation limits, drainage features, and the proposed final reclamation configuration. The updated map shall be consistent with Reclamation Plan #96-10, as amended, and shall not authorize an expansion of the approved disturbance area or an increase in the established mining depth.

Salvage of Growth Media (Topsoil)
4. The top six inches (6") of growth media (topsoil), shall be collected from areas to be disturbed (Borrow pits and internal access roads). This (topsoil) shall be stockpiled in the active work site until final phase reclamation.
5. After the site is recontoured, the salvaged topsoil shall be respread to a depth of six inches over the recontoured pit. (See condition #7)

Erosion Control
6.Pit slopes shall be contoured to a minimum of 3: 1 (H: V). These slopes shall be in established during times of intermittent operation, times the interim management plan is in affect, and during final reclamation.

Earthwork
7. All compacted areas shall be scarified. Road berms shall be brought back into the roadway after scarification.

Noxious Weed Control
8. During mining and reclamation activities and during idle periods noxious weeds shall be controlled on site.

Seed Sources and Mixtures

9. Seed used for revegetation shall be collected on or near the site. Plant materials shall be obtained from the Mojave Creosote Bush Scrub plant community between 1,500 and 3,500 feet elevation, east of the Funeral Mountains and Greenwater Range, and within a 20-mile radius of Material Site #286A. If sufficient seed is not available from the identified source area, seed may be purchased.

The following site-specific native seed mixture, identified in the May 11, 2026 Seed Mix Justification Memorandum, shall be used for revegetation:

Scientific Name	**Common Name**	**PLS lbs/acre**
Larrea tridentata	Creosote Bush	5
Ambrosia salsola	Cheesebush	3
Ambrosia dumosa	Burroweed	3
Bebbia juncea	Sweetbush	1
Total		**12**

Revegetation Methods

10**.** Following final grading and replacement of salvaged growth media, areas to be revegetated shall be decompacted and the seedbed prepared by roughening the surface to create microsites, consistent with the approved Reclamation Plan. The approved native seed mixture identified in Condition 9 shall be applied by hydroseeding at the specified application rate. Hydroseeding shall be performed at an appropriate time to take advantage of seasonal precipitation and promote successful establishment of native vegetation. Revegetation shall be monitored and evaluated in accordance with the performance standards established by these Conditions of Approval.

Revegetation Performance Standard

11. Reclamation will not be considered successful or complete until vegetative density reaches 20 percent (number of plants per unit area) of the surrounding undisturbed land, with a 50 percent diversity (species richness) of the perennial species on surrounding undisturbed land. New perennial plants must be at least two years old before being considered viable plants. Once any portion of this Reclamation Plan is implemented by commencing of mining, all of its conditions and limitations shall be operative, and violation of any part shall constitute a violation of this reclamation plan and Chapter 7.70 of Inyo County Code.

Revegetation Monitoring

12. Revegetation shall be monitored from the time of initial seeding until the revegetation performance standards identified in Condition 11 have been achieved. During the first two years following seeding, revegetation monitoring shall be conducted **twice annually**.

Monitoring shall continue thereafter as necessary to demonstrate that the performance standards have been met.

Remedial Measures
13**.** If revegetation monitoring indicates that the performance standards identified in Condition 15 are not being achieved, appropriate remedial measures shall be implemented. Remedial measures may include, but are not limited to, reseeding, supplemental irrigation, planting, fertilization, soil analysis and amendment, and pest or weed control, as appropriate to address the cause of unsuccessful revegetation. Monitoring and remedial measures shall continue until the revegetation performance standards have been achieved.

Reporting and Annual Inspections
14. Caltrans shall comply with applicable SMARA annual reporting and inspection requirements. Annual reporting shall continue until reclamation has been completed and financial assurances have been released. Revegetation monitoring shall continue until the County determines that the applicable revegetation performance standards have been satisfied.

Reclamation Responsibility Statement
15. Within 30 days of approval of this amendment, Caltrans shall submit an updated notarized statement to the Inyo County Planning Department accepting responsibility for reclaiming the lands in accordance with Reclamation Plan #96-10, as amended, and these Conditions of Approval, as required by Public Resources Code §2772(c)(10).

Financial Assurances
16. Caltrans shall maintain financial assurances sufficient to complete reclamation in accordance with the approved Reclamation Plan, applicable SMARA requirements, and the financial assurance mechanism approved by the County and other applicable agencies.

Financial Assurance Cost Estimate
17**.** The Financial Assurance Cost Estimate shall be reviewed and updated annually in accordance with SMARA. Caltrans shall submit an updated Financial Assurance Cost Estimate to the County within the timeframe required by SMARA following the annual inspection.

Release of Financial Assurances
18. Financial assurances may be released or reduced as reclamation requirements are completed and applicable reclamation standards are achieved, in accordance with SMARA. Financial assurances necessary to cover revegetation and monitoring shall not be released until the applicable revegetation performance standards have been satisfied.

Other Agency Authorizations
19**.** Approval of this Reclamation Plan amendment does not constitute authorization by

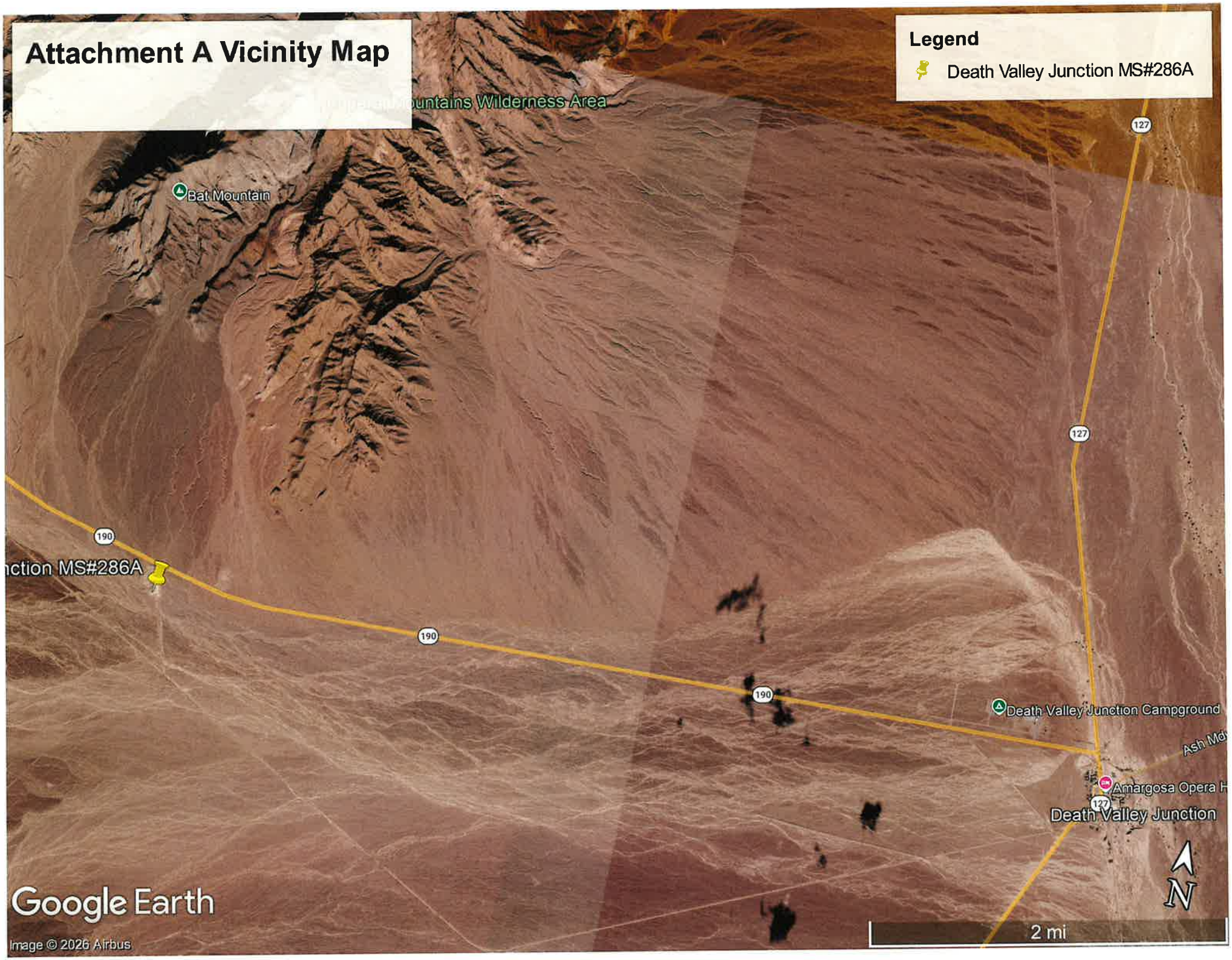
Inyo County for activities requiring approval or authorization from the Bureau of Land Management or any other federal, state, or local agency. Caltrans shall obtain and maintain all other permits and authorizations required for its activities at Material Site #286A.

HOLD HARMLESS

20. The applicant, landowner, and operator shall defend, indemnify, and hold harmless Inyo County, its agents, officers, and employees from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul any approval of the County, its advisory agencies, appeal boards, or legislative body concerning Reclamation Plan #96-10, as amended, for Death Valley Junction Material Site #286A (Mine ID #91-14-0046).

Attachments:

A. Vicinity Map
B. Approved Reclamation Plan
C. Proposed Amended Reclamation Plan Text


Attachment A Vicinity Map
Legend
Death Valley Junction MS#286A
Bat Mountain
127
190
Death Valley Junction Campground
Death Valley Junction
N
2 mi
Google Earth
Image © 2026 Airbus

Attachment B

County of INYO

RECEIVED

PLANNING COMMISSION

Drawer L • INDEPENDENCE • CALIFORNIA 93526 • (714) 878-2411 (Ext. 38) AM 9 48

August 3, 1979

Mr. R.F. Yeager
CALTRANS
P.O. Box 847
Bishop, CA 93514

RE: CUP #79-14

NOTICE OF DECISION

On August 1, 1979, the Inyo County Planning Commission held a public hearing to consider your agency's Conditional Use Permit application (CUP #79-14). The Commission adopted the Conditional Negative Declaration certifying that the provisions of the California Environmental Quality Act have been satisfied. The Commission voted to approve Conditional Use Permit #79-14 for the following described project, subject to the conditions listed below which incorporate a Reclamation Plan required by the State Surface Mining and Reclamation Act of 1975.

DESCRIPTION OF PROJECT:

The project involves the establishment of a 40 acre materials borrow site located on the north side of Highway 190 approximately five miles west of Death Valley Junction. The project site is zoned OS-40 (Open Space-40 acres) and is under the jurisdiction of BLM. The project involves the extraction of sand, gravel and cobbles for use on local highway construction.

CONDITIONS OF APPROVAL:

1. The Conditional Use Permit shall expire ten (10) years from the date of approval unless an extension of time is granted by the Planning Commission prior to the expiration date.

2. No excavation shall occur within 200 feet of the centerline of Highway 190.

3. Fugitive dust will be controlled by applying water to access roads and exposed surfaces whenever needed during the operation of the borrow site.

DISTRICT 9
Date

4. If the site is utilized for any temporary rock crushers and/or hot asphalt plant the applicant shall submit evidence to the Planning Department that it has been approved by BLM and that it has been reviewed by the Great Basin Air Pollution Control District. Compliance with any condition and/or regulation of the Air Pollution Control District shall be a condition of this permit.

5. The applicant shall construct and maintain the excavation operation in such a manner as to minimize soil erosion and maintain the surface runoff water quality.

6. Within 60 days following termination of the project either by reason of cessation of use or as the result of the expiration of this Use Permit the applicant shall rehabilitate the site including but not limited to the following:

   a. All piles of waste materials shall be leveled.

   b. All cut slopes shall be graded to slopes of 2:1 or flatter.

   c. All graded slopes shall be ripped horizontally in order to retain moisture.

   d. All structures, fixtures, containers and other physical objects associated with the project shall be removed from the area.

   e. The excavated area shall be graded to drain.

7. The County shall reserve the right to periodically inspect the project site with prior notification to the applicant to determine that the above conditions are being complied with.

8. The applicant shall submit a statement to the Planning Department accepting responsibility for reclaiming the mined lands as per conditions specified herein.

9. This permit shall be valid only for the use of CALTRANS and/or agencies and operator duly authorized by CALTRANS to utilize materials from the site.

10. Any expansion of the proposed use beyond that described in the application shall require an amendment to the Conditional Use Permit.

Failure to comply with the conditions stated above will result in the proposed use being in violation of the Inyo County Code. Please be advised that, pursuant to the County Code (Section 18.81.140), the proposed use must be"... established or construction necessary and incident to its establishment..." begun within six months of the Commission's conditional approval. This Conditional Use Permit becomes void if this time requirement is not met.

This Conditional Use Permit will become effective fifteen days after the Planning Commission's action. During that time, pursuant to Inyo County Code Section 18.81.270, any concerned person may appeal the decision or any condition of this approval.

In regard to Condition #8, which requires that a statement be submitted by CALTRANS to the Planning Department accepting responsibility for reclaiming the mine site, we have enclosed a statement we wish to have signed by an authorized representative of CALTRANS.

If you have any questions regarding the above, please feel free to contact this office.

Sincerely,

Roger DeHart

Roger DeHart
Associate Planner

ENCL: Reclamation Statement

cc:Assessor's Office

Attachment B

County of
INYO

PLANNING COMMISSION

Drawer L • INDEPENDENCE • CALIFORNIA 93526 • (714) 878-2411 (Ext. 318)

July 17, 1979

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Inyo County Planning Commission will hold a public hearing on Wednesday, August 1, 1979, at 10:35 a.m. in the Board of Supervisors Room, Courthouse, Independence, to consider a Conditional Use Permit submitted by CALTRANS (No. 79-14) for a 40 acre material borrow site situated on property zoned OS-40 (Open Space-40 acres) located on the north side of Highway 190 approximately 5 miles west of Death Valley Junction; also to be considered is a reclamation plan submitted pursuant to the State Surface Mining and Reclamation Act of 1975.

Planning Comm. 8/1/79

ITEM 6 - CONDITIONAL USE PERMIT NO. 79-14/CALTRANS

A proposal for a 40 acre material borrow site situated on property that is presently zoned OS-40 (Open Space-40 acres) located on the north side of Highway 190 approximately 5 miles west of Death Valley Junction; also to be considered is a reclamation plan submitted pursuant to the State Surface Mining and Reclamation Act of 1975.

Associate Planner Roger DeHart indicated that an Initial Study had found that no significant effects would occur on the environment. However, a Conditional Negative Declaration was prepared requiring that an archeological survey be done prior to the disturbance of this site. Mr. DeHart noted that Death Valley National Monument was in agreement with this request and also expressed concern about visual impacts. It was the recommendation of the Planning Department to approve the project.

Mr. Gene Ryder, representative of BLM, stated that BLM would not allow a hot batch plant as this property was in a wilderness study area. He advised that BLM felt the Death Valley National Monument comments were unwarranted.

Mr. Otto Mikes, CALTRANS representative, that it would be more costly to transport the materials for processing rather than have a hot batch plant on the site.

MOTION: "Moved by Commissioner Sorrells, seconded by Commissioner Boyd, that the Planning Commission adopt the Conditional Negative Declaration certifying that the provisions of the California Environmental Quality Act have been satisfied and approve CUP No. 79-14/CALTRANS subject to conditions 1-10 inclusive which incorporate the reclamation plan as required by the State Surface Mining and Reclamation Act of 1975."

Motion carried. (5-0)

Attachment B

STATE OF CALIFORNIA—BUSINESS AND TRANSP. .ATION AGENCY — EDMUND G. BROWN JR., Governor

DEPARTMENT OF TRANSPORTATION

500 So. Main
P.O.Box 847
Bishop,CA 93514
(714) 873-8411

Date: July 27, 1979

File: Responsible Agency

Mr. Douglas Sherburne, Director
Inyo Co. Planning Dept.
Drawer L
Independence, CA 93526

RECEIVED
JUL 30 1979
INYO CO. PLANNING DEPT.

Dear Mr. Sherburne:

Re: Conditional Use Permit No. 74-14 CALTRANS and Condition Use Permit No. 74-15/CALTRANS

We have reviewed the above-referenced document and have the following comments.

( ) We have no comments.

( ) CALTRANS is not a Responsible Agency.

( ) CALTRANS is a Responsible Agency pursuant to the California Environmental Quality Act, since Encroachment Permits will be required to install driveways, utilities or other facilities within the right of way for State Highway Route _____. As a Responsible Agency, CALTRANS will rely on the Lead Agencies environmental document for CEQA clearance of any such Encroachment Permits.

( ) In accordance with Section 15161.5(2) of the State Environmental Impact Report Guidelines, the environmental document should be submitted to the State Clearinghouse for review by State agencies.

( ) The environmental document appears to be adequate with respect to any areas of concern where CALTRANS has jurisdiction by law or has special expertise.

(✓) See attached sheet for additional comments.

Allan H. Hendrix
Deputy District Director
Transportation and
Environmental Planning

NR:ac

Attachment B

The archeological studies done by the Bureau of Land Mangement and CALTRANS have been submitted to the Inyo County Planning Department by CALTRANS.

Attachment B

County of
INYO

NOTICE OF DETERMINATION

PLANNING COMMISSION

P.O. BOX 37 • INDEPENDENCE • CALIFORNIA 93526 • (714) 878-2411 (Ext. 318)

TO: ☐ Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

☒ County Clerk
County of Inyo
Independence, California 93526

PROJECT TITLE: Conditional Use Permit No. 79-14/CALTRANS

STATE CLEARING HOUSE NUMBER:

CONTACT PERSON: Roger DeHart TELE: 878-2411

PROJECT LOCATION: Project site is situated on 40 acres located on the north side of Highway 190 approximately 5 miles west of Death Valley Junction.

PROJECT DESCRIPTION: Project involves the establishment of a material borrow site for CALTRANS for use in local highway construction. The material would be excavated by scraper or bulldozer. No permanent equipment will be located at the site. Project also involves the approval of a reclamation plan pursuant to the State Surface Mining and Reclamation Act of 1975.

This is to advise that the COUNTY OF INYO PLANNING COMMISSION has approved the above described project and has made the following determinations.

The project ☐ will, ☒ will not, have a significant effect on the environment.

☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA and was certified as required by Section 15085 (g).

☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

☐ Mitigation measures were adopted to reduce the impacts of the approved project and are attached.

☐ A statement of Overriding Considerations was adopted for this project.

All EIRs and Negative Declarations are on file with the Inyo Co. Planning Dept.

Date: August 3, 1979

By Roger DeHart
for D. Sheburne, Planning Director

Reference: California Administrative Code, Title 14, Sections 15035, 15083 (f), 15085 (h), 15085.5 (i).

County of
INYO

PLANNING DEPARTMENT

Drawer L • INDEPENDENCE • CALIFORNIA 93526 • (714) 878-2411 (Ext. 318)

PLANNING DEPARTMENT STAFF REPORT

AGENDA ITEM NO. 6
AUGUST 1, 1979

RE: CONDITIONAL USE PERMIT NO. 79-14/CALTRANS

BACKGROUND:

The applicant, CALTRANS, is proposing to establish a material borrow site on 40 acres located on the north side of Highway 190 approximately 5 miles west of Death Valley Junction. The project site as well as all the adjacent lands are zoned OS-40 (Open Space-40 acres) and are under the jurisdiction of the BLM. The site is located on an alluvial fan of the Funeral Mountains at an elevation of 3,480 feet. The sedimentary material at this site is composed of medium to fine gravels. Drainage is primarily by infrequent sheet flow. Cresote bush and assorted desert cacti occupy the project site. No rare or endangered plants or animals are known to exist in the immediate vicinity. An old material borrow site (partially revegetated) is located in the southeast portion of the project site as well as a large stockpile of gravel.

An Initial Study was prepared by the Planning Department which indicated that the proposed project would not have a significant adverse effect on the environment. However, information as to the presence of archaeological resources and the impact the project would have on them, if they did exist, was unknown. It was determined that this unknown potential impact could be properly mitigated if an archaeological reconnaissance was conducted prior to the site's disturbance. Therefore, a Conditional Negative Declaration was issued for public review and comment which stated that the project would not have a significant impact on the environment if an archaeological reconnaissance was conducted. The review period for the Conditional Negative Declaration ended on July 26, 1979.

We have received one comment on the Conditional Negative Declaration, from Death Valley National Monument (attached). It concurred with the County's requirement that an archaeological reconnaissance be performed. It also expressed concern regarding the projects visual impact and the impact it would have on the proposed scenic highway program. This will be discussed under the Project Analysis section.

PROJECT DESCRIPTION:

The project involves the extraction of sand, gravel and cobbles for use in local highway construction. A highway construction project would require 100,000 to 300,000 cubic yards of material. The material would be excavated by scraper or bulldozer, screened and then transported to the construction site. No permanent equipment will be located at the site. CALTRANS has requested that the Conditional Use Permit be approved for a ten year period with provisions for renewal.

The reclamation statement submitted by CALTRANS indicates that any piles of isolated piles of material will be leveled and that any cut slopes will be leveled to 2:1 or flatter and graded to drain. Slopes will be ripped horizontally and a thin veneu of soil will be spread over the excavation site to promote revegetation.

PROJECT ANALYSIS:

The project is located on property zoned OS-40. The regulations of the OS-40 zone permits mining activity upon the granting of a Conditional Use Permit. The project is consistent with the Open Space designation of the General Plan providing appropriate reclamation measures are implemented in order to revert the area back to its former use (open space).

The project should have no impact on the area's residents as the nearest dwellings are located in Death Valley Junction, 5 miles to the east. The ownership pattern (BLM) precludes any future development within the immediate area.

An archaeological reconnaissance of the site was performed by the staff of BLM. No archaeological or historic resources were found on the project site.

There will be some adverse visual impact to the travelers on Highway 190. As previously mentioned, a portion of the project site had been used as a borrow site in the past and is now partially revegetated. In addition, a large stockpile of gravel is located adjacent to the highway. The site therefore, has already been visually impacted by the previous mining activity.

Highway 190 is a "nominated" scenic highway in the Inyo County General Plan however, until a Scenic Highway Corridor Plan is adopted by the County there are no specific regulations restricting the use of properties adjacent to these highways (Page 13, Scenic Highway Element).

The applicant has submitted a reclamation plan as required by the State Surface Mining and Reclamation Act of 1975. The reclamation conditions have been reviewed by the staff and the reclamation plan has been incorporated into the recommended conditions of approval. The conditions will insure that the project site will be reclaimed to a usable condition upon termination of the project.

RECOMMENDATIONS:

The Planning Department recommends that the Planning Commission approve the conditional use permit by taking the following actions:

A. Adopt the Conditional Negative Declaration certifying that the provisions of the California Environmental Quality Act have been satisfied.

B. Approve Conditional Use Permit No. 79-14 for CALTRANS subject to the following conditions which incorporate the reclamation plan as required by the State Surface Mining and Reclamation Act of 1975:

1. The Conditional Use Permit shall expire ten (10) years from the date of approval unless an extension of time is granted by the Planning Commission prior to the expiration date.

2. No excavation shall occur within 200 feet of the centerline of Highway 190.

3. Fugitive dust will be controlled by applying water to access roads and exposed surfaces whenever needed during the operation of the borrow site.

4. If the site is utilized for any temporary rock crushers and/or hot asphalt plant the applicant shall submit evidence to the Planning Department that it has been approved by BLM and that it has been reviewed by the Great Basin Air Pollution Control District shall be a condition of this permit.

5. The applicant shall construct and maintain the excavation operation in such a manner as to minimize soil erosion and maintain the surface runoff water quality.

6. Within 60 following termination of the project either by reason of cessation of use or as the result of the expiration of this Use Permit the applicant shall rehabilitate the site including but not limited to the following:

   a. All piles of waste materials shall be leveled.

   b. All cut slopes shall be graded to slopes of 2:1 or flatter.

   c. All graded slopes shall be ripped horizontally in order to retain moisture.

   d. All structures, fixtures, containers and other physical objects associated with the project shall be removed from the area.

   e. The excavated area shall be graded to drain.

7. The County shall reserve the right to periodically inspect the project site with prior notification to the applicant to determine that the above conditions are being complied with.

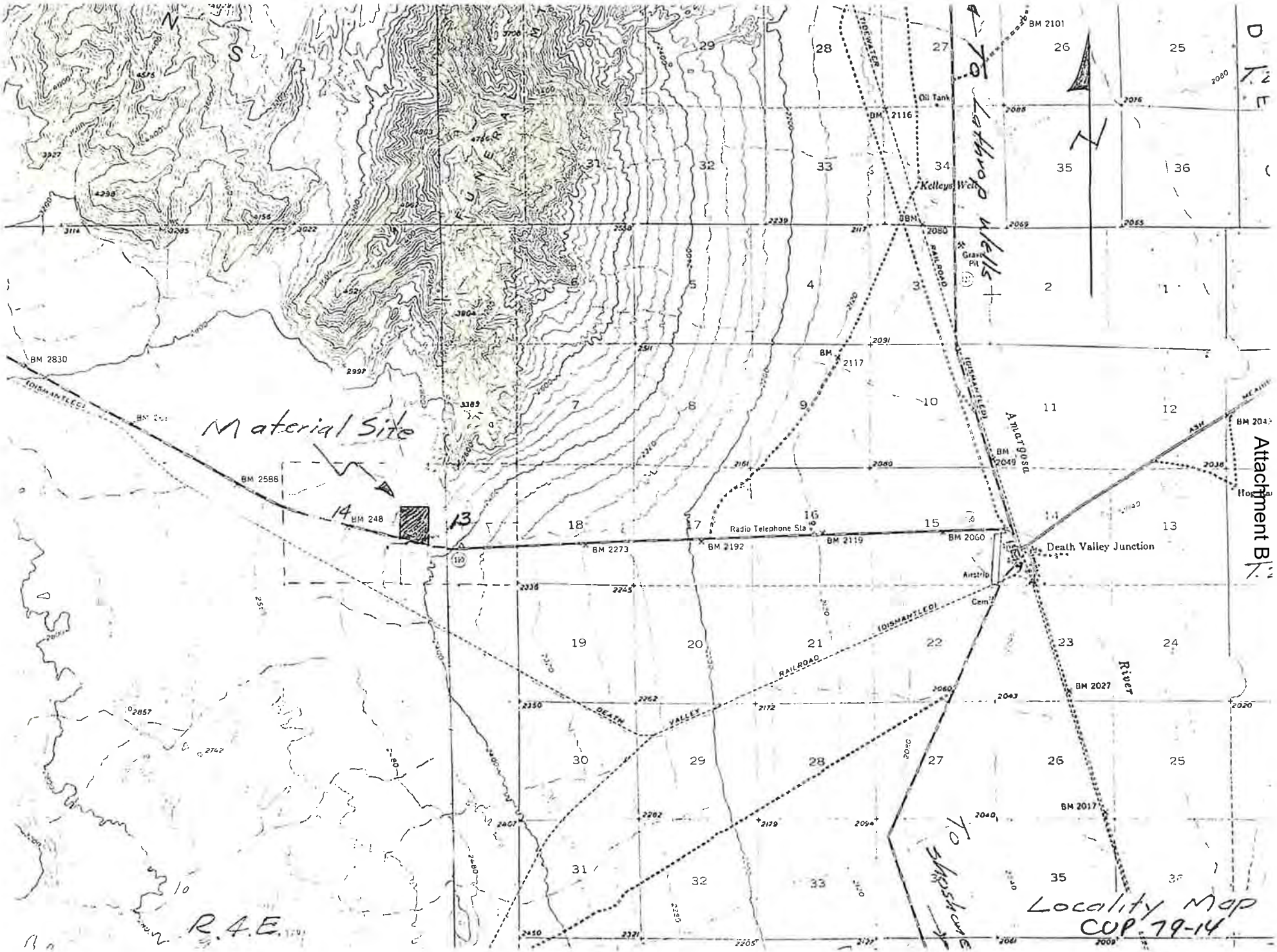
8. The applicant shall submit a statement to the Planning Department accepting responsibility for reclaiming the mined lands as per conditions specified herein.

9. This permit shall be valid only for the use of CALTRANS and/or agencies and operator duly authorized by CALTRANS to utilize materials from the site.

10. Any expansion of the proposed use beyond that described in the application shall require an amendment to the Conditional Use Permit.

RDH/mss

Attachments: Locality Map
Death Valley National Monument letter of July 17, 1979


Material Site
Locality Map
CUP 79-14
Attachment B
Death Valley Junction
Radio Telephone Sta
Amargosa
River
BM 2830
BM 2588
BM 2273
BM 2192
BM 2119
BM 2060
BM 2049
BM 2027
BM 2017
BM 2101
BM 2116
BM 2117
BM 248
Oil Tank
Kelleys Well
Gravel Pit
Airstrip
Cem
Tidewater
Railroad
Death Valley
Dismantled
R.4.E.

Attachment B

Surrounding Property Owners-CUP 79-14/CALTRANS

Applicant - R.F. Yaeger
CALTRANS
500 So Main
Bishop, CA 93514

(Mailed public hearing notices 7/17/79)

BLM
1415 North Norma
Ridgecrest, CA 93555

Attachment B

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF TRANSPORTATION
500 SOUTH MAIN STREET
P.O. BOX 847
BISHOP, CALIFORNIA 93514

(619) 872-0662

RECEIVED
BUREAU OF LAND MANAGEMENT
1987 NOV -9 PM 2:15
BARSTOW RESOURCE AREA
BARSTOW, CA.

November 5, 1987

Proposed Death Valley
Jct. M.S.

United States Department
of the Interior
Bureau of Land Management
Barstow Resource Area
831 Barstow Road
Barstow, CA 92311

Attention Mr. Alden Sievers

Dear Mr. Sievers:

On December 19, 1986 we filed a "Free Use Application and Permit" with your office covering a portion of Section 13, T.25N, R.4E., about five miles west of Death Valley Junction on State Route 190 in Kern County for use as a materials site. On July 1, 1987, I met with Mr. Mark Davis and Mr. Ken Schulte of your office on the site to determine an area within Section 13 which could be used. Approximate boundaries were agreed on with the understanding that markers would be set by Caltrans and located by survey methods.

This has been done, and the attached sketch map shows the points set. The proposed corners have been tied to an old material site corner, as well as to Post Mile Marker 135.5 on Route 190.

We request that the sketch map be made a part of the Free Use Permit and that the permit be granted covering this portion of Section 13.

Very truly yours,

R. F. Yeager
District Materials Engineer

RFY:ml
Attachment
cc: B. Cowan

KEN SCHULTE
GEOLOGIST
BUREAU OF LAND MANAGEMENT
CALIFORNIA DESERT DISTRICT
BARSTOW RESOURCE AREA
150 COOLWATER LANE
BARSTOW, CA 92311
TELEPHONE (619) 256-3591
FTS 796-6736

INY - 190 - PM 135.5+/-
SECTION 11 T.25N. R.4E. S.B.B.&M.

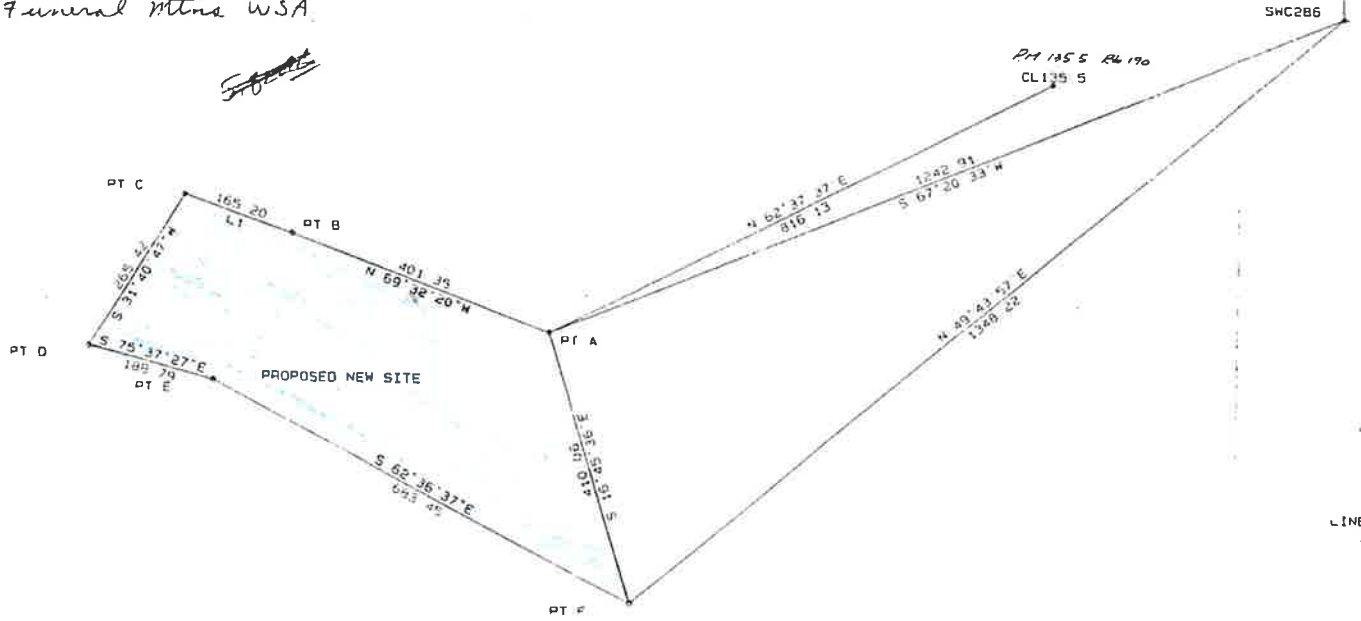
EA data for
Free Use Apln
CA-19745.

For general location
map, see Example
EA for old site in
General Mtns WSA



OLD MATR'L SITE #286

NOTE POINTS A THU F ARE I I P 's W/AL CAPS



LINE BEARING DISTANCE
1 N 70°50'28"W 165.20

3.17 ACRES

Attachment B

Attachment B

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Barstow Resource Area
150 Coolwater Lane
Barstow, CA 92311
(619) 256-3591

IN REPLY REFER TO:
CA 19745
3600(CA-068.28)

TO : Geologist, Barstow

Date: March 17, 1987

FROM : Natural Resource Specialist, Barstow

SUBJECT : Caltrans Free Use Application, Death Valley Junction

The subject site was visited on February 11, 1987. The area contains a creosotebush scrub plant assemblage of low density. The area does not contain any known state or federally listed plants or animals. The proposed action should not have more than negligible impact on the resident wildlife. It will result in the total loss of about six acres of vegetation and associated wildlife habitat. To counter this loss the following mitigation is proposed.

1. Require that any area that is not being used in their current operation not be cleared of vegetation until necessary. If already cleared but activity is not anticipated for a lengthy period (1-2 years) then the disturbance should be smoothed over and scarified to promote revegetation.

2. Upon completion of their operations under this authorization the permittee should be required to smooth over any remaining disturbance to blend in with the surrounding terrain and scarify to a depth of at least six inches.

3. Require that the disturbance once reclaimed be seeded with a mix of desert annuals and perennials approved by this office. I would suggest that the approval of the seed mix be delayed until the site is reclaimed. This will allow us the opportunity to utilize the most current information and sources for assisting the operator in compiling the seed mix.

DARYL ALBISTON

Albiston/kms/03-17-87

OSC-1541-2
Mar. 1974

Attachment B

Barker 2/5/87

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Barstow Resource Area
150 Coolwater Lane
Barstow, CA 92311
(619) 25693591

IN REPLY REFER TO:
CA-19745
(CA-068.24)

TO : Geologist, Barstow Resource Area

Date: February 4, 1987

FROM : Archaeologist, Barstow

SUBJECT: P.O.O. from Cal Trans

On January 29, 1987, the proposed permit area was given a 100% pedestrian survey. There were no cultural resources located during the survey and none were noted on existing site records. Thus, the proposed activity will have no impact on cultural resources and no mitigation measures are needed.

Pat Barker

Barker/kms/02-04-87

DSC-1541-2
Mar. 1974

Attachment B

IN REPLY REF

United States Department of the Interior

(3620) CA-010(R)-10
(C-017.3)

BUREAU OF LAND MANAGEMENT
1415 No. Norma Street
Ridgecrest, CA 93555
Office Hours: 7:30 a.m. to 4:00 p.m.
Phone: (714) 446-4526

AUG 30 19

Mr. Robert O. Watkins
District Director, Caltrans
500 So. Main Street - Box 847
Bishop, CA 93514

Re: CA-010(R)-1019
Attachment C

Dear Mr. Watkins:

The Free Use Permit authorizing Caltrans to extract gravel from the existing pit approximately five miles west of Death Valley Junction, CA., is ammended as follows:

A"hot-batch" facility may be placed and operated on the site, subject to the following stipulations:

1. No mixing table is allowed.
2. No oil or asphaltic material will be dumped or buried on the site. Accidental spills will be cleaned-up immediately.
3. The facility will be temporary and is subject to the time limitation for the authorized gravel extraction.

If you have any questions or comments, please contact me.

Sincerely,

Kris Hayes
Ridgecrest Area Manager

Bob Clark
Sam HQ

CONSERVE AMERICA'S ENERGY

Save Energy and You Serve America!

Inyo County Planning Department
Drawer L
Independence, CA 93526

RE: CUP #79-14/CALTRANS

Gentlemen:

In accordance with the conditions placed on Conditional Use Permit #79-14 issued to CALTRANS by the Inyo County Planning Commission on August 1, 1979 and as stated in the Notice of Decision dated August 3, 1979, we agree to accept the responsibility for reclaiming the mined lands as stated therein.

Sincerely,

R. H. Spanger

Attachment B

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Barstow Resource Area
831 BArstow Road
Barstow, CA 92311

IN REPLY REFER TO:
CA-060-FP1-9
3620 (C-068.25)
CA-068-1-59
1791

RECEIVED
MAY 18 1981
INYO CO. PLANNING DEPT.

To : Acting Area Manager, Barstow

Date: APR 29 1981

FROM : Geologist, Barstow

SUBJECT : Application from California Department of Transportation for Free Use Permit for Sand and Gravel

The environmental impacts associated with the proposed action have been assessed. I recommend approval of the application with the stipulations in Exhibits 1 and 2 of the attached EAR. I do not consider the proposed action to be a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA; therefore, an environmental impact statement is not required.

K. C. Schulte

I (do) ~~(do not)~~ concur: Ken Nieves
Acting Area Manager, Barstow

4/30/81
Date

Enclosures

Schulte/ps/04-28-81

DSC-1541-2
Mar. 1974

Attachment B

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Barstow Resource Area
831 BArstow Road
Barstow, CA 92311

IN REPLY REFER TO:
CA-060-PP1-9
3620 (C-068.25)
CA-068-1-59
1791

To : Acting Area Manager, Barstow

Date: Schulte 4-29-81
APR 29 1981

From : Geologist, Barstow

Subject : Application from California Department of Transportation for Free Use Permit for Sand and Gravel

The environmental impacts associated with the proposed action have been assessed. I recommend approval of the application with the stipulations in Exhibits 1 and 2 of the attached EAR. I do not consider the proposed action to be a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA; therefore, an environmental impact statement is not required.

KEN SCHULTE

I (do) (~~do not~~) concur: KEN MOORE
Acting Area Manager, Barstow

APR 30 1981
Date

Enclosures

Schulte/ps/04-28-81

DSC-1541-2
Mar. 1974

Attachment B

CA-060-FP1-9
3620 (C-068.25)
CA-068-1-59
1791

Environmental Assessment Record

and

Technical Examination Report

State Department of Transportation

Free Use Permit #CA-060-FP1-9

Sand and Gravel

California Desert District
Barstow Resource Area
Planning Unit #42

K.C. Schulte
Geologist,
Barstow Resource Area

4-29-81
Date

Acting Area Manager,
Barstow Resource Area

4/30/81
Date

CA-060-FP1-9
3620 (C-068.25)
CA-068-1-59
1791

I. BACKGROUND:

A. Location and Status of Lands Affected:

Inyo County, California
T. 25 N., R. 4 E., S.B.M.
Section 13: SW¼NW¼, NW¼SW¼

The proposed 80-acre site is located on an alluvial fan north of Highway 190 about 5 miles west of Death Valley Junction (see Exhibit A).

The site is on public lands classified for multiple use under #R-1250, which segregates the lands from entry only under agricultural land laws and from sales under #RS-2455.

There are no grazing leases or mining claims in the area.

The site is crossed in an east-southeast by west-north west direction by two utility rights-of-way: #R-01247 (12.5'from centerline) power transmission line and #LA-092906 (20'from centerline) telephone line. Between the utility lines lies Highway 190, S-0 31950 (200').

B. Adjoining Land Uses:

The only use appearing to take place in the area is sightseeing and transportation along Highway 190.

C. BLM Plans for Affected Area:

In the plan for the CDCA the site is shown as Class L (limited). Class L guidelines provide for continued use of existing areas of sand and gravel extraction subject to permit from the authorized officer. The subject site also falls within a non-recommended wilderness study area. Sand and gravel extraction in WSA's is authorized subject to meeting the wilderness non-impairment criteria.

D. Present and Projected Demand for Mineral Materials:

Bureau of Mines figures show that in 1978 103,694 short tons of sand and gravel worth $252,996.00 were produced in Inyo County. The subject application is for 100,000 cubic yards (150,000 tons) per year. This represents an estimate of the maximum amount that would be used in case of a construction job. In reality, the total probably will not exceed 100,000 cubic yards during the 5-year period. Demand may increase in the future for sites such as this where impacts have already occurred. This is because most deposits fall into Class L which requires a time consuming EIS on new sites in excess of 5 acres.

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3620 (C-068.25)
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II. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

A. Proposed Action:

The State Department of Transportation has applied for a Free Use Permit for 100,000 cubic yards per year of gravel. The proposed action represents a renewal of #CA-010-(R)-1019. The figure of 100,000 cubic yards represents the maximum amount that would be used for construction work. The actual amount used will probably be much less than this and will be used mostly for repair work. Cal-Trans would like the permit for a 5 year period. The gravel will be used as aggregate and fill material for road rebuilding material.

The mining will be done with a bulldozer and front-end loader. Temporary structures may include a screen, hot plant and small asphalt pile.

The site will be reclaimed by leveling piles and cutting slopes to 2H:1V or flatter with the area graded to drain. The slopes will be ripped horizontally to promote revegetation.

B. Alternative Actions:

1. Amend the application by selecting an alternate site.

2. Reduce the size of the application area.

3. Deny the permit

III. DESCRIPTION OF THE EXISTING ENVIRONMENT:

A. Non-Living Components:

The climate is warm-arid, and temperatures exceed 100 degrees F during summer. Air quality is good and precipitation averages 4 to 5 inches per year.

The application covers 80 acres on an alluvial fan (bajada) slopping 2 to 3 degrees to the south.

Soils in the area are sandy and gravelly with a silt-clay matrix. The soil sensitivity is shown as low to medium on Map #3 of the desert plan.

The material to be mined is pebbly sand with a high proportion of granules and cobbles suitable as aggregate and fill materials. There are local concentrations of gravel with boulders up to 16 inches in diameter, although most particles are under 12 inches (see Photo #3). Subsoils contain developed "B" horizons, calcium carbonate accumulations or stratified horizons of different textures. Some surfaces have a developed pavement formation.

There is no water on or near the subject site.

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B. Living Components:

The site consists primarily of a creosote bush (Larrea tridentata) community, which is a characteristic of many of the alluvial fan areas in the region. This community is dominated by creosote bush, with bursage (Ambrosia dumosa) having equal numbers, but not dominating because of a smaller size. A number of other shrubs also occur along with several cactus species. Part of the site has been previously used as a gravel site and has been partially revegetated (see Photo #4). Except for the absence of cactus, the species present on the disturbed area are similar to the undisturbed areas. The disturbed area is dominated by bursage, desert holly (Atriplex hymenelytra), cheese bush (Hymenoclea salsola), and desert alyssum (Lepidium fremontii). No Federal or State listed endangered or rare plants are known to occur on the site or in the vicinity.

No Federal or State listed endangered wildlife species are known to inhabit the area. An inspection revealed that species inhabiting the site are the Merriam kangaroo rat (Dipodomys merriami), deer mouse (Peromyscus maniculatus), liptle pocket mouse (Perognathus longimembris), White-Crowned Sparrow (Zonotrichia leucophrys), Black-Throated Sparrow (Amphispiza bilineata), and Horned Lark (Eremophila alpestris). The Raven (Corvus corax) and the side-blotched lizard (Uta stansburiana) are probably present but were not observed at the time the site was inspected.

C. Ecological Interrelationships:

The flow of energy and nutrients through the food chain associated with the subject area is basically the same as elsewhere, but the volumes are somewhat reduced. Of the primary non-living components of an ecosystem, the lack of water is probably the greatest limiting factor. This along with high temperatures and the lack of soil development limit the number and variety of plants which in turn limit the number and variety of animals. No significant ecological interrelationships are known to exist in the area.

D. Human Values:

The site is on a large alluvial fan about one mile south of the southeast terminus of the Funeral Mountains. The area is regarded as having high scenic quality. It is dominated by the Funeral Mountains, which received high-medium scores for landform, color, vegetation, and uniqueness. The scenery quality is B (Visual Polygon B-31). The visual management Class is III. Since the site is visible in the foreground middle zone, the sensitivity would be of medium concern.

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The site falls within Wilderness Study Area 143 which includes the rugged and colorful southern extension of the Funeral Mountains, Pyramid Peak, and the enclosed valley called Red Amphitheater. The portion of the roadless area where man's work is substantially unnoticeable, includes the Funeral Mountains and bajadas north and south of the mountains. This portion of the area has retained its primeval character and influence.

Opportunities for solitude or a primitive and unconfined type of recreation are outstanding. Narrow winding canyons and large, rugged peaks and ridges create solitude. Primitive types of recreation are enhanced by being adjacent to a proposed national monument wilderness area which encompasses the majority of the Funeral Mountains, a part of the Amargosa Range. These opportunities are further enhanced by adjacent wilderness values in Death Valley National Monument.

The area has been examined by an Archaeologist, and it was found that there are cultural values in the general vicinity of the site: The Tidewater and Tonopah Railroad 6 miles to the east, and the berm for a narrow-gage railroad half a mile to the south. The region contains many cultural sites from pre-historic Indian habitation. There are no archaeological values indicated on the site.

IV. ANALYSIS OF PROPOSED ACTION AND ALTERNATIVES:

A. Impacts From the Proposed Action:

About 10 percent of the site has been disturbed by previous mining conducted by Cal-Trans. As shown in Exhibit B, this area is located just north of the powerline right-of-way. The disturbed area is a shallow pit that was abandoned years ago and is now reclaimed (Photo #4). Recent gravel removal from the site has been from the highway right-of-way immediately north of Highway 190 (Photos #1 & 2). This active pit measures 160 X 210 feet with a maximum depth of 10 feet. Adjacent to it is a gravel pile 40 feet wide by 160 feet long.

The pit as shown on Exhibit B may be enlarged from 7.3 acres to an additional 18.4 acres, or an enlargement of 60 percent. The depth would range from 3 to 10 feet. The pit can not be taken below this depth because of a hard pan layer. The proposed action would eliminate existing vegetation and wildlife habitat where the pit is expanded.

A small amount of dust and noise will be produced by trucks and equipment.

A weak-to-moderate visual impact would result from the gravel pit excavation and mixing site. The impacts would probably not be noticeable for more than half a mile in either direction from Highway 190. The site is somewhat obscured from sight by the distance and topography. Also, the contour of the subject area after mining will be very similar to the surrounding terrain and, thus, will blend into the background.

Since the site is already disturbed, the activity meets visual resource management Class III objectives for the interim management.

The proposed project would not impair the overall suitability of the Wilderness Study Area for preservation as wilderness since it involves a relatively small area (18 acres), is located at the edge of the WSA, occupies a site of which 7 acres have already been disturbed by previous gravel and sand mining by Cal-Trans, and currently has two active rights-of-way crossing it. The impact on the entire Wilderness Study Area would be insignificant.

B. Alternatives:

1. Select an alternate site. This would only relocate the impacts to another area and might result in mining an inferior deposit of sand and gravel.

Use of the historical gravel site at the present American Borate Company's millsite would result in no known environmental impacts because the site has been totally disturbed by the existing mining operations. This site is about 11 miles farther west of the proposed site. However, the Bureau's legal position is doubtful in the case of the site, as the land is currently under a millsite patent application by American Borate Company.

Use of a potential gravel material area east of the proposed site would not have an impact on the WSA, but would result in a greater impact to the surface resources (plants, animals, visual), because the area has not been previously disturbed.

2. Reduce the size of the application area. This alternative would not allow Cal-Trans the latitude they seek for choosing the quality of material they need. If a shallow hard pan is encountered, the pit may be restricted to a depth of only 3 feet.

3. Deny the permit. This alternative would be inconsistent with the Bureau's philosophy and would likely increase highway repair costs.

C. Possible Mitigating Measures:

All cutslopes could be graded to 3:1 (run:rise) or more gentle.

All sand and silt left as residue on the site could be graded to blend with the natural contour.

All disturbed areas could be scarified to encourage natural revegetation.

The permittee's access could be restricted to the existing haul road.

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3620 (C-068.25)
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The permittee could be required to use water as necessary to control fugitive dust.

Surface disturbance could be restricted to the north side of Highway 190.

The pit could be contoured as directed by BLM.

The permittee could be required to cover an existing 15-foot-diameter asphalt oil pool located in a shallow depression.

BLM could exercise the right to terminate the permit at any time in case the area is designated as wilderness.

Not all 80 acres will be used simultaneously. The site will probably go unused for as long as a year at a time. Reclamation measures will be employed as mining progresses through the site. About 25 acres of the parcel lie south of Highway 190 and will not be impacted or used.

D. Residual Impacts:

See Part IV, A above. The mined area will be denuded for many years after the pit is closed, but should significantly revegetate in 50 to 100 years. Although the site falls within a Wilderness Study Area, the impacts are minor since the site is not highly visible.

V. RELATIONSHIP BETWEEN SHORT-TERM USE AND LONG-TERM PRODUCTIVITY:

The removal of mineral material is considered a short-term use of the land. The loss of plants and wildlife habitat would be a long-term, but localized disturbance. Natural recovery of the site would likely exceed 50 years.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES:

Approximately 100,000 cubic yards of sand and gravel will be removed. A pit will remain, but will not be conspicuous from Highway 190. Eighteen acres of plant and wildlife habitat will be lost.

VII. PERSONS, GROUPS, AND AGENCIES CONSULTED:

Cal-Trans

VIII. INTENSITY OF PUBLIC INTEREST:

No adverse public interest is anticipated.

CA-060-FP1-9
3620 (C-068.25)
CA-068-1-59
1791

IX. PARTICIPATING STAFF:

Ken Schulte, Geologist and Team Leader

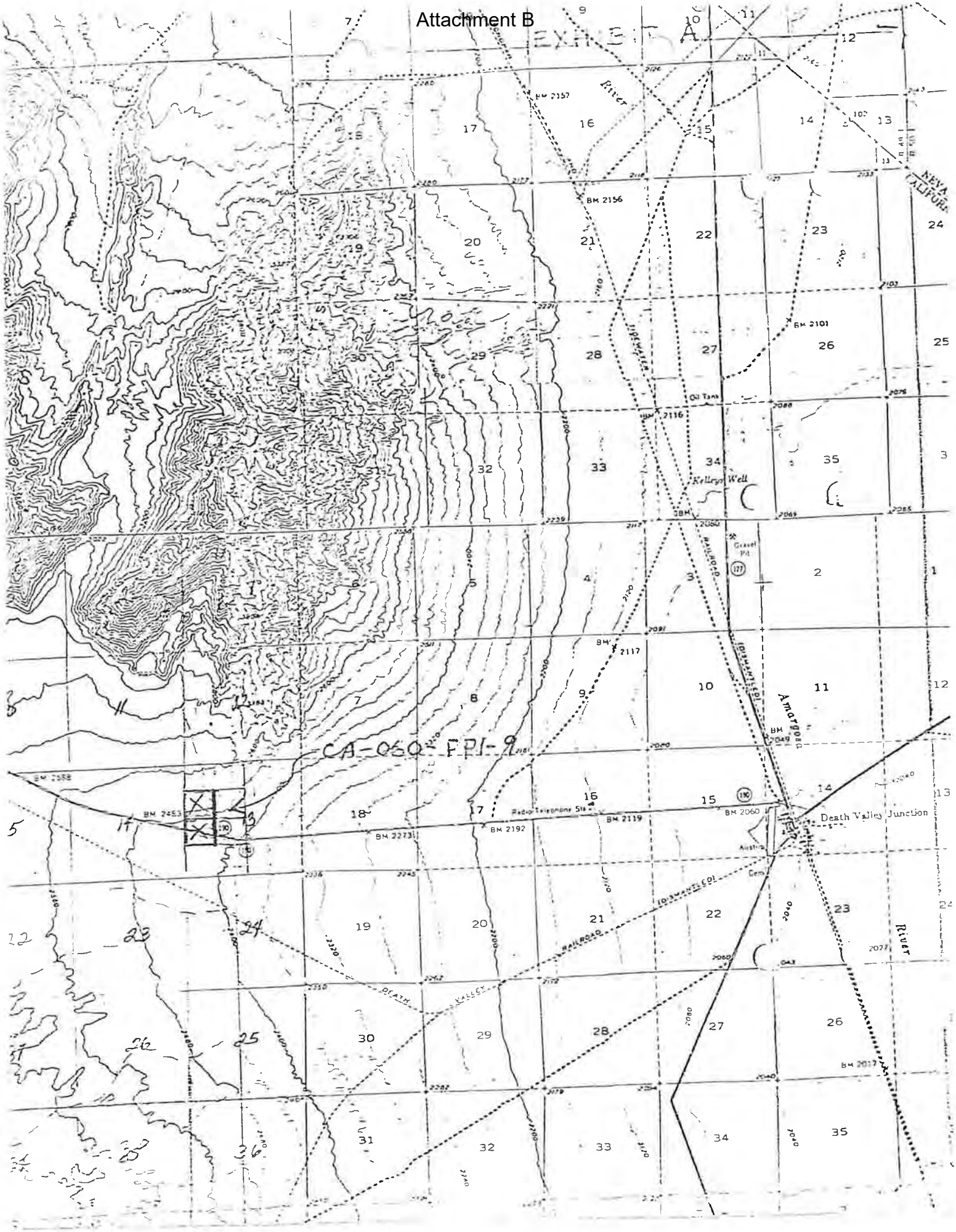
Stan Zuber, Outdoor Recreation Planner

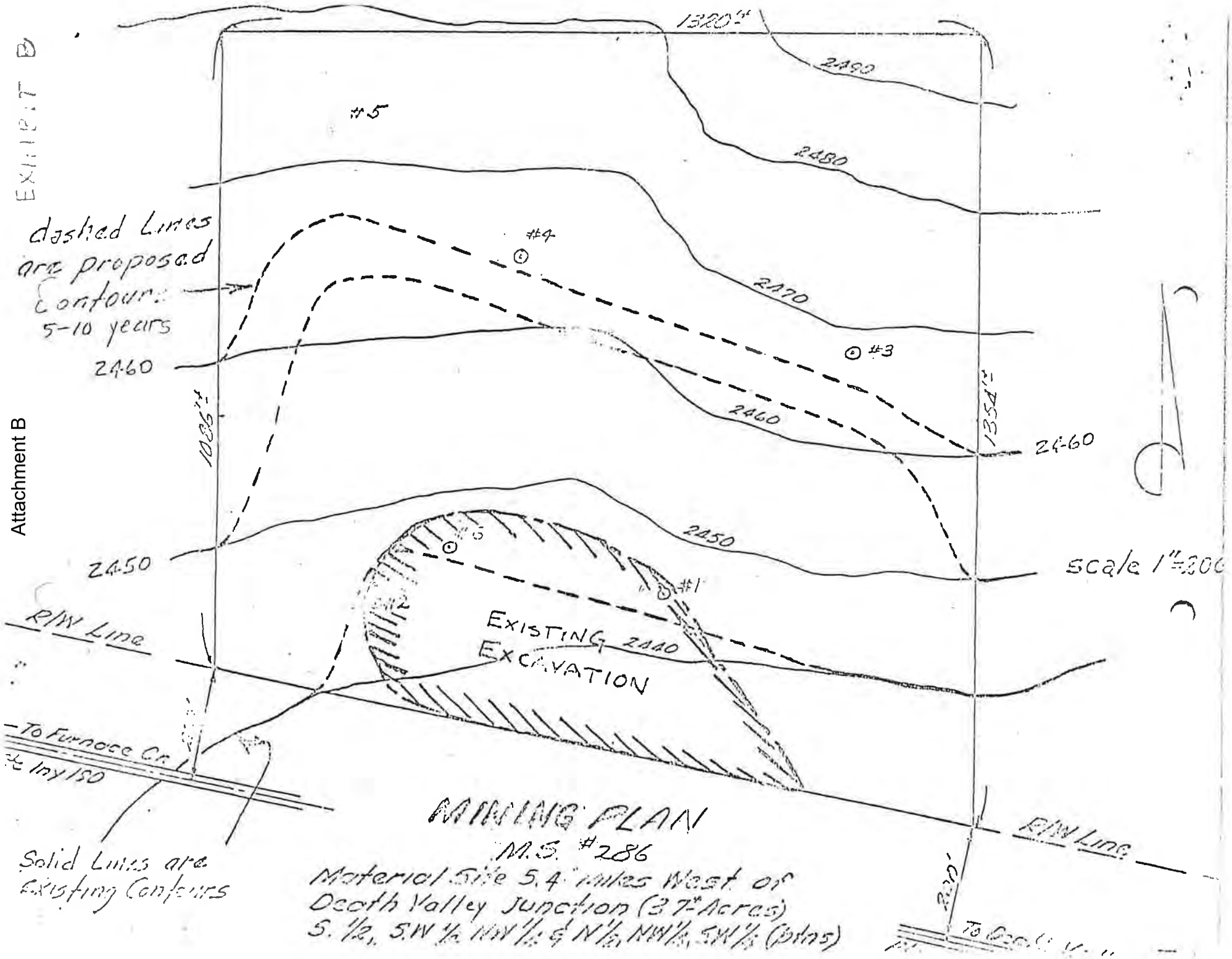
Jeffrey Aardahl, Wildlife Biologist

Kelly Strahan, Archaeologist

Glenn Harris, Range Conservationist

Attachment B

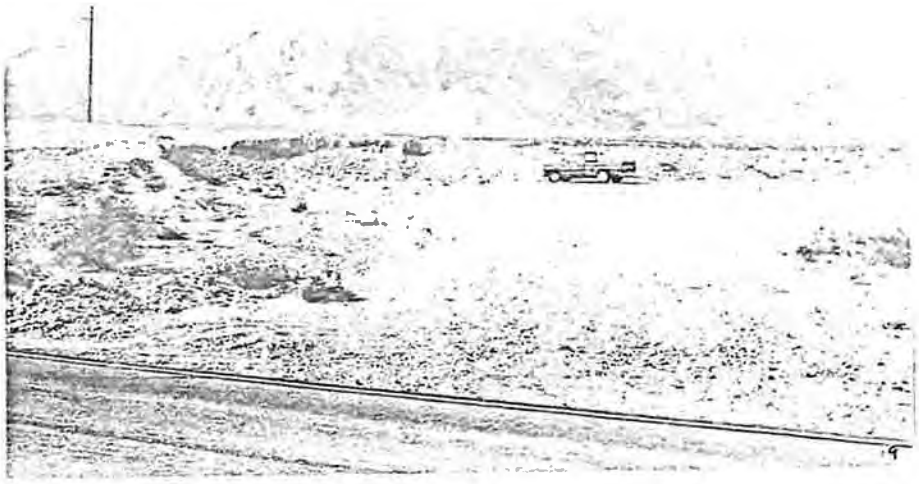




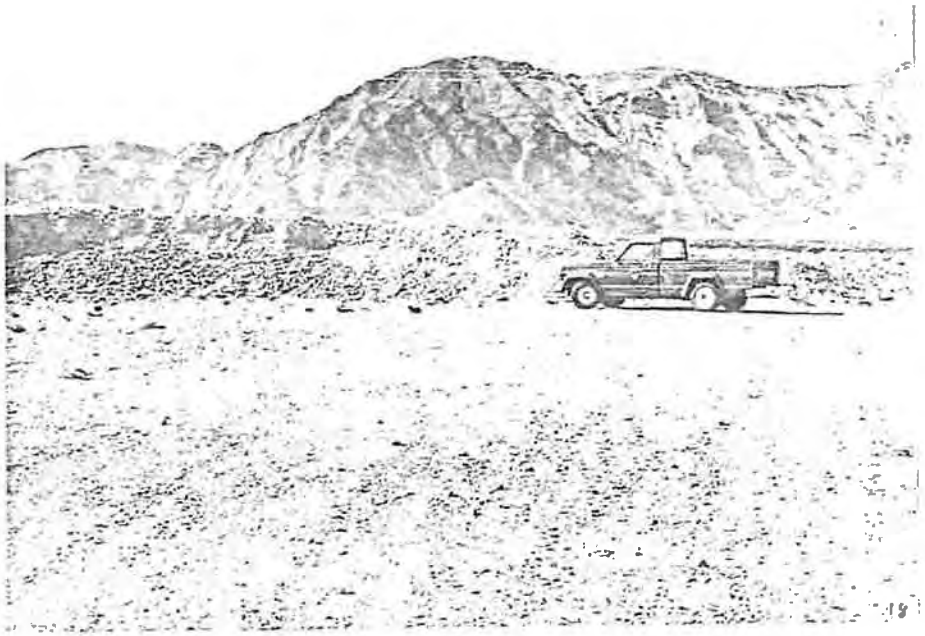
Attachment B

Scale 1"=300

MINING PLAN
M.S. #286
Material Site 5.4 miles West of Death Valley Junction (3.7 Acres)
S. 1/2, S.W. 1/4 NW 1/4 & N 1/2, NW 1/4, SW 1/4 (Dtns)



4-8-81 Photo #1 Looking north at gravel stockpile within right-of-way for Hwy. 190.



4-8-81 Photo #2 Close-up of above photo.

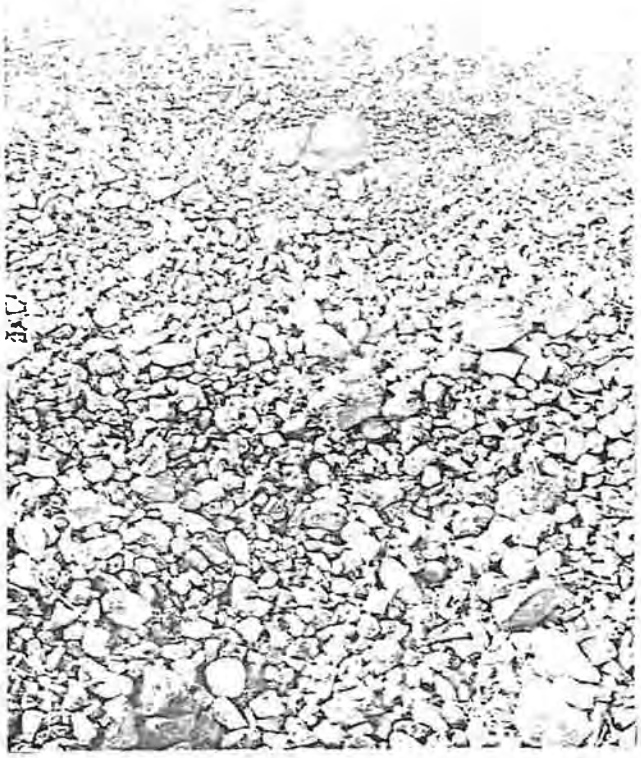


Photo #3 4-8-81
Close-up view of stockpiled gravel. There are occasional boulders up to 16" in diameter, but few clasts are over 12".



Photo #4 4-8-81 Looking north at 15-ft-diameter asphalt oil pool in reclaimed pit. Note how vegetation has returned to the disturbed area.

Attachment B

Exhibit 1

FREE USE PERMIT STIPULATIONS

1. The permittee will effect a minimum of vegetative or soil disturbances consistent with practical construction operations and will smooth all disturbed areas to conform as near as practical with the adjacent terrain, provide adequate water drainage for any roads constructed to minimize erosion and maintain any service roads in good condition for use by automotive vehicles and permit the free use of any such service roads by employes of the Federal government or their authorized agents. The permittee will correct any deficiencies as determined to be necessary by the District Manager, Bureau of Land Management.

2. Proper precaution will be taken at all times to prevent and suppress fires. The permittee will be held responsible for suppression costs for any fires on public lands caused through negligence of his employees, contractors or subcontractors. No debris burning will be allowed without specific permission from the District Manager in charge of administration of the public lands involved.

3. That no holes, pits, equipment or facilities be maintained on the ground during extraction or upon termination of the permit which would endanger human life, livestock or wildlife.

4. Operations will be conducted in such a manner so as not to interfere with utilities.

5. Following removal of earth, sand or gravel, all cut slopes will be graded to a 3H to IV slope or more gentle.

6. Any affected natural drainages are to be reestablished upon completion of excavation in any one area.

7. All disturbed areas will be scarified a minimum of 3 inches and a maximum of 6 inches to encourage natural revegetation upon termination of the permit.

8. The permittee will notify the BLM area Archaeologist immediately if any artifact or object of historical, paleontological or archaeological significance is found on the subject site.

9. That the authorized officer or his delegate be allowed to examine at any time the mineral material area so described, the records and books of the permittee to determine the quantity of mineral material removed, and inspect the described area for compliance with the provisions of the permit.

10. That on Oct. 1st of each year and upon termination of the permit the

permittee will submit an accounting of the total mineral material removed under the terms of the permit.

11. That all mineral material (raw material, processed material, excess or reject material) remains the property of the United States Government until used on a public project, that it cannot be bartered or sold by the grantee or his agent, and that no part of the said materials so enumerated may be used in payment for services in obtaining or processing it.

12. That the authorized officer will be consulted prior to the disposition of any excess or reject mineral material obtained from this Free Use Permit for puposes other than a public project or set forth in this instrument.

13. Only authorized structures shall be located on the site; such as stockpiles, scales, portable toilets and operating equipment. Mobile homes, trailers, or any permanent or temporary living quarters shall be considered unauthorized.

14. No dumping of trash, old asphalt, etc., shall occur on the site.

15. The permittee will notify the Barstow Resource Area Geologist prior to commencing any surface disturbance, and prior to and upon completion of surface restoration.

16. The permittee will follow the mining plan or any approved revision thereof.

17. All personnel working within the permit area (permittee, contractors, subcontractors) will be familiar with the terms and conditions of the approved permit.

CA-060-FPI-9

Exhibit 2
Special Provisions

1. The permittee shall grade all loose or stockpiled sand and silt on the site to blend with surrounding contours prior to inactivity periods of six months or longer.

2. The permittee's access shall be limited to the existing entrance.

3. The permittee shall use water as necessary to control fugitive dust.

4. The permittee shall restrict mining and surface disturbance to the north side of Highway 190.

5. The permittee shall contour the pit as directed by the Area Manager or a designated representative.

6. Before any activity takes place under this permit, the permittee shall cover the existing 15-foot-diameter asphalt oil pool located in one of the shallow depressions.

7. BLM may exercise the right to terminate the permit at any time in case the subject area is designated as wilderness.

Attachment B

☆ U.S. GOVERNMENT PRINTING OFFICE: 1979 671-3.

Form 5510–1
(January 1979)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 42–R0875

Permit Number CA-060-FP1-9

Expiration Date

District

FREE USE APPLICATION AND PERMIT
VEGETATIVE OR MINERAL MATERIAL
APPLICATION

Name of applicant: Department of Transportation, State of California

Address *(include zip code)*: P. O. Box 847, Bishop, CA 93514

Kind of material: Aggregate

Estimated quantity: 100,000 CY/yr

Give legal land description

TOWNSHIP	RANGE	SECTION	SUBDIVISION
25N	4E	13	SW¼ of NW¼ and NW¼ of SW¼

(State M/S No. 286)

State of: California

County of: Inyo

Materials are to be used for: Repairing and construction of highways

I HEREBY AGREE TO COMPLY WITH the special conditions as set forth below. I CERTIFY That the: (a) materials to be removed are to be used for the purpose noted above; (b) none of the materials removed are to be sold or bartered; (c) removal of materials can begin only upon receipt of an approved copy of this permit; and, (d) the authorized officer is to be notified upon completion of removal.

I CERTIFY That I am twenty-one years of age or older, a citizen of the United States, and resident of the State of

I FURTHER CERTIFY That the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

Attachment B

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 872-2712
E-Mail: InyoPlanning@telis.org

91-14-0046

September 2, 1997

NOTICE OF DECISION

Luis Elias
CalTrans
500 South Main St.
Bishop, CA 93514

RE: Reclamation Plan #96-10/ New Death Valley Borrow Pit/MS #286A

Dear Mr. Elias:

On June 25, 1997, the Inyo Planning Commission held a public hearing to consider your Reclamation Plan 96-10/New Death Valley, located in Section 14, Township 25N, Range 4E, (S..B.B.&M.), 5.5 miles east of the community of Death Valley Junction, South of Highway 190. The project is a request to reclaim the Death Valley Borrow Pit at the Conclusion of mining.

The Planning Commission approved your project based on the following findings:

Staff recommends the Planning Commission **approve** Reclamation Plan # 96-10 Death Valley Junction Borrow Pit/MS #286A by taking the following actions:

A. Based upon the Initial Study and all written and verbal comments received, adopt the Mitigated Negative Declaration of Environmental Impact and certify the requirements of the California Environmental Quality Act have been satisfied.

[Evidence: In accordance with the requirements of the California Environmental Quality Act, an Initial Study and Draft Mitigated Negative Declaration of Environmental Impact were prepared and circulated for public comment.]

B. Find the proposed reclamation plan conforms and meets the requirements of Chapter 7.70 (Mining & Reclamation) of Inyo County Code and State Mining Reclamation Act of 1976.

C. Find the potential loss of native vegetation and wildlife habitat to be greater than the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project is deemed "operative, vested, or final." The potential impact is greater than *de minimus* standard of section 711.4. Said $1,250.00 shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (15 days after the reclamation plan approval).

[Evidence: The subject property has not been disturbed and contains native vegetation and wildlife as documented by the photographic evidence.]

D. Approve Reclamation Plan No.96-10/Death Valley Junction Borrow Pit, MS #286A

CONDITIONS OF APPROVAL:

Term of Plan and Timing of Reclamation

1. The term of the reclamation plan shall not exceed twenty years from the date of approval, or no later than August 31, 2017. Total amount of usable aggregate and waste material that can be removed from this pit is 150,00 cubic yards. If 150,000 cubic yards are removed prior to the termination date, reclamation shall proceed with in six months of the removal of the 150,000 cubic yards. The Planning Commission may grant an extension. The applicant must submit a complete reclamation plan application for an amended reclamation plan. To assure continued operation, the above application should be received prior to the expiration date and prior to removal of 150,000 cubic yards of material..

Interim Management Plan

2. Through out the 20-year life of this project, the interim management plan shall be implemented during periods of "idle" operation. If zero production occurs for a period of five consecutive years, the reclamation plan shall be implemented immediately. Mining can not occur until an amended reclamation plan is submitted and approved by the Inyo County Planning Commission.

3. At the conclusion of each period of mining interim reclamation shall take place. This shall consist of regrading all slopes to 3:1 (H: V) or less.

4. During times of inactivity, Caltrans shall prevent public access to the pit.

5. During periods of inactivity all equipment and trash shall be removed from the area. No asphalt may be buried onsite.

Mapping

6. Caltrans shall provide the County with a contour map with two-foot contours within three years of approval of this reclamation plan.

Salvage of Growth Media (Topsoil)

7. The top six inches (6") of growth media (topsoil), shall be collected from areas to be disturbed (Borrow pits and internal access roads). This (topsoil) shall be stockpiled in the active work site until final phase reclamation.

8. After the site is recontoured, the salvaged topsoil shall be respread to a depth of six inches over the recontoured pit. (See condition #7)

Erosion Control

9. Pit slopes shall be contoured to a minimum of 3:1 (H: V). These slopes shall be in established during times of intermittent operation, times the interim management plan is in affect, and during final reclamation.

Earthwork

10. All compacted areas shall be scarified. Road berms shall be brought back into the roadway after scarification.

Noxious Weed Control

11. During mining and reclamation activities and during idle periods noxious weeds shall be controlled on site.

Seed Sources and Mixtures

12. Seed used for revegetation shall be collected on or near the site. If sufficient seed is not available, it may be purchased. A seed mix of plant species in the Mojave Creosote Bush Scrub plant community shall be used. Below is the recommended seed mix:

Scientific Name	Common Name	PLS Pounds/acre
	PERENNIALS	
(*Larrea tridentata*)	Creosote bush	3
(*Ephedra nevadensis*)	Nevada joint-fir (Mormon Tea)	3
(*Hymenoclea Salsola*)	Cheese bush	3
(*Atriplex hymenolytra*)	Desert holly	3
(*Ambrosia dumosa*)	Burrobush	3
	ANNUALS	
(*Chaenactis stevioides*)	Esteve's pincushion	4
(*Mirabilis Bigelovii*)	four-o'clock	4
(*Eriogonum inflatum*)	Desert Trumpet	5
	Total pounds live seed per acre	28

These native species may only be obtained from seed stock found within five miles of the borrow site and within the Mojave Creosote Bush Scrub plant community. If purchased, the seed shall be certified originating in the Amargosa Valley. Reseeding shall take place during the fall.

Mulching

13. A mulch of native vegetative material and straw shall be applied at a rate of 1000 lbs. per acre into the seeding program. This mulch shall be crimped into the slope to provide both wind and water erosion control and seed holding. This will enhance revegetation.

Revegetation Methods

14. After scarification, the approved seed mix shall be broadcast and then mixed into the top one-half inch (½") of the substrate by either raking or dragging a chain across the seedbed. This shall be done perpendicular to the slope of the pit.

Revegetation Performance Standard

15. Reclamation will not be considered successful or complete until vegetative density reaches 20 percent (number of plants per unit area) of the surrounding undisturbed land with a 50 percent diversity (species richness) of the perennial species on surrounding undisturbed land. New

perennial species shall be at least two years old before considered viable plants. This shall be verified based upon visual calculations and substantiated by past photographs of the site including off site photographs of the surrounding undisturbed lands.

Monitoring

16. From initial seeding, the project shall be monitored until performance standards are met. Remedial measures may be implemented any time to insure revegetation success. For the first two years, monitoring shall be performed twice a year.

Remedial Measures

17. If it appears the site will not meet the performance standard, the applicant shall consult with the Planning Department for recommendations on remedial measures. The remedial measures listed below shall be considered if reclamation problems are observed during annual monitoring:

    a. Mulching and/or fertilizing to supplement growth media;
    b. Reseeding:
    c. Irrigation:
    d. Planting of appropriate plants and protection of these plants.
    d. If irrigation is used the plants must make it on their own for two years.
    e. Analysis of soil for problems;
    f. Measures to reduce pest problems, including fencing individual plants.

Reporting and Annual Inspections

18. Each year the applicant shall file an annual mining report with the State. These reports shall be filed until financial assurances are released. Monitoring activities will continue until the County is satisfied that performance standards have been met. In accordance with SMARA Section 2774 (b), Inyo County as the Lead Agency shall inspect the site and file annual inspection reports with the State.

Inyo County Road Department

19. Caltrans shall allow Inyo County Road Department to remove material form this site. Caltrans shall be responsible for all reclamation requirements, including bonding and reporting. When Inyo County Road Department uses this pit, they shall adhere to the conditions of approval for this reclamation plan. Inyo County shall report the quantity of material to Caltrans each calendar quarter.

Reclamation Responsibility Statement

20. The applicant shall submit a notarized statement to the Inyo County Planning Department accepting responsibility for reclaiming lands as per the conditions specific herein.

Financial Assurances

21. Financial assurances in the sum of $11,355.29 are required in the form of a surety bond, irrevocable letter of credit, cash or certificate of deposit. Government agencies may also use budget set asides, or pledge of revenue to post their financial assurances. Financial assurances shall be posted with the Inyo County Planning Department. Said assurances shall be made payable to the County of Inyo and the Director of the California Department of Conservation and The Bureau of Land Management.

Attachment B

Financial Assurance Recalculation

22. Financial assurances shall be recalculated each year in accordance with Section 2773.1(a)(3) of SMARA and Inyo County Code. This shall occur at the time of annual inspection.

Release of Financial Assurances

23. As required reclamation standards are achieved, that portion of financial assurances covering the completed activity may be released. The remainder of financial assurances covering revegetation and monitoring shall not be released until the revegetation performance standards is met.

Hold Harmless

24. The applicant, landowner, and operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its agents, officers and employees to attack, set aside, void, or annul any approval of the County, its advisory agencies, appeal boards, or its legislative body concerning Reclamation Plan No. 96-10/ Death Valley Junction Borrow Pit, MS 286A.

Sincerely,

Earl H Gann

Earl H. Gann
Mine Reclamation Planner

Attachment B

Received by
DEPARTMENT OF CONSERVATION

SEP 22 1997

Office of Mine Reclamation

MATERIAL SITE #286A
(NEW DEATH VALLEY JUNCTION SITE)
RECLAMATION PLAN

DOC # 91-14-0046

Thu, Jan 30, 1997

California State Department of Transportation
(Caltrans) District 09
500 South Main Street
Bishop, California 93514

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MAP SHEETS (in back pockets)

1. Existing Site Conditions
2. Reclamation Features
3. Final Reclamation Configuration

MATERIAL SITE #286A RECLAMATION PLAN

1.0.0 INTRODUCTION

Caltrans under a permit with the U. S. Department of the Interior, Bureau of Land Management (BLM) intends to mine sand and gravel on federal lands about five miles west of Death Valley Junction, California. The site encompasses approximately 7.7 acres, and is currently undisturbed. Approximately 7.2 acres of this site will be mined intermittently over a 20-year period to provide material for road maintenance, and construction.

Approval of this reclamation plan is sought from the SMARA lead agency, Inyo County. This reclamation plan describes a process that will implement reclamation activities as soon as possible, returning land disturbed by mining to a condition suitable of supporting open space and wildlife habitat.

1.1.0 APPLICANT

California State Department of Transportation (Caltrans) District 09
500 South Main Street
Bishop, California 93514
(619) 872-0734

1.1.1 Representative

David B. Grah Senior Transportation Engineer
California State Department of Transportation (Caltrans), District 09
500 South Main Street
Bishop, California 93514
(619) 872-0734

1.2.0 LANDOWNER

U.S. Department of the Interior
Bureau of Land Management (BLM)
150 Coolwater Lane,
Barstow, California 92311
(619) 256-3591

1.3.0 OPERATOR

California State Department of Transportation (Caltrans) District 09
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Bishop, California 93514
(619) 872-0734

1.4.0 LESSEE

California State Department of Transportation (Caltrans) District 09
500 South Main Street
Bishop, California 93514
(619) 872-0734

1.5.0 LOCATION

Material Site #286A is located in Inyo County on BLM land approximately 5.5 miles west of the town of Death Valley Junction, California, on the south side of Highway 190 at Post Mile 135.5 (Figure 1).

1.5.1 Assessor's Parcel Number

The site occupies a portion of the land designated as Assessor's Parcel Number 43-070-00 (Figure 2).

1.5.2 Township, Range, Section, Quadrangle

The project site is located in the eastern portion of the U.S. Geological Survey (USGS) 7.5-minute East of Ryan, California, Quadrangle Topographic Map (Provisional edition, 1988). The site is located in a portion of unsurveyed Section 14, Township 25 North, Range 4 East, San Bernardino Baseline and Meridian.

1.5.3 Latitude, Longitude

The mine site is located at Latitude 36 18' 13" North, Longitude 116 30' 39" West.

1.5.4 Claim Descriptions

The project site is known by Caltrans District 09, BLM, and the County of Inyo as State Material Site (MS) #286A. The site is also known as the New Death Valley Junction Material Site. The project name used for the purposes of this document will be MS #286A.

2.0.0 DESCRIPTION OF ENVIRONMENTAL SETTING

2.1.0 SITE ACCESS

MS #286A is located approximately 5.5 miles west of the community of Death Valley Junction on the south side of Highway 190 at post mile 135.5. Currently, access to the site is from an unimproved dirt road created by the grading required to form the adjoining drainage berm (Figure 3).

2.2.0 TOPOGRAPHIC MAP

Figure 4 depicts the site's location in the eastern portion of the USGS 7.5-minute East of Ryan Quadrangle (Provisional Edition 1988); the site is not designated on the map. An old gravel pit is shown on the topographic base map approximately 0.5-mile east of the site to the north of Highway 190. The mine site boundaries have been transposed onto the map in Figure 4. Because the contour interval for the map is 40 feet, the topography of the site is not well defined. However, additional contour lines have been added to Map Sheet 1 (Existing Site Conditions) using the topographic map assuming a constant map distance for 10-foot intervals between the 40-foot intervals. Photo 1 depicts a view of the expected extraction area.

As shown on Figure 4, the site is located on the distal portion of the alluvial fan emanating from the Funeral Mountains to the north. Elevations at the site range from approximately 2,455 feet in the west to about 2,435 feet in the southeast corner of the site, producing approximately 20 feet of topographic relief. The topography steepens toward the mountains to the north, and flattens toward the valley to the southeast.

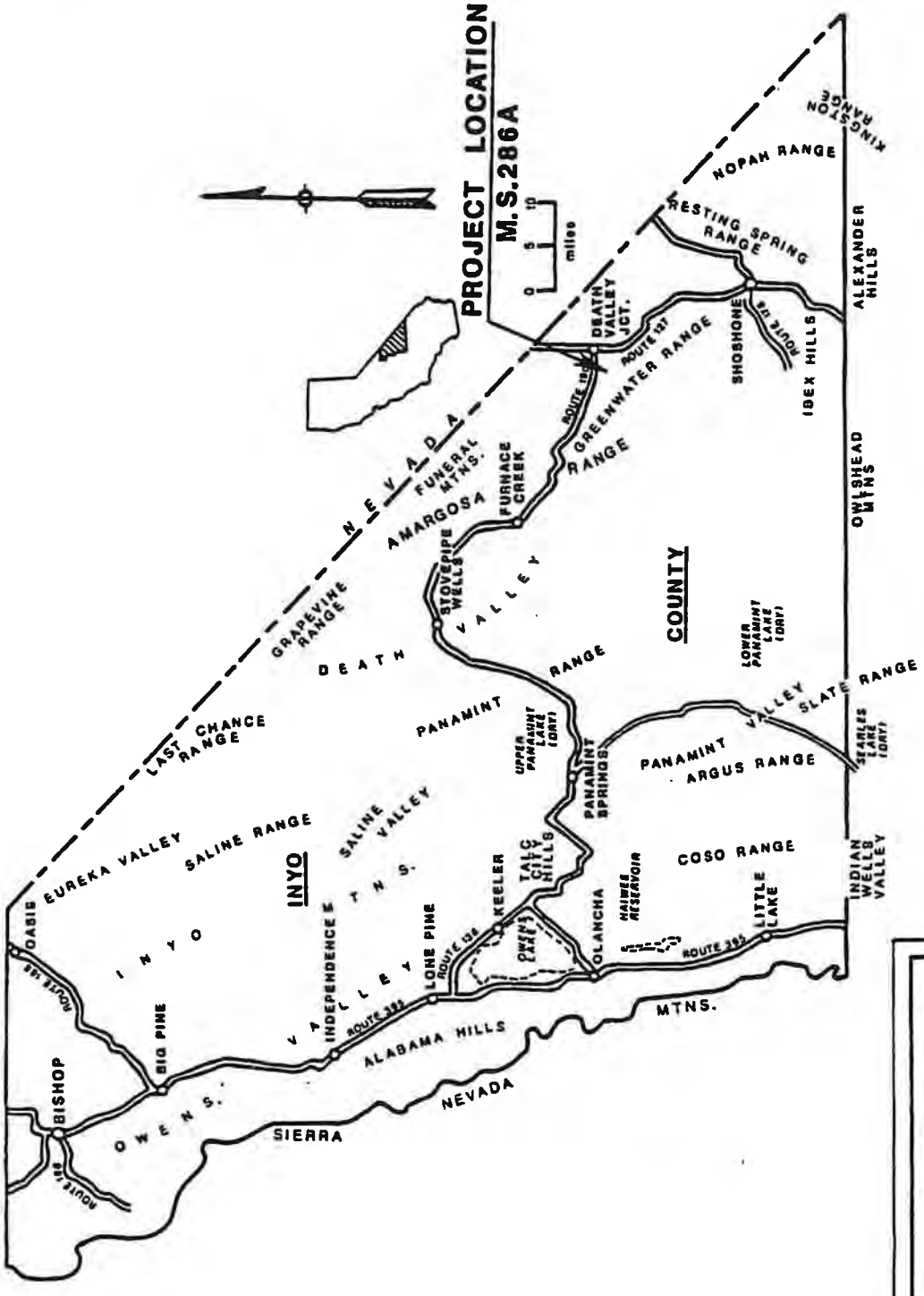


Figure 1: Regional Location
Caltrans Material Site #286A

1.1.0 APPLICANT

California State Department of Transportation (Caltrans) District 09
500 South Main Street
Bishop, California 93514
(619) 872-5204

1.1.1 Representative

Luis Elias, Senior Transportation Engineer
California State Department of Transportation (Caltrans), District 09
500 South Main Street
Bishop, California 93514
(619) 872-5204

1.2.0 LANDOWNER

U.S. Department of the Interior
Bureau of Land Management (BLM)
150 Coolwater Lane,
Barstow, California 92311
(619) 256-3591

1.3.0 OPERATOR

California State Department of Transportation (Caltrans) District 09
500 South Main Street
Bishop, California 93514
(619) 872-5204

1.4.0 LESSEE

California State Department of Transportation (Caltrans) District 09
500 South Main Street
Bishop, California 93514
(619) 872-5204

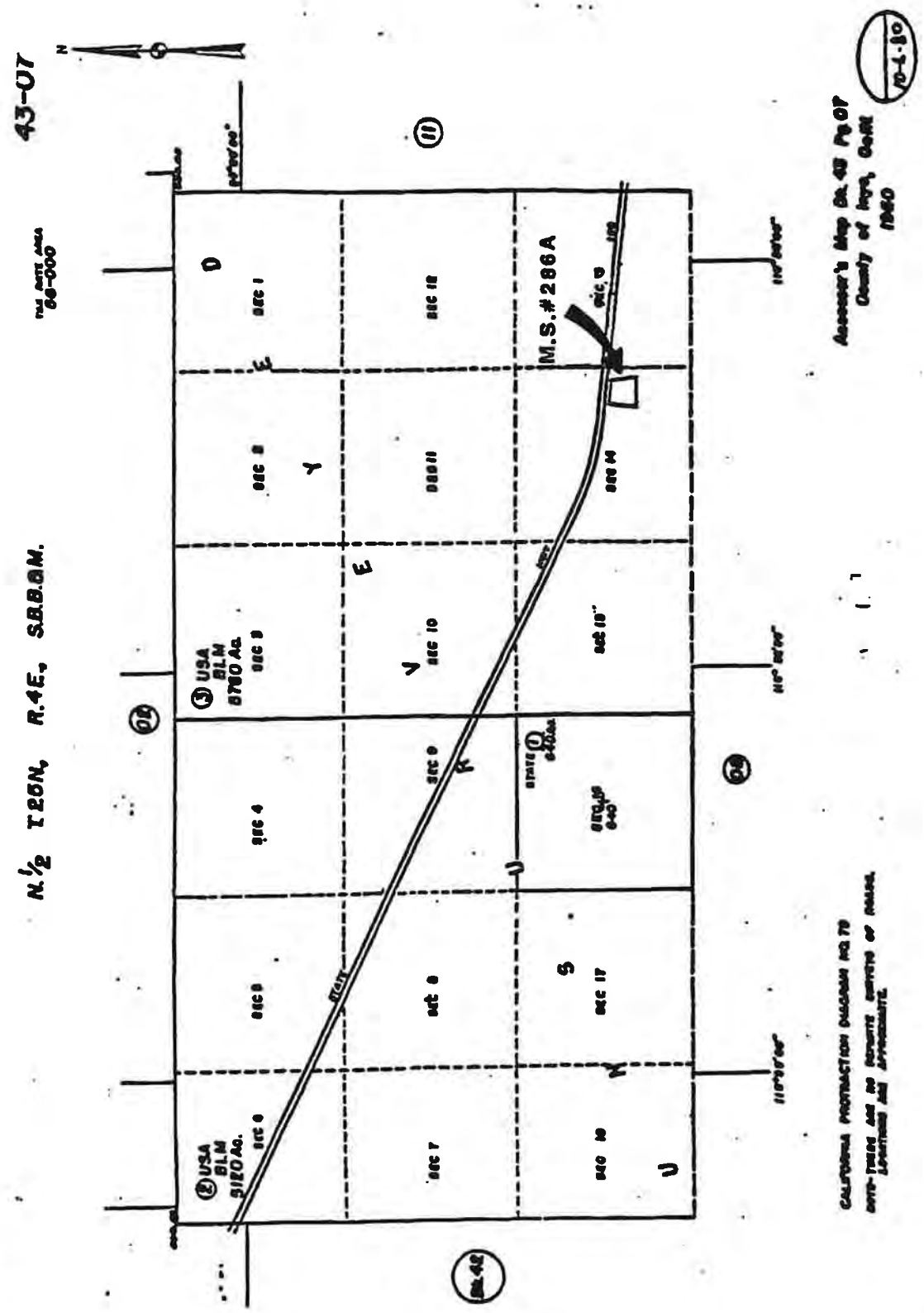
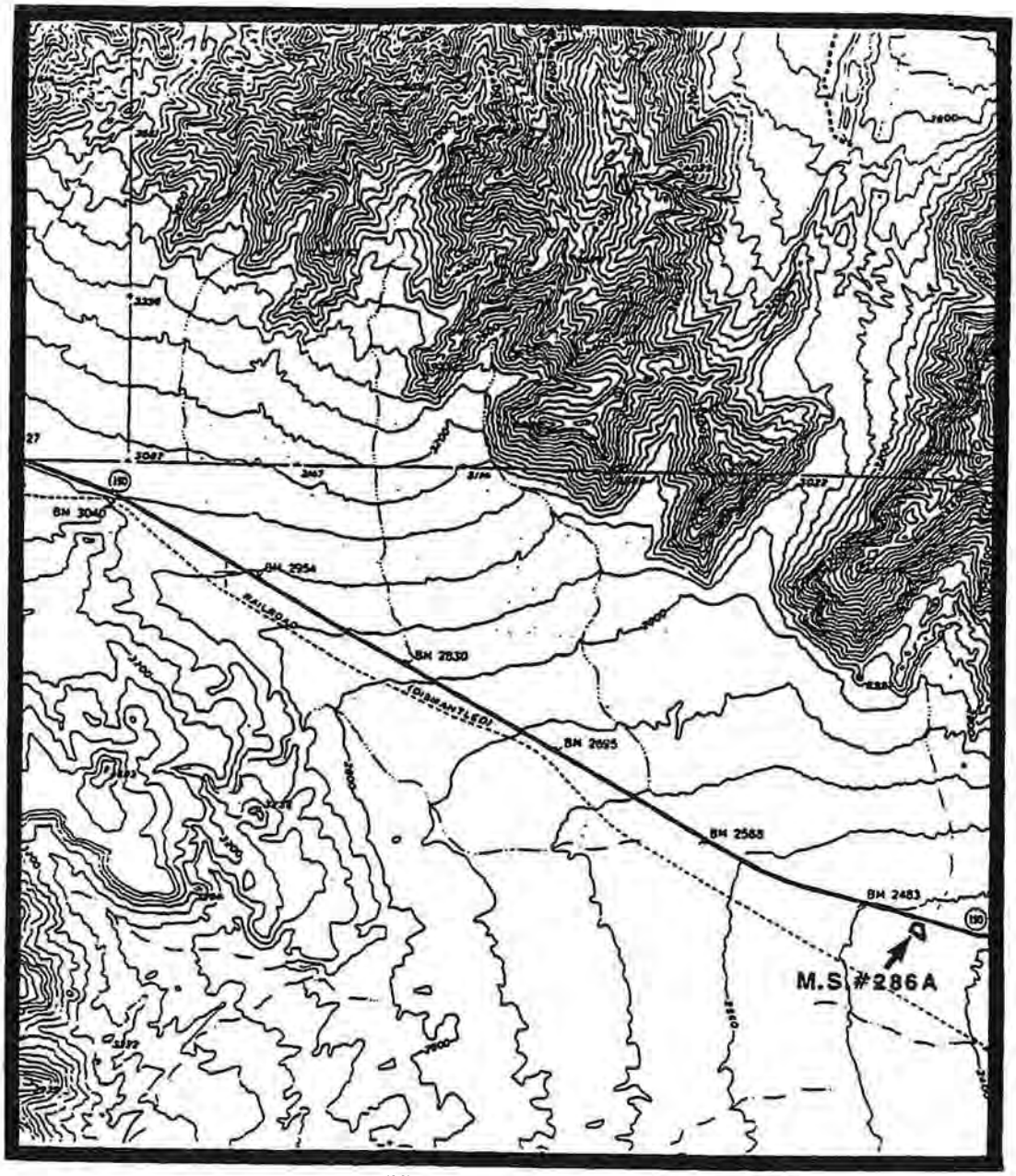
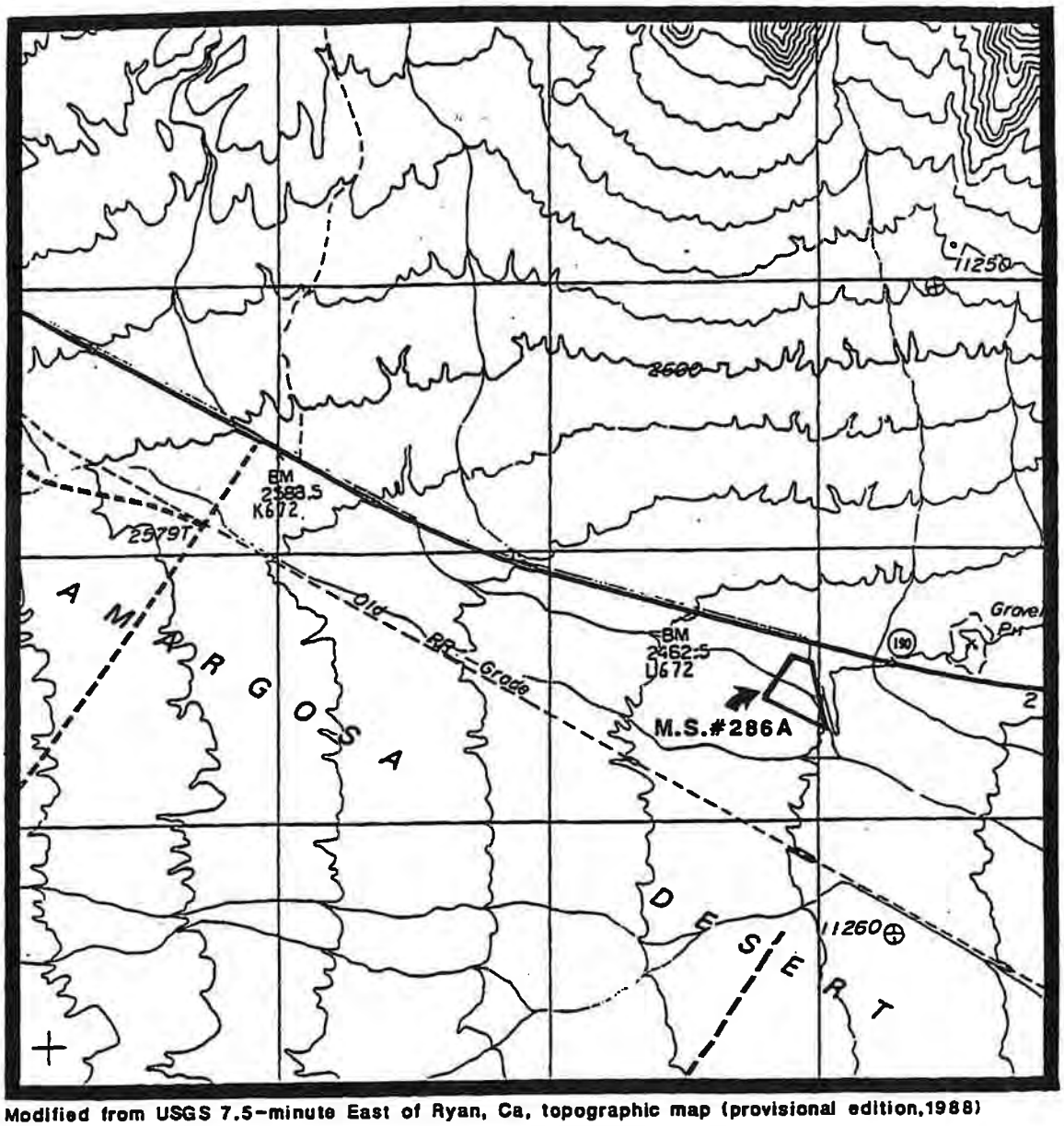


Figure 2: Assessors Parcel Map
Caltrans Material Site #286A



Modified from USGS Ryan,CA-NV,15-minute quadrangle (1952)

Figure 3: Project Location and Access. Caltrans Material Site #286A



Modified from USGS 7.5-minute East of Ryan, Ca, topographic map (provisional edition,1988)

N

0 1 Mile

SCALE

Figure 4: Topographic Map
Caltrans Material Site #286A

2.3.0 GENERAL GEOLOGY

The site is located within a valley that enters the Amargosa River Valley between the Funeral Mountains to the northeast and the Greenwater Range to the southwest. The site is within a region known as the Basin and Range Geomorphic Province which is characterized by parallel and elongate north-to northwest-trending mountain ranges and valleys, known structurally as horsts and grabens, respectively. The Amargosa River Valley is a structural (graben-like) depression created by extension of crustal blocks within the region (Burchfiel et al. 1983).

Rock types within the area are dominated by Quaternary alluvial and basin deposits, Cenozoic volcanic rocks, and Paleozoic sedimentary and metasedimentary rocks.

2.3.1 Site Specific Geology and Geologic Cross Section

A reconnaissance geologic assessment of the site was performed January 20, 1994. As shown in Figures 5 and 6 (modified from McAllister 1971), MS #286A is located on younger alluvial fan deposits that are at least 50 feet thick beneath the site. As shown in the cross section, it is unknown what the depth to bedrock is, as well as the type of bedrock that underlies the site.

2.3.2 Ore Body/Deposit Being Mined

This mine site will be developed by Caltrans as a source of sand and gravel for road construction and maintenance. The surficial alluvial fan deposits are the source for this sand and gravel. These types of deposits are typically composed of an unsorted, loose mixture of sand and gravel. Samples from the material being mined consist of poorly graded sands with gravel (Unified Soils Classification System designations of SP.

2.3.3 Slope Stability

The slope of the existing topography at the site is approximately three percent, which is relatively flat-lying (Map Sheet 1). Under the existing conditions, there are no slope stability problems because of the nearly flat-lying configuration of the site.

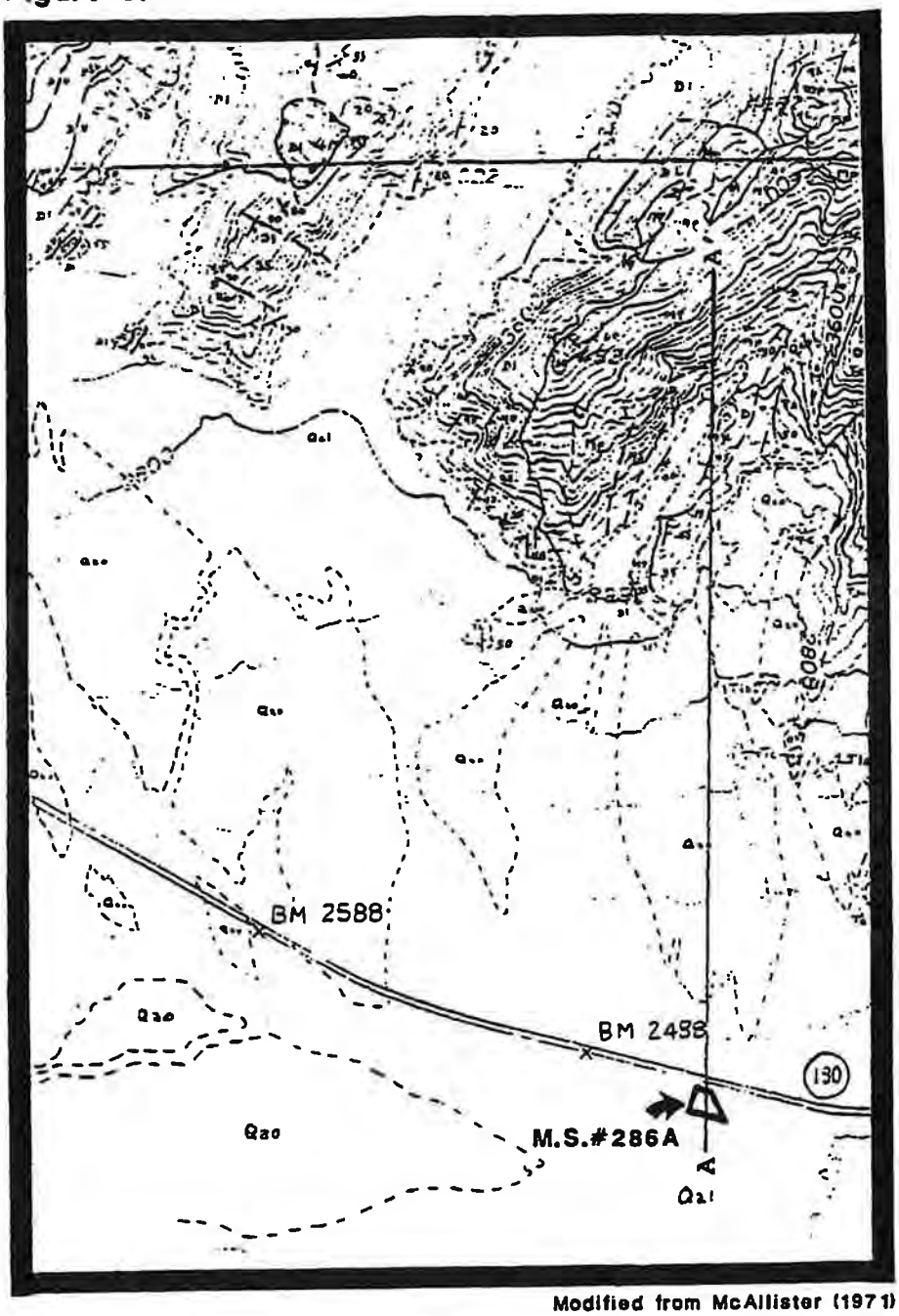
2.3.4 Seismicity

The site is located within an area of active seismicity. The closest faults to the site are just to the north, as shown in Figure 5, and are considered pre-Quaternary, non-active faults (Jennings 1992). According to Jennings (1992), the closest active fault is the Northern Death Valley-Furnace Creek fault zone (NDV-FCFZ), which is approximately 13 miles west of the site. Based on fault lengths given in Hart, et al. (1989) and Jennings (1992), maximum credible earthquake magnitudes of 8 can be expected for the NDV-FCFZ.

2.4.0 GENERAL HYDROLOGY

The character of the surface- and ground-water regimes at the site are directly related to the existing topography, geology, and climate of the region. Surface waters drain from the Funeral Mountains, to the north, and the Greenwater Range, to the south, into the Amargosa River Valley which eventually drains into Death Valley. Ground waters generally follow the flow direction of the surface waters. In loose alluvial deposits, the water-table gradient is a subtle expression of the land surface, unless there are changes in the subsurface stratigraphy or structure. The predominant source for ground water in the region is infiltration of surface water within the mountainous areas.

Figure 5.



Modified from McAllister (1971)

0 — 1 Mile

SCALE

N

Figure 5 and 6: Map and Cross Section. Caltrans Material Site #286A

*** Figure 6 and Legend for both figures on following page**

LEGEND FOR FIGURES 5 AND 6:

Qal Quaternary younger alluvium
Qoa Quaternary older alluvium

Ts Tertiary sandstone and mudstone
Tls Tertiary limestone and marlstone
Tc Tertiary conglomerate

Mp Mississippian Perdido Formation (limestone, conglomerate, and chert)
Mt Mississippian Tin Mountain Limestone

Dl Devonian Lost Burro Formation (limestone and dolomite)
Dsh Devonian Hidden Valley Dolomite

Contact, dashed where approximate

Fault, dashed where approximate, queried where unknown, dotted where covered, U = upthrown side, D = downthrown side, dip in degrees

Thrust fault, dashed where approximate

60 Strike and dip of beds (in degrees)

33 Overturned beds (dip in degrees)

Landslide fracture, dashed where approximately located

A — A' Cross Section line (see Figure 6)

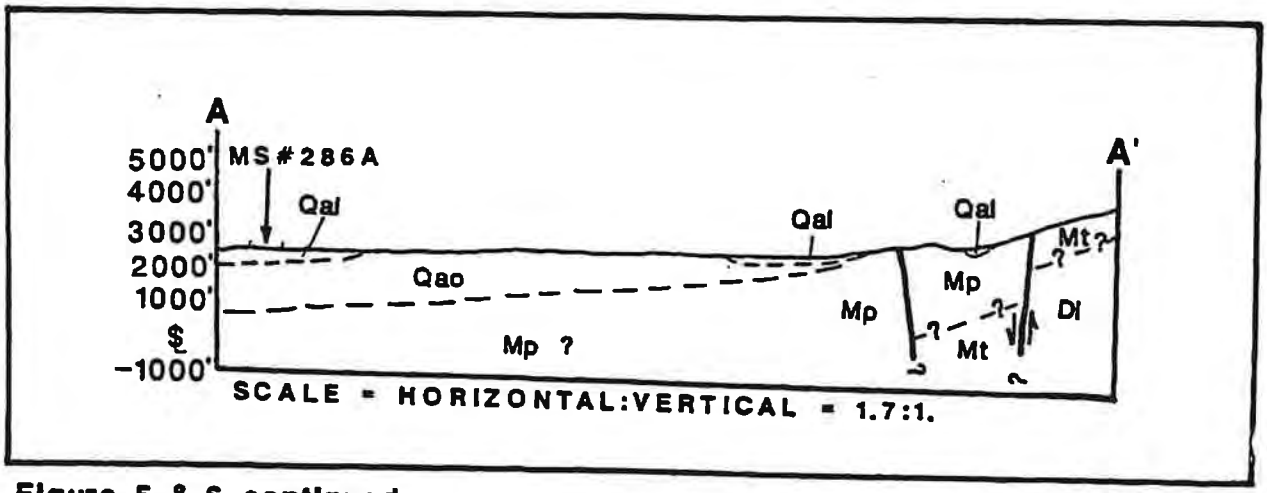


Figure 5 & 6 continued from previous page

Figure 6.

2.4.1 Site Specific Hydrology

Figure 7 shows the two watersheds that contribute surface-water runoff to the mine site. The drainage area of Watershed #1 is approximately 1152 acres. The drainage for Watershed #1 crosses Highway 190 approximately one mile west of the site and then three braided tributaries of this drainage enter the site from the west (see Map Sheet #1). The drainage area of Watershed #2 is approximately 2080 acres. The drainage for Watershed #2, which has been channelized into a large ditch north of Highway 190, crosses the highway to the north of the site and drains mainly into the wash to the east of the site; only a minor portion of this drainage enters the mine site from the north (Map Sheet #1).

Using the U. S. Department of Agriculture, Soil Conservation Service (USDA-SCS 1986) TR-55 Tabular Hydrolograph method and the California Department of Water Resources Bulletin 195 (DWR 1976) method, peak flows for a 20-year return period storm were calculated for Watersheds #1 and #2 at 14.4 and 23.4 cubic feet per second, respectively. Because of the braided and multiple tributary drainage pattern that exists on the site, the above peak surface-water flow amounts will not be concentrated in any individual drainage and, therefore, these amounts should be subdivided between the many drainages that enter the site.

2.4.2 Area Hydrogeology

The dominant ground-water aquifer underlying the site is found within alluvial and basin deposits. According to Langer, et al. (1984), ground water is approximately 150 feet beneath the site. Although there is the potential for perched ground water to occur at a more shallow depth, this is unlikely because the area's arid climate produces only a small amount of rain water that can directly infiltrate from the surface. Ground water will not likely be exposed during mining operations.

According to Thompson, et al. (1984), ground-water quality in the Amargosa River Valley is considered borderline poor. The natural chemistry of the ground water classes it as a sodium bicarbonate type with a total dissolved-solids concentration between 1,000 and 3,000 milligrams per liter.

2.4.3 Water and Land Uses

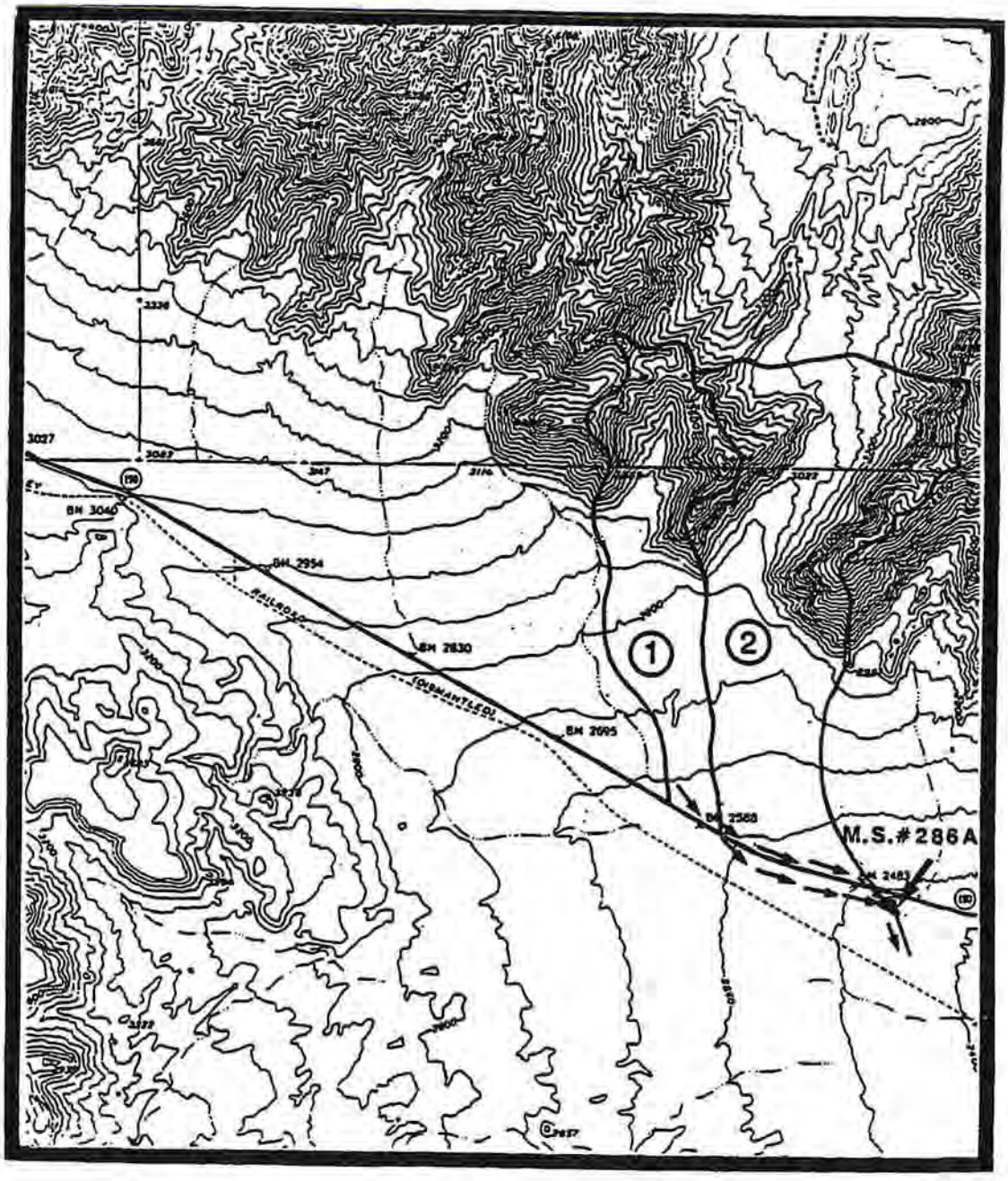
The land at the mine site is controlled by BLM for the U.S. Department of the Interior. The ground water and land at and near the site have not yet been developed.

2.5.0 SOIL RESOURCES

Soils that develop on alluvial deposits are controlled by a number of factors, including: 1) the type of parent material from which the deposits originated, 2) the age of the various depositional units within the fan, and 3) the grain-size distributions of the fan deposits. Alluvial fans typically have coarse textured soils with little pedogenic development. The A-horizon, if present, is generally less than five-inches thick and is directly underlain by a thick C-horizon, essentially unaltered alluvium. The alluvial material at the site originates from sedimentary and metasedimentary rock sources.

2.5.1 Analysis of Soil Samples

Two soil samples were taken during the reconnaissance geotechnical survey of the site. Figure 8 shows grain-size distribution curves from sieve analyses performed on the



① and ② represent watersheds in text

N

0 1 Mile

SCALE

Figure 7: Watershed Map. Caltrans Material Site #286A

Figure 8: Grain size distribution curve. Caltrans Material Site #286A

samples. The samples are described according to the Unified Soil Classification System, a system used in engineering work to emphasize the engineering properties of soils. Sample 1 was taken from a streambed on the site and will likely be representative of the material that will be mined. Sample 2 was taken from a older alluvial surface and represents the native soil at the site. Both samples are composed of poorly graded sand with gravel (SP); the native soil sample (Sample 2) contains a slightly higher amount of fine-grained sand than the streambed material. Both samples are composed of very loose material and are brownish-gray in color. Gravels were predominantly composed of angular clasts of gray and black limestone and dolomite.

2.5.2 Erosion Potential

Soils in the high desert regions of California are generally susceptible to erosion due to high winds, intense scattered precipitation, and lack of soil structure. The soil analysis information gathered indicates that due to the relatively high fine-grained sand content, soils will likely be susceptible to wind and sheet erosion, and also to rill erosion on sloped areas.

2.5.3 Reclamation Potential

The site consists of alluvial fan deposits, with medium-textured soils that have a low water-holding capacity. Well-developed soil horizons are not present at the site; therefore, distinct soil horizons will not need to be reestablished in order to revegetate the site. Revegetation of these soils will need to be limited to native species that are adapted to droughty conditions.

2.6.0 VEGETATION

Standard methodologies (Mueller-Dombois and Ellenberg 1974, Nelson 1988) were used to survey the site for sensitive plant species, to map existing vegetation, and to determine the appropriate revegetation strategies. MS #286A was visited on May 5, 1992, The site is located in the central portion of the Hot Desert Floristic Province (Barbour and Major 1988). Classification of natural communities is after Holland (1986). Taxonomy follows Hickman (1993) and common names are from Jaeger (1969).

2.6.1 Description of Affected Area

The proposed extraction area occurs within a large bajada in the Mojave Creosote Bush Scrub vegetation type and is dominated by various shrub species such as creosote bush (*Larrea tridentata*), shadscale (*Atriplex confertifolia*), cheese-bush (*Hymenoclea salsola*), burrobush (*Ambrosia dumosa*), sweetbush (*Bebbia juncea* var. *aspera*), leather-leaved viguiera (*Viguiera reticulata*), desert asylum (*Lepidium fremontii*), desert holly (*Atriplex hymenolytra*), and desert mallow (*Sphaeralcea ambiguua*). Three cactus species occur sporatically on the site, beavertail cactus (*Opuntia basilaris* var. *basilaris*), cottontop cactus (*Echinocactus polycephalus*), and Biglove cholla (*Opuntia bigloveii* var. *bigloveii*).

This site is currently relatively undisturbed. Total cover of the shrub layer is approximately 30 percent. The shrub canopy is approximately two to six feet in height.

There is a high diversity of herbaceous species on this site. The total cover of herbaceous species was ten percent, which is dense for a desert site. Common species included Esteve's pincushion (*Chaenactis stevioides*), four-o'clock (*Mirabilis bigelovii* var. *retrorsa*), desert trumpet (*Eriogonum inflatum*), rigid spineflower (*Chorizanthe rigida*), red brome (*Bromus madritensis* ssp. *rubens*), woolly plantain (*Plantago ovata*), fluff grass

(*Erioneuron pulchellum*), phacelia (*Phacelia crenulata*), Bigelov mimulus (*Mimulus bigelovii*), linanthus (*Linanthus demissus*), evening primrose (*Camissonia cardiophylla* ssp. *robusta*), desert star (*Monoptilon bellioides*), and various species of forget-me-not (*Cryptantha pterocarpa, C. angustifolia, C.echinella*).

2.6.2 Unique/Critical Communities

The California Department of Fish and Game Natural Diversity Data Base (CNDDB 1994) lists no unique or critical communities on the East of Ryan 7.5-minute quadrangle.

2.6.3 Special Plant Species

According to the CNDDB (1994), no sensitive plant species occur in the vicinity of the extraction area. In addition, none were observed during the site visits.

2.6.4 Invasive Exotics

No invasive exotics are currently found on this site.

2.6.5 Revegetation Potential

Revegetation of arid lands is often difficult; constraints to revegetation are natural and human-induced. Re-establishment of vegetation on this site will be somewhat limited due to the droughty nature of the soil and the arid climate. The vegetative shrub cover is sparse; therefore; the coarse fragments (gravel) present on the surface of this alluvial fan, rather than the vegetation, provide the protection from wind and water erosion. Therefore, the goal of revegetation at this site will be to reestablish components of the native Mojave Creosote Bush Scrub vegetation on native, coarse soils; thereby integrating the site with the surrounding area.

2.7.0 WILDLIFE

The site was visited on March 23, 1994. Classification of wildlife habitats relies on descriptions of vegetation types described by Holland (1986), and on wildlife habitats described in Mayer and Laudenslayer (1988).

2.7.1 Description of Habitats

This site contains a native Mojave Creosote Bush Scrub plant community (Holland 1986). The site is surrounded by a large contiguous area of similar native vegetation that is interrupted only by Highway 190 and roughly north-south running berms. Shallow dry washes extend across the site. The Funeral Mountains can be seen to the north and northwest.

The site supports an assemblage of arthropods, reptiles, birds, and mammals typical of the Mojave Desert. Animals associated with or requiring large amounts of water (e.g., fish and amphibians) are notably scarce in this and other arid regions. There is no water on the site and no aquatic or semi-aquatic organisms are expected to live there.

2.7.2 Unique/Critical Habitats

The California Natural Diversity Data Base has no records of unique or critical habitats for the USGS 7.5-minute East of Ryan, California, Quadrangle (CNDDB 1994). No unique or critical habitats were identified on the site during the site survey.

2.7.3 Game Range

Wild Horse and Burro-- The site is within the Chicago Valley wild horse and burro herd management area (USDI 1980). In the California Desert Conservation Area Plan (USDI 1980), range quality was deemed sufficient to retain both species at then current populations of 28 horses and 28 burros. A group of about eight wild horses were observed approximately one to two miles east of the site on one occasion during site Visits. Wild burros on BLM lands are protected by federal law (Wild and Free Roaming Horse and Burro Act 1971). Within Class-M BLM lands, horses and burros are maintained in stable herds subject to control to protect sensitive resources. The site is likely habitat for both of these protected species.

2.7.4 Special Animal Species

According to the CNDDB (1994), one special animal species is known from the East of Ryan Quad:

Nelson's bighorn sheep (*Ovis canadensis nelsoni*)

Analysis: CDFG estimated that approximately 35 individuals made up the Funeral Mountains population of this species in 1988. At that time, sightings were made approximately 20 miles northwest of the proposed mine site. It is possible though unlikely that this species would be found on or using the site. Areas closer to and within the Funeral Mountains (northwest of the site) are more likely habitat, especially in the vicinity of water sources.

The site is also within the range of the Mojave population of the desert tortoise (*Xerobates (=Gopherus) agassizii*), which is listed as a threatened species both by the State of California and by the federal government (Zeiner, et al. 1988, USFWS 1993). MS #286A is at the northern end of the proposed Eastern Mojave Recovery Unit, but is not within any designated proposed Desert Wildlife Management Area (USFWS 1993). Creosote bush scrub, like that found on the mine site, is a listed desert tortoise habitat type (USFWS 1993).

The area of the mine site is not listed as a critical area for desert tortoise by BLM (USDI 1980). Evidence of the presence of desert tortoises was not observed on the site during the site visits. However, the site visits were short and were not specifically designed to detect tortoises or tortoise sign. Also, no attempt was made to cover the entire site or to employ systematic search procedures for evidence of tortoises. Tortoise surveys are under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS). Surveys are to be conducted by authorized personnel using approved methodology with the consent and advice of the USFWS in order to be valid under the provisions of the Federal Endangered Species Act. In addition, CDFG requires specific procedures for dealing with impacts on desert tortoises and their habitat under the California Endangered Species Act and the Fish and Game Code. Caltrans' standard tortoise mitigations are included in Appendix D.

2.8.0 AIR RESOURCES/CLIMATOLOGY

Precipitation data are from the town of Shosone (elevation 1,570 feet), approximately 20 miles south of the mine site. Temperature data are from the nearest location to the site where such data are regularly collected: Death Valley (elevation -19 feet, about 22 miles west of the site).

2.8.1 Precipitation

The mean annual precipitation at Shoshone over a nine-year period, 1974-1982, is 4.6 inches per year. In 1992, a maximum rainfall of 3.4 inches was recorded during the month of March. Less than one inch of rain was recorded for the months of July through November of the same year (NOAA 1992).

2.8.2 Temperature

The mean annual temperature in Death Valley in 1992 was 76.8°F. The monthly mean temperatures at Death Valley for the months of January and July are 50° and 98°F, respectively. The highest temperature in 1992 was 125°F (August), and the lowest temperature was 27°F (December). The last spring minimum of 32°F or below was January 27, and the first fall minimum of 32°F or below was December 17. The length of the frost free season in 1992 was 325 days (NOAA 1992).

2.8.3 Prevailing Winds

High winds can accompany the periodic thundershowers that are seasonally common in this area. Wind is a primary agent of erosion in arid regions because rainfall is only sufficient to allow for a sparse vegetative cover of the land surface, leaving much of the surface soil exposed to wind erosion. The rocky alluvial deposit protects the native soil from wind erosion by forming a lag layer of gravel, cobble, and rock on the surface of the soil.

2.8.4 Air Quality

Air quality in the region is typically excellent.

2.9.0 LAND USES AND AESTHETICS

All lands within the California Desert Conservation Area (CDCA) under BLM management have been classified into one of four multiple-use classes based on sensitivity of resources and land-use for each area. The four multiple-use classes are used to designate different levels of permitted land-use and different kinds of resource management within an area. In addition county planning agencies classify lands according to county land-use plans.

2.9.1 Existing and Surrounding Land Uses

MS #286A is within the California Desert Conservation Area (CDCA). The site is classed as open space (40-acre minimum) by Inyo County, and is contained within a larger area designated Multiple-use Class-M by BLM (USDI 1980). Class-M areas are those that are classed for moderate uses. The Class-M designation is based on a controlled balance between higher intensity uses and protection of public lands. Class-M designated lands are open to many uses such as mining, livestock grazing, recreation, energy and utility development. Class-M management is also designed for conservation of desert resources and mitigation of damage to those resources that may be caused by permitted uses (USDI 1980).

Motorized vehicle use in the area of the site is limited to existing routes of travel with provisions for seasonal access restrictions.

There is no grazing allotment on or near the site, and the surrounding lands are owned by BLM. There are no towns, houses, or other structures in the vicinity of the site.

2.9.2 Visually Sensitive Areas

BLM has developed draft Visual Resource Management (VRM) standards for all BLM lands. The mining site is designated VRM II/BHFg. BLM describes the objectives of the VRM II designation as follows:

> "The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen from key observation points, but should not attract the attention of the casual observer. Any changes must repeat the basic form, line, color, and texture found in the predominant natural features of the characteristic landscape (USDI 1991)."

The scenic quality of the area is rated good (B). Highway 190 is well traveled by tourists; therefore, the sensitivity of the area, determined by the number of people that are likely to encounter the area and the frequency of use, is rated high (H). The scenic and sensitive qualities of the region are concentrated in the foreground (Fg).

2.9.3 Visual Impact of Reclamation to These Uses

The extraction area will be visible from Highway 190. The contrast on the site that will result from mining will be caused by removal of the coarse ground-surface layer, and a decrease in the density of the vegetation due to vegetation removal. In addition, the topography of the mined area will be changed by the excavation of the pit. These topographic and vegetative changes will be moderated somewhat by the side-slope shaping and revegetation done during reclamation. Revegetation with native species and resoiling will eventually integrate the site with the surrounding area. However, for the duration of the mine and reclamation plan, the mine site will remain visible to the casual observer.

3.0.0 DESCRIPTION OF PROPOSED MINING OPERATION

3.1.0 DIMENSIONS, ACREAGE

MS #286A occupies approximately 7.7 acres on BLM land. The site is a irregular-shaped polygon, with sides ranging in length from 869 feet to 273 feet. The site has not yet been disturbed by mining (Map Sheet 1). Approximately 7.2 acres of the site will be mined, 0.7 acres of which will be utilized as the mining operations area. Approximately 0.2 acres will be disturbed off-site for an access road entering the site from the north.

3.2.0 INITIATION AND TERMINATION DATES

Mining at this site will take place on an intermittent basis over a 20-year period (1997 to 2017). The termination date for this reclamation plan will be the year 2022, 25 years from the date of reclamation plan approval, thereby allowing for five years of final monitoring. Renewal of this plan approval may be sought from the County after the termination date if the anticipated demand for the minerals is delayed. A description of the management of the site during idle phases, if they occur, can be found in Appendix C, Interim Management Plan.

3.3.0 PRODUCTION SCHEDULE

The site will be mined for material to be used primarily for emergency road repair and road maintenance, and possibly for road construction. It is estimated that the annual extraction volume will be about 7,500 cubic yards. However, the maximum annual extraction volume may be as high as 40,000 cubic yards if the site is used to provide construction material. In any case, no more than 150,000 cubic yards will be removed over the 20-year life of the mine. At the end of this 20-year period, final site reclamation will be implemented.

3.4.0 MINING PLAN

Material from this site will be used for road maintenance and construction on an as-needed basis. Refer to Map Sheet 2 for the configuration of the site.

3.4.1 Description of Operations

Mining will initiate in the western portion of the site, a minimum of 50-feet from the western boundary. As shown in Map Sheet 2, mining will encompass most of the mine site. Excavations within the pit will be no deeper than 30 feet below the existing ground surface. The pit slopes within the mining area will be no greater than 3:1 (Horizontal: Vertical), with a relatively flat-lying base, sloping gently (three percent) to the southeast; the cut for the access road will be no greater than 2:1 (H:V). There will be a minimum 20-foot setback for mining from the northern, eastern, and southern boundaries of the site. Material storage, stockpiles, and screening equipment will be concentrated in the materials operations area to be located within the pit, as shown on Map Sheet 2. Material will be screened and stored on-site, and will be transported off-site by truck when needed.

3.4.2 Access Roads

The site will be accessed from the northwest via a dirt road constructed within the southern half of the 400-foot-wide Caltrans right-of-way for Highway 190.

3.4.3 Topsoil Handling

Topsoil (defined as the upper six inches of the native surface) will be salvaged and stockpiled within the 50-foot setback zone along the western boundary. Approximately 4,150 cubic yards of topsoil will be salvaged. Additionally, approximately 500 cubic yards of waste fines will be used for resoiling portions of the site. Waste fines and topsoil will be stockpiled separately.

3.4.4 Minerals, Overburden and Waste

All useable and waste material excavated during mining will be stored and stockpiled on-site in the mining operation area. Waste is estimated to compose five percent of the extracted volume, or approximately 7,500 cubic yards. A portion of these waste fines will be used to resoil a small portion of the site, approximately 0.3 acre, during the post-mining reclamation phase.

3.4.5 Water Impoundments and Diversions

The following erosion and sediment control measures will be implemented to help reduce potential slope instability problems and minimize erosion and off-site sediment discharge:

Grade-stabilization structures: As shown on Map Sheet 2, several drainages enter the site from north and west. To help reduce erosion of the pit slopes by these drainages, three grade-stabilization structures will be constructed along the western slope of the pit (refer to Appendix F for general construction specifications). The chutes for these structures will be 10 feet wide and will be protected by rip-rap at their tops where the drainages enter and at their bases where they enter small sediment basins. The sediment basins will be connected by a south-flowing drainage ditch, and the southern basin will feed into an east-flowing drainage ditch approximately 300 feet long. These structures will be constructed as mining proceeds and will be cleaned out and repaired after major storm events.

Drainage-diversion berm: As discussed previously, a five-foot high berm was previously constructed to the east of the site to divert channelized drainage water away from the highway. In order to keep this diverted drainage from entering the pit, a five-foot high material berm will be constructed along the northern and eastern boundaries of the site within the 20-foot mining setback zone. The berm will be approximately 1,000 feet long and will have side slopes no greater than 2:1 (H:V). Once mining begins at the site, this drainage berm will be constructed in the location shown on Map Sheet 2.

Outlet structure: In case the mining area becomes inundated by flood waters, an rock-protected outlet channel will be constructed in the southeast corner of the pit, the point where flood waters would drain from the pit. The outlet structure will be cut approximately four-feet deep with a drainage apron, 50-feet long and 50-feet wide, in the southern corner of the site.

3.5.0 PROCESSING EQUIPMENT

A portable screening operation will be moved onto the site during periods of operation. If the site is used for construction, a portable asphalt plant will be moved onto the site. No permanent buildings or equipment will be constructed on site as part of the mining operation.

3.6.0 WATER REQUIREMENTS

Water requirements for this site will be limited to that needed for screening, crushing, washing, and for dust control. Water will be trucked to the site, most likely from Shoshone.

3.6.1 Waste Water

The only type of waste water to be produced by this mining operation will be screening water that will be collected in the operations area and allowed to evaporate or infiltrate. Water use during intermittent operational phases is estimated at 2,000 gallons per day.

3.6.2 Drinking Water

Water will be trucked to the site to provide safe drinking water for site employees.

3.6.3 Sewage Disposal

During operations, portable toilets will be brought to the site and maintained.

3.7.0 ENERGY REQUIREMENTS

Electricity will be used by the plant for screening and washing operations. When electricity is needed for processing, it will be provided by a diesel generator. Diesel consumption will be approximately 800 gal/mth. Electricity will not be needed for reclamation activities.

3.8.0 NOISE & EMISSIONS

Mining operations will include the use of a D-9 cat, a five-yard loader, belly dumps, bobtail trucks, and pickups. Processing activities will include a screening plant, crushing operation and possibly an asphalt plant. This aspect of the mining operation will affect noise and emissions.

3.8.1 Noise

The noise emissions will be most heavily concentrated within the processing area of the pit, and will be shielded from surrounding receptors by the pit walls. Both the physical walls of the pit and the large distance to receivers will reduce the potential noise impact from mining.

Effective source strength of a rock plant is around 72-75 dB at 400 feet. Earth-moving activities would typically generate estimated noise levels of 75 and 80 dB at a distance of 50 feet with noise control devices for dozers and scrapers. In combination, the noise exposure at a distance of 2,000 feet would be reduced to approximately 60 dB, which is below most standards for noise-sensitive land-uses. Noise generated from the concurrent reclamation activities will not be perceivable against the noise generated by the mining activities. Noise generated from reclamation activities following the termination of mining will be minimal. There are no towns, dwellings, or buildings within 2,000 feet of the proposed mining area.

3.8.2 Dust, Odors, Vehicular Emissions

Air quality parameters that are potentially affected by aggregate mining operations are vehicular emissions and suspended particulate, or dust. Operations of this magnitude (7,500-40,000 cubic yards/year) may cause a significant increase in vehicular emissions on Highway 190 during the intermittent road construction phases. Increased emissions would emanate from the pit during the active extraction phases. However, the site will be mined in a manner that will result very nearly in the final reclaimed landform; therefore, reclamation activities will not cause an increase in vehicular emissions.

Because the soil disturbance from materials screening, extraction, and hauling is a "fresh" disturbance, the major component of the produced dust will be of large particle size (greater than ten microns), which settles out rapidly. Best available control technology, such as maintaining a moist aggregate surface, will be used to suppress screening, extraction, and hauling dust sources. Reclamation activities, such as reseeding and resoiling with topsoil mixed with vegetative debris, will also help to control dust.

3.9.0 HOURS OF OPERATION/NUMBER OF EMPLOYEES

The hours of operation will be twelve hours per day during the hours of 6:00 am to 6:00 pm. It is estimated that this operation will employ between one and seven people during active mining and about two to three people for three to five days during final reclamation implementation.

3.10.0 TRANSPORTATION

Transportation to and from the site by maintenance and repair crews will not increase traffic on Highway 190; however, during construction mining operations, transportation by employees to the mine site may increase traffic on Highway 190. Transportation of aggregate resources to construction locations may increase traffic on those roads as well. It is estimated that during construction mining operations, haul trucks will make approximately fifty round-trips per week. Approximately three to ten 25-ton belly dump trucks and five to fifteen 10-ton bobtail trucks will be used in this operation. This may necessitate access road intersection improvement on Highway 190. These possible impacts are all mining related. Since mining will result in very nearly in the final reclaimed landform and much of the reclamation will be performed concurrent with mining phases, reclamation activities are not likely to cause an increase in vehicular traffic on Highway 190.

4.0.0 DESCRIPTION OF PROPOSED RECLAMATION

This site will be used by Caltrans intermittently as a source of materials for road maintenance and construction. Reclamation of the site will be implemented according to the reclamation plan discussed below.

4.1.0 SUBSEQUENT USES

The land is zoned by Inyo County as open space (40-acre minimum). According to CDFG and BLM sources the site is not located within any area designated as critical habitat for any sensitive species. However, the site does provide general habitat values to various wildlife species and is within the range of the Chicago Valley wild horse and burro herd management area. The site is also within the range of the Mojave population of the desert tortoise, at the northern end of the Eastern Mojave Recovery Unit, but is not within any designated proposed Desert Wildlife Management Area (USFWS 1993). The site will be reclaimed to open space and wildlife habitat, which will leave the site in a productive end use that is readily adaptable to alternative end uses.

4.2.0 IMPACT ON FUTURE MINING

Reclamation of this site will not preclude mining at a future date. The aggregate resource likely extends beyond 50 feet deep; mining according to the current mining plan will not have exhausted on-site mineral resources.

4.3.0 RECLAMATION SCHEDULE

Reclamation treatments, such as the grade-stabilization structures, drainage ditches, and material berms, will be installed as mining proceeds. Reclamation treatments such as resoiling, using topsoil and amended waste fines, and revegetation will be initiated when final slopes are established. Once reclamation treatments have been implemented, they will be monitored until performance standards have been met. The monitoring plan is designed to evaluate site-specific criteria for slope stability, erosion and sediment control, and resoiling and revegetation.

4.4.0 POST-MINING ACTIVITIES AND SITE CONFIGURATION

Map Sheet 3 depicts the post-mining activities and reclaimed topography of the mined area. The final site configuration will be a 30-foot deep excavation with 3:1 (H:V) side slopes. The surface of the mine operations area and access roads (7.2 acres on-site and 0.2 acres off-site; 7.4 acres total) will be 1) decompacted, 2) resoiled using stockpiled topsoil and on-site waste fines, and 3) revegetated.

4.4.1 Slope Stability

Pit slopes for the mining phase and the final reclaimed site will not be steeper than 3:1 (H:V). The roadcut for the access road, that has a slope of 2:1 (H:V), will also remain but is not considered a major slope. The angle of repose for loose sediments on the site is approximately 32°. This angle can be considered to be representative of the angle of internal friction of the native slope material. Thus, pit slopes will be stable at the proposed angle under static conditions. Any slope failures that may occur would be retained within the pit.

4.4.2 Final Drainage Plan and Impoundments

Map Sheet 3 details the final drainage plan of the reclaimed site. The excavated pit will serve as sediment basin/trap for eroded sediment coming from upslope of the pit, and from within the pit itself. The grade-stabilization structures, drainage ditches, and material berm will not be maintained after final reclamation has been completed.

4.4.3 Disposition of Equipment

Any equipment brought onto the site will be removed from the site following termination of mining activity. No equipment will be stored permanently on-site. At final reclamation, there will be no equipment remaining on the mined site.

4.5.0 RESOILING

The native soil of this site is a poorly graded sand with gravel derived from the sedimentary and metasedimentary rock units found upslope. A native soil contains native seeds and soil microorganisms, and therefore, is preferred for site reclamation. The topsoil will be defined as the upper six inches of the substrate on the site. Topsoil will be salvaged prior to mining any area of the site. The topsoil will be placed in designated stockpiles within the western buffer zone.

Native surface materials will be kept separate from the processing fines. Processing fines will be placed in the stockpile area delineated on the site plans, and may be respread prior to (and beneath) topsoil application. Prior to spreading the topsoil, all compacted areas will be decompacted (ripped or disced) to facilitate root growth. The topsoil that was salvaged will be respread to a depth of six inches in all areas of the pit, inclusive of slopes outside of the drainage structures. The woody debris less than 0.5 feet, if stockpiled separately, will be distributed over the site in a random manner following the topsoil application. The large amount of coarse material (gravel) in the native topsoil will also serve as a gravel mulch, thereby armoring the revegeteted site.

4.5.1 Mulches

Since the native coarse-grained topsoil will be used to resoil this site, a gravel mulch will not need to be added. The coarse fraction of the native soil will act as a protective lag layer, thereby guarding against wind and water erosion.

4.6.0 REVEGETATION

Revegetation will strive to achieve visual integration with the vegetation surrounding the site. Establishment of vegetation in the borrow pit area will provide some erosion control for the site, while creating cover and forage for wildlife.

4.6.1 Seedbed Preparation

After decompacting the growth medium, the area will be roughed to form a variety of microsites; this can be accomplished by "track walking" or imprinting the site. The growth medium will be prepared to provide a firm, but not overly compacted, bed.

4.6.2 Plant Materials and Planting Densities

Many plant species are comprised of local ecotypes that are highly adapted to local climate and edaphic conditions (Plummer et al. 1955, 1968). The plants that will have the best chance of survival on a site are those ecotypes that are growing on (or near) the site (Millar and Libby 1989). The use of nonlocal plant materials can result in the application of a poorly adapted ecotype, as well as the potential genetic contamination of the local ecotype through interbreeding with the introduced ecotype. The results of interbreeding between nonlocal and wild local native stock can be adverse and permanent.

The best policy is to collect plant materials from on or near the site. Therefore, plant materials for each of the designated species should be obtained from the same region as the mine site. For the purposes of MS #286A, the collection region will be defined as Mojave Creosote Bush Scrub vegetation that occurs between 1,500 and 3,500 feet elevation, east of the Funeral Mountains and the Greenwater Range, and within a 20-mile radius of MS #286A.

4.6.3 Cactus Transplanting

Approximately 15 cacti will be impacted by mining: four beavertail cacti, three cottontop cacti, and eight cholla. These cacti will be offered to the Park Service and/or BLM for salvage and transplanting in areas outside of the lease boundary as part of the reclamation activities.

4.6.4 Irrigation

Irrigation would only serve to aid the growth of invasive exotics and therefore is not recommended for this site.

4.6.5 Plant Eradication Measures

Plant eradication will not be necessary unless the presence of Russian thistle, or other invasive exotics, on the site becomes a limiting factor in the reestablishment of native vegetation. Remediation for invasive exotic species is discussed in Table 4.10-1.

TABLE 4.10-1: REMEDIAL MEASURES

FEATURE	OBJECTIVES	MONITORING FREQ	FINDINGS	ACTION
Wind Erosion	Soil stabilized, no nuisance dust from site.	Continuously during mining and reclamation implementation; annually following reclamation.	Soil drifts found behind plants and rises, blowing dust.	Consider additional soil stabilization, i.e., rock mulching and revegetation.
Water Erosion	Soil stabilized, no evidence of rilling or gullying.	After first major storm event (>0.5 inch rain in a 24-hour period) following construction; once a year during annual monitoring of reclamation.	Rilling, gullying, erosion, or evidence of washouts or erosion in established drainage ways.	Repair area, consider additional stabilization (waterbars, berms, diversion channels, rock lining, or mulches).
Slope Stability	No evidence of slope failures.	Monitor continuously during mining operations; and annually during reclamation.	Slope failures, slumping.	Reconstruct slope, lessen angle of slope, and implement erosion control measures.
Invasion by Russian thistle or other invasive exotics	No interference with establishment of native vegetation.	Once per year, note areas of infestation of Russian Thistle or other species.	Infestation of exotics interfering with establishment of native vegetation.	Apply weed eradication measures: hand-pulling, hand-cutting, and possibly hand-applied herbicide.
Revegetation	Perennial cover averages 10 percent.	Annually following implementation.	<10 percent perennial cover, signs of drought stress; signs of herbivory that may significantly affect outcome.	Consider fertilizing and irrigating individual plants; analyze soil for problems; analyze for pest problems (consider fencing individual plants that volunteered).
Resoiling	Decompacted native soils respread to a depth of 6 inches.	Monitor during implementation.	Fines absent from substrate surface or a compacted substrate.	Respread additional topsoil; rip or disc site to alleviate compaction.

Attachment B

4.7.0 EROSION AND SEDIMENT CONTROL

Erosion and sediment control will be achieved by implementation of the previously described drainage and revegetation plans. Diversion of the drainage to the east of the mining and operations areas will limit the amount of flood waters entering these areas. Resoiling and revegetation will be performed according to the revegetation plan and will aid in reducing erosion.

4.8.0 PUBLIC SAFETY

The configuration of the mined lands, will not pose a hazard to the public. No hazardous materials will be stored on-site. In addition, the boulders at the access point to the site will help prevent uncontrolled access.

4.9.0 PERFORMANCE STANDARDS

The following discussion sets forth minimum site criteria, or performance standards, for the various aspects of site reclamation. Monitoring of reclamation performance standards will be agreed upon by Caltrans and Inyo County.

4.9.1 Erosion and Sediment Control

Erosion and sediment control monitoring will be completed at the same time and frequency that the used to vegetation monitoring is done. The drainage ditches and swale will be inspected following the season's first major storm event or at a minimum of annually. These structures will be cleaned out as needed to maintain a clear flow-path for flood waters. The results will be identify areas of potential failures and to trigger the implementation of remedial measures before problem areas cause widespread failures. Any observable reason for failure will be noted and the appropriate remedial measure suggested as part of the annual monitoring report.

4.9.2 Slope Stability

No large man-made slope within the pit shall be steeper than 3:1 (H:V), which has been determined to exceed the slope stability standard for this material for all except the most severe earthquake events.

4.9.3 Revegetation

The following performance standards will be applied to the site. Undisturbed, site-indigenous woody perennial cover was estimated at 30 percent. All phases of reclamation will achieve a minimum average density of herbaceous and woody perennial coverage of 10 percent. Areas found to be below these standards will be evaluated as set forth in the Remedial Measures Plan.

4.9.4 Other Species

The goal will be to transplant 15 individual cacti and to achieve 50 percent survival of these transplants (or seven individuals). If the survival rate falls below this standard, remedial measures will be taken.

4.10.0 MAINTENANCE, MONITORING, AND REMEDIAL MEASURES

Site maintenance and monitoring will continue until Inyo County deems reclamation complete.

4.10.1 Erosion and Sediment Control

All erosion and sediment control structures will be maintained and monitored annually for as long as mining and reclamation continues. This shall be done to ensure that the failure of one or more structures does not apply additional and unplanned stress on other structures.

If infilling or failure of a structure occurs, steps to repair the original structure will be taken. Infilled structures shall be cleaned out without causing damage.

4.10.2 Slope Stability

All slopes will be assessed, on a form such as the one supplied in Appendix B, during annual monitoring to ensure that they are stable. If excess slope erosion is observed, or failures noted, as discussed in the performance standards section, the appropriate remedial measures will be implemented.

4.10.3 Revegetation

Revegetation of the site will be monitored following implementation on each phase. Monitoring activities will take place during the peak flowering season, approximately April to May. Once the monitoring date is set following these initial reclamation activities, monitoring of the site during the later years will occur within two weeks of that original date. This scheme will assure that the data will be comparable over time.

Revegetation monitoring will consist of visual assessments and recording the progress of reclamation with photographs. The species composition, shrub cover, and shrub density will be recorded on a form (an example is included in Appendix B). If it appears that the site will not meet the performance standards set forth, then the investigator shall suggest remedial measures. Appropriate remedial measures are listed in Table 4.10-1.

4.10.4 Other Species

If Russian thistle invades revegetated areas to the point that it is impacting the germination and/or growth of desired species, then this invasive exotic will be manually removed from the site as a remedial measure as detailed in Table 4.10-1.

4.11.0 REPORTING

Once the reclamation activities have been completed, monitoring activities will commence and will continue until the County is satisfied that performance standards have been met. Reporting of the progress of reclamation will be transmitted to Inyo County on an annual basis. This annual report will, at a minimum, consist of the name and credentials of the investigator(s), a summary of the work accomplished, the date of the visit(s), the methods and materials used, the data collected, an analysis of the data and performance standards, and any suggested remedial measures.

5.0.0 COST OF RECLAMATION

A reclamation cost estimate is provided in Appendix A.

6.0.0 APPLICANT STATEMENT OF RESPONSIBILITY

An Applicant Statement of Responsibility can be found on Page 2 of Appendix A-1.

7.0.0 REFERENCES

Burchfiel, B.C., G.S. Hamill IV, and D.E. Wilhelms. 1983. Structural geology of the Montgomery Mountains and the northern half of the Nopah and Resting Spring Ranges, Nevada and California. Geological Society of America Bulletin, Volume 94 (pages 1359-1376).

California Department of Water Resources (DWR). 1976. Rainfall Analysis for Drainage Design Volume I: Short Duration Precipitation Frequency Data. DWR Bulletin 195.

Hart, E.W., W.A. Bryant, C.J Wills, J.A. Treiman, and J.E. Kahle. 1989. Summary Report: Fault Evaluation Program, 1987-1988, Southwestern Basin and Range Region and Supplemental Areas. California Division of Mines and Geology Open-File Report 89-16.

Jennings, C.W. 1992. Fault Activity Map of California. California Division of Mines and Geology Open-File Report 92-03. Scale 750,000.

Joyner, W.B. and D.M. Boore. 1982. Measurement, Characterization, and Prediction of Strong Ground Motion in Earthquake Engineering and Soil Dynamics II - Recent Advances in Ground-Motion Evaluation. ASCE Geotechnical Special Publication No. 20 (pages 43-102).

Langer, W.H., W.R. Moyle, L.R. Woolfenden, and D.A. Mulvihill. 1984. Maps showing ground-water levels, springs, and depth to ground water, Basin and Range Province, Southern California. U. S. Geological Survey Water-Resources Investigation (WRI) 83-4116-B. Scale 1:500,000.

McAllister, J.F. 1971. Preliminary geologic map of the Funeral Mountains in the Ryan Quadrangle, Death Valley region, Inyo County, California. U.S. Geological Survey Open-File Map. Scale 1:24,000.

State of California Department of Water Resources (DWR). 1976. Bulletin 195.

Stoddart, L.A., A.D. Smith, and T.W. Box. 1975. Range Management, Third Edition. McGraw-Hill, New York, N.Y.

Thompson, T.H., J. Nuter, W.R. Moyle, and L.R. Woolfenden. 1984. Maps showing the distribution of dissolved solids and dominant chemical type in ground water, Basin and Range Province, California and Nevada. U. S. Geological Survey Water-Resources Investigation (WRI) 83-4116-C. Scale 1:500,000.

U. S. Department of Agriculture, Soil Conservation Service. 1986. Urban Hydrology for Small Watersheds. Technical Release 55.

U.S. Fish and Wildlife Service. 1993. Draft recovery plan for the desert tortoise (Mojave population). U.S. Fish and Wildlife Service, Portland, Oregon. 170 pp. plus appendices.

U. S. Geological Survey. 1988 (Provisional Edition). Ryan Quadrangle, 7.5-minute Topographic Map. Scale 1:24,000.

APPENDIX A

COUNTY OF INYO

MINING RECLAMATION PLAN APPLICATION

PLEASE PRINT OR TYPE INFORMATION | **DATE: 01-23-97** | **USE ADDITIONAL SHEETS IF NECESSARY**

This application is for a: [check the appropriate box(es)]

__X__ Mining Operation	__X__ Sand/Gravel Pit	__X__ Screening Plant
_____ Milling Operation	_____ Concrete Batch Plant	__X__ Asphalt Batch Plant
_____ Exploration	__X__ Other (describe) RECLAMATION PLAN	

1. APPLICANT

Name: California Dept. of Transportation (Caltrans) Phone: (619) 872-0601

Address: 500 South Main Street

City: Bishop State: California Zip: 93514

2. REPRESENTATIVE

Name: David B. Grah Phone: (619) 872-0734

Caltrans District 09

Address: 500 South Main Street

City: Bishop State: California Zip: 93514

3. LANDOWNER

Name: U.S. Dept. of Interior, Bureau of Land Mgmt. (BLM) Phone: (619) 384-5400

Address: 300 S. Richmond Road

City: Ridgecrest State: California Zip: 93555

4. OPERATOR

Name: California Dept. of Transportation (Caltrans) Phone: (619) 872-0734

Address: 500 S. Main Street

City: Bishop State: California Zip: 93514

5. LESSEE

Name: California Dept. of Transportation (Caltrans) Phone: (619) 872-0734

Address: 500 S. Main Street

City: Bishop State: California Zip: 93514

6. ASSESSOR'S PARCEL NO(S): 43-070-000

Section(s): E1/2 of Section 14 Township(s): 25N Range(s): 4E

Latitude: 17º 30' 35"N Longitude: 116º 30' 43"W

7. CLAIM DESCRIPTION(S)

Name	TYPE (lode,placer,millsite)	RECORDED VOL PG	BLM ID #
State Material Site #286A (New Death Valley Junction Pit)	Borrow Pit (Placer)		

8. GEOLOGY See Section 2.3.0

Describe the geologic setting of the area with a more detailed geologic description of the mineral deposit to be mined and principle minerals or rock types present. If referenced in a geologic report please attach a copy.

9. ENVIRONMENT See Section 2.0.0

10. MINING OPERATION

A. Proposed Starting Date: 1997

B. Name of Mine or Project: State Material Site #286A or New Death Valley Junction Pit

C. Minerals to be Mined: Sand and gravel

D. Maximum Total Yearly Production: ORE: 38,000 yd^3 WASTE: 2,000 yd^3

TOTAL: 40,000 yd^3

E. Estimated Mine Life: 20 yrs Estimated Time to Complete Reclamation: 30 yrs

F. Operation is: Continuous Intermittent: X Seasonal:

G. Operation is: New Site In Operation: Inactive: X

H. Days per Week: 5 Daily Operation Hours: 6 am to 6 pm Starting Time: 6 am

I. Estimated Number of Employees: 1-7 Number of Shifts Per Day: 1

J. Type of Housing (if needed): None

11. MINE DIMENSIONS

Highest Elevation: 2450' Overall Slope: Angle 3°

Maximum Depth: 30' Maximum Slope Angle: 3:1 (H:V) 18°

Maximum Length: 869' Maximum Width: 273'

Angle of Repose for Native or Host Material: 32°

Bench Height: NA Bench Width: NA

12. SIZE OF OPERATION (In Acres)

Owned:	____	Leased	7.7 acres
Patented:	____	Sub-leased	____
Unpatented:	7.7 acres	Other	____
Total Acres:	7.7 acres	To be Reclaimed:	7.4 acres

13. MINE WASTE (See Map Sheets for phases)

Describe waste piles, stockpiles, tailings ponds, other ponds, and leach pads.
Answer for EACH pile, pond or pad where appropriate.

Highest Elevation:	2450'	Overall Slope Angle:	3:1 (H:V)
Maximum Height:	15'	Surface Area of Ponds:	NA
Maximum Length:	300'	Depth of Ponds:	NA
Maximum Width:	50'		

14. TYPE OF OPERATION

Open Pit		Single Bench	
Borrow Pit	X	Multibench	
Gravel/Sand Pit	X	Underground	
Clay Pit		Hardrock	
Hill Top		Waste Dump	
Side Hill		Tailings Pond	
Shovel/Truck		Quarry	
Dragline		Other (describe)	

15. OTHER CONSTRUCTION

Access Roads	X	Plant Site (portable	X
Asphalt Batch Plant (port)	X	Screening (portable)	X
Bathhouse (Dry)		Settling Ponds	____
Blasting		Sheds	
Concrete Batch Plant		Shops	
Conveyors		Stockpiles	X
Crushers (portable)	X	Tailings Dams	
Explosive Storage		Tanks (asphalt & diesel)	X
Office Site (portable)	X	Water Wells	
On-Site Living		Waste Dumps	
Sewage Disposal		Other (describe)	

16. PROCESSING

A. Check Box(es) that Describe Operation:

Crushing (portable)	X	Amalgamation	
Milling		Concrete Batch	
Washing	X	Asphalt Batch (portable)	X
Flotation		Precipitate	
Heap Leaching		Hand Sort	
Sizing		Smelting	
Other (describe)		Temporary Screening Plant (portable)	X

B. List Chemicals Used in the Processing
Asphaltic Materials

17. ACCESS

Describe existing routes to the operation site. The site is 5.5 miles west of Death Valley Junction on Highway 190.

Describe any proposed new access roads to be constructed. 300' of access road to be extended into mining area from Highway 190.

18. AIR QUALITY

List Number and Types of Vehicles and Equipment Associated with the Project:

One D-9 CAT, one or more 5 cy FEL, Belly Dumps, Bobtail Trucks and Pickups, and a portable screening plant.

19. WATER QUALITY/SUPPLY:

Source of Fresh Water	Water truck (Shoshone or Death Valley Junction)
Gallons per Day Fresh	100 gallons/day (up to 2,000 gallons/day for processing)
Gallons per Day Recycled	None
Total Gallons Used per Day	100 gallons/day (up to 2,000 gallons/day for processing)
Chemicals Used	None
Method of Chemical Disposal	None
Proposed Sewage System	Portable toilets, Commercial Vendor

20. ENERGY:

To be Consumed by the Project/Month

ELECTRICITY Diesel Generator (see below)

NATURAL GAS

OTHER FUELS (type): Diesel, average 40 gallons per day, while processing aggregate, up to 800 gal/mth.

21.

Describe the site alterations that will be produced by your proposed project. For instance, describe topographic changes, storm flows that will have to be channelized, lengths of new roads and/or easements and other such changes:

See map sheet #3 for final site configuration

22.

If your project requires any permits from other agencies, please identify the agency and type of permits. Some of the Agencies or department that you may have to obtain permits from are listed below:

Great Basin Unified Air Pollution Control District ..... Opertating Permit
Lahontan Regional Water Quality Control Board
County Environmental Health Department
County Building and Safety Department
County Road Department
Bureau of Land Management ..... Mining Permit
California Department of Fish and Game
Inyo National Forest
Inyo County ..... Reclamation Plan Approval

Note: All other agencys or contractors using the pit will be required to obtain their own permits.

23. HAZARDOUS WASTES; AIR QUALITY; AND HAZARDOUS MATERIALS

Pursuant to Section 65962.5(e) of the California Government Code the project site
is _____
is not __X__ identified on the latest list prepared by the Secretary of Environmental Affairs as a hazardous waste site.

Pursuant to Section 65850.2(a)(1) of the California Government Code the applicant
will _____
will not __X__ need to comply with Sections 25505, 25533, and 25534 of the California Health and Safety Code requiring a hazardous material business plan; hazardous materials registration forms; and the preparation of a Risk Management and Prevention Program (RMPP), respectively, and the requirements for a permit for construction or modification from the Great Basin Unified Air Pollution Control District.

Pursuant to Section 65850.2(a)(2) of the California Government Code the applicant
will _____
will not __X__ handle acutely hazardous materials as defined by Section 25500 et. seq. of the California Health and Safety Code. If "will" is checked then a notice of requirement to comply with or determination of exemption for a Risk Management and Prevention Program (RMPP) from the Inyo County Environmental Health Department shall be attached to this application pursuant to Section 65850.2(b) of the California Government Code.

Pursuant to Section 65850.2(b) of the California Government code the applicant shall attach certification from the Great Basin Unified Air Pollution Control District that the project is in compliance with any disclosures required by Section 42303 of the California Health and Safety Code concerning information needed by them to determine air pollution resulting from the project.

24. PROPOSED OR POTENTIAL USE OF THE LAND AFTER RECLAMATION

open space and wildlife habitat

25. METHODS OF RECLAMATION: See Section 4.0.0

Backfilling	____	Rehabilitation of drainage	____
Stabilization of slopes	X	Equipment and refuse removal	X
Resoiling and revegetation	X	Mitigate Hazards	____
Soil Augmentation	____	Other (describe)	____

26. TIMING OF RECLAMATION

Check One:

X Mining and Reclamation is done simultaneously.

____ Reclamation will be done after mining complete.

State sequence of mining and reclamation. See map sheets #1 -#3 and Section 3.0.0

27. RECLAMATION COST ESTIMATE SUMMARY SHEET MINING AND MILLING OPERATIONS

Section 2773.1 of the Surface Mining and Reclamation Act (SMARA) requires that financial assurance be established for each surface mining operation to ensure reclamation is performed in accordance with the surface mining operation's approved reclamation plan. The assurance is to be reviewed on an annual basis to account for new lands disturbed, inflation, and reclamation of lands completed in accordance with the approved reclamation plan.

Please provide an estimate of the actual cost of reclamation of your operation based on existing and/or anticipated disturbance resulting from your operation. This estimate should show a detailed break-down of cost to include, but not be limited to the following items:

A. Earthwork/Recontouring

	Manpower[1]	Equipment	Materials
1. Roads	$95.00	$174.00	$0
2. Pits, Adits/Trenches	$95.00	$174.00	$0
3. Process Ponds	$0	$0	$0
4. Heaps	$136.00	$62.00	$0
5. Dumps (waste + landfills)	$0	$0	$0
6. Tailings	$0	$0	$0
7. Buildings and Equipment	$0	$0	$0
8. Drainage Control Plan	$0	$0	$0
9. Misc. (remove fence)	$0	$0	$0
Subtotal	$626.00	$410.00	$0

B. Revegetation/Stabilization

1. Roads	$0	$0	$0
2. Pits, Adits/Trenches	$175.00	116.00	$1300.00
3. Process Ponds	$0	$0	$0
4. Heaps	$0	$0	$0
5. Dumps (waste + landfills)	$0	$0	$0
6. Tailings	$0	$0	$0
7. Buildings and Equipment	$0	$0	$0
8. Drainage Control Plan	$0	$0	$0
9. Misc. (describe)	$0	$0	$0
10. Monitoring (post reclamation)	$0	$0	$0
Subtotal	$175.00	$116.00	$1,300.00

where is scarification or ripping?

[1] County construction cost must use California prevailing wage law. Wage rates must include FICA, and other required coverage and benefits covering your work force.

27. RECLAMATION COST ESTIMATE SUMMARY SHEET MINING AND MILLING OPERATIONS (cont)

C. Detoxification/Disposal of Wastes

	Manpower[1]	Equipment	Materials
1. Process Ponds	$0	$0	$0
2. Heaps	$0	$0	$0
3. Dumps (waste + landfills)	$0	$0	$0
4. Tailings	$0	$0	$0
5. Drainage Control Plan	$0	$0	$0
6. Misc. (describe)	$0	$0	$0
7. Monitoring (post reclamation)	$300.00	$256.00	$0
Subtotal	$300.00	$256.00	$0

D. Removal

1. Structures	$0	$0	$0
2. Equipment	$0	$0	$0
3. Facilities	$0	$0	$0
Subtotal	$0	$0	$0

E. Insurance (on site liability (1.5%)	$48.00
F. Contract Administration (15%)	$477.00
G. Bond (performance & payment) (1.5%)	$48.00
H. Profit (10%)	$318.00
I. Grand Total	$4,074.00
J. Remarks	

* All reclamation costs are to be calculated as third party contracts (the County will put the reclamation contracts out to bid in case of operator default). If you seek a bond reduction based upon your own "in house" equipment and personnel, submit a second cost analysis and a written request for the reduction to the County.

28. TYPE OF FINANCIAL ASSURANCE (check one):

____ Surety Bond

____ Irrevocable Letter of Credit

____ Trust Funds (Cash)

__X__ California Department of Transportation-Budget Set Aside

29. RECLAMATION COST ESTIMATE FOR EXPLORATION OPERATIONS

	Manpower	Equipment	Materials
A. Earthwork/Recontouring			
1. Roads	$____	$____	$____
2. Drill Pads	$____	$____	$____
3. Trenches	$____	$____	$____
Subtotal	$____	$____	$____
B. Revegetation/Stabilization			
1. Roads	$____	$____	$____
2. Drill Pads	$____	$____	$____
3. Trenches	$____	$____	$____
4. Monitoring (if required) (post reclamation)	$____	$____	$____
Subtotal	$____	$____	$____

C. Insurance (on site liability) (1.5%) $____

D. Contract Administration (15%) $____

E. Bond (performance & payment) (1.5%) $____

F. Profit (10%) $____

G. Total $____

H. Grand Total $____

I. Remarks

* All reclamation costs are to be calculated as third party contracts (the County will put the reclamation contracts out to bid in case of operator default). If you seek a bond reduction based upon your own "in house" equipment and personnel, submit a second cost analysis and a written request for the reduction to the County.

30. TYPE OF FINANCIAL ASSURANCE (check one):

____ Surety Bond

____ Irrevocable Letter of Credit

____ Trust Funds (Cash)

_X_ Not Applicable

31. NOTIFICATION OF RESPONSIBILITY

I, The SMARA Coordinator, the undersigned representing (the) California Dept. of Transportation, (state agency) legal holder of the possessory interest, mineral and/or surface rights to the property commonly known as the Material Site #288 located in Township 21S, Range 37E Section(s) 36 (MDBM), do hereby acknowledge to abide by the Reclamation Plan as submitted with the application.

David B. Grah, SMARA Coordinator — 3 FEB 97 Date

Corporation Acknowledgment

State of Cal. Fornia

County of Inyo

On Feb 3 1997 before me, Nancy J. Gillem, Notary Public
DATE — NAME, TITLE OF OFFICER-E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared David Beuhrs Grah
NAME(S) OF SIGNER(S)

personally known to me-OR- proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

NANCY J. GILLEM
Commission # 1102140
Notary Public — California
Inyo County
My Comm. Expires Jun 20, 2000

32. APPLICANTS CERTIFICATION OF FILING: (Legal owner of the property must sign)

NOTE: If more than one person is involved in the ownership of the property or mineral rights a separate page must be attached to this application which lists the names and
All applicants for surface mining permits who are not also the recorded owner(s) of

I certify under penalty of perjury that I am the owner of record, or as noted below and the owner of record has knowledge of and consents to the proposed surface mining reclamation plan application for this property. I further certify that the information contained is true and correct to the best of my knowledge.

Lieu Mgr USDI/BLM
_____ ~~Owner or Possessory Interest or Mineral Rights~~

_____ Legal Owner(s) (all individual owners must sign as their names appear on the deed to the land)

_____ Corporate Officer(s) empowered to sign for the Corporation.

_____ Owner's legal Agent having Power of Attorney for this action (a Certified Power of Attorney document must accompany the application form).

Date 4/1/97

T. Read
Signature

Tim Read
Print Name

Bureau of Land Management
Company
Barstow Area Mgr

Individual Acknowledgment

Corporation Acknowledgment

NOTE: THIS APPLICATION REQUIRES A PUBLIC HEARING BEFORE THE INYO COUNTY PLANNING COMMISSION. YOU OR A REPRESENTATIVE MUST BE PRESENT TO ANSWER ANY QUESTIONS. FAILURE TO APPEAR MAY RESULT IN THE PUBLIC HEARING BEING CONTINUED OR THE APPLICATION DENIED.

State of_____ ,

County of_____ ,

On _____ before me, _____

DATE NAME, TITLE OF OFFICER-E.G.,"JANE DOE, NOTARY PUBLIC"

personally appeared_____

NAME(S) OF SIGNER(S)

personally known to me-OR- proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and by his/her/their signature(s) on instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

_____

SIGNATURE OF NOTARY

APPENDIX A-3

Financial Assurance Cost Estimate Worksheets

The following is a generalized format for the Financial Assurance cost estimate worksheets. Note, some of the items may not be applicable for all sites.

DATE: 01/02/97

Mine Name: NEW DEATH VALLEY JCT MS #286 A Mine ID# : 91-14-0046

Financial Assurance Worksheets prepared by: J. R. Stahl

Financial Assurance Summary Costs Totals

Item	Total Amount
Direct Costs:	
1. Removal of Roads	$269.00
2. Regrading Pit Areas	$269.00
3. Regrading Mine Spoils	$198.00
4. Topsoil Replacement	$291.00
5. Seeding Costs	$1,300.00
6. Channel Grading	
7. Removal of Structures/Buildings	
Direct Cost Sub-Total	$2,327.00
8. Supervision (2% to 7% of Direct Costs)	$105.00
9. Profit & Overhead (3% to 15% of Direct Costs)	$209.00
10. Contingencies (2% to 10% of Direct Costs)	$140.00
11. Mobilization (1% to 5% of Direct Costs)	$70.00
Total Financial Assurance Amount =	$2,851.00

1. Removal of Roads

Description of Task:
This task includes the removal of roadways per the conditions of the approved reclamation plan. This estimate should include a listing of assumptions including: length of the roadway, total cubic yards of asphalt and/or concrete surfaces to be removed, production rates/for scarifying road bed, and grading required for the removal of roadside ditches and drainage structures. All disposal costs should be listed.

Describe the task required to meet the conditions of the approved reclamation plan:
Rip gravel road 1 hr. W/D8, fine grade 1 hr. W/12G

Length of Road: 750' **Width of Road:** 20'

Total Pavement Materials (cy/hr.): 0CY **Total Acres:** 0.34

A. Equipment: *List all equipment, operating costs, total hours and total cost for each category.*

Item	Quantity	$/hour	Total $/hour	Total Hours	Total Cost($)
1) Cat 966 FEL		$73.00	$0		$0
2) Cat D8L Dozer w/ ripper	1	$104.82	$104.82	1	$105
3) Water Truck	1	$30.93	$30.93	1	$31
4) Cat 12G Blade	1	$38.40	$38.40	1	$38
5) Ford F-700 Truck		$25.00	$0		$0
Total Equipment Cost					$174

B. Labor: *List all labor categories to complete the job requirements.*

Item	Quantity	Labor Rate $/hour	Total $/hour	Total Hours	Total Cost($)
1) Heavy Equip. Operator (G-13)	1	$32.99	$32.99	1	$33
2) Heavy Equip. Operator (G-13)	1	$32.99	$32.99	1	$33
3) Heavy Equip. Operator (G-13)		$32.99	$32.99		$
4) Truck Driver (G-5)	1	$29.41	$29.41	1	$29
5) Laborer (G-l)		$25.12	$25.12		$0
Total Labor Cost					$95

C. Materials: *List all materials required to complete job requirements (including disposal costs).*

Item	Quantity	Cost/Unit	Cost	Unit #Units	Total Cost($)
1) Asphalt Disposal (loads)		$100	$100		$0
Total Materials Cost					$0

D. Calculations:

Equipment Cost + Labor Cost + Materials Costs = Total Direct Cost $269

2. Regrading Pit Areas

Description of Task:
'ie reduction of highwalls and final grading for mine pit areas. Cross-sections and reclamation an maps should be used to develop this information provided operators have submitted sufficient data.

Describe the task required to meet the conditions of the approved reclamation plan:

Rough Grading Pit 1hr. W/D8L. Fine Grade 1hr. W/12G

Production Rate(s) (cy/hr): 800 Total Acres: 1.66

A. Equipment

Instructions: List all equipment required to complete final highwall grading for pit areas. You may want to separate mine areas for ease of accounting.

Item		Quantity	$/hour	Total $/hour	Total Hours	Total Cost($)
1)	Cat 631 Scraper		$134.38	$134.38		$
2)	Cat D8L Dozer	1	$104.82	$104.82	1	$105
3)	Water Truck	1	$30.93	$30.93	1	$31
4)	Cat 12G Blade	1	$38.40	$38.40	1	$38

Total Equipment Cost $174

B. Labor: *List all labor categories to complete the job requirements.*

em		Quantity	Labor Rate $/hour	Total $/hour	Total Hours	Total Cost($)
1)	Heavy Equip. Operator (G-13)	1	$32.99	$32.99	1	$33
2)	Heavy Equip. Operator (G-13)	1	$32.99	$32.99	1	$33
3)	Truck Driver (G-5)	1	$29.41	$29.41	1	$29

Total Labor Cost $95

C. Materials: *List all materials required to complete job requirements (including disposal costs).*

Item	Quantity	Unit Cost	Total Cost($)
1)			

Total Materials Cost

D. Calculations:

Equipment Cost + Labor Cost + Materials Costs = Total Direct Cost $269

3. Regrading Mine Spoils

Description of Task:
grade all mine spoil areas to final approval reclaimed contour. Include scarifying all regraded .ope areas where applicable. Cross-sections and reclamation plan maps should be used to develop this information. This item does not include the reduction of highwalls (see item No. 2).

Describe the methods used to regrade spoil piles to meet final approved reclaimed contours.
Rip & flatten areas 1hr. W/D8

Total Acres: 1.66 Production Rate(s) (cy/hr): 1200

A. Equipment

Instructions: List all equipment to complete final highwall grading for pit areas. You may want to separate mine areas for ease of accounting.

Item		Quantity	$/hour	Total $/hour	Total Hours	Total Cost($)
1)	Cat D8L Dozer	1	$104.82	$104.82	1	$105
2)	Water Truck	1	$30.93	$30.93	1	$31

Total Equipment Cost $136

B. Labor: *List all categories to complete the job requirements.*

Item	Quantity	Labor Rate $/hour	Total $/hour	Total Hours	Total Cost($)
1) Heavy Equip. Operator (G-13)	1	$32.99	$32.99	1	$33
2) Truck Driver (G-i)	1	$29.41	$29.41	1	$29
3) Laborer (G-l)		$25.12	$25.12		$

Total Labor Cost $62

C. Materials: *List all materials required to complete job requirements (including disposal costs).*

Item	Quantity	Cost/Unit	Unit Cost	#Units	Total Cost($)

Total Materials Cost

D. Calculations:

Equipment Cost + Labor Cost + Materials Costs = Total Direct Cost $198

4. Topsoil Replacement

Description of Task: *Replacement of topsoil or approved topsoil substitute on all reclaimed surfaces as described in the approved reclamation plan.*

Describe the topsoil replacement requirements of the reclamation plan:

Fine grade stockpiled material out over site

Total Topsoil (cubic yards): Total Acres: 2.0

Production Rate(s) (cy/hr):

Haul Distance (feet):

A. Equipment:

Instructions: List all equipment required to be used in the operation, operating costs with total co. per category. Total the cost of equipment

Item	Quantity	$/hour	Total $/hour	Total Hours	Total Cost($)
) Cat 631 Scraper		$134.38	$134.38		$
Water Truck		$30.93	$30.93		$
3) Cat 12G Blade	1	$38.40	$38.40	2	$77
4) 2-axle Dump Truck	1	$19.50	$19.50	2	$39

Total Equipment Cost $116

B. Labor: *List all labor categories to complete the job requirements.*

Item	Quantity	$/hour	Total $/hour	Total Hours	Total Cost($)
1) Heavy Equip. Operator (G-13)	1	$32.99	$32.99	2	$66
2) Heavy Equip. Operator (G-13)		$32.99	$32.99		$
3) Heavy Equip. Operator (G-13)		$32.99			$
4) Truck Driver (G-5)	1	$29.41	$29.41	2	$59
5) Laborer (G-l)	1	$25.12	$25.12	2	$50

Total Labor Cost $175

C. Materials: *List all materials required to complete job requirements (including disposal costs).*

Item	Quantity	Cost/Unit	Unit Cost	#Units	Total Cost($)
1)					

)tal Material Cost $0

D. Calculations:

Equipment Cost + Labor Cost + Materials Costs = Total Direct Cost $291

5. Seeding & Revegetation Costs

Description of Tasks
Includes the cost of revegetating all reclaimed areas identified in the approved reclamation plan. These costs may include, but are not limited to: seedbed preparation, seeding. hydromulching, seed and plant materials costs, fertilizers, mulching. irrigation and monitoring.

Describe the revegetation requirements of the approved reclamation plan:

Native seeding : 20.0lb./A ($200.00 seed + $200.00 application) /A on 2.0 A

List assumptions used in the estimate as described below:

Seeding Rate (lbs/ac): 20.0 Seeding Production Rate (ac/hr):

Total Acres: 2.0 Monitoring Period: as needed

A. Equipment:

)nstructions: List all equipment required to be used in the operation, operating costs with total cost per category. Total the cost of all equipment.

Item	Quantity	$/Unit	Total $/acre	Total acres	Total Cost($)

Total Equipment Cost _____

B. Labor: *List all labor categories to complete the job requirements.*

Item	Labor Rate $/	Total $/	Total Acres/Site	Total Cost($)
1) Seed Application	$200/A	$200.00	2.0	$400.00

Total Labor Cost $400.00

C. Materials: *List all materials required to complete job requirements (including disposal costs).*

Item	Quantity	Unit Cost/Acre	Acres	Total Cost($)
1) Seed Costs	20.0lb./A	$450.00	2.0	$900.00

Total materials Cost $900.00

D. Calculations:

Equipment Cost + Labor Cost + Materials Costs = Total Direct Cost $1,300.00

APPENDIX B

REVEGETATION MONITORING, SAMPLE DATA SHEET

Name_____ Date_____ Site #_____
Plot Size_____ Plot Number_____ Photo #_____
Treatment Received (i.e., type of mulch, resoiled?)_____

Plot Data: Total Plant Cover_____ Percent Bare Ground_____
Percent Litter_____ Percent Exposed Gravel or Cobble_____

Taxa:

Shrubs	Percent Cover	Number (density)	Height/Vigor

Herbs	Percent Cover	Number (density)	Height/Vigor

Notes:

APPENDIX C

INTERIM MANAGEMENT PLAN (IMP)

RESPONSIBLE PERSON/PARTY:

David Grah
California State Department of Transportation (Caltrans)
District 09
500 S. Main Street
Bishop, California 93514
(619) 872-0734

SUMMARY

The purpose of an Interim Management Plan (IMP) is to prevent or minimize adverse environmental effects from an idle mining operation and to ensure that residual hazards to the public health and safety are eliminated while the mine is idle.

Idle Plan

The mining operation is carefully designed such that an idle period can be easily integrated into the site's management. The erosion control and drainage plan for the initial site reclamation phase and mining phase will also serve to protect the site during idle periods. Within 90 days of this operation becoming idle, Caltrans shall contact Inyo County requesting initiation of an idle period of up to five years in duration. If Caltrans plans to extract or transport minerals from the site during an idle period (which may not exceed 10 percent of the operation's previous maximum annual mineral production), the following information will be transmitted with the request for idle status:

- A description of any equipment, structures, and other facilities that will remain on-site while the operation is idle.
- The estimated annual production of overburden, mining waste, and ore while the operation is idle.

- A description of surface mining operations that will be conducted while the operation is idle.

Upon the County's approval of idle status, the following annual monitoring activities will be implemented:

- verification that all erosion control and drainage control structures have been installed for the mining phase and/or reclamation phase, as per Section 3.0 and 4.0 of the reclamation plan;

- cleaning out of sediment basins, run-off retention areas, straw check dams, and ditches (if any);

- clearing out of the up-gradient sides of the soil berms;

- maintenance of emplaced fill and fill slopes on site;

- maintenance and management of stockpiles; and,

- appropriate, off-site disposal of any illegally dumped materials found on the site.

APPENDIX D

Desert Tortoise Mitigation

In order to protect the desert tortoise from impacts during operations and restoration of the material site, the following measures will be implemented; 1) the material site will be fenced with tortoise proof fencing installed on a five strand barbed wire type fence; 2) a locked gate will be provided for security and to keep tortoises out of the pit site and a 25 mile per hour speed limit will be placed on the access road; 3) a qualified tortoise monitor will be present during the fencing on the project site to be sure that no tortoise are harmed; 4) after the fence has been installed, the entire pit site will be surveyed for tortoises. Any tortoise found during the clearance survey will be relocated outside of the fence; 5) educational classes will be given to the crews that are to use the site; and 6) the fence will be monitored each year during the active season to ensure that the fence is providing the desired protection for the desert tortoise.

The tortoise monitor shall hold a current Memorandum of Understanding (MOU) with the DFG and USFWS that authorizes handling on the desert Tortoise.

Any mortality or injury to a desert tortoise shall be reported to the DFG and USFWS within 24 hours.

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (619) 878-0263
(619) 872-2706
FAX: (619) 872-2712
E-Mail: InyoPlanning@telis.org

DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

PROJECT TITLE: Reclamation Plan # 96-10/ New Death Valley Junction Site - #286A- California State Department of Transportation (CalTrans)

PROJECT LOCATION:
The project is located on Bureau of Land Management (BLM) lands approximately 5.5 miles west of the community of Death Valley Junction (more specifically referenced as being on the south side of Highway 190 at post mile 135.5). The project is located in a portion of Section 14, Township 25 North, Range 4 East, SBBM.

PROJECT DESCRIPTION:
This is a mining project that will occupy approximately 7.7 acres of BLM lands. The site is an irregular-shaped polygon with sides ranging in lengths from 869 feet to 273 feet. The site has not yet been mined. Approximately 7.2 acres of the site will be disturbed by operations. Approximately 0.2 acres will be disturbed off-site for an access road entering the site from the north. The termination date for this reclamation plan shall be the year 2022 A. D. The site will be mined for material to be used for road repair and maintenance, and possible construction. It is estimated that the annual extraction volume will be about 7,500 cubic yards. There is a pre-existing borrow site 1,500 feet east (across State Highway 190) that has naturally reclaimed itself (1974).

FINDINGS:
An Initial Study and an Evaluation of Potential Impacts has been prepared by the Planning Department (attached). The Initial Study, including an environmental checklist, indicated that the proposed project, as mitigated, will **not** have a significant adverse impact on the environment for the following reasons:

A. The proposed project is consistent with the goals and objectives of the Inyo County General Plan. Therefore, the project is consistent with the adopted General Plan Land Use designation of "Open Space - Natural Resources."

B. The proposed reclamation plan is consistent with the requirements of the Inyo County Zoning Ordinance and the OS-40 (Open space-40 acre minimum) zone.

C. The proposed Reclamation Plan is consistent with the requirements of Chapter 7.70 of the Inyo County Code.

D. Existing public and private services are adequate to meet the requirements of the proposed project without the need for their expansion.

E. Potential loss of native vegetation and wildlife habitat is considered to be in agreement with the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project is deemed "operative, vested, or final." The potential impact is greater than *de minimus* standard of section 711.4. Said $1,250.00 shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan approval).

F. Based upon the information submitted, and the mitigation measures which will be required as a result of the Initial Study, it has been found that the project does not have the potential to create a significant adverse impact on the following:

1. Earth

2. Flora or fauna

3. Air Quality

This constitutes a Negative Finding for the Mandatory Findings required pursuant to Section 15065 of the California Environmental Quality Act (CEQA) Guidelines. Mitigation measures that will be required are as follows:

1. EARTH:

PROBLEM:
Although the area is not in an identified FEMA flood zone, short-term high-intensity precipitation events have been known to occur in this area.

MITIGATION MEASURE: CalTrans shall recalculate the potential for flooding based upon 20-year flood data and design appropriate containment or diversion structures.

MITIGATION LEVEL: Mitigate to a less than significant level.

LEAD AGENCY: Inyo County Planning Commission

FUNDING SOURCE: Mining Operator/Applicant shall directly implement this measure at their expense.

IMPLEMENTING AGENCY: Mining Operator/Applicant.

TIMING: Mitigation measure is to be implemented prior to mining.

MONITORING AGENCY: Inyo County Planning Department.

2. EARTH:

PROBLEM:
CalTrans has requested that a temporary asphalt batch plant be authorized for the site.

MITIGATION MEASURE: CalTrans or the contractor shall not bury any asphalt on site.

MITIGATION LEVEL: Mitigate to a less than significant level.

LEAD AGENCY: Inyo County Planning Commission

FUNDING SOURCE: Mining Operator/Applicant shall directly implement this measure at their expense.

IMPLEMENTING AGENCY: Mining Operator/Applicant.

TIMING: Mitigation measures are to be implemented concurrently with operations, and at the time of final closure.

MONITORING AGENCY: Inyo County Planning Department.

3. FLORA and FAUNA:

PROBLEM:
CalTrans will be removing 15 cacti and donating them to the National Park Service, and replacing them during reclamation. Also, the area is within the range of the Desert Tortoise.

MITIGATION MEASURE: Conditions of approval shall include the following mitigation measures:

1. Replace the 15 cacti to be disturbed by mining.

2. CalTrans standard mitigation measures shall be followed to protect the Desert Tortoise.

MITIGATION LEVEL: Mitigate to a less than significant level.

LEAD AGENCY: Inyo County Planning Commission

FUNDING SOURCE: Mining Operator/Applicant shall directly implement this measure at their expense.

IMPLEMENTING AGENCY: Mining Operator/Applicant.

TIMING: Mitigation measures are to be implemented concurrently operations and closure.

MONITORING AGENCY: Inyo County Planning Department.

4. AIR QUALITY:

PROBLEM:
This project will create dust in the initial operations, start-up, operation and reclamation.

MITIGATION MEASURE: In the initial start-up and during operations CalTrans shall supply a water truck on-site to keep the dust down while these activities are being conducted. The County of Inyo of Inyo is not required to have a water truck on site as the County will not be operating either a screening plant or asphalt plant within the project area.

Should, in the future, the County wish to operate either the screening plant or the asphalt batch plant, the County (with permission from CalTrans) shall supply a water truck for dust suppression.

MITIGATION LEVEL: Mitigate to a less than significant level.

LEAD AGENCY: Inyo County Planning Commission

FUNDING SOURCE: Mining Operator/Applicant shall directly implement this measure at their expense.

IMPLEMENTING AGENCY: Mining Operator/Applicant.

TIMING: Mitigation measures are to be implemented concurrently operations and closure.

MONITORING AGENCY: Inyo County Planning Department.

5. FLORA and FAUNA:

PROBLEM:
Area will need to be reseeded at time of closure.

MITIGATION MEASURE: The project will disturb 7.7 acres of wildlife and plant habitat. However, the reclamation plan shall mitigate the disturbance by implementation of reclamation conditions.

MITIGATION LEVEL: Mitigate to a less than significant level.

LEAD AGENCY: Inyo County Planning Commission

FUNDING SOURCE: Mining Operator/Applicant (CalTrans) shall directly implement this measure at their expense.

IMPLEMENTING AGENCY: Mining Operator/Applicant.

TIMING: Mitigation measures are to be implemented concurrently operations and closure.

MONITORING AGENCY: Inyo County Planning Department.

The review period for this Negative Declaration expires on MAY 29, 1997. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner, Curtis E. Kellogg, if you have any questions regarding this project.

INYO COUNTY PLANNING DEPARTMENT

4-29-97
Date

Peter Chamberlin
Peter Chamberlin
Planning Director

Attachments: Initial Study,
Evaluation of Potential Impacts
Vicinity Map (from Rec. Plan)

Date	Reviewer	Initials
4/29	Project Planner	
4/29	Review Planner	
4 29	Planning Director	
	Secretary	

INITIAL STUDY CHECKLIST

I. BACKGROUND

1. Project Title: Reclamation Plan # 96-10/ New Death Valley Junction Site - #286A- California State Department of Transportation (CalTrans)

2. Name of Project Applicant: California State Department of Transportation (CalTrans)

3. Address and Phone Number of Applicant: 500 South Main Street
Bishop, CA 93514
(760) 872-0734

4. Lead Agency Contact Persons: Earl H. Gann & Curtis E. Kellogg.

5. Lead Agency Address and Phone Number: Inyo County Planning Department
P. O. Drawer "L"
Independence, CA 93526
(760) 878-02363

6. Date Checklist Completed: _____.

7. Parties Completing Checklist: Earl H. Gann, Mine Reclamation Planner.
Curtis E. Kellogg, Associate Planner.

8. Project Location: The project is located on Bureau of Land Management (BLM) lands approximately 5.5 miles west of the community of Death Valley Junction (more specifically referenced as being on the south side of Highway 190 at post mile 135.5). The project is located in a portion of Section 14, Township 25 North, Range 4 East, SBBM.

9. General Plan Designation: Open Space / Natural Resources .

10. Zoning Classification: OS-40 (Open Space - Forty acres minimum).

11. Description of Project *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)*:

This is a mining project that will occupy approximately 7.7 acres of BLM lands. The site is an irregular-shaped polygon with sides ranging in lengths from 869 feet to 273 feet. The site has not yet been mined. Approximately 7.2 acres of the site will be disturbed by operations. Approximately 0.2 acres will be disturbed off-site for an access road entering the site from the north. The termination date for this reclamation plan shall be the year 2022 A. D. The site will be mined for material to be used for road repair and maintenance, and possible construction. It is estimated that the annual extraction volume will be about 7,500 cubic yards.

12. Surrounding Land Uses and Setting *(Briefly describe the project's surroundings)*:

The surrounding land use is Open Space (across State Highway 190 to the north are lands designated as "Wilderness" by the BLM).

13. Other Agencies Whose Approval Is Required *(e.g., permits, financing approval, or participation agreement)*:
Bureau of Land Management

II. EVALUATION OF ENVIRONMENTAL IMPACTS

1. *A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question.* A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. "Potentially Significant Impact" is appropriate if there is *substantial evidence* that an effect is significant.

4. Mitigation Identified: *Negative Declaration* applies where the incorporation of mitigation measures has reduced an effect from potentially significant to less than significant. The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level.

5. No Mitigation Identified: *EIR* applies where there is substantial evidence than an effect is significant and no mitigation is identified or more analysis is needed. When this determination is made, an EIR is required.

6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. State CEQA Guidelines Section 15063(c)(3)(D).

7. References to information sources for potential impacts (e.g., general plans, zoning ordinances) should be provided. *Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.* A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

III. ENVIRONMENTAL ANALYSIS

Include explanations for all answers by adding text to form or on attached pages.

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
1. Land Use and Planning				
a. Does the project conflict with adopted land use plans or policies that are applicable to the project site or to the project vicinity? [Note that on a project-specific basis, such applicable land use plans and policies may include those imposed by local agencies, by local or regional agencies, and by statewide land use agencies.] *This project will not conflict with any adopted land use plans or policies.*	X	____	____	____
b. Would the project conflict with open space, low-income housing, or other adopted land use goals that are applicable to the project location? *This project will not conflict with any open space, low-income housing or land use goals because the project is located in a extremely remote area.*	X	____	____	____
c. Would the project conflict with established recreational, educational, religious, or scientific uses at the project location? *This project will not conflict with the above uses.*	X	____	____	____
d. Would the project require cancellation of Williamson Act agricultural contracts, or convert agricultural land to a non-agricultural use within an area designated as Important Farmland by the Department of Conservation, or an area designated as Prime Farmland by the Soil Conservation Service of the federal Department of Agriculture? *This project is not in any farming area and will not convert any agricultural land to non agricultural uses.*	X	____	____	____
e. Would the project cause a nuisance to existing or planned land uses? Would existing or planned land uses cause a nuisance to the residents or users of the project? *This project is consistent with existing land use policies of the County in regards to mining.*	X	____	____	____
2. Population, Employment, and Housing				
a. Does the project conflict with population, employment, or housing policies or projections established by government agencies with jurisdiction over the project? *This project is located in a remote area of the County and will*	X	____	____	____

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
not affect any population, employment and housing policies or projections.				
b. Will the project directly or indirectly cause substantial growth or concentration in the population beyond current levels?	X	____	____	____
Due to the small size of the project no substantial growth or population concentration will occur.				
c. Will the project directly or indirectly cause a net loss in the number of jobs in the community or cause substantial job or income losses by changing the employment opportunities in a community?	X	____	____	____
Because of the nature of this project no net loss of jobs will occur.				
d. Does the project displace existing residences or otherwise create or exacerbate a housing shortage?	X	____	____	____
No residential units are located in the area of this project. This project will not create a housing shortage.				
3. **Geology, Soils, and Seismicity**				
a. Would the project conflict with applicable legal requirements regarding geohazards and soil conservation?	X	____	____	____
This project will not conflict with any legal requirements regarding geohazards and soil conservation.				
b. Is the project likely to expose people or structures to significant geohazards? In particular, is the project located within an Alquist-Priolo Special Studies Zone, within a known active fault zone, in an area characterized by surface rupture that might be related to a fault, or in an area designated as geologic hazard area or subject to geohazard safety measures in a local plan or ordinance?	X	____	____	____
The project is not located in an earthquake Special Study Zone as identified in the Alquist-Priolo Special Studies Maps (no map printed).				
c. Does the substrate at the project site consist of material that is subject to liquefaction or other secondary seismic hazards in the event of groundshaking?	X	____	____	____
The substrate is not subject to liquefaction or secondary hazards.				
d. Is there any evidence of static hazards, such as landsliding or slopes in excess of 15%, that could result in slope failure?	X	____	____	____
The area has no slopes grater than 15% and is not subject to landsliding.				

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
c. Is the project located on or in the vicinity of soil that is likely to collapse or subside, as might be the case with fill, old mining properties, or areas of subsidence caused by groundwater drawdown?	X			
Due to the nature of the project, no groundwater drawdown will occur.				
f. Are soils characterized by shrink/swell potential that might result in deformation of foundations or damage to structures?	X			
Soils in the project area are not characterized by shrink/swell potential.				
g. Would the project result in substantial soil erosion or loss of topsoil?			X	
Because of the nature of this project soil erosion may occur. However, the design of the project will mitigate this to a less than significant impact.				
h. Would the project result in loss of (or lost access to) mineral resources, including rock/sand/gravel resources, or other known resources such as those identified in a Mineral Resource Zone identified by the California Department of Mines and Geology?	X			
The project will not result in the loss of a valuable mineral resource.				
i. Would the project result in loss of a unique geographical feature of statewide or national significance?	X			
The project site does not have any unique geologic features.				
4. Hydrology and Water Quality				
a. Would the project conflict with applicable legal requirements relating to hydrology and water quality?	X			
This project will not conflict with any legal requirements relating with hydrology or water quality.				
b. Would the project cause direct or indirect wastewater discharges that would result in acute or eventual exposures to levels of hazardous materials that would adversely affect human health, wildlife, or plant species? Would the project otherwise substantially degrade surface water quality?	X			
This project will not cause direct or indirect wastewater discharges of hazardous materials to surface water.				
c. Would the project substantially degrade groundwater quality, interfere substantially with groundwater recharge, or deplete groundwater resources in a manner that would cause water-	X			

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
related hazards such as subsidence?				
This project will not degrade groundwater. Groundwater in the area is not potable, and therefore, undrinkable.				
d. Would the project alter the existing drainage pattern of the site or area in a manner that results in flooding, erosion, or siltation, on- or off-site?	____	X	____	____
Drainage may be affected. However, this will not be a significant impact.				
e. Is the project located in a flood-prone area, based on either historical flood records or potential risks relating to existing or planned changes to flood control measures?	____	____	X	____
This project location is possibly in a flood prone area. Due to the nature of the project, as conditioned/mitigated flooding should not affect the site. There is no FEMA flood map printed for the area.				
CalTrans shall recalculate the potential for flooding based upon 20-year flood data and design appropriate containment or diversion structures.				
5. **Biological Resources**				
a. Would the project violate any environmental law or regulation designed to protect wildlife, fisheries, plant species, or habitat areas?	____	____	X	____
The project will disturb 7.7 acres of wildlife and plant habitat. However, the reclamation plan shall mitigate the disturbance by implementation of reclamation conditions.				
b. Would the project directly harm a sensitive species or cause a net loss to the habitat of the species?	____	____	X	____
The short term impacts will harm species habitat. However, reclamation will restore damage to a less than significant impact (see standard CalTrans Mitigation Measures in the Reclamation Plan).				
c. Would the project interfere substantially with the movement of any resident or migratory fish or wildlife species, or with established resident or migratory corridors?	X	____	____	____
This project will not interfere substantially with the movement of any resident or migratory wildlife species.				
d. Would the project cause any fish or wildlife population to drop below self-sustaining levels?	X	____	____	____
The size of this project will not cause any fish or wildlife				

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
population to drop below self-sustaining levels.				
e. Would the project cause a net loss of any riparian lands, wetlands, marshes, or other environmentally sensitive habitat areas?	X	____	____	____
No wetlands are in the area of this project.				
f. Would the project result in the loss of any "specimen tree" or tree with historic value?	X	____	____	____
No trees are in the project area.				
Wildlife mitigation measures for CalTrans shall be those standard measures imposed on all CalTrans projects as outlined in their reclamation plan.				
6. Cultural and Historical Resources				
a. Would the project conflict with the cultural and historic protection measures established by federal, state, or local regulatory programs?	X	____	____	____
No Federal State or local cultural or historical protection regulatory programs have been established for this area.				
b. Would the project cause the physical disturbance of, or prevent future access to, a prehistoric, historic, or cultural site that is listed or eligible for listing on the National Register of Historic Places, the California Register of Historic Resources, or a Register of Historic Resources that has been adopted by resolution or ordinance of a local government?	____	X	____	____
No prehistoric cultural resources were found within the proposed project area. However, evidence of previous mining activity was found east of the site and was deemed less than significant.				
c. Would the project cause the physical disturbance of, or prevent future access to, a structure, parcel, or other feature of historic or cultural significance to a community, ethnic, or social group?	X	____	____	____
No.				
d. Would the project cause the physical disturbance of, or prevent future access to, a unique paleontological site?	X	____	____	____
A previous Cultural Inventory (1974) found no paleontological sites in the project area.				

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
c. Would the project cause the disturbance of any human remains?	X	____	____	____
No human remains have been found in the project area (previous survey – 1974).				
7. Traffic and Transportation				
a. Would the project cause a new violation, or exacerbate an existing violation, of an applicable legal standard or goal relating to traffic levels of service (LOS) or volume/capacity (V/C) ratios, of a state or local agency? (LOS ratings range from "A" to "F", with many California agencies ranking "E" and "F" as unacceptable. V/C ratios range from 0 to 1.0, with many California agencies ranking an incremental worsening of 0.02 as unacceptable for intersections already operating at LOS E or F. These significance thresholds should be used to evaluate average and peak-hour project traffic impacts if the local agency has not adopted any particular significance standards for the project area.)	X	____	____	____
Due to the remote location of this project site, no legal standard relating to traffic levels will be violated.				
b. Does the project conflict with an applicable Congestion Management Plan, air quality plan, or other plan or policy relating to automobiles or transit systems, adopted by a federal, state, or local agency?	X	____	____	____
No congestion management plan is in effect for this area of the County.				
c. Would the project add traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or supports uses that would be incompatible with substantial increases in traffic (e.g., rural roads used by farm equipment, livestock, horseback riders, or pedestrians) that would result in safety problems with the addition of project-related traffic?	X	____	____	____
The nature of this project will not add any traffic to any road within the area.				
d. Does the project have adequate internal circulation capacity, including entrance and exit routes, to safely accommodate average and peak-hour traffic loads?	X	____	____	____
The remote location and the nature of this project will adequately accommodate the traffic loads created by this project.				
e. Does the project provide for safe pedestrian and bicycle circulation?	X	____	____	____

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
Pedestrian traffic will not be a problem in this area due to the extremely remote location of the project site.				
f. Does the project provide sufficient parking capacity for the projected numbers of automobiles and bicycles? If not, is there sufficient commercial parking capacity available in the immediate project vicinity? If not, will unmet project parking demand worsen parking availability for existing residents or commercial enterprises?	X	____	____	____
The small size and nature of this project precludes any parking problems associated in the area of this project.				
g. Is the project currently served by the community transit program? Is there sufficient capacity on the existing transit system for the project? If not, is there an adopted and funded plan to increase transit capacity to meet project demand?	X	____	____	____
This project is not served by any community transit program. This project will not create any need to establish a community transit program for this area.				
8. **Visual Quality and Aesthetics**				
a. Would the project conflict with the applicable vista protection standards, scenic resource protection requirements, and design criteria of federal, state, and local agencies?	____	X	____	____
The visual qualities and vistas protection standards of the area will not be affected by this project. Reclamation will restore the project site close to its original configuration.				
b. Does the project alter or obstruct existing public viewsheds from or across the project site, including scenic features associated with designated scenic highways?	____	____	X	____
The project, as submitted, will alter existing public viewsheds. However, reclamation of the site will restore the landscape.				
c. Does the project change the existing visual quality and character at the project site in a manner that is inconsistent with other uses that currently exist or have been approved for the area? Are such changes attributable to project size, massing, density, landscaping, regrading, or other changes to the physical environment?	X	____	____	____
Reclamation will restore the project site close to its original configuration.				
d. Does the project increase light and glare in the project vicinity so as to cause a hazard or nuisance condition?	X	____	____	____
The nature of this project will not alter light or glare in the				

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
project vicinity.				
e. Does the project significantly reduce sunlight or introduce shadows in public areas? Would loss of sunlight or increase in shadows adversely affect sensitive species or habitats? *The nature of this project will not alter the or reduce the sunlight or introduce any shadows in the area.*	X	____	____	____
9. Air Quality				
a. Would the project violate any law or regulation designed to achieve or maintain compliance with ambient air quality standards or protect against adverse health effects caused by air pollution? *The County is a non-compliance area for PM10 emissions. This project will create dust in the initial operations start-up and operation. Mitigation will require a water truck to be present to keep the dust down while operations are being conducted.*	____	____	X	____
b. Would the project violate any approved plan or policy regarding air pollution, including federal or state air quality management plans for achieving or maintaining compliance with applicable ambient air quality standards, local or regional growth or congestion management plans, and local or regional CEQA significance standards for air quality? *See 9a.*	____	____	X	____
c. Would the project result in a net increase of any criteria pollutant for which the project area has not attained applicable federal or state ambient air quality standards? Would such a net increase exceed any of the specific parameters listed below? *See 9a.*	____	____	X	____
d. Using the approved or established risk assessment methodologies of the air quality control agencies, would project toxic air contaminant (TAC) emissions cause a significant short- or long-term health risk? Would project TAC emissions cause an increased cancer risk of greater than ten per million? *The project will not cause any toxic air contaminant to be released into the air.*	X	____	____	____
e. Would the project require the removal or demolition of building components containing asbestos, or the excavation or crushing of serpentine rock containing asbestos? *Asbestos is not found in the area.*	X	____	____	____
f. Would the project require the removal or movement of soils contaminated by hazardous materials that can cause adverse	X	____	____	____

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
health impacts if airborne?				
Soils to be moved in the road construction and the reclamation of said roads are not contaminated with hazardous materials. The soils do not contain any hazardous materials.				
g. Would the project concentrate vehicle trips or vehicle-related emissions in a localized area (e.g., intersections, parking areas), which would cause a violation of the carbon monoxide ambient air quality standard?	X	____	____	____
The small nature of this project will not violate any carbon monoxide ambient air standards.				
h. Does the project have the potential to cause an odor, visibility, or other problem that would create a public nuisance condition?	X	____	____	____
Because of the remote location and the nature of this operation no odors produced will create a public nuisance condition.				
10. Noise and Vibration				
a. Would the project violate any established noise or vibration law, regulation, or standard?	X	____	____	____
The project will not violate any established noise or vibration law regulation or standard. All equipment shall conform with the required standards set by both California Office of Safety and Health Administration and Mine Safety and Health Administration.				
b. Would the project cause a permanent increase in ambient noise or vibration levels that would be perceptible to humans in the project vicinity, and that is perceptibly greater than the noise or vibration levels caused by existing development in the project area?	X	____	____	____
No permanent increase in noise will be created by this project.				
c. Would the project cause a temporary or periodic increase in ambient noise or vibration levels that would be perceptible to humans in the project vicinity, and that is perceptibly greater than the noise or vibration levels caused by existing development and activity in the project area?	____	X	____	____
Road construction, mining and reclamation activities will cause a temporary increase in ambient noise levels. Workers in the immediate vicinity shall be required to wear hearing protection.				
d. Can the project noise and vibration level during construction activities be limited to daylight, weekday hours and be comparable to that required for construction of existing development in the project area?	____	X	____	____

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
Road construction, operations and reclamation activities may increase noise levels on a sporadic basis. However, this is an insignificant impact at the mine site.				
11. Utilities and Infrastructure				
a. *Electricity*: Will the project require expansions in existing electrical generating facilities and existing high-power transmission lines?	X	____	____	____
This project will not require any expansion of existing electrical generating facilities (portable diesel generator).				
b. *Water*: Will the project comply with water conservation and supply requirements imposed by state and local agencies? Will the project require expansions in existing water supply treatment facilities or trunk conveyance lines? Has the water purveyor determined that it has adequate treatment facilities, conveyance capacity, and water supplies to serve project demand? Will the water supply be drawn from a groundwater basin that is overdrawn in relation to demand and historical levels?	X	____	____	____
This project will comply with water conservation requirements. The project will not expand any water supply.				
c. *Wastewater Treatment*: Will the project comply with wastewater pretreatment standards enforced by federal, state, and local regulatory agencies? Will the project require expansions of the wastewater treatment facilities and trunk conveyance lines? Has the wastewater treatment provider determined that it has adequate treatment and conveyance capacity to serve project demand?	X	____	____	____
This project will not create any wastewater and will not require expansion of any wastewater facility.				
d. *Solid Waste*: Will the project comply with state and local requirements relating to recycling, litter control, and solid waste handling? Is a landfill available with sufficient capacity to accommodate on a long-term basis (10 or more years) solid waste generated by the proposed project?	X	____	____	____
This project will create insignificant amounts of solid waste. It will not impact any solid waste facility.				
12. Public Services				
a. *Sheriff*: Will the project require additional staff or equipment to maintain acceptable service ratios, response times, or other performance objectives?	X	____	____	____
The project will not require additional law enforcement				

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
personnel or equipment to service this project.				
b. *Fire*: Will the project require additional staff or equipment to maintain an acceptable level of service (i.e., response time, equipment capacity)?	X	____	____	____
This project will not require additional staff to maintain adequate fire protection.				
c. *Schools*: Will the project increase the population of school-age children in a K-12 school district that is or will be operating without adequate staff, equipment, or facilities?	X	____	____	____
Schools will not be affected by this project.				
d. *Parks and Recreation*: Will the project increase use of existing park and recreational facilities, or require the creation of new park and recreational facilities, to comply with locally adopted park and recreational service standards?	X	____	____	____
This project will not increase the use of any park or recreational facilities.				
13. Energy				
a. Does the project comply with applicable laws and regulations regarding energy conservation?	X	____	____	____
This project will comply with all energy conservation regulations.				
b. Does the project require quantities of nonrenewable sources of energy in excess of quantities required by recent, similar projects?	X	____	____	____
This project will not require inordinate amount of nonrenewable resources.				
c. Do the energy suppliers have the capacity to supply the project's energy needs with existing and planned energy sources and conveyance systems?	X	____	____	____
Energy suppliers will have no problems in supplying this project.				
14. Hazardous Materials				
a. Will the project comply with applicable federal, state, and local laws, regulations, and standards relating to hazardous materials?	X	____	____	____
This project will not use any hazardous material, other than the usual fuel to operate mobile equipment.				
b. Is the soil or groundwater at the project site contaminated by hazardous materials? Is such contamination known to exist at	X	____	____	____

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
another location that is within 2,000 feet of the project site?				
The soil and groundwater are not contaminated with hazardous material. No such contamination is known to be located within 2,000 feet of the project site.				
c. Does the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X	____	____	____
This project does not use hazardous materials in the operation of mining activities.				
d. Does the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials to the environment?	X	____	____	____
This operation does not use hazardous material.				
e. Will the project interfere with community emergency response plans or emergency evacuation plans in the event of a reasonably foreseeable emergency situation involving a hazardous material exposure or release?	X	____	____	____
This project is located outside the range of any emergency response plans.				
f. Are there hazardous material re-use, or one or more hazardous waste treatment or disposal, facilities available to lawfully accept and handle hazardous wastes generated by the project?	X	____	____	____
This site will not generate any hazardous waste.				
15. Mandatory Findings of Significance				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	X	____	____	____
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	____	X	____	____
c. Does the project have impacts that are individually limited, but cumulatively significant when placed in the context of other reasonably foreseeable projects?	____	____	X	____

	No Impact	Less-than-Significant Impact	Potentially Significant Impact: Mitigation Identified - Negative Declaration	Potentially Significant Impact: No Mitigation Identified - EIR
d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	X	____	____	____

IV. DETERMINATION BASED ON ENVIRONMENTAL EVALUATION

On the basis of this Initial Study evaluation:

☐ The proposed project is CATEGORICALLY EXEMPT from CEQA under Class(es) _____, and there are no unusual circumstances or specified statutory conditions present that render reliance on such applicable Categorical Exemption(s) unlawful.

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.

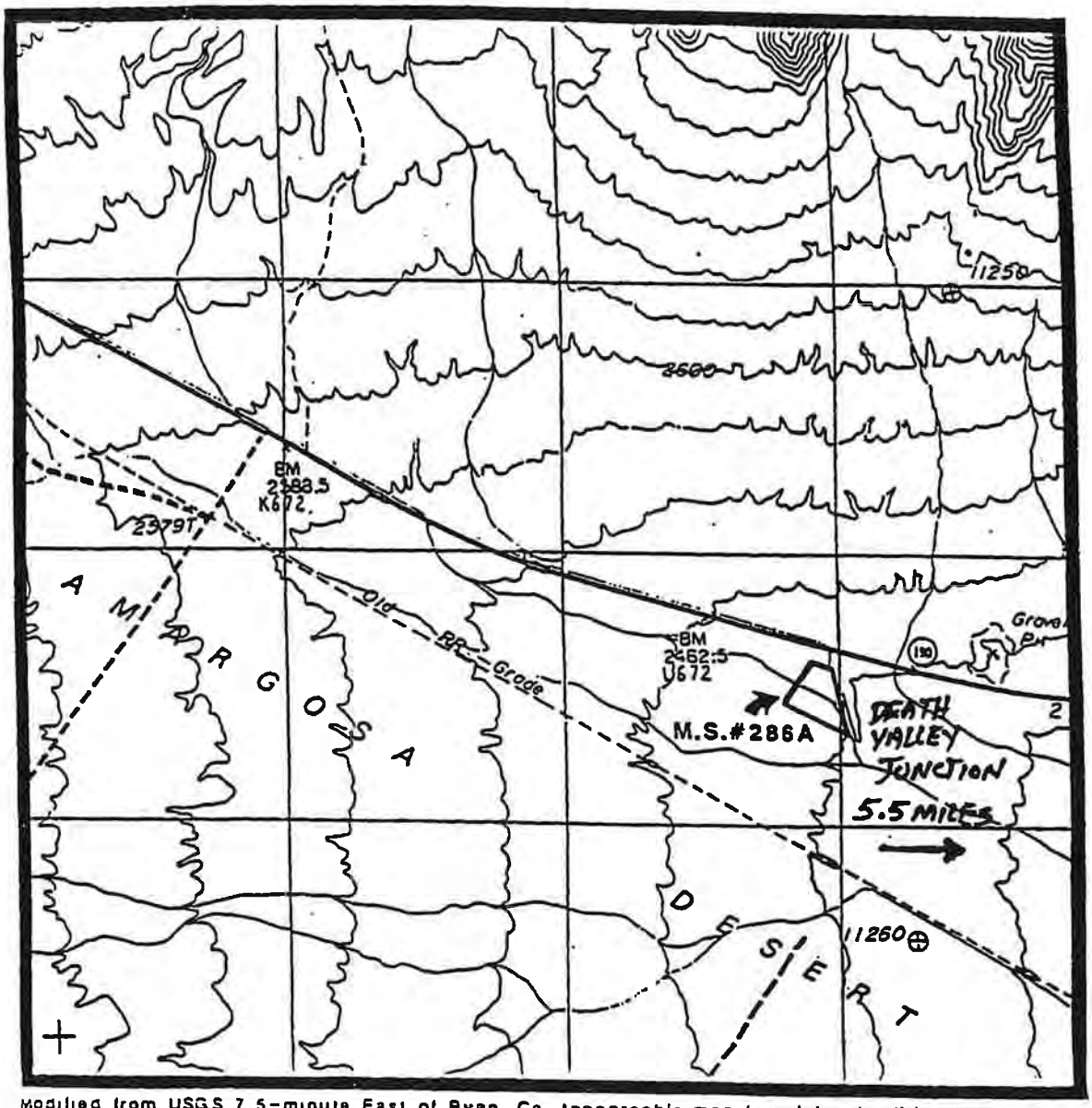
☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described [above/in the attached list] will be a required condition of project approval, and accordingly a MITIGATED NEGATIVE DECLARATION should be prepared.

☐ There is substantial evidence that the proposed project may have a significant adverse impact on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

Date: 4/29/97

(Signature)

For PETER CHAMBERLIN
DIRECTOR OF PLANNING



Modified from USGS 7.5-minute East of Ryan, Ca, topographic map (provisional edition,1988)

N

0 1 Mile

SCALE

: Topographic Map
Caltrans Material Site #286A

Attachment B

43449

STATE OF CALIFORNIA-THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME

ENVIRONMENTAL FILING FEE CASH RECEIPT

DFG 753.5a (8-91)

Lead Agency: Inyo Co Planning Dept Date: 9-2-97

County/State Agency of Filing: Inyo Document No.: 97-47

Project Title: Reclamation Plan 96-10 / Death Valley Sta

Project Applicant Name: Cal Trans Phone Number: 760 872-0284

Project Applicant Address: 500 S Main Bishop CA 93514

Project Applicant *(check appropriate box)*: Local Public Agency ☐ School District ☐ Other Special District ☐
State Agency ☒ Private Entity ☐

CHECK APPLICABLE FEES:

( )	Environmental Impact Report	$850.00	$
(X)	Negative Declaration	$1,250.00	$ 1250.00
( )	Application Fee Water Diversion *(State Water Resources Control Board Only)*	$850.00	$
( )	Projects Subject to Certified Regulatory Programs	$850.00	$
( )	County Administrative Fee	$25.00	$
( )	Project that is exempt from fees		
	TOTAL RECEIVED		$ 1250.00

Signature and title of person receiving payment: Mary Roper Deputy Clerk

FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/FASB THIRD COPY-LEAD AGENCY FOURTH COPY-COUNTY/STATE AGENCY OF FILING

To: ✓ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

✓ County Clerk
County of INYO

From: (Public Agency) INYO COUNTY PLANNING DEPARTMENT INDEPENDENCE CA 93526

FILED
SEP 0 2 1997
BEVERLY J. HARRY
INYO COUNTY CLERK
DEPUTY

Subject:
Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

RECLAMATION PLAN #9640 / NEW DEATH VALLEY SITE / CALTRANS
Project Title

State Clearinghouse Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension
	CURTIS E. KELLOGG	(760) 878-0263

SOUTH OF STATE HIGHWAY #190, 5.5 MI. WEST OF DEATH VALLEY JUNCTION INYO CO., CA.
Project Location (include county)

Project Description:
RECLAMATION PLAN

This is to advise that the INYO COUNTY PLANNING COMMISSION ☒ Lead Agency ☐ Responsible Agency has approved the above described project on 6/25/97 (Date) and has made the following determinations regarding the above described project:

1. The project [☐will ☒will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒were ☐were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐was ☒was not] adopted for this project.
5. Findings [☒were ☐were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR NEG DEC with comments and responses and record of project approval is available to the General Public at:
INYO COUNTY PLANNING DEPT. 168 EDWARDS, INDEPENDENCE, CA. 93526

Signature (Public Agency)	Date	Title
Earl H. Mann	9/2/97	MINE RECLAMATION PLANNER

Date received for filing at OPR:

97-47

Attachment B

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 872-2712
E-Mail: InyoPlanning@telis.org

June 12, 1997

David Grah
Department of Transportation
Caltrans, District 9
500 South Main St.
Bishop, CA 93514

Dear Mr. Grah:

Enclosed find the draft staff report for the New Death Valley Borrow Pit, MS 286A RP 96-10. This is to go to the Planning Commission for the public hearing June 25, 1997. A representative of Caltrans needs to be at that meeting to answer any questions the Commissioners may have.

If you have any questions on this report please let me know prior to June 19, 1997. This is when the Planning Commissioners receive the staff report. If any changes need to be made they can be made prior to that date.

Also enclosed are the comments of the Office of Mine Reclamation on the Keeler Pit, MS#300 reclamation plan.

Sincerely,

Earl H. Gann

Earl H. Gann
Mine Reclamation Planner

Enclosure (2) Death Valley Borrow Pit Staff Report
Office of Mine Reclamation comments on the Keeler Borrow Pit Reclamation Plan

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 872-2712
E-Mail: InyoPlanning@telis.org

STAFF REPORT

AGENDA ITEM NO: 8

DATE: June 25, 1997

SUBJECT: **Reclamation Plan # 96-10/ New Death Valley Borrow Site/MS#286A/ Caltrans**

SUPERVISORIAL DISTRICT: Fifth.
APPLICATION: New Death Valley Borrow Site # RP 96-10.
APPLICANT: Caltrans District 9
500 South Main
Bishop, CA 93514
(760) 872-0784
LANDOWNER: Department of Interior Bureau of Land Management.
LOCATION: The project is located 5.5 miles west of the community of Death Valley Junction, south of Highway 190 in Section 14, Township 25N, Range 4E, SBB&M.
A.P.N.: 43-070-000
ZONING: OS-40 (Open Space - 40 acres minimum).
GENERAL PLAN: *"Open Space-Natural Resources".*
SITE SIZE: 7.7 acres.
PROPOSAL: The proposal is, at the conclusion of mining, to reclaim disturbance caused by mining a new borrow site. Mine life is expected to be twenty years.
PROJECT PLANNER: Earl H. Gann, Mine Reclamation Planner.

PROJECT DESCRIPTION:

The project is to reclaim a new borrow pit when mining is concluded. The borrow pit will be mined on an as needed basis. The total size of the project is 7.7 acres. The life of the project is expected to be twenty years. No more than 150,000 cubic yards of material will be removed from

this site. Approval of the reclamation plan is a discretionary action by Inyo County under Section 7.70.02 of Inyo County Code and Section 2710 *e.t. seq.* of Public Resources Code.

SUBJECT PROPERTY AND SURROUNDING LAND USES:

Surrounding land uses are all open space and zoned as follows:

	Land Owner	Land Use	Zoning
North:	Bureau of Land Management	Open	OS-40
South:	Bureau of Land Management	Open	OS-40
East:	Bureau of Land Management	Open	OS-40
West:	Bureau of Land Management	Open	OS-40

STAFF ANALYSIS:

The County's comments and analysis of the submitted reclamation plan are located after the proposed reclamation plan.

Reclamation Plan (As submitted by the Applicant, written in different font)

The site will be used by CalTrans intermittently as a source of materials for road maintenance and construction. Reclamation of the site will be implemented according to the reclamation plan discussed below.

SUBSEQUENT USES

The land is zoned by Inyo County as open space (40 acres minimum). According to CDFG and BLM sources the site is not located within any area designated as critical habitat for any sensitive species. However, the site does provide general habitat values to various wildlife species and is within the range of the Chicago Valley wild horse and burro herd management area. The site is also within the range of the Mojave population of the desert tortoise, at the northern end of the Eastern Mojave Recovery Unit, but is not within any designated proposed Desert Wildlife management Area (USFWS, 1993). The site will be reclaimed to open space and wildlife habitat, which will leave the site in a productive end use that is readily adaptable to alternative end uses.

IMPACT TO FUTURE MINING

Reclamation of this site will not preclude mining at a future date. The aggregate resource likely extends beyond 50 feet deep; mining according to the current mining plan will not have exhausted on-site mineral resources.

RECLAMATION SCHEDULE

Reclamation treatments, such as the grade-stabilization structures, drainage ditches, and material berms, will be installed as mining proceeds. Reclamation treatments such as resoiling, using topsoil and amended waste fines, and revegetation will be initiated when final slopes are established. Once reclamation treatments have been implemented, they will be monitored until performance standards have been met. The monitoring plan is designed to evaluate site-specific criteria for slope stability, erosion and sediment control, and resoiling and revegetation.

POST-MINING ACTIVITIES and SITE CONFIGURATION

Map Sheet 3 depicts the post mining activities and reclaimed topography of the mined area. The final site configuration will be a 30-foot deep excavation with 3:1 (H:V) side slopes. The surface of the mine operations area

and access roads (7.2 acres on-site and 0.2 acres off site: 7.4 acres total) will be 1) decompacted, 2) resoiled using stockpiled topsoil and on-site waste fines, and 3) revegetated.

Slope Stability

Pit slopes for the mining phase and the final reclaimed site will not be steeper than 3:1 (H:V). The roadcut for the access road, that has a slope of 2:1 (H:V), will also remain but is not considered a major slope. The angle of repose for loose sediments on the site is approximately 32°. This angle can be representative of the angle of internal friction of the native slope material. Thus, pit slopes will be stable at the proposed angle under static conditions. Any slope failures that may occur would be retained within the pit.

Final Drainage Plan and Impoundment's

Map Sheet 3 details the final drainage plan of the reclaimed site. The excavated pit will serve as sediment basin/trap for eroded sediment coming from upslope of the pit, and from within the pit itself. The grad-stabilization structures, drainage ditches, and material berm will not be maintained after final slope reclamation has been complete.

Disposition of Equipment

Any equipment brought onto the site will be removed from the site following termination of mining activity. No equipment will be stored permanently on-site. At final reclamation, there will be no equipment remaining on the mined site.

RESOILING

The native soil of this site is a poorly graded sand with gravel derived from the sedimentary and metasedimentary rock units found upslope. A native soil contains native seeds and soil microorganisms, and therefore, is preferred for site reclamation. The topsoil will be defined as the upper six inches of the substrate on the site. Topsoil will be salvaged prior to mining any area on the site. The topsoil will be placed in designated stockpiles within the western buffer zone.

Native surface material will be kept separate from the processing fines. Processing fines will be placed in a stockpile area delineated on the site plans, and may be respread prior to (and beneath) topsoil application. Prior to spreading the topsoil, all compacted areas will be decompacted (ripped or disced) to facilitate root growth. The topsoil that was salvaged will be respread to a depth of six inches in all areas of the pit, inclusive of slopes outside of the drainage structures. The woody debris less than 0.5 feet, if stockpiles separately, will be distributed over the site in a random manner following the topsoil application. The large amount of coarse material (gravel) in the native topsoil will also serve as a gravel mulch, thereby armoring the revegetated site.

Mulches

Since the native coarse-grained topsoil will be used to re-soil this site, a gravel mulch will not need to be added. The coarse fraction of the native soil will act as a protective lag layer, therefore guarding against wind and water erosion.

REVEGATION

Revegetation will strive to achieve visual integration with vegetation surrounding the site. Establishment of vegetation in the borrow pit will provide some erosion control for the site, while creating cover and forage for wildlife.

Seedbed Preparation
After decompacting the growth medium, the area will be roughed to form a variety of microsites: this can be accomplished by "track walking" or imprinting the site. The growth medium will be prepared to provide a firm, but not overly compacted, bed.

Seed Sources, Mixtures and Rates
Many Plant species are comprised of local ecotypes that are highly adapted to the local climate and edaphic conditions (Plummer et al. 1955, 1968). The Plants that will have the best chance of survival are those ecotypes that are growing on (or near) that site (Millar and Libby, 1989). The use of non local plant materials can result in the application of a poorly adapted ecotype, as well as the potential genetic contamination of the local ecotype through interbreeding with the introduced ecotype. The result of interbreeding between non local and wild local native stock can be adverse and permanent.

The best policy is to collect the material from or near the site. Therefore, plant materials for each of the designated species should be obtained from the same region as the mine site. For the purposes of MS #286A, the collection region will be defined as Mojave Creosote Bush Scrub between 1,500 and 3,500 feet elevation east of the Funeral Mountains and the Greenwater Range, and within a 20 mile radius of MS #286A.

Cactus Transplanting
Approximately 15 cacti will be impacted by mining: four beavertail cacti, three cottontop cacti, and eight cholla. These cacti will be offered to the Park Service and/or BLM for salvage and transplanting in areas outside of the lease boundary as part of the reclamation activities.

Irrigation
Irrigation would only serve to aid the growth of invasive exotics and therefore is not recommended for this site.

Plant Eradication Measures
Plant eradication will not be necessary unless the presence of Russian thistle, or other invasive exotics, on site become a limiting factor in reestablishment of native vegetation. Remediation for invasive species is discussed in table 4.10-1.

EROSION AND SEDIMENT CONTROL
Erosion and sediment control will be achieved by implementation of the previously described drainage and revegetation plans. Diversion of the drainage to the east of the mining and operations will limit the amount of flood waters entering these areas. Resoiling and revegetation will be performed according to the revegetation plan and will aid in reducing erosion.

PUBLIC SAFETY
The configuration of the mined lands, will not pose a hazard to the public. No hazardous materials will be stored in-site. In addition, the boulders at the access point to the site will prevent uncontrolled access.

PERFORMANCE STANDARDS
The following discussion sets forth minimum site criteria, or performance standards, for the various aspects of site reclamation. Monitoring of reclamation performance will be agreed upon by Caltrans and Inyo County.

Erosion and Sediment Control

Erosion and sediment control monitoring will be completed at the same time and frequency that used to vegetation monitoring is done. The drainage ditches and swale will be inspected following the season's first major storm event or at a minimum of annually. These structures will be cleaned out as needed to maintain a clear flow path for floodwaters. The result will be identified areas of potential failures and to trigger the implementation of remedial measures before problem areas cause widespread failures. Any observable reason for failure will be noted and the appropriate remedial measure suggested as part of the annual monitoring report.

Slope Stability

No large man-made slope within the pit shall be steeper than 3:1 (H:V), which has been determined to exceed the slope stability standard for this material for all except the most severe earth quake events.

Revegetation

The following performance standards will be applied to the site. Undisturbed, site indigenous woody perennial cover was estimated at 30 percent. All phases of reclamation will achieve a minimum average density of herbaceous and woody perennial coverage of 20 percent. Areas found below these standards will be evaluated as set forth in the Remedial Measures plan.

MAINTENANCE, MONITORING, and REMEDIAL MEASURES

Site maintenance and monitoring will continue until Inyo County deems reclamation complete.

Erosion and Sediment Control

All erosion and sediment control structures will be maintained and monitored annually for as long as mining and reclamation continues. This shall be done to ensure that the failure of one or more structures does not apply additional and unplanned stress on other structures.

Slope Stability

All slopes will be assessed, on a form such as the one supplied in Appendix B, during annual monitoring to ensure that they are stable. If excess slope erosion is observed, or failures noted, as discussed in the performance standards section, the appropriate remedial measures will be implemented.

Revegetation

Revegetation of the site will be monitored following implementation on each phase. Monitoring activities will take place during the peak flowering season, approximately April to May. Once the monitoring date is set following these initial reclamation activities, monitoring of the site during later years will occur within two weeks of that original date. This scheme will assure that the data will be comparable over time.

Revegetation monitoring will consist of visual assessments and recording the progress of reclamation with photographs. The species composition, shrub cover, and shrub density will be recorded on a form (an example is included in Appendix B). If it appears that the site will not meet the performance standards set forth, then the investigator shall suggest remedial measures. Appropriate remedial measures are listed in Table 4.10-1.

Other Species

If Russian thistle invades revegetated areas to the point that it is impacting the germination and/or growth of desired species, then this invasive exotic will be manually removed from the site as a remedial measure as detailed in Table 4.10-1.

REPORTING

Once the Reclamation Activities have been completed, monitoring activities will commence and will continue until the County is satisfied that performance standards have been met. Reporting of the progress of reclamation will be transmitted to Inyo County on an annual basis. This annual report will, at a minimum consist of the name and credentials of the investigator(s), a summary of the work accomplished, the date of the visit(s), the methods and materials used, the date collected, an analysis of the data and performance standards, and any suggested remedial measures.

INTERIM MANAGEMENT PLAN:

Section 2727.1 defines "Idle" means to curtail for a period of one year or more surface mining operations by more than (90) percent of the operations previous maximum annual mineral production, with the intent to resume those surface mining operations in the future. Section 2770(h) (1) States that within 90 days of a surface mining operation becoming idle, the operator shall submit an interim management plan to the lead agency for approval. Because of the nature of borrow pit operation, Caltrans has submitted with the reclamation plan an interim management plan. The plan basically insures that public safety and reclamation standards are maintained during these idle periods of operation. This plan should be considered integral with the proposed plan.

DEPARTMENT OF CONSERVATION - OFFICE OF MINE RECLAMATION (OMR) COMMENTS:

Pursuant to the State Mining and Reclamation Act of 1975 (SMARA), Inyo County has submitted the Reclamation Plan to OMR for a 30-day review and comment period on April 30, 1997.

Inyo County has reviewed OMR's comments (see attached) and prepared the following written responses to address the issues. Most of OMR's comments have been incorporated into the Reclamation Plan; many were incorporated prior to the receipt of comments on April 30, 1997. Comments were due April 30, 1997 but were not received until May 5, 1997 after the Planning Department asked for them. The last several reclamation plans the comments have been late. These late comments foul up staff's timing in bringing these reclamation plans to the Planning Commission in a timely manner.

Office of Mine Reclamation Comment May 23, 1997)

1. Section 2.4.1 addresses site specific hydrology and provides peak flows based on a 20-year return period. The information used to determine peak flows was obtained from the California Department of Water Resources bulletin 195 (1976). California has experienced "unusual " rainfall events since 1976 and the peak flow data may no longer be valid for watersheds in the project area.

County of Inyo Response June 6, 1997

1. County Staff concurs: Correct data is required to calculate the 20 year one hour intensity flows. However, it is felt that the difference of a few cfs should not affect the proposed structures for this borrow pit. The average twenty year one hour event should not have changed significantly over the past twenty years. If this data is so critical that a revision of the peak flow is required to calculate the flows onto this site,

the data to be valid would have to be very site specific. The data is not available to be site specific. The suggested life of this pt is twenty years. By the time the specific data would be derived the pit will be closed.

Office of Mine Reclamation Comment (May 23, 1997)

2. The project is located in a wash. To mitigate flows into the pit and the discharge of sediments off-site, the reclamation plan proposes to construct a drainage diversion berm on the north and east boundaries of the site and to install grade stabilization structures and outlets from the pit. No reference is made to the possible requirement of a Stream Bed Alteration Agreement for this project. We recommend that the applicant contact the California Department of Fish and Game (DFG) regarding the applicability of a this agreement to this project. Mitigation measures and management procedures recommended by DFG should be referenced in and appended to the reclamation plan [CCR Section 3710(b)].

County of Inyo Response June 6, 1997

2. County Staff concurs: The existing flows are currently concentrated by an established berm south of the Highway. The proposed borrow pit is just to the west of this berm. The proposed berms are to keep the flows between the existing berm and the proposed pit. It is felt that this does not require a Stream Alteration Permit. Most of the flow is concentrated at the existing berm. Mining will not interfere with area. The only flow that will be affected by mining would be sheet flow off the immediate area of the borrow pit and up slope from the pit and south of the highway.

Office of Mine Reclamation Comment May 23, 1997

3. Section 2.5.2 of the plan discusses erosion potential of site soils, stating that soils will "likely be susceptible to wind and sheet erosion." We recommend that the reclamation plan include provisions for mulching topsoil storage berms and processing fines to minimize loss of these materials. The use of gravel or rock mulch would be appropriate for this site [CCR Section 3503(a)(2), 3711(d)].

County of Inyo Response June 6, 1997

3. County Staff concurs. The operator has discussed rock mulching at this site. Therefore, this comment is addressed. However, the application of rock mulch can contaminate material and its use must be weighted very carefully.

Office of Mine Reclamation Comment May 23, 1997

4. Revegetation is discussed in Section 4.6.0 of the plan. The plan, however, does not include a revegetation plan. It appears that information on plant materials and planting densities was not included in section 4.6.2. A revegetation plan must be included in the reclamation plan to satisfy the requirements of Section 2773(a) and the CCR. The revegetation plan also must include specific performance standards for plant cover, plant density, and species richness [CCR Section 37505(m)]. Only a cover performance standard is proposed in Table 4.10-1.

Due to the extreme aridity of this site, use of containerized plants is strongly recommended. The plants should be grown from seed or cuttings obtained in the general project area discussed in Section 4.6.2. Plants should be watered on installation and then at least once monthly during the first growing season. The amount of water should approximate that of a normal spring rain and should be applied directly to the planting basin around the plant. Weed mats can be used if necessary to minimize the establishment of weeds. Planting techniques and irrigation frequency can be monitored in test plots during the life of the project so that the most effective techniques can be used during final reclamation. Deliberate over-planting of container stock will offset plant mortality [CCR Section 3705(b), 3705(h), 3705(i), 3705(j), 3705(k), 3705(l)].

County of Inyo Response June 6, 1997

4. County Staff concurs. The discussed items are missing in the proposed reclamation plan. With out a revegetation plan, the reclamation plan is lacking focus. These items will be covered in the proposed conditions of approval. The conditions of approval will also address performance standards as well as the required revegetation with a proposed plant mix.

   This borrow site will be used on a very limited basis. Maintenance of nursery planted stock would be very labor intensive. The small size of this site also precludes establishing test plots. The idea of using weed mats is also an unnecessary requirement to implement on this reclamation plan. Some time in the future these weed mats would need to be removed. Removing these mats would cause damage to established plants. Every reclamation plan approved in the desert by the Planning Commission has required reseeding as the preferred method of establishing vegetative cover. It has been pointed out that the success of planting nursery stock is very limited. The success of seed planting appears to be relative good. In fact in this area natural revegetation appears to do a better than average job of revegetation of mine sites. Reseeding and seedbed preparation are the keys in revegetation of desert lands.

Office of Mine Reclamation Comment May 23, 1997

5. In addition to providing technical assistance and review of reclamation plans, the Office of Mine Reclamation is authorized to review cost estimates prior to lead agency approval of the financial assurances for reclamation per SMARA Section 2773,1, Seeding and Revegetation Costs in the reclamation plan refer solely to seeding of 2 acres of the site. We recommend that the financial assurance estimate be revised to include revegetation of the entire mine site. These costs should also include the establishment and monitoring or revegetation test plots, propagation of containerized plants irrigation, and revegetation monitoring following implementation. An analysis of the reclamation cost estimate will be forwarded under separate cover.

County of Inyo Response May 5, 1997

5. County Staff concurs. Financial assurances will be reviewed by the lead agency. If OMR wishes to comment on the calculations at a later date this may be done. Calculations are scrutinized very carefully by the lead agency and adjusted when

necessary. All tasks involved in reclamation of the borrow site must have costs calculated. The Lead Agency also reviews the actual financial assurance mechanism to insure the validity of the instrument. The lead agency has reviewed the cost estimates provided by Caltrans was for 2 acres. Cost calculations for the entire site are considerably higher.

STAFF ANALYSIS:

Planning Department staff has reviewed the proposed reclamation plan as well as all comments received. Many requirements stated in the proposed reclamation plan were either incorrect or not included. The comments received from the Office of Mine Reclamation brought out many of the deficiencies in the proposed reclamation plan. The proposed reclamation plan along with the OMR comments and the Initial Study that was prepared, staff feels that the borrow pit can be reclaimed with the recommended conditions of approval below under Recommendations. The conditions of approval incorporate the comments submitted by the Office of Mine Reclamation. This proposed reclamation plan, with the conditions of approval, and the changes in the proposed reclamation plan can accomplish the required reclamation under the Surface Mining and Reclamation Act of 1975 and the requirements of Chapter 7.70 of County Code (Inyo County Mine Reclamation Ordinance).

FINANCIAL ASSURANCES:

The applicant has formulated financial assurances for this reclamation plan, as required by SMARA. The Planning Department has reviewed the proposed reclamation procedures, costs and the proposed financial assurances in the amount of $4,074.00. However, after review the Planning Department has determined financial assurances of $11,355.29 are required. The difference is due to Caltrans calculating costs for 2 acres not the entire site of 7.4 acres. All labor and equipment costs used were Caltrans figures. Caltrans also failed to include contingencies in their calculations.

ENVIRONMENTAL REVIEW:

An Initial Study and Draft Mitigated Negative Declaration was prepared and circulated for this project pursuant to the requirements of the California Environmental Quality Act (CEQA). To date, the only comments received have been the comments from the Office of Mine Reclamation and the Department of Transportation. Comment period ended May 29, 1997.

PUBLIC NOTICE:

Notice of this public hearing has been published in the *Inyo Register* and mailed to all property owners within 300 feet of the subject property. To date, comments have been received from the California Department of Conservation, Office of Mine Reclamation and Caltrans (see attached). These comments are attached.

RECOMMENDATION:

Staff recommends the Planning Commission **approve** Reclamation Plan # 96-10 Death Valley Junction Borrow Pit/MS #286A by taking the following actions:

A. Based upon the Initial Study and all written and verbal comments received, adopt the Mitigated Negative Declaration of Environmental Impact and certify the requirements of the California Environmental Quality Act have been satisfied.

[Evidence: In accordance with the requirements of the California Environmental Quality Act, an Initial Study and Draft Mitigated Negative Declaration of Environmental Impact were prepared and circulated for public comment.]

B. Find the proposed reclamation plan conforms and meets the requirements of Chapter 7.70 (Mining & Reclamation) of Inyo County Code and State Mining Reclamation Act of 1976.

C. Find the potential loss of native vegetation and wildlife habitat to be greater than the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project is deemed "operative, vested, or final." The potential impact is greater than *de minimus* standard of section 711.4. Said $1,250.00 shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (15 days after the reclamation plan approval).

[Evidence: The subject property has not been disturbed and contains native vegetation and wildlife as documented by the photographic evidence.]

D. Approve Reclamation Plan No.96-10/Death Valley Junction Borrow Pit, MS #286A

CONDITIONS OF APPROVAL:

Term of Plan and Timing of Reclamation

1. The term of the reclamation plan shall not exceed twenty years from the date of approval, or no later than August 31, 2017. Total amount of usable aggregate and waste material that can be removed from this pit is 150,00 cubic yards. If 150,000 cubic yards are removed prior to the termination date, reclamation shall proceed with in six months of the removal of the 150,000 cubic yards. The Planning Commission may grant an extension. The applicant must submit a complete reclamation plan application for an amended reclamation plan. To assure continued operation, the above application should be received prior to the expiration date and prior to removal of 150,000 cubic yards of material..

Interim Management Plan

2. Through out the 20-year life of this project, the interim management plan shall be implemented during periods of "idle" operation. If zero production occurs for a period of five consecutive years, the reclamation plan shall be implemented immediately. Mining

can not occur until an amended reclamation plan is submitted and approved by the Inyo County Planning Commission.

3. At the conclusion of each period of mining interim reclamation shall take place. This shall consist of regrading all slopes to 3:1 (H: V) or less.

4. During times of inactivity, Caltrans shall prevent public access to the pit.

5. During periods of inactivity all equipment and trash shall be removed from the area. No asphalt may be buried onsite.

Mapping

6. Caltrans shall provide the County with a contour map with two-foot contours within three years of approval of this reclamation plan.

Salvage of Growth Media (Topsoil)

7. The top six inches (6") of growth media (topsoil), shall be collected from areas to be disturbed (Borrow pits and internal access roads). This (topsoil) shall be stockpiled in the active work site until final phase reclamation.

8. After the site is recontoured, the salvaged topsoil shall be respread to a depth of six inches over the recontoured pit. (See condition #7)

Erosion Control

9. Pit slopes shall be contoured to a minimum of 3:1 (H: V). These slopes shall be in established during times of intermittent operation, times the interim management plan is in affect, and during final reclamation.

Earthwork

10. All compacted areas shall be scarified. Road berms shall be brought back into the roadway after scarification.

Noxious Weed Control

11. During mining and reclamation activities and during idle periods noxious weeds shall be controlled on site.

Seed Sources and Mixtures

12. Seed used for revegetation shall be collected on or near the site. If sufficient seed is not available, it may be purchased. A seed mix of plant species in the Mojave Creosote Bush Scrub plant community shall be used. Below is the recommended seed mix:

Scientific Name	Common Name	PLS Pounds/acre
	PERENNIALS	
(*Larrea tridentata*)	Creosote bush	3
(*Ephedra nevadensis*)	Nevada joint-fir (Mormon Tea)	3
(*Hymenoclea Salsola*)	Cheese bush	3
(*Atriplex hymenolytra*)	Desert holly	3
(*Ambrosia dumosa*)	Burrobush	3
	ANNUALS	
(*Chaenactis stevioides*)	Esteve's pincushion	4
(*Mirabilis Bigelovii*)	four-o'clock	4
(*Eriogonum inflatum*)	Desert Trumpet	5
	Total pounds live seed per acre	28

These native species may only be obtained from seed stock found within five miles of the borrow site and within the Mojave Creosote Bush Scrub plant community. If purchased, the seed shall be certified originating in the Amargosa Valley. Reseeding shall take place during the fall.

Mulching

13. A mulch of native vegetative material and straw shall be applied at a rate of 1000 lbs. per acre into the seeding program. This mulch shall be crimped into the slope to provide both wind and water erosion control and seed holding. This will enhance revegetation.

Revegetation Methods

14. After scarification, the approved seed mix shall be broadcast and then mixed into the top one-half inch (½") of the substrate by either raking or dragging a chain across the seedbed. This shall be done perpendicular to the slope of the pit.

Revegetation Performance Standard

15. Reclamation will not be considered successful or complete until vegetative density reaches 20 percent (number of plants per unit area) of the surrounding undisturbed land with a 50 percent diversity (species richness) of the perennial species on surrounding undisturbed land. New perennial species shall be at least two years old before considered viable plants. This shall be verified based upon visual calculations and substantiated by past photographs of the site including off site photographs of the surrounding undisturbed lands.

Monitoring

16. From initial seeding, the project shall be monitored until performance standards are met. Remedial measures may be implemented any time to insure revegetation success. For the first two years, monitoring shall be performed twice a year.

Remedial Measures

17. If it appears the site will not meet the performance standard, the applicant shall consult with the Planning Department for recommendations on remedial measures. The remedial measures listed below shall be considered if reclamation problems are observed during annual monitoring:

    a. Mulching and/or fertilizing to supplement growth media;
    b. Reseeding:
    c. Irrigation:
    d. Planting of appropriate plants and protection of these plants.
    d. If irrigation is used the plants must make it on their own for two years.
    e. Analysis of soil for problems;
    f. Measures to reduce pest problems, including fencing individual plants.

Reporting and Annual Inspections

18. Each year the applicant shall file an annual mining report with the State. These reports shall be filed until financial assurances are released. Monitoring activities will continue until the County is satisfied that performance standards have been met. In accordance with SMARA Section 2774 (b), Inyo County as the Lead Agency shall inspect the site and file annual inspection reports with the State.

Inyo County Road Department

19. Caltrans shall allow Inyo County Road Department to remove material form this site. Caltrans shall be responsible for all reclamation requirements, including bonding and reporting. When Inyo County Road Department uses this pit, they shall adhere to the conditions of approval for this reclamation plan. Inyo County shall report the quantity of material to Caltrans each calendar quarter.

Reclamation Responsibility Statement

20. The applicant shall submit a notarized statement to the Inyo County Planning Department accepting responsibility for reclaiming lands as per the conditions specific herein.

Financial Assurances

21. Financial assurances in the sum of $11,355.29 are required in the form of a surety bond, irrevocable letter of credit, cash or certificate of deposit. Government agencies may also use budget set asides, or pledge of revenue to post their financial assurances. Financial assurances shall be posted with the Inyo County Planning Department. Said assurances shall be made payable to the County of Inyo and the Director of the California Department of Conservation and The Bureau of Land Management.

Financial Assurance Recalculation

22. Financial assurances shall be recalculated each year in accordance with Section 2773.1(a)(3) of SMARA and Inyo County Code. This shall occur at the time of annual inspection.

Release of Financial Assurances

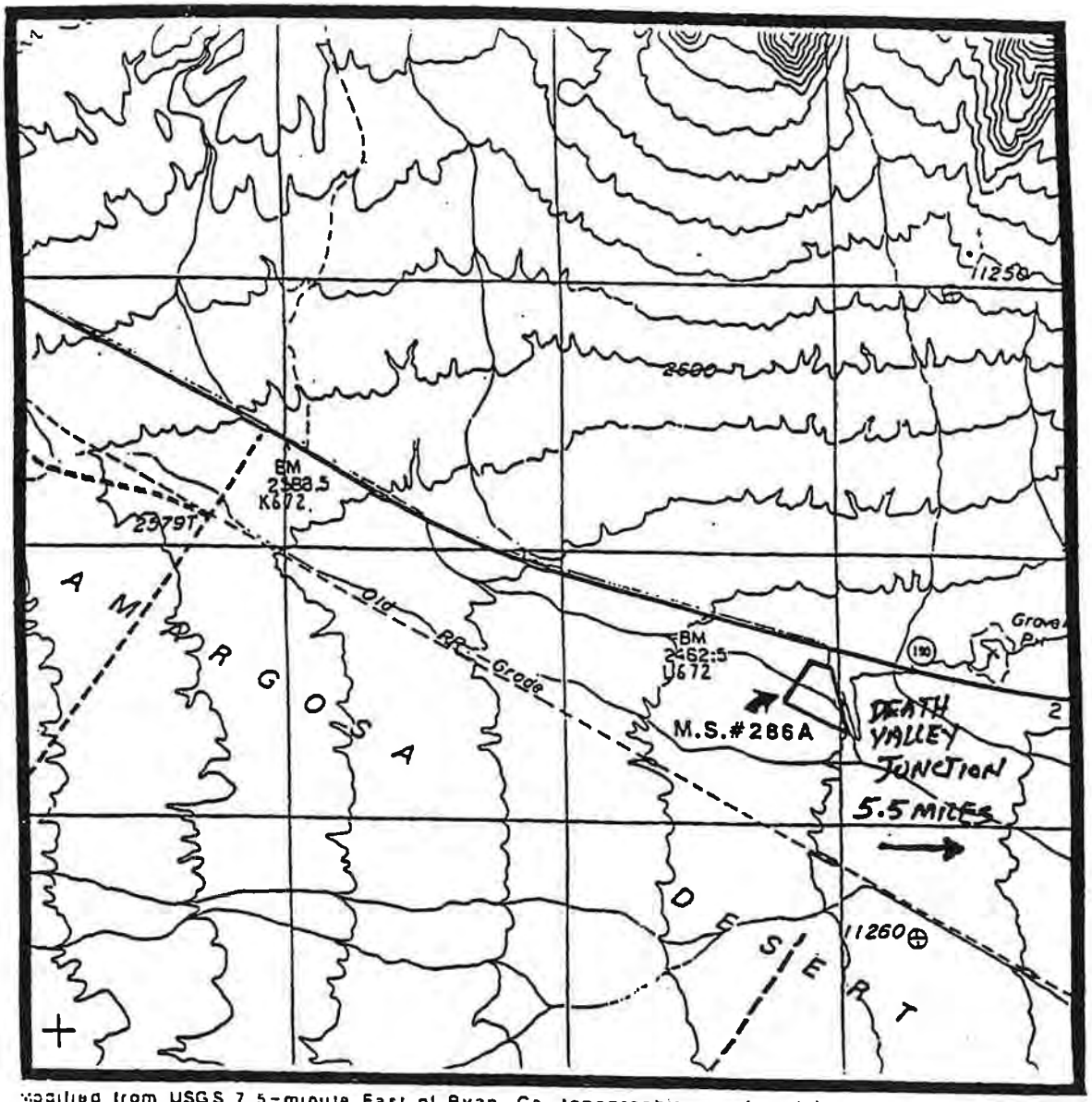
23. As required reclamation standards are achieved, that portion of financial assurances covering the completed activity may be released. The remainder of financial assurances covering revegetation and monitoring shall not be released until the revegetation performance standards is met.

Hold Harmless

24. The applicant, landowner, and operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its agents, officers and employees to attack, set aside, void, or annul any approval of the County, its advisory agencies, appeal boards, or its legislative body concerning Reclamation Plan No. 96-10/ Death Valley Junction Borrow Pit, MS 286A.

Attachments: Vicinity Map
Department of Conservation, Office of Mine Reclamation, Comments of May 20, 1997,
Department of Transportation Comments of May 29, 1997

Date	Reviewer	Initials
6/10/97	Project Planner	
6/19/97	Review Planner	
6/12	Planning Director	
	Secretary	



Modified from USGS 7.5-minute East of Ryan, Ca. topographic map (provisional edition, 1988)

N

0 1 Mile

SCALE

Topographic Map
Caltrans Material Site #286A

STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, *Governor*

DEPARTMENT OF CONSERVATION
OFFICE OF MINE RECLAMATION
Reclamation Unit
801 K Street, MS 09-06
SACRAMENTO, CA 95814-3529
PHONE: (916) 323-8567
FAX: (916) 322-4862

Telecommunications
Device for the Deaf
(916) 324-2555

MAY 1997
RECEIVED
Inyo County
Planning Department

May 20, 1997

Earl Gann
Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, CA 93526

Dear Mr. Gann:

Negative Declaration and Reclamation Plan for Caltrans Material Site #286A
(New Death Valley Pit) SCH #97052004 - CA Mine ID# 91-14-0046

The Department of Conservation's Office of Mine Reclamation (OMR), has reviewed the Negative Declaration and Reclamation Plan for Caltran's Material Site #286A (New Death Valley Pit). The mine is located approximately 5 miles west of Death Valley Junction on the south side of Highway 190. Approximately 150,000 cubic yards of sand and gravel would be removed from the 7.7-acre site over the next 20 years. The following comments prepared by Mary Ann Showers are offered to assist in your review of this project.

The reclamation plan addresses the majority of requirements of the Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, Section 3500 et seq., Article 9 Section 3700 et seq.). The following items, however, require additional information.

1. Section 2.4.1 addresses site specific hydrology and provides peak flows based on a 20-year return period. The information used to determine peak flows was obtained from the California Department of Water Resources Bulletin 195 (1976). California has experienced "unusual" rainfall events since 1976 and

the 1976 peak flow data may no longer be valid for the watersheds in the project area. The peak flow data used for this reclamation plan should reflect the most recent information available.

2. The project is located in a wash. To mitigate flows into the pit and the discharge of sediments off-site, the reclamation plan proposes to construct a drainage diversion berm on the north and east boundaries of the site and to install grade stabilization structures and outlets from the pit. No reference is made to the possible requirement of a Streambed Alteration Agreement for this project. We recommend that the applicant contact the California Department of Fish and Game (DFG) regarding the applicability of a this agreement to the project. Mitigation measures and management procedures recommended by DFG should be referenced in and appended to the reclamation plan [CCR Section 3710(b)].

3. Section 2.5.2 of the plan discusses erosion potential of site soils, stating that soils will "likely be susceptible to wind and sheet erosion." We recommend that the reclamation plan include provisions for mulching topsoil storage berms and processing fines to minimize loss of these materials. The use of a gravel or rock mulch would be appropriate for this site [CCR Sections 3503(a)(2), 3711(d)].

4. Revegetation is discussed in Section 4.6.0 of the plan. The plan, however, does not include a revegetation plan. It appears that information on plant materials and planting densities was not included in Section 4.6.2. A revegetation plan must be included in the reclamation plan to satisfy the requirements of SMARA Section 2773(a) and the CCR. The revegetation plan also must include specific performance standards for plant cover, plant density, and species richness [CCR Section 3705(m)]. Only a cover performance standard is proposed in Table 4.10-1.

Due to the extreme aridity of this site, use of containerized plants is strongly recommended. The plants should be grown from seeds or cuttings obtained in the general project area discussed in Section 4.6.2. Plants should be watered on installation and then at least once monthly during the first growing season. The amount of water should approximate that of a normal spring rain and should be applied directly to the planting basin around the plant. Weed mats can be used if necessary to minimize the establishment of weeds. Planting techniques and irrigation frequency can be monitored in test plots during the life of the project so that the most effective techniques can be used during final reclamation. Deliberate overplanting of container stock will

offset plant mortality [CCR Section 3705(b), 3705(h), 3705(l), 3705(j), 3705(k), 3705(l)].

5. In addition to providing technical assistance and review of reclamation plans, the Office of Mine Reclamation is authorized to review cost estimates prior to lead agency approval of the financial assurance for reclamation per SMARA Section 2773.1. Seeding and Revegetation Costs in the reclamation plan refer solely to seeding of 2 acres of the site. We recommend that the financial assurance estimate be revised to include revegetation of the entire mine site. These costs should include the establishment and monitoring of revegetation test plots, propagation of containerized plants, irrigation, and revegetation monitoring following implementation. An analysis of the reclamation cost estimates will be forwarded under separate cover.

Please send a copy of the approved reclamation plan, response to our comments, and permit issued by you as lead agency under SMARA to the Office of Mine Reclamation, Reclamation Unit at 801 K Street, M.S. 09-06, Sacramento, CA 95814-3529. The approved documents will be placed in the Office of Mine Reclamation files.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 323-8565.

Sincerely,

James Pompy JH

James S. Pompy, Manager
Reclamation Unit

cc: Karen Yowell , OGER

Attachment B

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
500 SOUTH MAIN STREET
HOP, CA 93514

(760) 872-0658

MAY 1997
RECEIVED
Inyo County
Planning Department

May 29, 1997

File - Inyo - 190 - 135.5
SCH 97052004

Mr. Curtis E. Kellog
Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526

DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

Thank you for the opportunity to review and comment on the Reclamation Plan #96-10/New Death Valley Junction Site - #286A - California Department of Transportation (Caltrans). We note that the project area is not within the range of the Desert Tortoise. This has been confirmed with contacts with the Barstow Office of BLM. Being as there is no impact to the tortoise or other listed species or animals the project is de minimus in its effect on fish and wildlife. No filing fee should be required. If you have questions on this matter please call me at (760) 872-0658.

Sincerely,

Dennis Manning

DENNIS MANNING
Chief, Branch of IGR/CEQA Reviews

DM:mam
cc: SCH - Angel Howell

	PETER
	CHUCK
	CURTIS
	SANDY
	EARL
	FILE

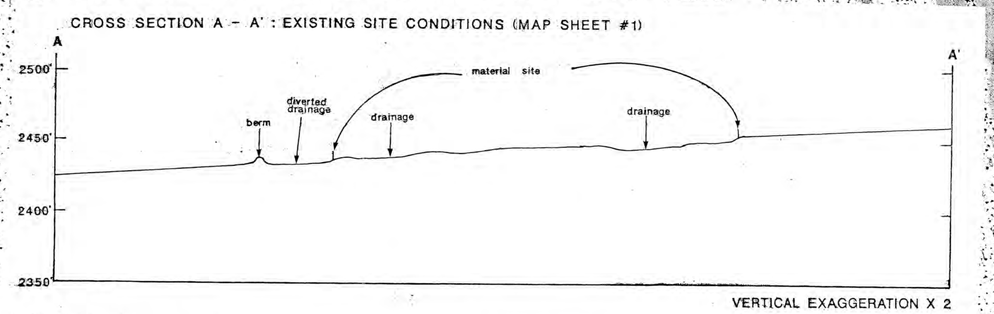
Attachment B

MAP SHEET #1

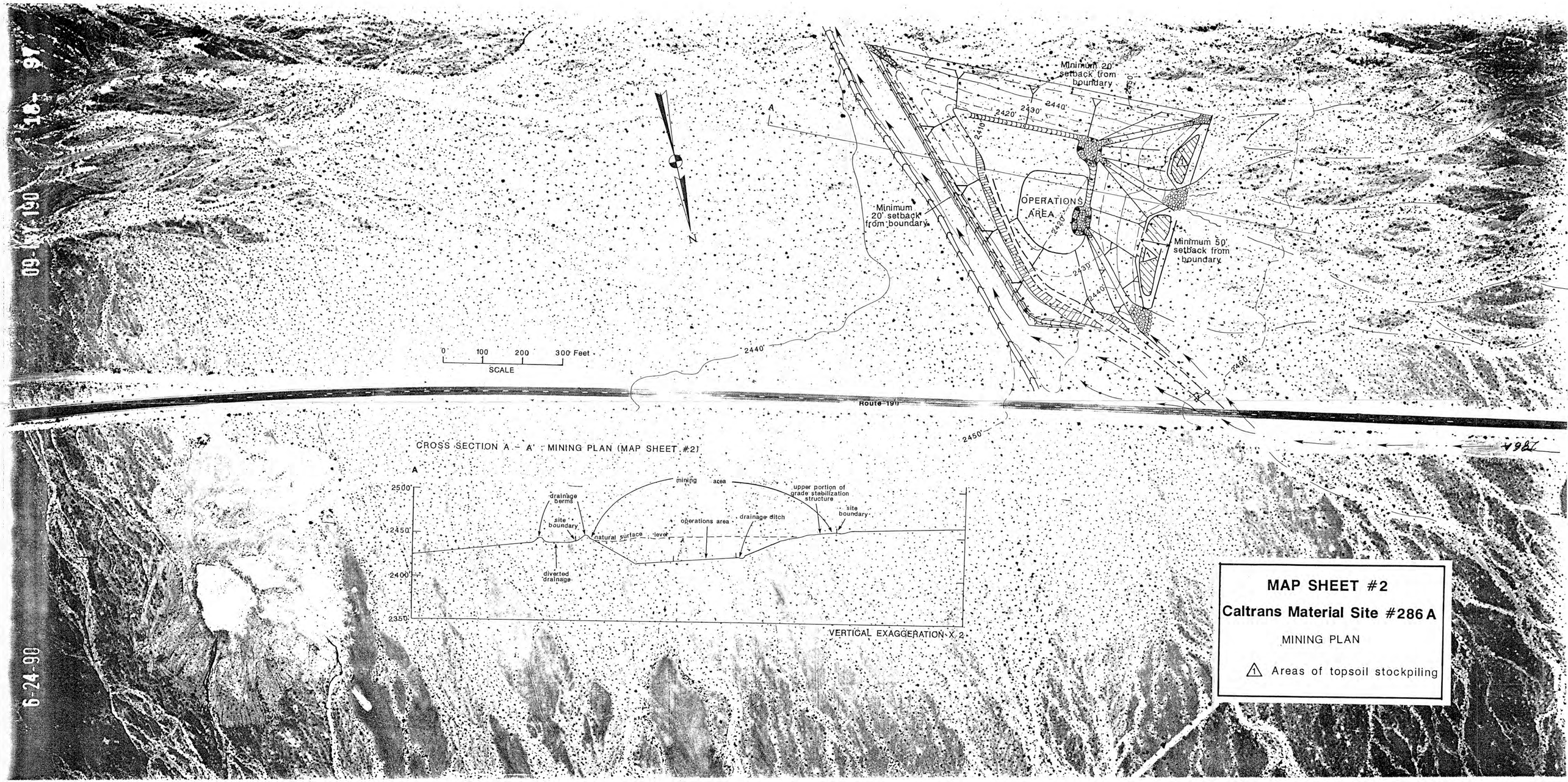
Caltrans Material Site #286A

INITIAL SITE CONDITIONS

2 FOOT CONTOUR INTERVALS
INTERPOLATED FROM USGS 7.5-MINUTE EAST OF RYAN, CA.
TOPOGRAPHICAL MAP (1988 EDITION)

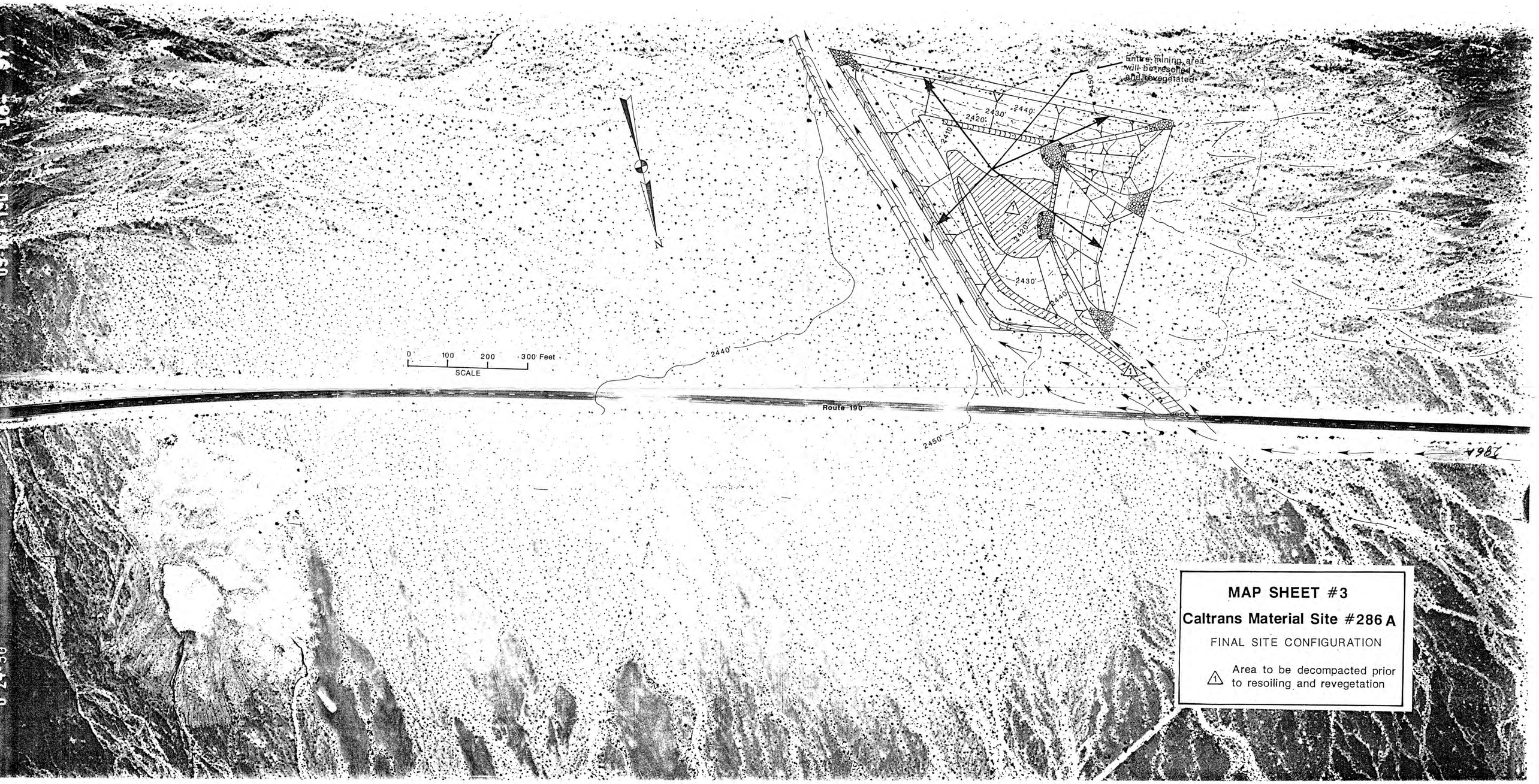


Attachment B



MAR 1995
RECEIVED
Inyo County
Planning Department

Attachment B



MAR 1995
RECEIVED
Inyo County
Planning Department

Attachment C

Material Site #286A

(New Death Valley Junction Site)

Reclamation Plan

Mine Identification # 91-14-0046

Thursday, January 30, 1997

Amended May 2026

California Department of Transportation (Caltrans)
District 09
500 South Main Street
Bishop, California 93514

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MATERIAL SITE #286A RECLAMATION PLAN

1.0.0 INTRODUCTION

Caltrans under a permit with the U. S. Department of the Interior, Bureau of Land Management (BLM) intends to mine sand and gravel on federal lands about five miles west of Death Valley Junction, California. The site encompasses approximately 7.7 acres and is currently undisturbed. Approximately 7.2 acres of this site will be mined intermittently over a 20-year period to provide material for road maintenance, and construction. Approval of this reclamation plan is sought from the SMARA lead agency, Inyo County. This reclamation plan describes a process that will implement reclamation activities as soon as possible, returning land disturbed by mining to a condition suitable of supporting open space and wildlife habitat.

1.1.0 APPLICANT

California Department of Transportation (Caltrans) District 09
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(760) 872-0601

1.1.1 Representative

Lana Morris, Engineering Geologist
California Department of Transportation (Caltrans) District 09
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Bishop, California 93514

1.2.0 LANDOWNER

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1.3.0 OPERATOR

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1.4.0 LESSEE

California Department of Transportation (Caltrans) District 09
500 South Main Street
Bishop, California 93514
(760) 872-0601

1.5.0 LOCATION

Material Site #286A is located in Inyo County on BLM land approximately 5.5 miles west of the town of Death Valley Junction, California, on the south side of Highway 190 at Post Mile 135.5 (Figure 1).

1.5.1 Assessor's Parcel Number

The site occupies a portion of the land designated as Assessor's Parcel Number 43-070-00 (Figure 2).

1.5.2 Township, Range, Section, Quadrangle

The project site is located in the eastern portion of the U.S. Geological Survey (USGS) 7 .5-minute East of Ryan, California, Quadrangle Topographic Map (Provisional edition, 1988). The site is located in a portion of un-surveyed Section 14, Township 25 North, Range 4 East, San Bernardino Baseline and Meridian.

1.5.3 Longitude Latitude

The mine site is located at Latitude 36 18' 13" North, Longitude 116 30' 39" West

1.5.4 Claim Descriptions

The project site is known by Caltrans District 09, BLM, and the County of Inyo as State Material Site (MS) #286A. The site is also known as the New Death Valley Junction Material Site. The project name used for the purposes of this document will be MS #286A.

2.0.0 DESCRIPTION OF ENVIRONMENTAL SETTINGSITE ACCESS

MS #286A is located approximately 5.5 miles west of the community of Death Valley Junction on the south side of Highway 190 at post mile 135.5. Currently, access to the site is from an unimproved dirt road created by the grading required to form the adjoining drainage berm (Figure 3).

2.2.0 TOPOGRAPHIC MAP

Figure 4 depicts the site's location in the eastern portion of the USGS 7.5-minute East of Ryan Quadrangle (Provisional Edition 1988); the site is not designated on the map. An old gravel pit is shown on the topographic base map approximately 0.5-mile east of the site to the north of Highway 190. The mine site boundaries have been transposed onto the map in Figure 4. Because the contour interval for the map is 40 feet, the topography of the site is not well defined. However, additional contour lines have been added to Map Sheet 1 (Existing Site Conditions) using the topographic map assuming a constant map distance for 10-foot intervals between the 40-foot intervals. Photo 1 depicts a view of the expected extraction area.

As shown on Figure 4, the site is located on the distal portion of the alluvial fan emanating from the Funeral Mountains to the north. Elevations at the site range from approximately 2,455 feet in the west to about 2,435 feet in the southeast corner of the site, producing approximately 20 feet of topographic relief. The topography steepens toward the mountains to the north, and flattens toward the valley to the southeast.

Figure 1: Regional Location

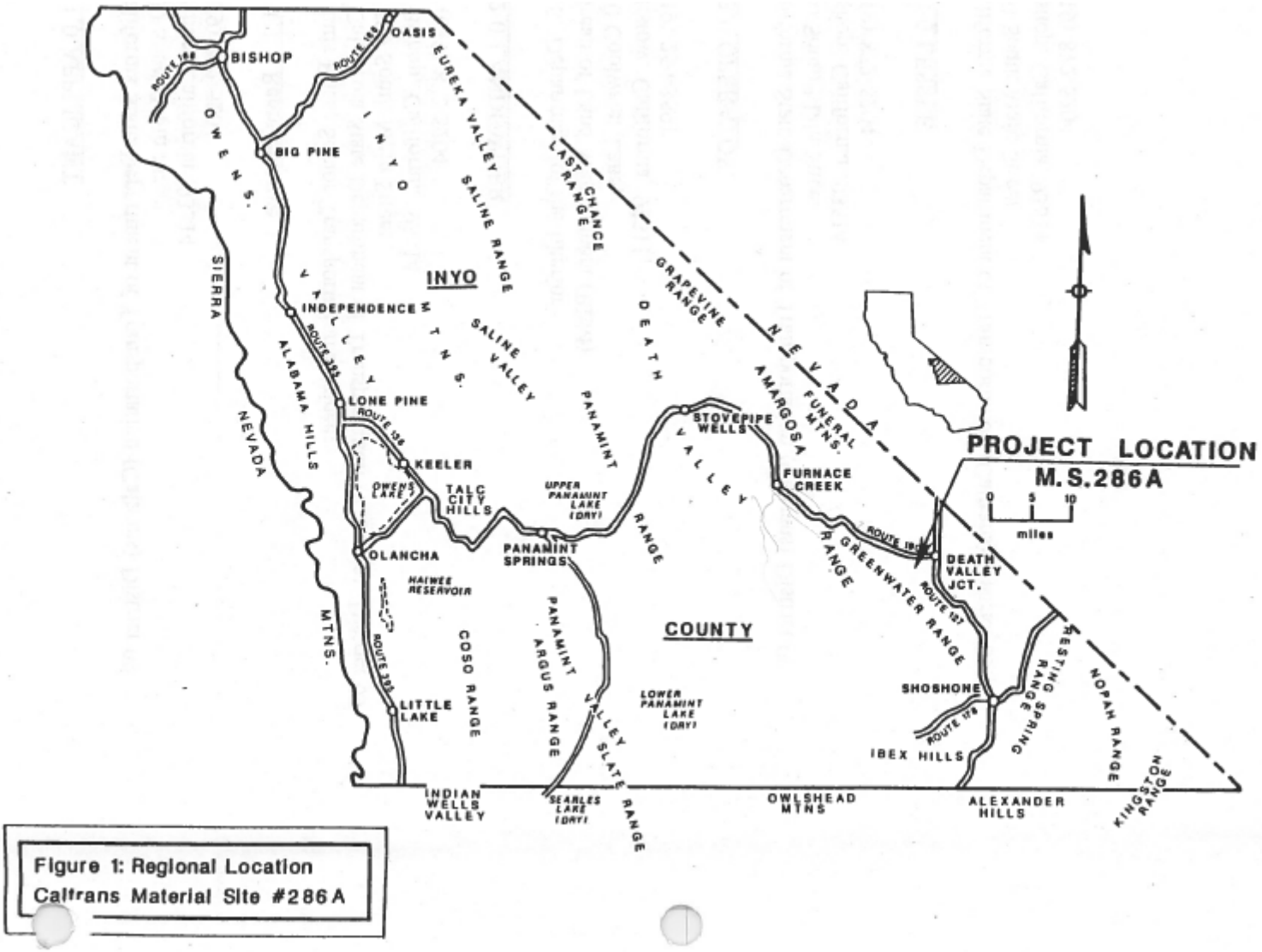


Figure 1: Regional Location
Caltrans Material Site #286A

Figure 2: Assessor's Parcel Map

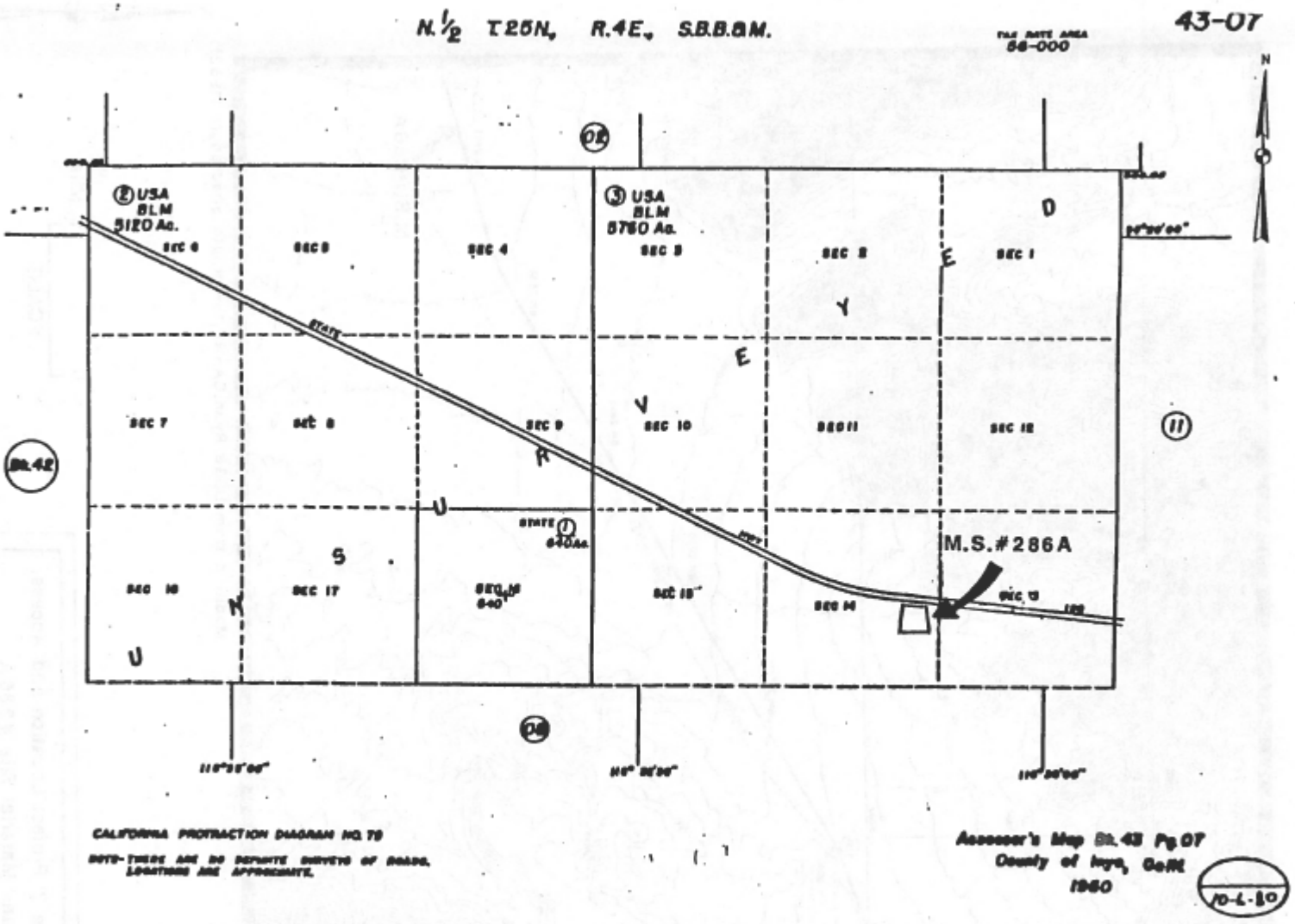


Figure 2: Assessors Parcel Map
Caltrans Material Site #286A

Figure 3: project Location and Access

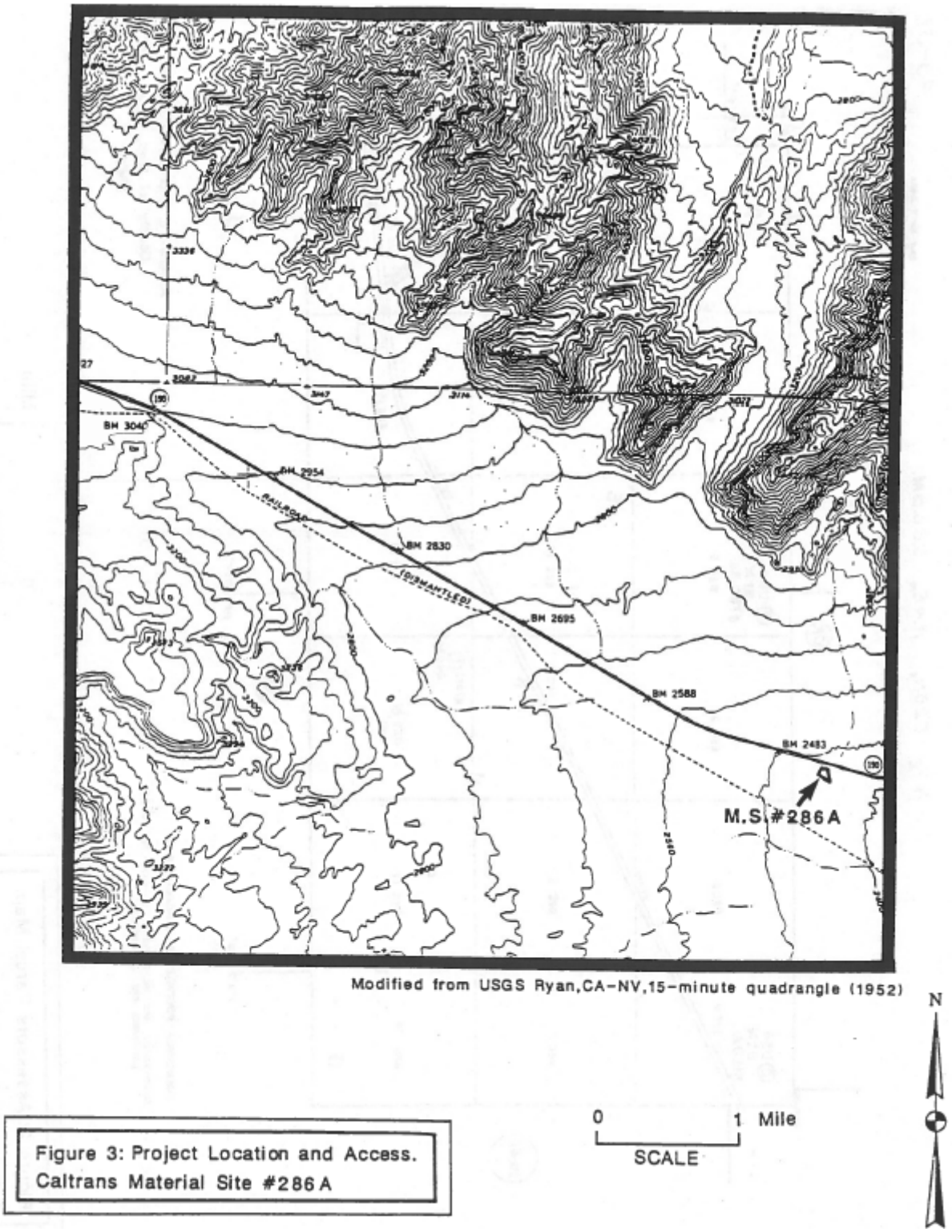
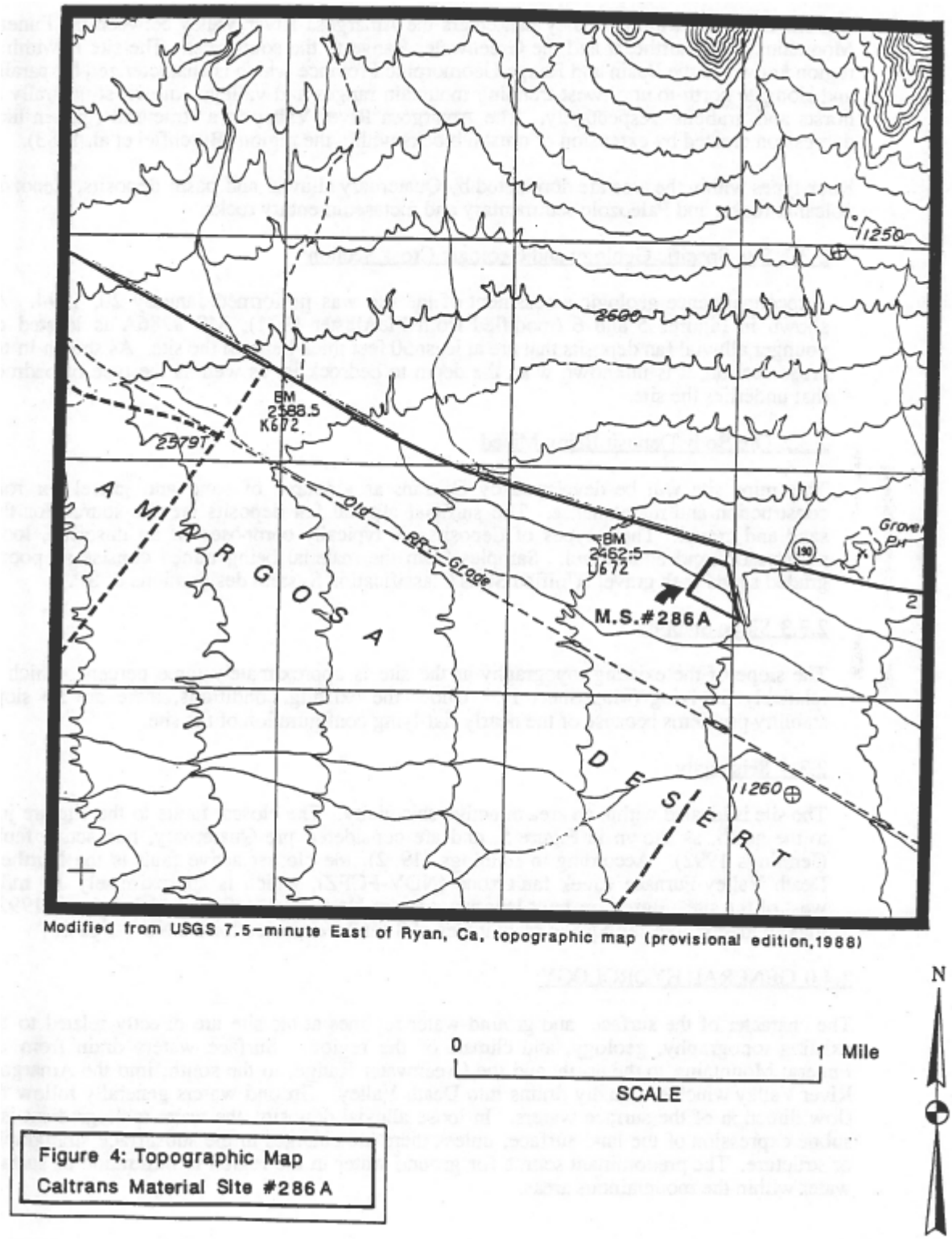


Figure 3: Project Location and Access.
Caltrans Material Site #286A

Figure 4: Topographic Map



2.3.0 GENERAL GEOLOGY

The site is located within a valley that enters the Amargosa River Valley between the Funeral Mountains to the northeast and the Greenwater Range to the southwest. The site is within a region known as the Basin and Range Geomorphic Province which is characterized by parallel and elongate north-to northwest-trending mountain ranges and valleys, known structurally as horsts and grabens, respectively. The Amargosa River Valley is a structural (graben-like) depression created by extension of crustal blocks within the region (Burchfiel et al. 1983).

Rock types within the area are dominated by Quaternary· alluvial and basin deposits, Cenozoic volcanic rocks, and Paleozoic sedimentary and metasedimentary rocks.

2.3.1 Site Specific Geology and Geologic Cross Section

A reconnaissance geologic assessment of the site was performed January 20, 1994. As shown in Figures 5 and 6 (modified from McAllister 1971), MS #286A is located on younger alluvial _fan deposits that are at least 50 feet thick beneath the site. As shown in the cross section, it is unknown what the depth to bedrock is, as well as the type of bedrock that underlies the site.

2.3.2 Ore Body/Deposit Being Mined

This mine site will be developed by Caltrans as a source of sand and gravel for road construction and maintenance. The surficial alluvial fan deposits are the source for this sand and gravel. These types of deposits are typically composed of an unsorted, loose mixture of sand and gravel. Samples from the material being mined consist of poorly graded sands with gravel (Unified Soils Classification System designations of SP.

2.3.3 Slope Stability

The slope of the existing topography at the site is approximately three percent, which is relatively flat-lying (Map Sheet 1). Under the existing conditions, there are no slope stability problems because of the nearly flat-lying configuration of the site.

2.3.4 Seismicity

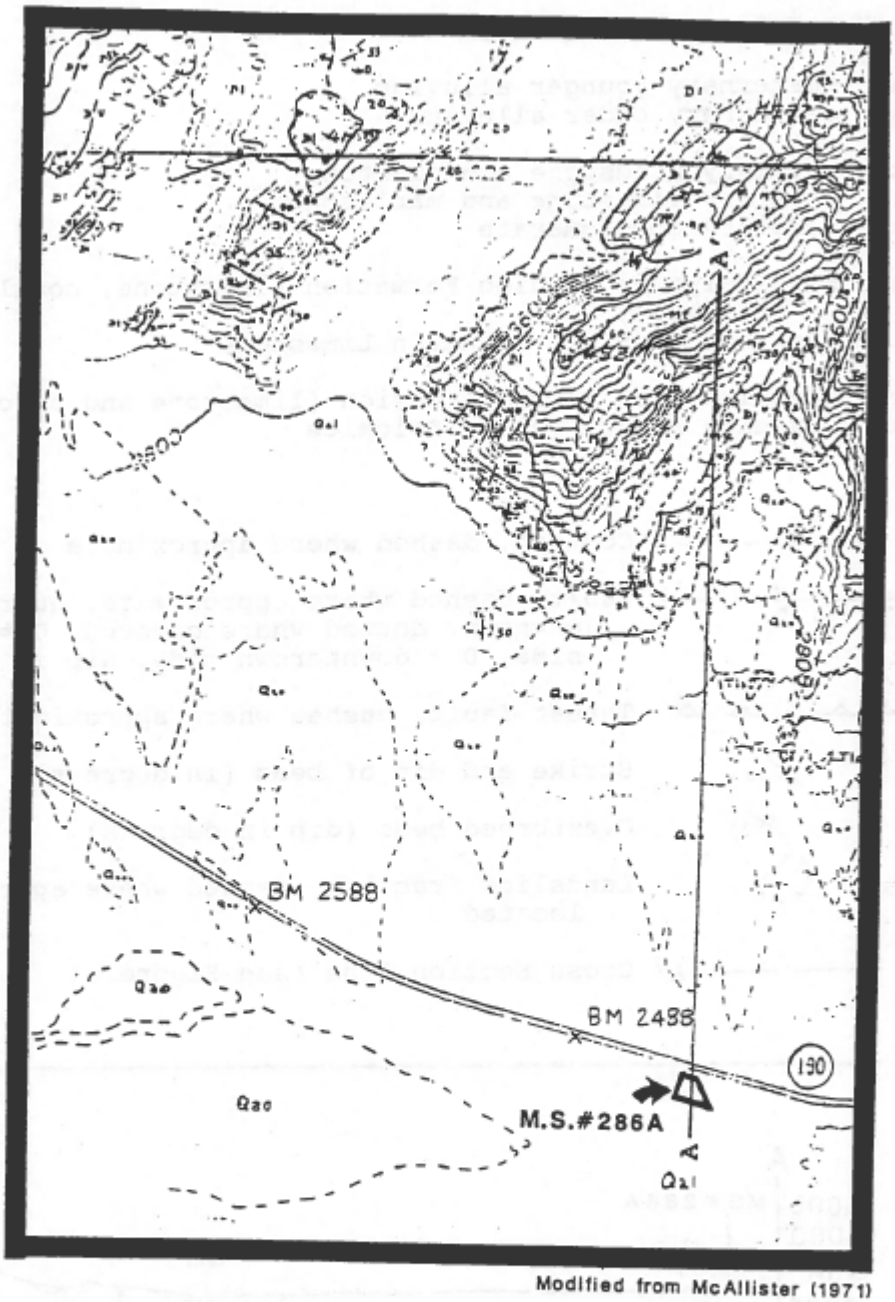
The site is located within an area of active seismicity. The closest faults to the site are just to the north, as shown in Figure 5, and are considered pre-Quaternary, non-active faults (Jennings 1992). According to Jennings (1992), the closest active fault is the Northern Death Valley-Furnace Creek fault zone (NDV-FCFZ), which is approximately 13 miles west of the site. Based on fault lengths given in Hart, et al. (1989) and Jennings (1992), maximum credible earthquake magnitudes of 8 can be expected for the NDV-FCFZ.

2.4.0 GENERAL HYDROLOGY

The character of the surface- and ground-water regimes at the site are directly related to the existing topography, geology, and climate of the region. Surface waters drain from the Funeral Mountains, to the north, and the Greenwater Range, to the south, into the Amargosa River Valley ·which eventually drains into Death Valley. Ground waters generally follow the flow direction of the surface waters. In loose alluvial deposits, the water-table gradient is a subtle expression of the land surface, unless there are changes in the subsurface stratigraphy or structure. The predominant source for ground water in the region is infiltration of surface water within the mountainous areas.

Figures 5 and 6: Map and Cross Section

Figure 5.



Modified from McAllister (1971)

0 1 Mile

SCALE

Figure 5 and 6: Map and Cross Section. Caltrans Material Site #286A

*** Figure 6 and Legend for both figures on following page**

LEGEND FOR FIGURES 5 AND 6:

Qal	Quaternary younger alluvium
Qoa	Quaternary older alluvium
Ts	Tertiary sandstone and mudstone
Tls	Tertiary limestone and marlstone
Tc	Tertiary conglomerate
Mp	Mississippian Perdido Formation (limestone, conglomerate, and chert)
Mt	Mississippian Tin Mountain Limestone
Dl	Devonian Lost Burro Formation (limestone and dolomite)
Dsh	Devonian Hidden Valley Dolomite

Contact, dashed where approximate

Fault, dashed where approximate, queried where unknown, dotted where covered, U = upthrown side, D = downthrown side, dip in degrees

Thrust fault, dashed where approximate

Strike and dip of beds (in degrees)

Overturned beds (dip in degrees)

Landslide fracture, dashed where approximately located

A — A' Cross Section line (see Figure 6)

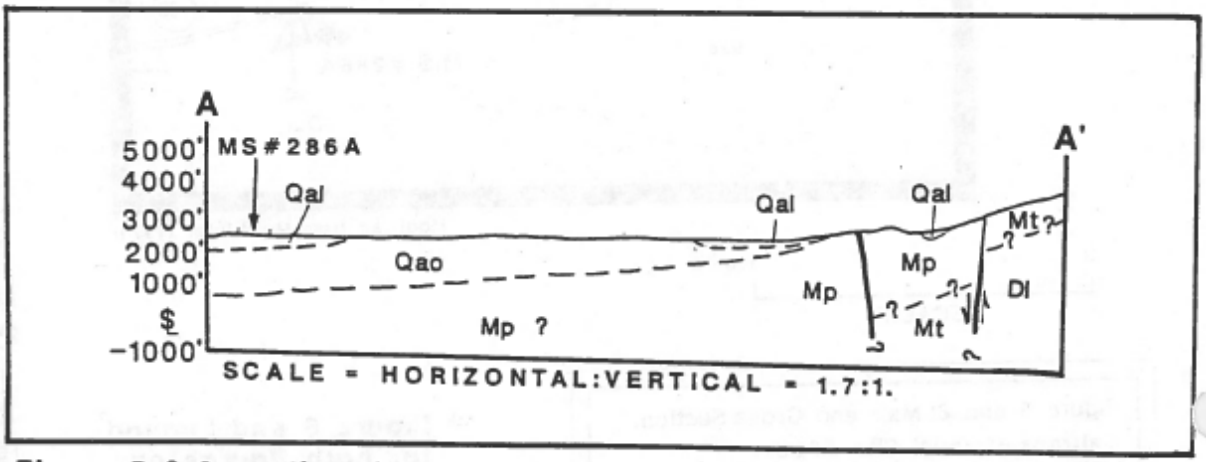


Figure 5 & 6 continued from previous page

Figure 6.

2.4.1 Site Specific Hydrology

Figure 7 shows the two watersheds that contribute surface-water runoff to the mine site. The drainage area of Watershed #1 is approximately 1,152 acres. The drainage for Watershed #1 crosses Highway 190 approximately one mile west of the site and then three braided tributaries of this drainage enter the site from the west (see Map Sheet #1). The drainage area of Watershed #2 is approximately 2,080 acres. The drainage for Watershed #2, which has been channelized into a large ditch north of Highway 190, crosses the highway to the north of the site and drains mainly into the wash to the east of the site; only a minor portion of this drainage enters the mine site from the north (Map Sheet # 1).

Using the U. S. Department of Agriculture, Soil Conservation Service (USDA-SCS 1986) TR-55 Tabular Hydrolograph method and the California Department of Water Resources Bulletin 195 (DWR 1976) method, peak flows for a 20-year return period storm were calculated for Watersheds #1 and #2 at 14.4 and 23.4 cubic feet per second, respectively. Because of the braided and multiple tributary drainage pattern that exists on the site, the above peak surface-water flow amounts will not be concentrated in any individual drainage and, therefore, these amounts should be subdivided between the many drainages that enter the site.

2.4.2 Area Hydrology

The dominant ground-water aquifer underlying the site is found within alluvial and basin deposits. According to Langer, et al. (1984), ground water is approximately 150 feet beneath the site. Although there is the potential for perched ground water to occur at a more shallow depth, this is unlikely because the area's arid climate produces only a small amount of rain water that can directly infiltrate from the surface. Ground water will not likely be exposed during mining operations.

According to Thompson, et al. (1984), ground-water quality in the Amargosa River Valley is considered borderline poor. The natural chemistry of the ground water classes it as a sodium bicarbonate type with a total dissolved-solids concentration between 1,000 and 3,000 milligrams per liter.

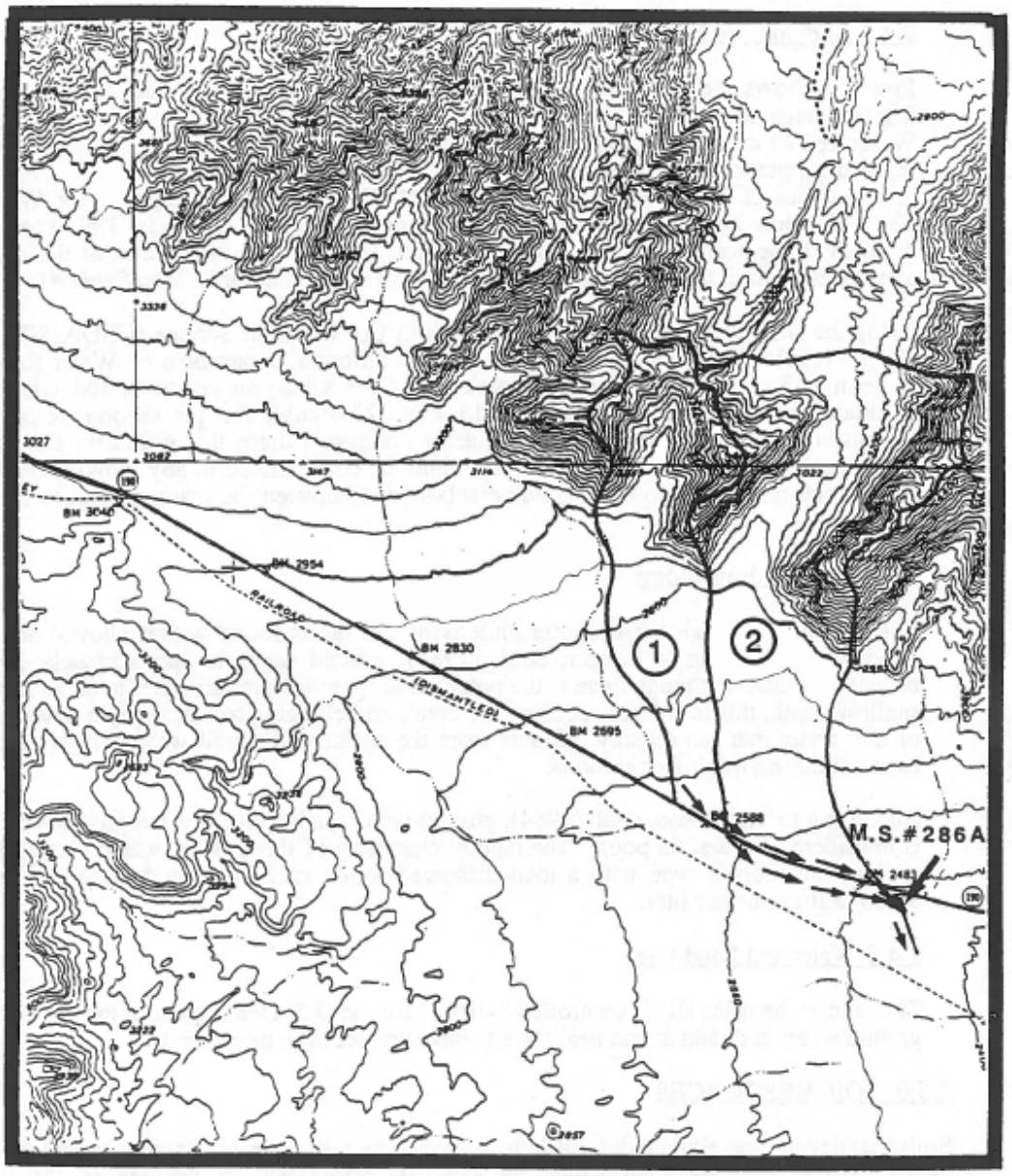
2.4.3 Water and Land Uses

The land at the mine site is controlled by BLM for the U.S. Department of the Interior. The ground water and land at and near the site have not yet been developed.

2.5.0 SOIL RESOURCES

Soils that develop on alluvial deposits are controlled by a number of factors, including: 1) the type of parent material from which the deposits originated, 2) the age of the various depositional units within the fan, and 3) the grain-size distributions of the fan deposits. Alluvial fans _typically have coarse textured soils with little pedogenic development. The A-horizon, if present, is generally less than five-inches thick and is directly underlain by a thick C-horizon, essentially unaltered alluvium. The alluvial material at the site originates from sedimentary and metasedimentary rock sources.

Figure 7: Watershed Map



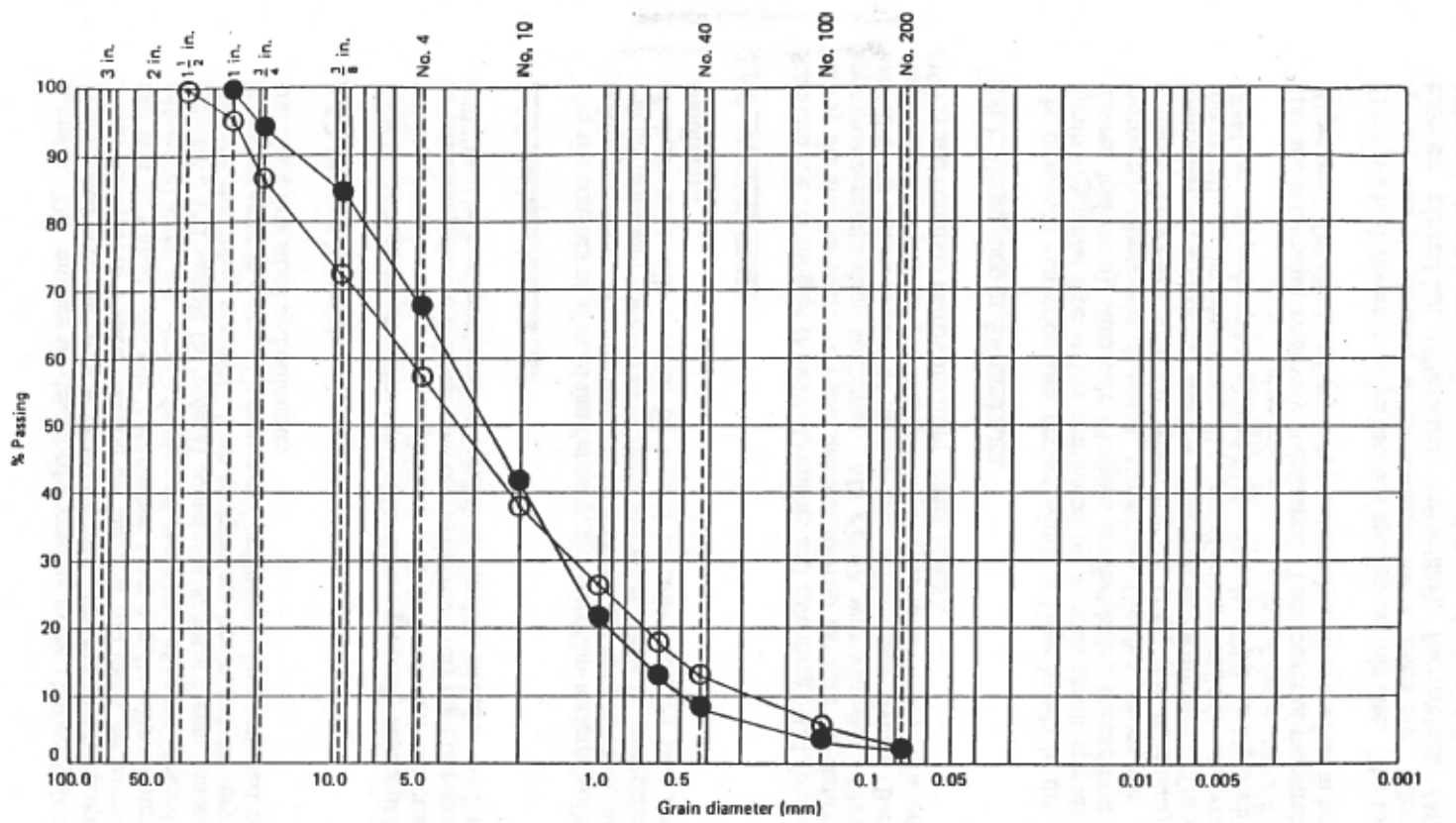
① and ② represent watersheds in text

N

0 1 Mile
SCALE

Figure 7: Watershed Map.
Caltrans Material Site #286A

Figure 8: Grain Size Distribution Curve



SAMPLE #1: Stream channel / mined material – poorly graded SAND with gravel (SP)*

SAMPLE #2: Native Soil – poorly graded SAND with gravel (SP)*

*Unified Soils Classification System designation

Figure 8: Grain size distribution curve.
Caltrans Material Site #286 A

2.5.1 Analysis of Soil Samples

Two soil samples were taken during the reconnaissance geotechnical survey of the site. Figure 8 shows grain-size distribution curves from sieve analyses performed on the samples. The samples are described according to the Unified Soil Classification System, a system used in engineering work to emphasize the engineering properties of soils. Sample 1 was taken from a streambed on the site and will likely be representative of the material that will be mined. Sample 2 was taken from a older alluvial surface and represents the native soil at the site. Both samples are composed of poorly graded sand with gravel (SP); the native soil sample (Sample 2) contains a slightly higher amount of fine-grained sand than the streambed material. Both samples are composed of very loose material and are brownish□gray in color. Gravels were predominantly composed of angular clasts of gray and black limestone and dolomite.

2.5.2 Erosion Potential

Soils in the high desert regions of California are generally susceptible to erosion due to high winds, intense scattered precipitation, and lack of soil structure. The soil analysis information gathered indicates that due to the relatively high fine-grained sand content, soils will likely be susceptible to wind and sheet erosion, and to rill erosion on sloped areas.

2.5.3 Reclamation Potential

The site consists of alluvial fan deposits, with medium-textured soils that have a low water-holding capacity. Well-developed soil horizons are not present at the site; therefore, distinct soil horizons will not need to be reestablished in order to revegetate the site. Revegetation of these soils will need to be limited to native species that are adapted to droughty conditions.

2.6.0 VEGETATION

Standard transect methodologies (Mueller-Dombois and Ellenberg 1974, Nelson 1988) were used to survey the site for sensitive plant species, to map existing vegetation, and to determine the appropriate revegetation strategies. MS #286A was re-visited on Febraury 25, 2026. The site is located in the central portion of the Hot Desert Floristic Province (Barbour and Major 1988). Classification of natural communities is after Holland (1986). Taxonomy follows Hickman (1993) and common names are from Jaeger (1969).

2.6.1 Description of Affected Area

The proposed restoration area occurs within a large bajada split between the Central Mojave Desert Creosote Bush Mixed Scrub & Low Elevation Wash System vegetation types, and is dominated by various shrub species such as Creosote Bush (Larrea tridentata), Cheesebush (*Ambrosia salsola*), Burro-weed (*Ambrosia dumosa*), Sweetbush (*Bebbia juncea*), and Netvein Goldeneye (*Bahiopsis reticulata*). Four cactus species occur sporadically on the site- Beavertail Cactus (*Opuntia basilaris*), Silver Cholla (*Cylindropuntia echinocarpa*), Cottontop Cactus (*Echinocactus polycephalus*), and Common Fishhook Cactus (*Mammillaria tetrancistra*).

During the initial site evaluation in May 1992, the site was relatively undisturbed. Total cover of the shrub layer was approximately 30 percent. The shrub canopy was approximately two to six feet in height.

There is a high diversity of herbaceous species on this site. The total cover of herbaceous species was approximately 15.5%, which is dense for a desert site. Common herbaceous species include Narrow-Leaved Johnstonella (*Johnstonella angustifolia*), Pebble Pinsushion (*Chaenactis carphoclinia*), Jones' Linanthus (*Linanthus jonesii*), and Small-Flowered Blazing Star (*Mentzelia albicaulis*).

2.6.2 Unique/Critical Communities

The California Department of Fish and Game Natural Diversity Data Base (CNDDB 1994) lists no unique or critical communities on the East of Ryan 7 .5-minute quadrangle.

2.6.3 Special Plant Species

No plant species that are labelled as "sensitive" in the CNDDB (2026), were observed in the vicinity of the site visit.

2.6.4 Invasive Exotics

The invasive/exotic species, Arabian schismus (*Schismus arabicus*) was found fairly frequently on this site.

2.6.5 Revegetation Potential

Revegetation of arid lands is often difficult; constraints to revegetation are both natural and human-induced. Re-establishment of vegetation on this site will be somewhat limited due to the droughty nature of the soil, the arid climate, and the sparse native shrub cover typical of Mojave Creosote Bush Scrub. On this alluvial fan, gravel and small berms provide the primary protection from wind and water erosion rather than vegetation. Therefore, the goal of revegetation at this site will be to reestablish components of the native Mojave Creosote Bush Scrub vegetation on native, coarse soils; thereby integrating the site with the surrounding area.

2.7.0 WILDLIFE

The site was visited on March 23, 1994. Classification of wildlife habitats relies on descriptions of vegetation types described by Holland (1986), and on wildlife habitats described in Mayer and Laudenslayer (1988).

2.7.1 Description of Habitats

This site contains a native Mojave Creosote Bush Scrub plant community (Holland 1986). The site is surrounded by a large contiguous area of similar native vegetation- that is interrupted only by Highway 190 and roughly north-south running berms. Shallow dry washes extend across the site. The Funeral Mountains can be seen to the north and northwest.

The site supports an assemblage of arthropods, reptiles, birds, and mammals typical of the Mojave Desert. Animals associated with or requiring large amounts of water (e.g., fish and

amphibians) are notably scarce in this and other arid regions. There is no water on the site and no aquatic or semi-aquatic organisms are expected to live there.

2.7.2 Unique/Critical Habitats

The California Natural Diversity Data Base has no records of unique or critical habitats for the USGS 7.5-minute East of Ryan, California, Quadrangle (CNDDB 1994). No unique or critical habitats were identified on the site during the site survey.

2.7.3 Game Range

Wild Horse and Burro-- The site is within the Chicago Valley wild horse and burro herd management area (USDI 1980). In the California Desert Conservation Area Plan (USDI 1980), range quality was deemed sufficient to retain both species at then current populations of 28 horses and 28 burros. A group of about eight wild horses were observed approximately one to two miles east of the site on one occasion during site Visits. Wild. burros on BLM lands are protected by federal law (Wild and Free Roaming Horse and Burro Act 1971). Within Class-M BLM lands, horses and burros are maintained in stable herds subject to control to protect sensitive resources. The site is likely habitat for both of these protected species.

2.7.4 Special Animal Species

According to the CNDDB (1994), one special animal species is known from the East of Ryan Quad:

Nelson's Bighorn Sheep (*Ovis canadensis nelson*)

Analysis:

CDFG estimated that approximately 35 individuals made up the Funeral Mountains population of this species in 1988. At that time, sightings were made approximately 20 miles northwest of the proposed mine site. It is possible though unlikely that this species would be found on or using the site. Areas closer to and within the Funeral Mountains (northwest of the site) are more likely habitat, especially in the vicinity of water sources.

The site is also within the range of the Mojave population of the desert tortoise (*Xerobates (Gopherus) agassizil*), which is listed as a threatened species both by the State of California and by the federal government (Zeiner, et al. 1988, USFWS 1993). MS #286A is at the northern end of the proposed Eastern Mojave Recovery Unit, but is not within any designated proposed Desert Wildlife Management Area (USFWS 1993). Creosote bush scrub, like that found on the mine site, is a listed desert tortoise habitat type (USFWS 1993).

The area of the mine site is not listed as a critical area for desert tortoise by BLM (USDI 1980). Evidence of the presence of desert tortoises was not observed on the site during the site visits. However, the site visits were short and were not specifically designed to detect tortoises or tortoise sign. Also, no attempt was made to cover the entire site or to employ systematic search procedures for evidence of tortoises. Tortoise surveys are under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS). Surveys are to be conducted by authorized personnel using approved methodology with the consent and advice of the USFWS in order to be valid under the provisions of the Federal Endangered Species Act. In addition, CDFG requires specific procedures

for dealing with impacts on desert tortoises and their habitat under the California Endangered Species Act and the Fish and Game Code. Caltrans' standard tortoise mitigations are included in Appendix D.

2.8.0 AIR RESOURCE/CLIMATOLOGY

Precipitation data are from the town of Shoshone (elevation 1,570 feet), approximately 20 miles south of the mine site. Temperature data are from the nearest location to the site where such data are regularly collected: Death Valley (elevation -19 feet, about 22 miles west of the site).

2.8.1 Precipitation

The mean annual precipitation at Shoshone over a nine-year period, 197 4-1982, is 4. 6 inches per year. In 1992, a maximum rainfall of 3.4 inches was recorded during the month of March. Less than one inch of rain was recorded for the months of July through November of die same year (NOAA 1992).

2.8.2 Temperature

The mean annual temperature in Death Valley in 1992 was 76.8°F. The monthly mean temperatures at Death Valley for the months of January and July are 50° and 98°F, respectively. The highest temperature in 1992 was 125°F (August), and the lowest temperature was 27°F (December). The last spring minimum of 32°F or below was January 27, and the first fall minimum of 32°F or below was December 17. The length of the frost free season in 1992 was 325 days (NOAA 1992).

2.8.3 Prevailing Winds

High winds can accompany the periodic thundershowers that are seasonally common in this area. Wind is a primary agent of erosion in arid regions because rainfall is only sufficient to allow for a sparse vegetative cover of the land surface, leaving much of the surface soil exposed to wind erosion. The rocky alluvial deposit protects the. native soil from wind erosion by forming a lag layer of gravel, cobble, and rock on the surface of the soil.

2.8.4 Air Quality

Air quality in this region is typically excellent.

2.9.0 LAND USES AND AESTHETICS

All lands within the California Desert Conservation Area (CDCA) under BLM management have been classified into one of four multiple-use classes based on sensitivity of resources and land-use for each area. The four multiple-use classes are used to designate different levels of permitted land-use and different kinds of resource management within an area. In addition, County Planning Agencies classify lands according to county land-use plans.

2.9.1 Existing and Surrounding Land Uses

MS #286A is within the California Desert Conservation Area (COCA). The site is classed as open space (40-acre minimum) by Inyo County and is contained within a larger area designated Multiple-use Class-M by BLM (USDI 1980). Class-M areas are those that are classed for moderate uses. The Class-M designation is based on a controlled balance between higher intensity uses

and protection of public lands. Class-M designated lands are open to many uses such as mining, livestock grazing, recreation, energy and utility development. Class-M management is also designed for conservation of desert resources and mitigation of damage to those resources that may be caused by permitted uses (USDI 1980).

Motorized vehicle use in the area of the site is limited to existing routes of travel with provisions for seasonal access restrictions.

There is no grazing allotment on or near the site, and the surrounding lands are owned by BLM. There are no towns, houses, or other structures in the vicinity of the site.

2.9.2 Visually Sensitive Areas

BLM has developed draft Visual Resource Management (VRM) standards for all BLM lands. The mining site is designated VRM Il/BHFg. BLM describes the objectives of the VRM II designation as follows:

> "The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen from key observation points, but should not attract the attention of the casual observer. Any changes must repeat the basic form, line, color, and texture found in the predominant natural features of the characteristic landscape (USDI 1991)."

The scenic quality of the area is rated good (B). Highway 190 is well traveled by tourists; therefore, the sensitivity of the area, determined by the number of people that are likely to encounter the area and the frequency of use, is rated high (H). The scenic and sensitive qualities of the region are concentrated in the foreground (Fg).

2.9.3 Visual Impact of Reclamation to These Uses

The extraction area will be visible from Highway 190. The contrast on the site that will result from mining will: be caused by removal of the coarse ground-surface layer, and a decrease in the density of the vegetation due to vegetation removal. In addition, the topography of the mined area will be changed by the excavation of the pit. These topographic and vegetative changes will be moderated somewhat by the side-slope shaping and revegetation done during reclamation. Revegetation with native species and resoiling will eventually integrate the site with the-surrounding area. However, for the duration of the mine and reclamation plan, the mine site will remain visible to the casual observer.

3.0.0 DESCRIPTION OF PROPOSED MINING OPERATION

3.1.0 DIMENSIONS, ACREAGE

MS #286A occupies approximately 7.7 acres on BLM land. The site is an irregular-shaped polygon, with sides ranging in length from 869 feet to 273 feet The site has not yet been disturbed by mining (Map Sheet 1). Approximately 7.2 acres of the site will be mined, 0.7 acres of which will be utilized as the mining operations area. Approximately 0.2 acres will be disturbed off-site for an access road entering the site from the north.

3.2.0 INITIATION AND TERMINATION DATES

Mining at this site will take place on an intermittent basis and the termination date for this reclamation plan will be 2046, 20 years from reclamation plan amendment 50 years from the reclamation plan approval date. Renewal of this plan approval may be sought from the County after the termination date if the anticipated demand for the minerals is delayed. A description of the management of the site during idle phases, if they occur, can be found in Appendix C, Interim Management Plan.

3.3.0 PRODUCTION SCHEDULE

The site will be mined for material to be used primarily for emergency road repair and road maintenance, and possibly for road construction. It is estimated that the annual extraction volume will be about 7,500 cubic yards. No more than 150,000 cubic yards will be removed over the extended 20-year life of the mine. At the end of the 20-year period, 2046, final site reclamation will be implemented.

3.4.0 MINING PLAN

Material from this site will be used for road maintenance and construction on an as-needed basis. Refer to Map Sheet 2 for the configuration of the site.

3.4.1 Description of Operations

Mining will initiate in the western portion of the site, a minimum of 50-feet from the western boundary. As shown in Map Sheet 2, mining will encompass most of the mine site. Excavations within the pit will be no deeper than 30 feet below the existing ground surface. The pit slopes within the mining area will be no greater than 3:1 (Horizontal: Vertical), with a relatively flat-lying base, sloping gently (three percent) to the southeast; the cut for the access road will be no greater than 2:1 (H:V). There will be a minimum 20-foot setback for mining from the northern, eastern, and southern boundaries of the site. Material storage, stockpiles, and screening equipment will be concentrated in the materials operations area to be located within the pit, as shown on Map Sheet 2. Material will be screened and stored on-site and will be transported off-site by truck when needed.

3.4.2 Access Roads

The site will be accessed from the northwest via a dirt road constructed within the southern half of the 400-foot-wide Caltrans right-of-way for Highway 190.

3.4.3 Topsoil Handling

Topsoil (defined as the upper six inches of the native surface) will be salvaged and stockpiled within the 50-foot setback zone along the western boundary. Approximately 4,150 cubic yards of topsoil will be salvaged. Additionally, approximately 500 cubic yards of waste fines will be used for resoiling portions of the site. Waste fines and topsoil will stockpiled separately.

3.4.4 Mineral, Overburden, and Waste

All useable and waste material excavated during mining will be stored and stockpiled on-site in the mining operation area. Waste is estimated to compose five percent of the extracted volume,

or approximately 7,500 cubic yards. A portion of these waste fines will be used to resoil a small portion of the site, approximately 0.3 acre, during the post-mining reclamation phase.

3.4.5 Water Impoundments and Diversions

The following erosion and sediment control measures will be implemented to help reduce potential slope instability problems and minimize erosion and off-site sediment discharge:

Grade-stabilization structures: As shown on Map Sheet 2, several drainages enter the site from north and west to help reduce erosion of the pit slopes by these drainages, three. grade-stabilization structures will be constructed along the western slope of the pit (refer to Appendix F for general construction specifications). The chutes for these structures will be 10 feet wide and will be protected by rip-rap at their tops where the drainages enter and at their bases where they enter small sediment basins. 1be sediment basins will-be connected by a south-flowing drainage ditch, and the southern basin will feed into an east-flowing drainage ditch approximately 300 feet long. These structures will be constructed as mining proceeds and will be cleaned out and repaired after major storm events.

Drainage-diversion Berm: As discussed previously, a five-foot high berm was previously constructed to· the east of the site to divert channelized drainage water away from the highway. In order to keep this diverted drainage from entering the pit, a five-foot high material berm will be constructed along the northern and eastern boundaries of the site within the 20-foot mining setback zone. The berm will be approximately 1,000 feet long and will have side slopes no greater than 2:1 (H:V). Once mining begins at the site, this drainage berm will be constructed in the location shown on Map Sheet 2.

Outlet Structure: In case the mining area becomes inundated by flood waters, a rock-protected outlet channel will be constructed in the southeast corner of the pit, the point where flood waters would drain from the pit. The outlet structure will be cut approximately four-feet deep with a drainage apron, 50-feet long and 50-feet wide, in the southern corner of the site.

3.5.0 PROCESSING EQUIPMENT

A portable screening operation will be moved onto the site during periods of operation. If the site is used for construction, a portable asphalt plant will be moved onto the site. No permanent buildings or equipment will be constructed on site as part of the mining operation.

3.6.0 WATER REQUIREMENTS

Water requirements for this site will be limited to that needed for screening, crushing, washing, and for dust control. Water will be trucked to the site, most likely from Shoshone.

3.6.1 Waste Water

The only type of wastewater to be produced by this mining operation will be screening water that will be collected in the operations area and allowed to evaporate or infiltrate. Water use during intermittent operational phases is estimated at 2,000 gallons per day.

3.6.2 Drinking Water

Water will be trucked to the site to provide safe drinking water for site employees.

3.6.3 Sewage Disposal

During operations, portable toilets will be brought to the site and maintained.

3.7.0 ENERGY REQUIREMENTS

Electricity will be used by the plant for screening and washing operations. When electricity is needed for processing, i.t will be provided by a diesel generator. Diesel consumption will be approximately 800 gal/mth. Electricity will not be needed for reclamation activities.

3.8.0 NOISE & EMISSIONS

Mining operations will include the use of a D-9 cat, a five-yard loader, belly dumps, bobtail trucks, and pickups. Processing activities will include a screening plant, crushing operation and possibly an asphalt plant. This aspect of the mining operation will affect noise and emissions.

3.8.1 Noise

The noise emissions will be most heavily concentrated within the processing area of the pit, and will be shielded from surrounding receptors by the pit walls. Both the physical walls of the pit and the large distance to receivers will reduce the potential noise impact from mining.

Effective source strength of a rock plant is around 72-75 dB at 400 feet. Earth-moving activities would typically generate estimated noise levels of 75 and 80 dB at a distance of 50 feet with noise control devices for dozers and scrapers. In combination, the noise exposure at a distance of 2,000 feet would be reduced to approximately 60 dB, which is below most standards for noise-sensitive land-uses. Noise generated from the concurrent reclamation_ activities will not be perceivable against the noise generated by the mining activities. Noise generated from reclamation activities following the termination of mining will be minimal. There are no towns, dwellings, or buildings within 2,000 feet of the proposed mining area.

3.8.2 Dust, Odors, Vehicular Emissions

vehicular emissions and suspended particulate, or dust. Operations of this magnitude (7,500-40,000 cubic yards/year) may cause a significant increase in vehicular emissions on Highway 190 during the intermittent road construction phases. Increased emissions would emanate from the pit during the active extraction phases. However, the site will be mined in a manner that will result very nearly in the final reclaimed landform; therefore, reclamation activities will not cause an increase in vehicular emissions.

Because the soil disturbance from materials screening, extraction, and hauling is a "fresh" disturbance, the major component of the produced dust will be of large particle size (greater than ten microns), which settles out rapidly. Best available control technology, such as maintaining a moist aggregate surf ace, will be used to suppress screening, extraction, and hauling dust sources. Reclamation activities, such as reseeding and resoiling with topsoil mixed with vegetative debris, will also help to control dust.

3.9.0 HOURS OF OPERATION/NUMBER OF EMPLOYEES

The hours of operation will be twelve hours per day during the hours of 6:00 am to 6:00 pm. It is estimated that this operation will employ between one and seven people during active mining and about two to three people for three to five days during final reclamation implementation.

3.10.0 TRANSPORTATION

Transportation to and from the site by maintenance and repair crews will not increase traffic on Highway 190; however, during construction mining operations, transportation by employees to the mine site may increase traffic on Highway 190. Transportation of aggregate resources to construction locations may increase traffic on those roads as well. It is estimated that during construction mining operations, haul trucks will make approximately fifty round-trips per week. Approximately three to ten 25-ton belly dump trucks and five to fifteen 10-ton bobtail trucks will be used in this operation. This may necessitate access road intersection improvement on Highway 190. These possible impacts are all mining related. Since mining will result in very nearly in the final reclaimed landform and much of the reclamation will be performed concurrent with mining phases, reclamation activities are not likely to cause an increase in vehicular traffic on Highway 190.

4.0.0 DESCRIPTION OF PROPOSED RECLAMATION

This site will be used by Caltrans intermittently as a source of materials for road maintenance and construction. Reclamation of the site will be implemented according to the reclamation plan discussed below.

4.1.0 SUBSEQUESNT USES

The land is zoned by Inyo County as open space (40-acre minimum). According to CDFG and BLM sources the site is not located within any area designated as critical habitat for any sensitive species. However, the site does provide general habitat values to various wildlife species and is within the range of the Chicago Valley wild horse and burro herd management area. The site is also within the range of the Mojave population of the desert tortoise, at the northern end of the Eastern Mojave Recovery Unit, but is not within any designated proposed Desert Wildlife Management Area (USFWS 1993). The site will be reclaimed to open space and wildlife habitat, which will leave the site in a productive end use that is readily adaptable to alternative end uses.

4.2.0 IMPACT ON FUTURE MINING

Reclamation of this site will not preclude mining at a future date. The aggregate resource likely extends beyond 50 feet deep; mining according to the current mining plan will not have exhausted on-site mineral resources.

4.3.0 RECLAMATION SCHEDULE

Reclamation treatments, such as the grade-stabilization structures, drainage ditches, and material berms, will be installed as mining proceeds. Reclamation treatments such as resoiling, using topsoil and amended waste fines, and revegetation will be initiated when final slopes are established. Once reclamation treatments have been implemented, they will be monitored until performance standards have been met. The monitoring plan is designed to evaluate site-specific criteria for slope stability, erosion and sediment control, and resoiling and revegetation.

4.4.0 POST-MINING ACTIVITIES AND SITE CONFIGURATION

Map Sheet 3 depicts the post-mining activities and reclaimed topography of the mined area. The final site configuration will be a 30-foot deep excavation with 3:1 (H:V) side slopes. The surface of the mine operations area and access roads (7.2 acres on-site and 0.2 acres off-site; 7.4 acres total) will be 1) decompacted, 2) resoiled using stockpiled topsoil and on-site waste fines, and 3) revegetated.

4.4.1 Slope Stability

Pit slopes for the mining phase and the final reclaimed site will not be steeper than 3:1 (H: V). The roadcut for the access road, that has a slope of 2: 1 (H: V), will also remain but is not considered a major slope. The angle pf repose for loose sediments on the site is approximately 32°. This angle can be considered to be representative of the angle of internal friction of the native slope material. Thus, pit slopes will be stable at the proposed angle under static conditions. Any slope failures that may occur would be retained within the pit.

4.4.2 Final Drainage Plan and Impoundments

Map Sheet 3 details the final drainage plan of the reclaimed site. The excavated pit will serve as sediment basin/trap for eroded sediment coming from upslope of the pit, and from within the pit itself. The grade-stabilization structures, drainage ditches, and material berm will not be maintained after final reclamation has been completed.

4.4.3 Disposal of Equipment

Any equipment brought onto the site will be removed from the site following termination of mining activity. No equipment will be stored permanently on-site. At final reclamation, there will be no equipment remaining on the mined site.

4.5.0 RESOILING

The native soil of this site is a poorly graded sand with gravel derived from the sedimentary and metasedimentary rock units found upslope. A native soil contains native seeds and soil microorganisms, and therefore, is preferred for site reclamation. The topsoil will be defined as the upper six inches of the substrate on the site. Topsoil will be salvaged prior to mining any area of the site. The topsoil will be placed in designated stockpiles within the western buffer zone.

Native surface materials will be kept separate from the processing fines. Processing fines will be placed in the stockpile area delineated on the site plans, and may be respread prior to (and beneath) topsoil application. Prior to spreading the topsoil, all compacted areas will be decompacted (ripped or disced) to facilitate root growth. The topsoil that was salvaged will be respread to a depth of six inches in all areas of the pit, inclusive of slopes outside drainage structures. The woody debris less than 0.5 feet, if stockpiled separately, will be distributed over the site in a random manner following the topsoil application. The large amount of coarse material (gravel) in the native topsoil will also serve as a gravel mulch, thereby armoring the revegetated site.

4.5.1 Mulches

Since the native coarse-grained topsoil will be used to resoil this site, a gravel mulch will not need to be added. The coarse fraction of the native soil will act as a protective lag layer, thereby guarding against wind and water erosion.

4.6.0 REVEGETATION

Revegetation will strive to achieve visual integration with the vegetation surrounding the site. Establishment of vegetation in the borrow pit area will provide some erosion control for the site, while creating cover and forage for wildlife.

4.6.1 Seedbed Preparation

After decompacting the growth medium, the area will be roughed to form a variety of microsites; this can be accomplished by "track walking" or imprinting the site. The growth medium will be prepared to provide a firm, but not overly compacted, bed.

Table 4.6-1: Proposed Seed Mix

Scientific Name	Common Name	PLS lbs/ acre
Larrea tridentata	Creosote Bush	5
Ambrosia salsola	Cheesebush	3
Ambrosia dumosa	Burroweed	3
Bebbia juncea	Sweetbush	1

Table 4.10-1: Remedial Measures

Feature	Objective	Monitoring Frequency	Findings	Action
Wind Erosion	Soil stabilized, no nuisance dust from site	Continuously during mining and reclamation implementation; annually following reclamation.	Soil drifts found behind plants and rises, blowing dust.	Consider additional soil stabilization, i.e., rock mulching and revegetation.
Water Erosion	Soil stabilized, no evidence of rilling or gullying.	After first major storm event (>0.5 inch rain in a 24-hour period) following construction; once a year during annual monitoring of reclamation.	Rilling, gullying, erosion, or evidence of washouts or erosion in established drainage wavs.	Repair area, consider additional stabilization (waterbars, berms, diversion channels, rock lining, or mulches).
Slope Stability	No evidence of slope failures,	Monitor continuously during mining operations; and annually during reclamation.	Slope failures, slumping.	Reconstruct slope, lessen angle of slope, and implement erosion control measures.
Invasion by Russian thistle or other invasive species	No interference with establishment of native vegetation.	Once per year, note areas of infestation of Russian Thistle or other species.	Infestation of exotics interfering with establishment of native vegetation.	Apply weed eradication measures: hand-pulling, hand-cutting, and possibly hand-applied herbicide.
Revegetation	Perennial cover averages 10 percent.	Annually following implementation.	<10 percent perennial cover, signs of drought stress; signs of herbivory that may significantly affect outcome.	Consider fertilizing and irrigating individual plants; analyze soil for problems; analyze for pest problems
Resoiling	Decompacted native soils respread to a depth of 6 inches.	Monitor during implementation.	Fines absent from substrate surface of a compacted substrate.	(consider fencing individual plants that volunteered). Respread additional topsoil; rip or disc site to alleviate compaction.

4.6.2 Plant Materials and Planting Densities

Many plant species are comprised of local ecotypes that are highly adapted to· local climate and edaphic conditions (Plummer et al. 1955, 1968). The plants that will have the best chance of survival on a site are those ecotypes that are growing on (or near) the site (Millar and Libby 1989). The use of nonlocal plant materials can result in the application of a poorly adapted ecotype, as well as the potential genetic contamination of the local ecotype through interbreeding with the introduced ecotype. The results of interbreeding between nonlocal and wild local native stock can be adverse and permanent.

The best policy is to collect plant materials from on or near the site. Therefore, plant materials for each of the designated species should be obtained from the same region as the mine site. For the purposes of MS #286A, the collection region will be defined as Mojave Creosote Bush Scrub vegetation that occurs between 1,500 and 3,500 feet· elevation, east of the Funeral Mountains and the Green water Range, and within a 20-mile radius of MS #286A.

4.6.3 Irrigation

Irrigation would only serve to aid the growth of invasive exotics and therefore is not recommended for this site.

4.6.4 Plant Eradication Measures

Plant eradication will not be necessary unless the presence of Russian thistle, or other invasive exotics, on the site becomes a limiting factor in the reestablishment of native vegetation. Remediation for invasive exotic species is discussed in Table 4.10-1.

4.7.0 EROSION AND SEDIMENT CONTROL

Erosion and sediment control will be achieved by implementation of the previously described drainage and revegetation plans. Diversion of the drainage to the east of the mining and operations areas will limit the amount of flood waters entering these areas. Resoiling and revegetation will be performed according to the revegetation plan and will aid in reducing erosion.

4.8.0 PUBLIC SAFETY

The configuration of the mined lands, will not pose a hazard to the public. No hazardous materials will be stored on-site. In addition, the boulders at the access point to the site will help prevent uncontrolled access.

4.9.0 PERFORMANCE STANDARD

The following discussion sets forth minimum site criteria, or performance standards, for the various aspects of site reclamation. Monitoring of reclamation performance standards will be agreed upon by Caltrans, BLM, and Inyo County.

4.9.1 Erosion and Sediment Control

Erosion and sediment control monitoring will be completed at the same time and frequency that the used to vegetation monitoring is done. The drainage ditches and swale will be inspected following the season's first major storm event or at a minimum of annually. These structures will be cleaned out as needed to maintain a clear flow path for flood waters. The results will be to

identify areas of potential failures and to trigger the implementation of remedial measures before problem areas cause widespread failures. Any observable reason for failure will be noted and the appropriate remedial measure suggested as part of the annual monitoring report.

4.9.2 Slope Stability

No large man-made slope within the pit shall be steeper than 3:1 (H:V), which has been determined to exceed the slope stability standard for this material for all except the most severe earthquake events.

4.9.3 Revegetation

The following performance standards will be applied to the site. Undisturbed, site indigenous woody perennial cover was estimated at 30 percent. Reclamation will achieve a minimum of 20 percent coverage and 20 percent density of surrounding undisturbed land, and a perennial species richness of 50 percent of surrounding undisturbed land. Areas found to be below these standards will be evaluated as set forth in the Remedial Measures Plan.

4.10.0 MAINTENANCE, MONITORING, AND REMEDIAL MEASURES

Site maintenance and monitoring will continue until Inyo County deems reclamation complete.

4.10.1 Erosion and Sediment Control

All erosion and sediment control structures will be maintained and monitored annually for as long as mining and reclamation continues. This shall be done to ensure that the failure of one or more structures does not apply additional and unplanned stress on other structures.

If infilling or failure of a structure occurs, steps to repair the original structure will be taken. Infilled structures shall be cleaned out without causing damage.

4.10.2 Slope Stability

All slopes will be assessed, on a form such as the one supplied in Appendix B, during annual monitoring to ensure that they are stable. If excess slope erosion is observed, or failures noted, as discussed in the performance standards section, the appropriate remedial measures will be implemented.

4.10.3 Revegetation

Revegetation of the site will be monitored following implementation on each phase. Monitoring activities will take place during the peak flowering season, approximately mid-February through April. Once the monitoring date is set following these initial reclamation activities, monitoring of the site during the later years will occur within two weeks of that original date. This scheme will assure that the data will be comparable over time.

Revegetation monitoring will consist of visual assessments and recording the progress of reclamation with photographs. The species composition, shrub cover, -and shrub density will be recorded on a form (an example is included in Appendix B). If it appears that the site will not meet the performance standards set forth, then the investigator shall suggest remedial measures. Appropriate remedial measures are listed in Table 4.10-1.

4.10.4 Other Species

If Russian thistle invades revegetated areas to the point that it is impacting the germination and/or growth of desired species, then this invasive exotic will be manually removed from the site as a remedial measure as detailed in Table 4.10-1.

4.11.0 REPORTING

Once the reclamation activities have been completed, monitoring activities will commence and will continue until the County is satisfied that performance standards have been met. Reporting of the progress of reclamation will be transmitted to Inyo County on an annual basis. This annual report will, at a minimum, consist of the name and credentials of the investigator(s), a summary of the work accomplished, the date of the visit(s), the methods and materials used, the data collected, an analysis of the data and performance standards, and any suggested remedial measures.

5.0.0 COST OF RECLAMATION

A reclamation cost estimate is provided in Appendix A.

6.0.0 APPLICANT STATEMENT OF RESPONSIBILITY

An Applicant Statement of Responsibility can be found on Page 2 of Appendix A-1.

7.0.0 REFERENCES

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AGENDA ITEM NO.:	6(Action Item – Public Hearing)
PLANNING COMMISSION MEETING DATE:	October 27, 2026
SUBJECT:	Approve the stipulation order requiring compliance with the Surface Mining and Reclamation Act

EXECUTIVE SUMMARY

Global Pumice, LLC is the operator of the Global Pumice Olancha Mine (Mine ID No. 91-14-0003), operating under Amended Conditional Use Permit No. 93-5 and Reclamation Plan No. 93-4.
On June 26, 2026, the Inyo County Planning Department issued a Notice of Violation (NOV) pursuant to the Surface Mining and Reclamation Act (SMARA), Public Resources Code §2774.1, and applicable provisions of the Inyo County Code. The NOV identified continued mining beyond the approved permit term and failure to comply with phased mining and concurrent reclamation requirements. The NOV also required the operator to provide a current Financial Assurance Cost Estimate (FACE). Attachment A

The approved Reclamation Plan requires ongoing revegetation and concurrent reclamation as mining progresses. County inspections determined that the operation had exceeded the applicable 54-acre disturbance threshold without completing reclamation and revegetation on matching acreage and that the required operational and reclamation measures had not been effectively implemented or maintained.

On August 6, 2026, Global Pumice submitted applications for amendments to CUP No. 93-5 and Reclamation Plan No. 93-4. The proposed amendments include an extension of the operating period, recovery and removal of historic stockpiled fines, authorization of additional industrial mineral products, and revisions to the progressive reclamation program. The operator is not proposing to expand the existing 75-acre operational footprint. GP - 2 - CUP Application - 8-3-…
Pursuant to Public Resources Code §2774.1(a)(2), when correction of a noticed violation is expected to require more than 30 days, the lead agency and operator may enter into a

Stipulated Order to Comply establishing a reasonable schedule for compliance based upon the actions and legal processes necessary to correct the violation.
Staff has determined that correction of the identified violations will require more than 30 days because the corrective actions involve implementation of existing reclamation requirements, preparation of supplemental technical information, processing of the pending CUP and Reclamation Plan amendments, environmental review, SMARA review, and financial assurance requirements. A Stipulated Order to Comply has therefore been prepared establishing the requirements and schedule for Global Pumice to correct the identified violations.
Approval of the Stipulated Order is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15321, Enforcement Actions by Regulatory Agencies. Any subsequent approval of amendments to the Conditional Use Permit and Reclamation Plan will be considered separately and subject to the applicable CEQA review.

PROJECT INFORMATION

Supervisory District: 5

Project Applicant: Thomas Hrubik.

Property Owner: Inoerti & Ely Living Trust

Site Address: Approx. 2 miles south of Olancha and 5 miles east of Cactus Flat Road

Community: Olancha, California

A.P.N.: 033-200-01

General Plan: Rural Protection (RP)

Zoning: Open Space, 40 acre minimum (OS-40)

Size of Parcel: Approx 630.12.

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Mine	Rural Protection (RP)	Open Space – 40 acre minimum (OS-40)
North	Vacant, Ranch	State & Federal Land (SFL) and Rural Protection (RP)	Open Space – 40 acre minimum (OS-40)
East	Vacant	State & Federal Land (SFL) and Rural Protection (RP)	Open Space – 40 acre minimum (OS-40)
South	Vacant	Natural Resource (NR)	Open Space – 40 acre minimum (OS-40)
West	Vacant	Natural Resource (NR)	Open Space – 40 acre minimum (OS-40)

Staff Recommended Action: 1) Approve the Stipulated Order to Comply requiring Global Pumice, LLC to correct the identified violations and comply with the conditions of approval, mitigation measures, and approved Reclamation Plan in accordance with the compliance schedule established in the Stipulated Order..

Alternatives: 1) Modify the Stipulation Order as the Commission sees fit.

2) Continue the public hearing to a future date and provide specific direction to staff regarding what additional information or analysis is needed.

Project Planner: Ryan Standridge, Associate Planner and SMARA Coordinator

STAFF ANALYSIS

The Global Pumice Olancha Mine operates pursuant to Amended Conditional Use Permit No. 93-5 and Reclamation Plan No. 93-4. The existing approvals establish the operational footprint and require phased mining and concurrent reclamation as mining progresses. On June 26, 2026, the Planning Department issued an NOV identifying two principal violations. First, the operation continued mining beyond the approved permit term without an approved extension of the CUP and Reclamation Plan. Second, the operation failed to comply with the phased mining and concurrent reclamation requirements contained in Conditions 4 and 5 of the approved CUP and Reclamation Plan. 6-23-26 violation letter with b…

The NOV states that the approved plan requires ongoing revegetation and concurrent reclamation as mining progresses and prohibits mining beyond 54 acres until reclamation and revegetation have occurred on matching acreage. County inspections determined that

the required concurrent reclamation and revegetation had not been maintained. 6-23-26 violation letter with b…

The extent of the outstanding reclamation obligation is also reflected in Global Pumice's August 2026 FACE. In its own description of current site conditions, the operator states that approximately 75 acres are disturbed, that approximately 54 acres have not yet been seeded, and that this condition is in violation of the current CUP and Reclamation Plan. The FACE identifies reclamation of the approximately 54 acres as one of the actions necessary to address the existing condition. GP - 5 - FACE - Olancha - 8-3-26

Notice of Violation and Corrective Action

The June 26, 2026 NOV required Global Pumice to immediately implement and maintain the mining and reclamation requirements of Conditions 4 and 5; submit a written concurrent reclamation plan identifying the areas to be reclaimed, proposed grading and revegetation methods, schedule, and estimated acreage; submit a Dust Control and Revegetation Implementation Plan; provide documentation concerning the status of Great Basin Unified Air Pollution Control District enforcement; submit a written compliance schedule; and submit current FACEs. 6-23-26 violation letter with b…

The operator subsequently submitted amendment applications and supporting materials in August 2026. The requested amendments include a seven-year extension of the approved mine life, recovery of approximately 1,000,000 tons of historically stockpiled pumice fines, authorization of additional industrial mineral products, and revisions coordinating progressive reclamation with resource recovery.

Stipulated Order to Comply

Public Resources Code §2774.1(a)(2) provides for a Stipulated Order to Comply when the lead agency determines that correction of a noticed violation will require more than 30 days. The Stipulated Order must contain a schedule and reasonable time for compliance based upon the actions and legal processes necessary to correct the violation. Staff has determined that correction of the Global Pumice violations cannot reasonably be completed within 30 days. Corrective action requires implementation of existing reclamation obligations together with completion of technical studies and supplemental application materials, County review, environmental review, SMARA review, financial assurance review, and consideration of the pending amendments.

The proposed Stipulated Order establishes deadlines for property-owner and mineral-right documentation, biological resources and air quality/fugitive dust evaluations, updated Mine Plan and Reclamation Plan maps, additional information requested by the County, revised Reclamation Plan text, and financial assurance requirements. Global_Pumice_Stipulation_Count…

The Stipulated Order provides a structured schedule for correction of the violations while allowing the County to process the materials necessary to determine whether the requested amendments may ultimately be approved.

Pending Amendments and Continued Operations

Approval of the Stipulated Order does not constitute approval of the pending amendments to CUP No. 93-5 or Reclamation Plan No. 93-4.

The proposed amendments include activities not authorized solely by approval of the Stipulated Order, including the proposed extension of mining operations, recovery or removal of historic stockpiled fines, and production of additional industrial mineral products. The Stipulated Order expressly provides that it does not authorize surface

mining activities that are not otherwise authorized under a valid County permit or other applicable approval. Global_Pumice_Stipulation_Count…
Global Pumice remains responsible for complying with the existing Reclamation Plan and applicable conditions during the compliance period. Submission or processing of the amendment applications does not, by itself, correct the existing violations or authorize activities requiring approval of the pending amendments.

Other Agency Compliance

The operation has also been subject to separate enforcement by the Great Basin Unified Air Pollution Control District concerning fugitive dust and equipment permitting. Great Basin's enforcement is administered separately from the County's SMARA enforcement. The Great Basin matters provide relevant background regarding site conditions and dust management but are not independently the basis for the County's Stipulated Order under PRC §2774.1.

ENVIRONMENTAL REVIEW

The Stipulated Order is exempt from CEQA pursuant to CEQA Guidelines §15321, Enforcement Actions by Regulatory Agencies. The action establishes a schedule for correction of violations of existing County and SMARA requirements and does not approve an expansion or modification of the existing mining operation.
Any subsequent approval of amendments to CUP No. 93-5 and Reclamation Plan No. 93-4 will be considered separately and will be subject to the applicable CEQA review.

RECOMMENDATION

Staff recommends the Planning Commission approve the Stipulated Order to Comply requiring Global Pumice, LLC to correct the identified violations and comply with the conditions of approval, mitigation measures, approved Reclamation Plan, and the Surface Mining and Reclamation Act in accordance with the compliance schedule established in the Stipulated Order..

FINDINGS

1. The County determined that Global Pumice, LLC was not in compliance with its approved Conditional Use Permit and Reclamation Plan, including continued mining beyond the approved permit term and failure to comply with phased mining and concurrent reclamation requirements. **[Evidence: June 26, 2026 Notice of Violation (Attachment A).]**

2. The County issued a Notice of Violation pursuant to PRC §2774.1 identifying the violations and the corrective actions necessary to bring the operation into compliance. **[Evidence: June 26, 2026 Notice of Violation(Attachment A).]**

3. Staff determined that correction of the noticed violations cannot reasonably be completed within 30 days because correction requires actions and legal processes including implementation of reclamation requirements, completion and review of

technical information, processing of the CUP and Reclamation Plan amendments, environmental review, SMARA review, and financial assurance requirements. **[Evidence: June 26, 2026 Notice of Violation(Attachment A); August 2026 amendment applications; Stipulated Order to Comply(Attachment B).]**

4. Pursuant to PRC §2774.1(a)(2), a Stipulated Order to Comply is appropriate because correction of the noticed violations is expected to require more than 30 days, and the proposed Stipulated Order establishes a reasonable schedule and time for compliance considering the actions and legal processes required to correct the violations.

5. Approval of the Stipulated Order does not constitute approval of the pending amendments to CUP No. 93-5 or Reclamation Plan No. 93-4 and does not authorize activities requiring approval through those amendments. **[Evidence: Stipulated Order to Comply.]** Global_Pumice_Stipulation_Count…

6. Approval of the Stipulated Order is exempt from CEQA pursuant to CEQA Guidelines §15321 because the action constitutes an enforcement action by a regulatory agency.

7. The public hearing has been properly noticed and published.

ORDERS

1. The Planning Commission approves the attached Stipulated Order to Comply between the County of Inyo and Global Pumice, LLC pursuant to Public Resources Code §2774.1(a)(2).
2. The Planning Commission finds that correction of the violations identified in the June 26, 2026 Notice of Violation cannot reasonably be completed within 30 days and that the schedule and time for compliance established by the Stipulated Order are reasonable considering the actions and legal processes necessary to correct the violations.
3. Global Pumice, LLC shall complete the corrective actions and comply with the deadlines established in the Stipulated Order.
4. Approval of the Stipulated Order does not constitute approval of the pending amendments to CUP No. 93-5 or Reclamation Plan No. 93-4 and does not authorize activities requiring approval through those amendments.
5. Global Pumice, LLC shall remain subject to the requirements of its existing approvals, including applicable conditions of approval, mitigation measures, and Reclamation Plan requirements, during the term of the Stipulated Order.
6. Following approval and execution, the County shall transmit the Stipulated Order to the Division of Mine Reclamation as required by SMARA.

ATTACHMENTS

A. June 26, 2026 Notice of Violation
B. 1998 Notice of Decision – Amended CUP No. 93-5 / Reclamation Plan No. 93-4
C. Global Pumice Response to Notice of Violation
D. Submitted Minor Amendment Application – CUP No. 93-5 / Reclamation Plan No. 93-4
E. Proposed Stipulated Order to Comply

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 878-0382
E-Mail: inyoplanning@inyocounty.us

Notice of Violation Pursuant to SMARA § 2774.1 and
Inyo County Code § 7.70.070 and § 14.16.010

June 26, 2026

Thomas Hrubik
Southwest Global
PO Box 174
Apple Valley,CA 92307
thrubik@globalpwnice .com

Rick Petelski Southwest Global
P.O. Box 174
Apple Valley, CA 92307
isellcat@yahoo.com

VIA CERTIFIED MAIL AND EMAIL

RE: Mine ID# 91-14-003 Olancha Plant

Dear Mr. Hrubik and Mr. Petelski:

This letter serves as a formal Notice of Violation pursuant to Inyo County Code (ICC) § 7.70.070. As the operator of the Olancha plant mine, you are in violation of the California Surface Mining and Reclamation Act (SMARA) and the Inyo County Code. The violations outlined below must be corrected within 30 days of receipt of this notice. Failure to comply may result in enforcement actions, including penalties and legal proceedings.

Violations

1. **Continued Mining Beyond the Approved Permit Term(Condition 2)**
   Condition 2 of Amended Conditional Use Permit 93-5/Reclamation Plan 93-4 required the operator to obtain an amendment to the Conditional Use Permit and Reclamation Plan prior to exceeding the approved ten-year mine life. Mining operations have continued beyond the approved permit term without an approved extension of the Conditional Use

Permit and Reclamation Plan.

Previous correspondence indicates the operator believed the former Mine Inspector could administratively grant a time extension. The County has since determined that the approved Condition of Approval requires any extension of the mine life to be processed as an amendment to the Conditional Use Permit and Reclamation Plan and approved by the Planning Commission. Accordingly, the operation is currently operating beyond the approved permit term

- **Required Action:** Within thirty (30) days of receipt of this Notice, submit a complete application requesting a time extension through an amendment to the Conditional Use Permit and Reclamation Plan, or cease mining operations and commence reclamation in accordance with the approved Reclamation Plan..

2. Failure to Comply with Phased Mining and Concurrent Reclamation Requirements(Condition 4 & 5)

- Conditions 4 and 5 of Amended Conditional Use Permit 93-5/Reclamation Plan 93-4 require ongoing revegetation and concurrent reclamation as mining progresses. These conditions require the establishment of intermediate vegetative cover sufficient to prevent fugitive dust from leaving the site and prohibit mining beyond 54 acres until reclamation and revegetation have occurred on matching acreage.

  County inspections have determined that the required concurrent reclamation and revegetation have not been maintained in accordance with the approved Conditional Use Permit and Reclamation Plan.

  The County has also been notified by the Great Basin Unified Air Pollution Control District (GBUAPCD) that the District intends to pursue an Order of Abatement based upon a longstanding history of noncompliance with its dust control requirements. While enforcement of District regulations remains under the jurisdiction of GBUAPCD, the District's documented violations and proposed enforcement action further demonstrate that the operational and reclamation measures required under Conditions 4 and 5 have not been effectively implemented or maintained.

Required Action: Within thirty (30) days of receipt of this Notice, the operator shall:

1. **Immediately implement and maintain the mining and reclamation requirements** of Conditions 4 and 5 of Amended Conditional Use Permit 93-5/Reclamation Plan 93-4, including measures necessary to control fugitive dust and conduct concurrent reclamation.

2. **Submit a written Concurrent Reclamation Plan** identifying:

   - The areas to be reclaimed;

- The proposed grading and revegetation methods;
- A schedule for completing concurrent reclamation;
- The estimated acreage to be reclaimed during the current mining season.

3. **Submit a Dust Control and Revegetation Implementation Plan** describing the operational measures that will be implemented to prevent fugitive dust from leaving the site, including the use of water application, interim vegetative cover, and other best management practices consistent with the approved Reclamation Plan.
4. **Provide documentation demonstrating the current status of the Great Basin Unified Air Pollution Control District enforcement action**, including copies of any corrective action plans, compliance schedules, or other documentation submitted to the District.
5. **Submit a written compliance schedule** identifying the anticipated completion date for each corrective action necessary to bring the operation into full compliance with Conditions 4 and 5 of the approved Conditional Use Permit and Reclamation Plan.

3. Supply a current Financial Assurance Cost Estimate (FACE)

- 2022 was the last FACE provide for review and was deemed insufficent.
- **Required Action:** Submit individual FACEs for reclamation plan (REC 93-4 and CUP 93-5). Within 30 days.

Consequences of Noncompliance

If these violations are not remedied by **August 7, 2026**, the County will seek an **Order to Comply** from the Planning Commission, imposing administrative penalties of $50 per day for each violation, as authorized by Public Resources Code § 2774.1(d).

Additionally, a hearing to address the violations and potential penalties Will be scheduled for **September 23, at 10:00 a.m.**

If you have any questions or require clarification, please contact me at (760) 878-0405 or via email at rstandridge@inyocounty.us.

Sincerely,

Ryan Smith-Standridge
Associate Planner / SMARA Coordinator
Inyo County Planning Department

cc: Christina Milovich, Deputy County Counsel
Cathreen Richards, Inyo County Planning Director
William Waddelton, Inyo County Board of Supervisor
Jaqueline Moore, Geology Unit Division of Mine Reclamation

Attachment A

Ryan Smith-Standridge

From: Grace Weitz <gweitz@gbuapcd.org>
Sent: Thursday, June 25, 2026 11:19 AM
To: Cathreen Richards; Ryan Smith-Standridge
Cc: Tom Schaniel
Subject: Global Pumice order of abatement

Hi Ryan and Cathreen:

Hope you're both doing well! I wanted to reach out because we're planning to begin order of abatement proceedings against the Global Pumice mine. We're seeking this order of abatement because they've been in violation of their permit conditions--primarily those related to dust mitigation--for years. There have been scattered periods of improvement, but overall, we've seen far more noncompliance than compliance. If we're successful in obtaining an order of abatement, they'll likely have to shut down their operations for a period of time to install proper dust control, purchase functional water trucks, etc.

Timing-wise, we're hoping to file the order of abatement in early July. The hearing would occur before the District hearing board, maybe 4-8 weeks after filing. I'm looping you guys in because I know that you also regulate Global Pumice. I'm happy to chat before we finalize anything if you have any questions or concerns or if there's any way we can collaborate to have this order help both of our departments.

Best,
Grace

Grace Weitz
Deputy Air Pollution Control Officer
Great Basin Unified Air Pollution Control District
157 Short St.
Bishop, CA 93514
Office: 760-872-8211 x233
Cell: 760-920-9418

Attachment A

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537 Tel: 760-872-8211 www.gbuapcd.org

April 22, 2026

Thomas A. Hrubik, Operating Manager
Global Pumice, LLC
P.O. Box 174
Apple Valley, CA 92307

Re: Notice of Violation (NOV) #1028, Global Pumice Mine, Cactus Flats Road, Olancha, California

Tom Hrubik:

Notice of Violation (NOV) #1028 is being issued to Global Pumice by the Great Basin Unified Air Pollution Control District (the District) for failure to control dust at the Global Pumice Mine in Olancha, CA.

On April 20, 2026, Ann Logan, Air Pollution Control Officer for the Great Basin Unified Air Pollution Control District (the District), observed a large plume of dust clearly originating from the Global Pumice Mine while she was on and near California Highway 190, north of the mine. The source of these emissions were later confirmed by review of the District's Cartago 1 camera, which showed emissions clearly leaving the mine site from at least 11:00 a.m. to 5:00 pm. These emissions appeared to be on par with the worst emissions observed by current District staff.

Review of the Cartago 1 camera for the first 3 weeks of April, 2026, showed 3 days with extremely excessive dust emissions (4/10, 4/20 & 4/21). Nine other days had emissions that clearly left the site (4/1, 4/3, 4/6, 4/7, 4/8, 4/11, 4/15, 4/18, & 4/19). 5 more days had emissions that were clearly visible, but it was difficult to confirm these emissions left the property (4/5, 4/9, 4/3, 4/16, and 4/18). Only 4 days (out of 21) showed probable compliance with District rules for dust emissions (4/2, 4/4, 4/13 and 4/14).

During communications around the end of last year, you and your staff indicated that a spray on adhesive was going to be applied to the fines pile to prevent future emissions. Based upon observations from the first 3 weeks of April, District staff concludes that the adhesive either has not been applied yet, has been applied inadequately, or is ineffective at controlling dust emissions.

Address the dust emissions immediately, and provide the District with a written summary of both ongoing and future dust suppression measures no later than April 24, 2026.

Thank you,

Tom Schaniel
Air Quality Specialist

Enclosures: NOV #1028

Attachment A

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537 Tel: 760-872-8211 www.gbuapcd.org

NOTICE OF VIOLATION

I. General Information		№ 1028
Owner or Operator Name: **Global Pumice, LLC**		
Premises or Operations Location: **Global Pumice Mine, Cactus Flat Road**		
Contact: **Tom Hrubik**	Title: **President**	Phone №: **(760) 559-3280**
Mailing Address: **P.O. Box 174, Apple Valley, CA 92307**		
Email: **thrubik@globalpumice.com**	GBUAPCD Permit #: **ATC 1659-03-21, PTO 1659-00-13**	

II. Violation

YOU ARE HEREBY NOTIFIED THAT A VIOLATION OF STATE OR FEDERAL CODES, AND/OR OF GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT RULES AND REGULATIONS HAS OCCURRED.

List of Code Sections, Rules or Regulations Violated:

District Rule 401 - Fugitive Dust; and ATC 1659-03-21, Conditions 5, and 8

SUCH VIOLATION(S) MAY BE PUNISHED AS MISDEMEANORS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 42400, OR CIVIL PENALTIES MAY BE IMPOSED PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 42402

Description of Violation:

On Monday, April 20, 2026, from on and near California Highway 190, District staff observed dust emissions from the Global Pumice Mine leaving the property and creating a sizable plume. Review of a District Camera with a view of the mine confirmed that there were extremely excessive dust emissions on April 20th that left the property for a period of hours. Upon review of camera data for the first 3 weeks of April, extremely excessive dust emissions were observed on 3 days (4/10, 4/20 & 4/21). Emissions that violated District Rule 401 and left the site were visible on camera on 9 additional days of the 21 day period (4/1, 4/3, 4/6, 4/7, 4/8, 4/11, 4/15, 4/18, & 4/19). Dust emissions on 5 more days (4/5, 4/9, 4/12, 4/16, & 4/17) were visible from the camera, but it was difficult to conclusively determine if the dust left the property on these days.

THE ABOVE VIOLATION MUST BE CORRECTED BY THE FOLLOWING DATE: **Immediately**. PLEASE RESPOND TO THE DISTRICT IN WRITING WITH A FULL DESCRIPTION OF THE STEPS BEING TAKEN TO END THE STATE OF VIOLATION AND PREVENT ITS RECURRENCE. YOUR RESPONSE DOES NOT PRECLUDE THE POSSIBILITY OF FURTHER LEGAL ACTION.

III. Conditions

Date Violation Observed: **April 20, 2026**	Location(s) of Observer: **North of site, on and near CA 190**		
Wind Speed (mph): **20-30** Direction: **SSE**	Temperature: **75** °F	Cloud Cover: **Few**	Precip: **None**
Source Actively Emitting at time of Observation: ☑ Yes ☐ No	VEE Conducted: ☐ Yes ☑ No (If Yes, attach VEE Form)		

IV. Notification

Notice Issued By: **Tom Schaniel**	Signature:	
Date Issued: **April 22, 2026**	Issued Via: ☐ Hand Delivered ☑ Email ☑ Certified Mail	Cert #: 9589 0710 5270 3176 6577 85

NOV Form: Revised 5/2021

Ryan Smith-Standridge

From: Thomas Hrubik <thrubik@globalpumice.com>
Sent: Wednesday, September 10, 2025 10:23 AM
To: Ryan Smith-Standridge
Cc: isellcat@yahoo.com
Subject: Re: Response Required – Olancha Plant Mine Compliance

Ryan, I sent you an email response last night about 6 PM. Please confirm receipt.

Tom Hrubik
Global Pumice

Sent from my iPhone

> On Sep 10, 2025, at 10:18 AM, Ryan Smith-Standridge <rstandridge@inyocounty.us> wrote:
>
> Dear Tom,
> This is a follow-up regarding the Olancha Plant Mine (Mine ID #91-14-0003). As noted in prior correspondence and inspections, there are outstanding compliance issues that must be addressed under your Conditional Use Permit and Reclamation Plan.
> You are required to provide a written response, by mail or email, **no later than September 15, 2025**. Your response should detail how and when you will bring the Olancha Plant into compliance.
> If we do not receive your response by this deadline, the County will have no choice but to proceed to a formal hearing before the Planning Commission. At that hearing, the Commission may consider actions up to and including suspension or revocation of the permit, which would require immediate shutdown of all operations at the Olancha Plant.
> We urge you to treat this matter as a priority and respond promptly to avoid further enforcement action.
> Please direct your written response to:
> Inyo County Planning Department
> P.O. Drawer L
> Independence, CA 93526
> or via email to: [insert your email]
> If you have any questions, contact me directly as soon as possible.
> Best regards,
> Ryan Standridge
> Associate Planner / SMARA Lead
> Inyo County Planning Department
>
> Ryan Standridge
> Associate Planner/SMARA Coordinator
> (760)878-0405
> <image001.png>

Attachment A

Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 872-2712
E-Mail: InyoPlanning@telis.org

August 5, 1998

NOTICE OF DECISION

1998
PLAN

Nancy Garnett
Texas Industries, Inc
1341 Mockingbird Lane
Dallas, Texas 75247

Fred Smalley
Pacific Custom Materials
P. O. Box 192
Olancha, CA 93549

RE: Amended Reclamation Plan 93-4/Amended Conditional Use Permit #93-5/ Pacific Custom Materials

Dear Mr. Smalley:

On July 22, 1998, the Inyo Planning Commission held a public hearing to consider your Amended Conditional Use Permit 93-5/Amended Reclamation Plan 93-4/Cpacific Custom Materials Pumice Mine located in Section 1, Township 20S, Range 37E, (M.D.B.&M.), Approximately two miles south of the community of Olancha and five miles west of Highway 395. The project is a request to to expand the existing mine from a permitted 52 acres to 75 acres. This requires amending the existing Reclamation Plan and Conditional Use Permit, approved in 1993. A Conditional Use Permit is needed because mining is a conditional use on private land zoned OS-40. A Reclamation Plan is needed for this project to conform with the Surface Mining and Reclamation Act of 1975 (SMARA) and County Code. The operation is to mine or disturb an additional 23 acres and at the same time reclaim portions of the 52 acres previously disturbed. At the conclusion of mining the remaining disturbed acreage will be reclaimed. Because of the nature of the mining, reclamation efforts must be vigorous and in conjunction with mining. Mining will produce a maximum of 80,000 tons of pumice per year. At the same time, a maximum of 40,000 tons of waste will be produced. The project will last for ten years.

The Planning Commission approved your project based on the following findings:

A. Based upon the Initial Study and all written and verbal comments received, adopted the Mitigated Negative Declaration of Environmental Impact and certified the requirements of the California Environmental Quality Act have been satisfied.

[Evidence: In accordance with the requirements of the California Environmental Quality Act, an Initial Study and Draft Mitigated Negative Declaration of Environmental Impact were prepared and circulated for public comment.]

B. Found the proposed amended reclamation plan conforms and meets the requirements of Chapter 7.70 (Mining & Reclamation) of Inyo County Code and State Mining Reclamation Act of 1976.

C. Found the potential loss of native vegetation and wildlife habitat to be greater than the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project is deemed "operative, vested, or final." The potential impact is greater than *de minimus* standard of section 711.4. Said $1,250.00 shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (15 days after the reclamation plan approval).

[Evidence: The subject property has not been disturbed and contains native vegetation and wildlife as documented by the photographic evidence.]

D. Found the proposed amended Reclamation Plan No. 93-4 and the amended Conditional Use Permit No. 93-5/ Pacific Custom Materials is consistent with the *Open Space – Natural Resources* designation in the Open Space and Conservation Element of the Inyo County General Plan. Further find, based upon substantial evidence in the record, the proposed amendments to the Reclamation Plan and Conditional Use Permit have little or no probability to be detrimental to, or interfere with, the future adopted General Plan as provided by the State of California's Governor's Office of Planning and Research in its March 11, 1998, approval of the County's request for an extension of time to update its General Plan.

[Evidence: The proposed amendments to the Reclamation Plan and Conditional Use Permit are consistent with the existing and proposed General Plan Designation of "Open Space – Natural Resources."]

E. Approve Amended Reclamation Plan No.93-4/ CUP 93-5 /Pacific Custom Material with the following conditions of approval:

CONDITIONS OF APPROVAL:

Previous Conditions of Approval for RP 93-4 and CUP 93-5

1. All conditions of approval for Reclamation Plan 93-4 and Conditional Use Permit 93-5 are still in affect and valid. The following conditions are added to the conditions of approval for Reclamation Plan 93-4 and CUP 93-5.

Timing of Mining and Reclamation

2. Mining the extension should be done in ten (10) years. Mining shall be completed by August 1, 2008. Reclamation earthwork is to proceed along with the mining and be completed within one year after mining is complete. Vegetation performance standards need to be met and will be met some time after the initial reclamation efforts take place. The operator may obtain an extension by amending the reclamation plan and conditional use permit prior to exceeding the 75 acres or 10 year mine life. This extension request must be by making application to the Inyo County Planning Department and paying the necessary fees prior to reaching either limit.

Maps.

3. Existing maps are inadequate because they show disturbance off the proposed permitted area. Within six months of approval, the operator shall redraw the maps to show proper contours within the permitted areas. The map showing current disturbance shall be redrawn to show existing stockpiles, and proposed topsoil stockpiles. All maps shall be changed to show disturbance only to the boundary line.

Mining and Reclamation

4. Due to the nature of this site and the problem with blowing dust, revegetation efforts must be ongoing to the point that vegetation shall be established as an intermediate cover of annual species to provide a ground cover that will prevent fugitive dust from leaving the site. This intermediate cover shall not deter the establishment of native shrubs from growing and in meeting the required final performance standards of the reclamation plans.

5. Revegetation of disturbed lands shall be pursued in a manner that will not allow total disturbed acreage to go beyond 54 acres. Mining beyond 54 acres will not be allow until reclamation and revegetation has occurred on matching acreage (acre reclaimed for acre mined). Performance standards for this revegetation will be one-third the performance standards in condition 16. Once this standard is met, additional mining may occur. Financial assurances will not be released on the reclaimed land until the standards in condition 16 are satisfied.

Salvage of Growth Media (Topsoil)

6. The top six inches (6") of growth media (topsoil), shall be collected from areas to be disturbed. This (topsoil) shall be stockpiled in the active work site until final phase reclamation.

7. After the site is recontoured, the salvaged topsoil shall be respread to a depth of six inches over the recontoured pit. (See condition #10). It is obvious that not enough topsoil is available to cover the existing pit. Mulch will be used on the remainder of the pit.

Erosion Control

8. Pit slopes shall be contoured to a minimum of 3:1 (H: V). These slopes shall be established during times of intermittent operation, when the interim management plan is in affect, and during final reclamation.

Earthwork

9. All compacted areas shall be scarified. Road berms shall be brought back into the roadway after scarification.

Noxious Weed Control

10. During mining and reclamation activities and during idle periods noxious weeds shall be controlled on site.

Removal of Equipment

11. At the conclusion of mining all equipment, including scrap material, waste, and other mining debris shall be removed from site.

Seed Sources and Mixtures

12. Seed used for revegetation shall be collected on or near the site. If sufficient seed is not available, it may be purchased. A seed mix of plant species in the Mojave Creosote Bush Scrub plant community shall be used. Below is the recommended seed mix:

Scientific Name	Common Name	Pounds of Live Seed Pounds/acre
	PERENNIALS	
(Larrea tridentata)	Creosote bush	1
(Hymenoclea Salsola)	Cheese bush	2
(Atriplex hymenelytra)	Desert holly	2
(Atriplex canescens)	Four-winged Saltbush	3
(Atriplex confertifolia)	Shadscale	2
(Ephedra nevadensis)	Mormon tea	2
(Krascheninnikovia lanata)	Winter fat	2
(Achnatherum hymenoides)	Indian rice-grass	2
	ANNUALS	
(Lepidium fremontii)	Fremont peppergrass	2
(Sphaeralcea ambiqua)	Desert mallow	2
(Eriogonum inflatum)	Desert Trumpet	2
(Plantago insularis)	Wooly Plantain	2
(Amisnckia intermedial)	Fiddleneck	2
	Total pounds live seed per acre	26

This is an extensive list that should allow some fast growth to help with erosion control. These native species may only be obtained from seed stock found within fifty miles of the borrow site and within the Mojave Creosote Bush Scrub plant community. If purchased, the seed shall be certified originating fifty miles from the Mine. Reseeding shall take place during the fall.

Decompaction

13. Prior to seeding the area to he seeded shall be decompacted to a depth of two feet. This shall occur within one week prior to seeding.

Revegetation Methods

14. After scarification, the approved seed mix shall be broadcast and then mixed into the top one-half inch (½") of the substrate by either raking or dragging a chain across the seedbed. This shall be done perpendicular to the slope of the pit. Decompaction and seeding shall be done within a week of each other and in late October to mid November.

Revegetation Performance Standard

15. Reclamation will not be considered successful or complete until vegetative density reaches 20 percent (number of plants per unit area) compared to the surrounding undisturbed land. The site shall have a 50 percent diversity (species richness) of the perennial species compared to the surrounding undisturbed land. New perennial species shall be at least two years old before considered viable plants. This shall be verified based upon visual calculations and

substantiated by past photographs of the site including off site photographs of the surrounding undisturbed lands.

Monitoring

16. From initial seeding, the project shall be monitored until performance standards are met. Remedial measures may be implemented any time to insure revegetation success. For the first two years, monitoring shall be performed twice a year.

Remedial Measures

17. If it appears the site will not meet the performance standard, the applicant shall consult with the Planning Department for recommendations on remedial measures. The remedial measures listed below shall be considered if reclamation problems are observed during annual monitoring:

    a. Mulching and/or fertilizing to supplement growth media;
    b. Reseeding;
    c. Irrigation;
    d. Planting of appropriate plants and protection of these plants.
    d. If irrigation is used the plants must make it on their own for two years.
    e. Analysis of soil for problems;
    f. Measures to reduce pest problems, including fencing individual plants.

Mulching

18. A mulch of native vegetative material and straw shall be applied at a rate of 1000 lbs. per acre into the seeding program. This mulch shall be crimped into the slope to provide both wind and water erosion control and seed holding. This will enhance revegetation.

Reporting and Annual Inspections

19. Each year the applicant shall file an annual mining report with the State. These reports shall be filed until financial assurances are released. Monitoring activities will continue until the County is satisfied that performance standards have been met. In accordance with SMARA Section 2774 (b), Inyo County as the Lead Agency shall inspect the site and file annual inspection reports with the State.

Reclamation Responsibility Statement

20. The applicant shall submit a notarized statement to the Inyo County Planning Department accepting responsibility for reclaiming lands as per the conditions specific herein.

Financial Assurances

21. The total financial assurances required for this operation is $85,932.00. Financial assurances shall be posted with the Inyo County Planning Department. Said assurances shall be made payable to the County of Inyo and the Department of Conservation.

Financial Assurance Recalculation

22. Financial assurances shall be recalculated each year in accordance with Section 2773.1(a)(3) of SMARA and Inyo County Code. This shall occur at the time of annual inspection.

Release of Financial Assurances

23. As required reclamation standards are achieved, that portion of financial assurances covering the completed activity may be released. The remainder of financial assurances covering revegetation and monitoring shall not be released until the revegetation performance standards are met.

Implementation of Reclamation Plan

24. Once any portion of this Reclamation Plan is implemented by commencing of mining, all of its conditions and limitations shall be operative, and violation of any part shall constitute a violation of this reclamation plan and Chapter 7.70 of Inyo County Code.

Hold Harmless

25. The applicant, and operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its agents, officers and employees to attack, set aside, void, or annul any approval of the County, its advisory agencies, appeal boards, or its legislative body concerning Amended Reclamation Plan No. 93-4 Amended Conditional Use Permit 93-5/ Pacific Custom Material.

Sincerely,

Earl H. Gann

Earl H. Gann
Mine Reclamation Planner

Attachment A

Inyo County P. ning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
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PLANNING DEPARTMENT STAFF REPORT

AGENDA ITEM NO:	8
MEETING DATE:	July 22, 1998
SUBJECT:	Amended Reclamation Plan # 93-4/Conditional Use Permit # 93-5 Pacific Custom Materials
SUPERVISORIAL DISTRICT:	Fifth
APPLICATION:	Pacific Custom Materials/ Amended Reclamation Plan 93-4/ Amended Conditional Use Permit 93-5
APPLICANT:	Pacific Custom Materials 715 No. Glendale Avenue, Suite # 101 Glendale, California 91203 (818) 240-5160
LANDOWNER:	Ely Trust Box 90960 Santa Barbara, CA 93190 (805) 569-2303
LOCATION:	The project is located approximately two miles south of the Community of Olancha, and five miles east on Cactus Flat Road in Section 1, Township 20S, Range 37E, (MDB&M).
A.P.N.:	33-200-01
ZONING:	OS-40 (Open Space - 40 acres minimum).
GENERAL PLAN:	"Open Space-Natural Resources".
SITE SIZE:	75 acres.
PROPOSAL:	The proposal is a request to amend the existing Reclamation Plan and Conditional Use Permit to allow for expansion of the existing mine from 52 acres to 75 acres. The proposal is to also reclaim the mine in phases and at the end of mining. Mine life will be extended ten years.
PROJECT PLANNER:	Earl H. Gann, Mine Reclamation Planner.

PROJECT DESCRIPTION

Project is to expand the existing mine from a permitted 52 acres to 75 acres. This requires amending the existing Reclamation Plan and Conditional Use Permit, approved in 1993. A Conditional Use Permit is needed because mining is a conditional use on private land zoned OS-40. A Reclamation Plan is needed for this project to conform with the Surface Mining and Reclamation Act of 1975 (SMARA) and County Code. The operation is to mine or disturb an additional 23 acres and at the same time reclaim portions of the 52 acres previously disturbed. At the conclusion of mining the remaining disturbed acreage will be reclaimed. Because of the nature of the mining, reclamation efforts must be vigorous and in conjunction with mining. Mining will produce a maximum of 80,000 tons of pumice per year. At the same time, a maximum of 40,000 tons of waste will be produced. The project will last for ten years.

SUBJECT PROPERTY AND SURROUNDING LAND USES:

Surrounding land uses are all vacant and zoned as follows:

	Land Owner	Land Use	Zoning
North	BLM	Open Space	OS-40
South	Private	Open Space	OS-40
East	Private	Open Space	OS-40
West	State Lands	Open Space	OS-40

Reclamation Plan (As submitted by the Applicant, written in different font)

Reclamation of the site will be implemented according to the reclamation plan discussed below. This reclamation plan outlines typical reclamation treatments and site specific techniques required to reclaim the site.

Upon completion of quarrying operations in a given area, reclamation activities will begin. Areas of disturbance are scarified. Stockpiled fines are used as backfill: a course aggregate is placed over the finer material to minimize wind erosion and fugitive dust emissions. If available, overburden and or topsoil are to be used as final cover materials to enhance revegetation efforts.

After disturbed areas have been recontorued and the coarse aggregate has been applied, a seed mixture is broadcast over the disturbed area. The seed mixture is comprised of the following native species (Common names):

Indian Ricegrass
Desert Globe Mallow
Red Brome Grass
Cheesebush
Fourwing Saltbush
Desert Spinach
Burrobush
Shadscale
Cresote
Desert Senna

Disking would not be applicable for seed application purposes; fines would be exposed to wind erosion. Application by hand is a more suitable method for applying the seed mix to the disturbed area. Seed will be applied by a person standing upwind of the disturbed area during moderate wind conditions. Seeds will fall between the coarser material and be protected from the wind.

Planting will occur from October through November, as most of the seeds require stratification. Grasses will germinate in early spring. Germination of shrubs will follow as temperatures in the spring increase. This process will be employed for ongoing as well as closure reclamation efforts. Test plots have been established, in addition to the areas reclaimed as part of the phased reclamation program, to monitor revegetation techniques.

Operating procedures prohibit any activities in an area once the area has been seeded. This maximizes revegetation efforts and helps minimize fugitive emissions.

The pumice material when wet crusts over and does not blow in the wind; however, reclamation activities include monitoring for erosion. If erosion is evident, additional revegetation and other drainage control measures can be employed to minimize erosion.

Upon completion of all mining activities the quarry will be regraded. The southwest facing headwall will be reduced to a 3 to 1 slope. This will be accomplished by pushing material off the high wall from above with a D9 Dozer. The southwest side of the main stockpile will be rounded off. Material will be pushed down and used as fill for the lower levels. Remaining disturbed areas will be regraded in accordance with the approved final contour map. The existing contour map and proposed final contour map have been submitted a part of this Surface Mining and Reclamation Plan Application.

Removal of Equipment

There are no permanent structures located an the property, with the exception of pre-cast concrete blocks supporting the portable truck scale. All other equipment whether currently in use or proposed is temporary. The current reclamation plan requires that all structures, equipment, foundations, pipelines, trash, and debris be removed from this site within three months of closure.

Once the truck scale has been removed from the pre-cast concrete blocks, the pre-cast concrete blocks will be dismantled and removed from the site. The blocks will either be used at another facility or recycled.

All processing equipment will be loaded on trucks with a front-loader and transported to either anther facility or to a metal recycling facility in Bakersfield, California.

The area will be inspected to ensure all materials, equipment, trash, and debris are removed from the property.

Monitoring

Upon completion of mining and reclamation activities, monitoring will be performed once every six months to ensure the success of reclamation efforts.

STAFF ANALYSIS:

The Planning Commission approved Reclamation Plan 93-4 and Conditional Use permit 93-5 on March 23, 1994, with conditions of approval. An Initial Study and draft Negative Declaration was circulated for review before approval. The Planning Commission certified the Negative Declaration at the time of Reclamation Plan approval.

A Conditional Use Permit is needed because mining is a conditional use on private land zoned OS-40. A Reclamation Plan is needed for this project to conform with the Surface Mining and Reclamation Act of 1975 (SMARA) and County Code.

Planning Department Staff has reviewed the certified Negative Declaration, approved Reclamation Plan and Conditional Use Permit and have determined that the proposed changes in the operation, an additional 23 acres of disturbance, require an additional Initial Study and Negative Declaration. The Amended Conditional Use Permit and Amended Reclamation Plan, with the conditions of approval,

can accomplish the required reclamation under the Surface Mining and Reclamation Act of 1975 and the requirements of Chapter 7.70 of County Code (Inyo County Mine Reclamation Ordinance). The reclamation plan as written is not specific in detail. Because of the lack of topsoil, a mulch or fertilizer will be needed to augment the proposed growth media. Preparation of the site to receive the seeds is not addressed. A seed mix is suggested, however, specific amount of seeds per species per acre is not listed. Reclamation should create microsites by imprinting and scattering of larger rocks on the site prior to seeding. Specific actions need to be taken during mining to assure successful revegetation. These steps will be outlined in the conditions of approval for the reclamation plan and conditional use permit. Performance standards are not listed in the proposed reclamation plan.

Specific conditions and performance standards will be listed in the conditions of approval for the Use Permit and Reclamation Plan at the end of this document.

The operator must be cognizant of the lack of revegetation success over the past five years. They must also be aware of the problem of blowing dust at this site. This site is highly visible from Highway 395. Although, tbe County has received no formal complaints over the blowing dust many informal complaints or questions have been brought to the County's attention over the blowing dust at the site. Regardless of the permit to operate issued by Great Basin, the County as Lead Agency needs to address this problem. The best way is to condition the mine and require the mine to reclaim, by revegetation past disturbed areas in a vigorous manner. The best way to do this is to condition new mining disturbance on reclamation and revegetation. In 1993, the operator indicated that two acres would be reclaimed each year. This may have been done. However, no revegetation has been established on these reclaimed areas. This is the crux of the problem. The more acreage disturbed, the more a visual problem exists. Revegetation success must precede future disturbance. An additional two acres can be disturbed now but no further acreage can be disturbed until revegetation success is established on at least two acres. The performance standards for this need not be as high as for the release of financial assurances. This revegetation effort obviously cannot take place until the final earthwork has taken place. The performance standards for this intermediate revegetation requirement shall be one-third the final revegetation standards.

These specific items will be listed in the conditions of approval. Because of the lack of revegetation during the period of the last reclamation plan (five years), the plan will have specific reclamation performance standards tied to the conditional use permit. Mine production will be directly related to reclamation performance on mined out lands. Strict standards for dust control must be adhered to allow continue mining.

DEPARTMENT OF CONSERVATION - OFFICE OF MINE RECLAMATION (OMR) COMMENTS:

Pursuant to the State Mining and Reclamation Act of 1975 (SMARA), Inyo County has submitted the Reclamation Plan to OMR for a 30-day review and comment period on April 30, 1997. Inyo County has reviewed OMR's comments (see attached) and prepared the following written responses to address the issues. Most of OMR's comments have been incorporated into the Reclamation Plan; many were incorporated prior to the receipt of comments on May 26, 1998. Comments were due May 22, 1998. Planning requested OMR personnel visit tbe site prior to submitting comments. This is the reason comments were late.

Office of Mine Reclamation Comment May 26, 1998

1. The maps with the 1993 plan show facilities areas and stockpiles in the central area of the mine. The maps with the 1998 plan show the mining and reclamation of the expansion area. We recommend that the current locations of stockpiles be shown on the December 1997 plot plan. In addition, we recommend that the following features be shown on the current map: revegetation test plot area, topsoil stockpiles, overburden stockpiles, the pit area being backfilled with fines, and the 11 acres that have been seeded.

   In order to be able to monitor compliance with the reclamation plan, the final contour map should be changed so that the existing contours tie in to the proposed final contours. More specifically, most of the final contours in the northern 1/3 of the site map do not tie to the existing contours. Further, the final reclamation map shows grading off site along the northern boundary. The reclamation plan should be augmented to explain this discrepancy.

County of Inyo Response June 8, 1998

1. County Staff concurs. The stockpiles, waste piles, and current areas of revegetation need to be shown on the maps. A Condition of Approval will require these maps to be forthcoming within one year of approval. A final contour map will also be required within one year.

Office of Mine Reclamation Comment May 26, 1998

2. Top soil was not salvaged when this site was mine originally. Based on our field observations, the pumice deposit is overlain by a thick layer of gray-brown soil that is not currently being salvaged. We recommend a two-phased soil salvage program:

   a. Salvage and stockpile the upper six to eight inches of soil (growth media) with vegetation, and

   b. Salvage and stockpile the remaining brown soil (subsoil).

Topsoil contains seed and beneficial microorganisms that will greatly enhance the revegetation effort. The brown subsoil should be stockpiled separately from the growth media. The stockpiles should be identified on plan maps and flagged in the field to prevent their inadvertent removal. These stockpiles will require mulching to control erosion by the winds.

County of Inyo Response June 1, 1998

2. County Staff concurs. Topsoil has not been salvaged in the past. Part of the problem is that using the brown subsoil would require additional disturbance. The growth media on the new disturbance shall be salvaged. Any material that can be used as soil should be used to promote revegetation and dust control.

Office of Mine Reclamation Comment May 26, 1998

3. Decompaction and substrate preparation will be necessary to achieve revegetation success and to blend the site with surrounding terrain. The final soil surface should be left in a roughened condition.

   - As discussed in the field, final grading should create terrain similar to that of adjacent undisturbed areas.

- Compacted areas of the site should be ripped to a depth of two to three feet prior to being graded.

- Spread white-colored fines over the site, followed by the brown subsoil. The brown subsoil should not be ripped or blended with the substrate. It will mask the white pumice and visually blend the color of the substrate with surrounding material.

- Apply stockpiled topsoil to the surface of the brown subsoil.

- A straw or rock mulch can be used to control erosion. If rock us used, it should be approximate the amount of rock cover observed in the expansion area. Oversized material at the site can be used for mulch or crushed to achieve a coarse gravel (2" to 3"). Straw can be applied at 1000, to 2000 pounds per acre and punched into the substrate.

County of Inyo Response June 1, 1998

3. County Staff Concurs. The statements listed above will be used as conditions of approval for this Reclamation Plan and Conditional Use Permit. Mining needs to be tied to reclamation on this site. From 1993 to 1998 no reclamation has been accomplished. They were required to reclaim 2 acres per year. Contouring has been done but revegetation has not occurred. This site will require exceptional effort to accomplish revegetation.

Office of Mine Reclamation Comment May 26, 1998

4. Soil salvaged from the expansion area could be used to resoil the entire site to a depth of two inches. Alternatively, soil can be reapplied to a depth of six inches to 25 acres of the site. Brown subsoil can be amended to approximate native topsoil. Soil amendment should be based on the results of soil tests. Since native plants will be used, it will be important to compare the subsoil to undisturbed native soil.

County of Inyo Response June 1, 1998

4. County Staff concurs. There might be a little extra soil or subsoil available that could be used to help resoil the entire area. However, soil amendment will be needed to establish vegetation on the entire site. The brown subsoil if it can be used needs to be tested as well as the fines that will need to be used as soil on this site.

Office of Mine Reclamation Comment May 26, 1998

5. The 1993 reclamation plan proposed to allow the site to revegetate naturally while the 1998 proposes to seed the site. Based on our field observations, natural revegetation is not a viable alternative for this site. Although some species have reestablished in disturbed areas of the mine, the rate of establishment is low. Natural revegetation could take 20 or more years to satisfy revegetation performance standards.

Seed should be applied to the entire disturbed area, including the 11 acres that were seeded previously. The seed mix included in the 1998 plan contains a diversity of species suitable for site revegetation. Red brome (Bromus rubens) should be removed from the mix. It is not native and is invasive. Desert senna (Senna armata) and for-winged saltbush (Atriplex canescens) were not observed during our visit. These species should be removed from the seed mix if they do not occur within the project area.

- We recommend that the following species be added to the mix:

Indian rice-grass	*Achnatherum hymenoides*
Mormon tea	*Ephedra sp.*
Desert trumpet	*Eriogonum inflatum*
Winterfat	*Krascheninnikovia lanata*
Fremont peppergrass	*Lepidium fremontii*
Prince's plume	*Stanleya pinnata*

- The following can be used for erosion control:

Annual burrobush	*Ambrosia acanthicarpa*
Fiddleneck	*Amisnckia intermedial*
	Amsinckia tessellata
Desert Trumpet	*Eriogonum inflatum*
Desert globe mallow	*Sphaeralcea ambigua*
Desert plantain	*Plantago erecta*

County of Inyo Response June 1, 1998

5. County Staff concurs. The above suggestions for revegetation seed mix will be made stated as a conditional of approval.

Office of Mine Reclamation Comment May 26, 1998

6. The reclamation plan should state the total amount of seed to be applied per acre and list application rates for each species. The application rate should be based on pure live seed. The total seed rate should be approximately 15 to 18 pounds per acre for revegetation. A higher application rate is appropriate for erosion control. This information will also be needed to calculate seed costs for financial assurances.

County of Inyo Response June 1, 1998

6. County Staff Concurs. The conditions of approval shall list a pounds per acre of live seed to be used on this site. The seed cost is essential for calculating financial assurances.

Office of Mine Reclamation Comment May 26, 1998

7. We disagree with the proposal to spread seed by hand during days of moderate wind. It is not possible to control seed application under such conditions and much seed will be lost. Seed should be applied early in the day before winds commence to ensure uniform distribution. Seed can be applied by hand and raked, or drill seeder to incorporate seed into the substrate. If straw mulch is used, seed should be applied after straw is punched into the substrate.

County of Inyo Response June 1, 1998

7. County Staff concurs. Seeding may require several different methods to accomplish the revegetation required. We don't know if uniform seed application is necessary. However, the idea of hand spreading in a moderate wind is not a good idea. It must

also be noted that more than one application of seed may be required to accomplish the performance standards.

Office of Mine Reclamation Comment May 26, 1998

8. The applicant has set up a test plot at the site. This site has apparently been seeded although little vegetation has established. The exception is that numerous perennial grass seedlings, probably Indian rice grass, are growing in this area. We recommend that the test plot be modified to test a range of possible soil and seed treatments using salvaged growth media and amended subsoil. As stated above, any soil amendments should be based on a soils test. The test plot area can be divided into subplots to assess the most successful revegetation treatment(s). These treatments could include:

Resoiling Test Plots

- CONTROL: subsoil + no seed + rock mulch (= natural revegetation)
- ROCK: resoil + seed + rock mulch
- STRAW: resoil + seed + straw mulch
- ROCK + ORGANIC: resoil + seed + organic material + rock mulch
- FERTILIZER: resoil + slow release fertilizer + seed + rock mulch
- FERTILIZER + STRAW: resoil + slow release fertilizer + seed + straw mulch

Subsoil Test Plots

- CONTROL: subsoil + no seed + rock mulch
- ROCK: subsoil + seed + rock mulch
- STRAW; subsoil + seed + straw mulch
- ROCK + ORGANIC: subsoil + seed + organic material + rock mulch
- FERTILIZER: subsoil + slow release fertilizer + seed + rock mulch
- FERTILIZER + STRAW: subsoil + slow release fertilizer + seed + straw mulch

County of Inyo Response June 1, 1998

8. County Staff concurs. Test plots are a good idea and need to be done when time and resources allow different methods to be tested. However, the twelve suggested test plots will give data only for future use. This mine does not have the time to explore the twelve different methods listed in the suggestion above. However, they should try several methods that have a definite chance of providing vegetative cover quickly. The control plots are not needed because past experience has been shown that doing nothing at this site produces nothing. The test plot that has been tried (seeding alone) has produced scant cover. The method of straw mulch plus seed should be tried and a test plot with fertilizer combined with the mulch should be tried. Testing the soil and pumice should give the indication what needs to be added to insure proper growth. The use of the subsoil may help. However, this may call for additional acreage of disturbance. The areas where the brown topsoil occurs needs to be identified on the maps in relation to the ore body. Extra irrigation sometimes allows weedy species to become established. It is felt that this option should be explored to establish vegetation on site.

Office of Mine Reclamation Comment May 26, 1998

9. We observed evidence of herbivory at the site. It may be necessary to fence the site if grazing appears to threaten the revegetation effort.

County of Inyo Response June 1, 1998

9. County Staff concurs. Most herbivory that has occurred on this site has been in the past. There is no evidence that grazing is allowed at the present time. If grazing is allowed on surrounding land, a fence will be necessary to protect newly planted seedlings. Fencing the site should not be a priority.

Office of Mine Reclamation Comment May 26, 1998

10. CCR Section 3705(a) requires that the vegetative cover, suitable to end use, be self-sustaining and that baseline studies documenting cover, density and species richness be included in the reclamation plan. Baseline parameters and revegetation performance standards are not provided in the plan.

Perennial plant cover and density can be obtained in the field or with an aerial photograph. A determination of species richness will require field assessment. Performance standards can then be stated as a percentage of baseline to be achieved after a specific monitoring period. Based on our field observations, undisturbed plant cover ranges from 30% to 50%. The cover value should be verified by the applicant. Perennial species richness is approximately 25 species(based on biological report). We also recommend that monitoring be by transect or similar method. Visual assessment alone can result in biased data.

County of Inyo Response June 1, 1998

10. County Staff concurs. Performance standards will be established in the conditions of approval. These performance standards will have elements of cover, species riches and density. Financial assurances will not be released until these performance standards are met.

Office of Mine Reclamation Comment May 26, 1998

11. In addition to providing technical assistance and review of reclamation plans, the Office of Mine Reclamation is authorized to review cost estimates prior to lead agency approval of the financial assurance for the reclamation per SMARA Section 2773.1. It is difficult to accurately assess cost for revegetation when information relating to the seed application rate has not been provided. Other revegetation costs include soil salvage and reapplication, mulch application, and fencing or other plant protection. The financial assurances for revegetation should be based on the entire 75 acres of the site.

County of Inyo Response June 1, 1998

11. County Staff concurs. When a Conditional Use Permit and or a Reclamation Plan are revisited the entire project is revisited. The performance standards and all conditions of approval apply to the entire site. SMARA regulations requires financial assurances be calculated on current disturbance. As disturbance increases, financial assurances may increase. This increase will be based on additional disturbance, inflation, and reclamation accomplished. Financial assurances will not be released until performance standards are met.

Office of Mine Reclamation Comment May 26, 1998

12. Tbe Financial Assurance Guidelines adopted by the State Mining and Geology Board recommend tbat when reviewing financial assurance estimates, lead agencies should assume a "worse case" scenario. Therefore, the estimate should reflect the costs of the lead agency or a

third party contractor completing reclamation of the site and not the operator's costs. The financial assurance mechanism must include both the lead agency and the Department of Conservation as obligees. To Be acceptable it should read: "*Inyo County* or the *Department of Conservation*". The operator should not be listed as an obligee. Please forward a copy of the approved financial assurance mechanism to this office once it has been established with your agency.

County of Inyo Response June 1, 1998

12. County Staff concurs. No comment.

FINANCIAL ASSURANCES:

Financial assurances are required to assure enough funds are available to reclaim a mine if the operator does not do the reclamation to the standards prescribed by the reclamation plan. These funds are not to be used by the operator but by the lead agency or state if the reclamation is not accomplished by the operator. Because neither the state nor lead agency can use taxpayer money to do the reclamation. It is essential the financial assurances are adequate to meet the requirements of SMARA.

The applicant first calculated financial assurances for this mine at $40,812 .00. Staff suggested a recalculation of financial assurances to reflect a more reasonable cost estimate. This has been done and has been raised to $82,633.00. Staff's review of these calculations suggests an adjustment to $85,932.00 to reflect a few minor errors in compilation of the totals. The applicant agrees to this revised number. The applicant has a performance bond for $30,000.00 posted with the county at the present time. An adjustment must be made in this bond amount to bring the total to the required $85,932.00. This total shall be posted with the Inyo County Planning Department. Said assurances shall be made payable to the County of Inyo and the California Department of Conservation (see condition No.22). Financial assurances can be adjusted each year at the time of the annual inspection to adjust for inflation increased area of disturbance and land reclaimed.

ENVIRONMENTAL REVIEW:

An Initial Study and Draft Mitigated Negative Declaration were prepared and circulated for this project pursuant to the requirements of the California Environmental Quality Act (CEQA). To date, the only comments received have been the comments from the Office of Mine Reclamation. The comment period ended June 26, 1998.

PUBLIC NOTICE:

Notice of this public hearing has been published in the *Inyo Register* and mailed to all property owners within 300 feet of the subject property. To date, no comments have been received.

RECOMMENDATION:

Staff recommends the Planning Commission **approve** Amended Reclamation Plan # 93-4/Amended Conditional Use Permit 93-5/ Pacific Custom Materials Pumice Mine by taking the following actions:

A. Based upon the Initial Study and all written and verbal comments received, adopt the Mitigated Negative Declaration of Environmental Impact and certify the requirements of the California Environmental Quality Act have been satisfied.

[Evidence: In accordance with the requirements of the California Environmental Quality Act, an Initial Study and Draft Mitigated Negative Declaration of Environmental Impact were prepared and circulated for public comment.]

B. Find the proposed amended reclamation plan conforms and meets the requirements of Chapter 7.70 (Mining & Reclamation) of Inyo County Code and State Mining Reclamation Act of 1976.

C. Find the potential loss of native vegetation and wildlife habitat to be greater than the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project is deemed "operative, vested, or final." The potential impact is greater than *de minimus* standard of section 711.4. Said $1,250.00 shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (15 days after the reclamation plan approval).

[Evidence: The subject property has not been disturbed and contains native vegetation and wildlife as documented by the photographic evidence.]

D. Find the proposed amended Reclamation Plan No. 93-4 and the amended Conditional Use Permit No. 93-5/ Pacific Custom Materials is consistent with the *Open Space – Natural Resources* designation in the Open Space and Conservation Element of the Inyo County General Plan. Further find, based upon substantial evidence in the record, the proposed amendments to the Reclamation Plan and Conditional Use Permit have little or no probability to be detrimental to, or interfere with, the future adopted General Plan as provided by the State of California's Governor's Office of Planning and Research in its March 11, 1998 approval of the County's request for an extension of time to update its General Plan.

[Evidence: The proposed amendments to the Reclamation Plan and Conditional Use Permit are consistent with the existing and proposed General Plan Designation of "Open Space – Natural Resources."]

E. Approve Amended Reclamation Plan No.93-4/ CUP 93-5 /Pacific Custom Material with the following conditions of approval:

CONDITIONS OF APPROVAL:

Previous Conditions of Approval for RP 93-4 and CUP 93-5

1. All conditions of approval for Reclamation Plan 93-4 and Conditional Use Permit 93-5 are still in affect and valid. The following conditions are added to the conditions of approval for Reclamation Plan 93-4 and CUP 93-5.

Timing of Mining and Reclamation

2. Mining the extension should be done in ten (10) years. Mining shall be completed by August 1, 2008. Reclamation earthwork is to proceed along with the mining and be completed within one year after mining is complete. Vegetation performance standards need to be met and will be met some time after the initial reclamation efforts take place. The operator may obtain an extension by amending the reclamation plan and conditional use permit prior to exceeding the 75 acres or 10 year mine life. This extension request must be by making

application to the Inyo County Planning Department and paying the necessary fees prior to reaching either limit.

Maps.

3. Existing maps are inadequate because they show disturbance off the proposed permitted area. Within six months of approval, the operator shall redraw the maps to show proper contours within the permitted areas. The map showing current disturbance shall be redrawn to show existing stockpiles, and proposed topsoil stockpiles. All maps shall be changed to show disturbance only to the boundary line.

Mining and Reclamation

4. Due to the nature of this site and the problem with blowing dust, revegetation efforts must be ongoing to the point that vegetation shall be established as an intermediate cover of annual species to provide a ground cover that will prevent fugitive dust from leaving the site. This intermediate cover shall not deter the establishment of native shrubs from growing and in meeting the required final performance standards of the reclamation plans.

5. Revegetation of disturbed lands shall be pursued in a manner that will not allow total disturbed acreage to go beyond 54 acres. Mining beyond 54 acres will not be allow until reclamation and revegetation has occurred on matching acreage (acre reclaimed for acre mined). Performance standards for this revegetation will be one-third the performance standards in condition 16. Once this standard is met, additional mining may occur. Financial assurances will not be released on the reclaimed land until the standards in condition 16 are satisfied.

Salvage of Growth Media (Topsoil)

6. The top six inches (6") of growth media (topsoil), shall be collected from areas to be disturbed. This (topsoil) shall be stockpiled in the active work site until final phase reclamation.

7. After the site is recontoured, the salvaged topsoil shall be respread to a depth of six inches over the recontoured pit. (See condition #10). It is obvious that not enough topsoil is available to cover the existing pit. Mulch will be used on the remainder of the pit.

Erosion Control

8. Pit slopes shall be contoured to a minimum of 3:1 (H: V). These slopes shall be established during times of intermittent operation, when the interim management plan is in affect, and during final reclamation.

Earthwork

9. All compacted areas shall be scarified. Road berms shall be brought back into the roadway after scarification.

Noxious Weed Control

10. During mining and reclamation activities and during idle periods noxious weeds shall be controlled on site.

Removal of Equipment

11. At the conclusion of mining all equipment, including scrap material, waste, and other mining debris shall be removed from site.

Seed Sources and Mixtures

12. Seed used for revegetation shall be collected on or near the site. If sufficient seed is not available, it may be purchased. A seed mix of plant species in the Mojave Creosote Bush Scrub plant community shall be used. Below is the recommended seed mix:

Scientific Name	Common Name	Pounds of Live Seed Pounds/acre
	PERENNIALS	
(Larrea tridentata)	Creosote bush	1
(Hymenoclea Salsola)	Cheese bush	2
(Atriplex hymenelytra)	Desert holly	2
(Atriplex canescens)	Four-winged Saltbush	3
(Atriplex confertifolia)	Shadscale	2
(Ephedra nevadensis)	Mormon tea	2
(Krascheninnikovia lanata)	Winter fat	2
(Achnatherum hymenoides)	Indian rice-grass	2
	ANNUALS	
(Lepidium fremontii)	Fremont peppergrass	2
(Sphaeralcea ambiqua)	Desert mallow	2
(Eriogonum inflatum)	Desert Trumpet	2
(Plantago insularis)	Wooly Plantain	2
(Amisnckia intermedial)	Fiddleneck	2
	Total pounds live seed per acre	26

This is an extensive list that should allow some fast growth to help with erosion control. These native species may only be obtained from seed stock found within fifty miles of the borrow site and within the Mojave Creosote Bush Scrub plant community. If purchased, the seed shall be certified originating fifty miles from the Mine. Reseeding shall take place during the fall.

Decompaction

13. Prior to seeding the area to be seeded shall be decompacted to a depth of two feet. This shall occur within one week prior to seeding.

Revegetation Methods

14. After scarification, the approved seed mix shall be broadcast and then mixed into the top one-half inch (½") of the substrate by either raking or dragging a chain across the seedbed. This shall be done perpendicular to the slope of the pit. Decompaction and seeding shall be done within a week of each other and in late October to mid November.

Revegetation Performance Standard

15. Reclamation will not be considered successful or complete until vegetative density reaches 20 percent (number of plants per unit area) compared to the surrounding undisturbed land. The

site shall have a 50 percent diversity (species richness) of the perennial species compared to the surrounding undisturbed land. New perennial species shall be at least two years old before considered viable plants. This shall be verified based upon visual calculations and substantiated by past photographs of the site including off site photographs of the surrounding undisturbed lands.

Monitoring

16. From initial seeding, the project shall be monitored until performance standards are met. Remedial measures may be implemented any time to insure revegetation success. For the first two years, monitoring shall be performed twice a year.

Remedial Measures

17. If it appears the site will not meet the performance standard, the applicant shall consult with the Planning Department for recommendations on remedial measures. The remedial measures listed below shall be considered if reclamation problems are observed during annual monitoring:

    a. Mulching and/or fertilizing to supplement growth media;
    b. Reseeding:
    c. Irrigation:
    d. Planting of appropriate plants and protection of these plants.
    d. If irrigation is used the plants must make it on their own for two years.
    e. Analysis of soil for problems;
    f. Measures to reduce pest problems, including fencing individual plants.

Mulching

18. A mulch of native vegetative material and straw shall be applied at a rate of 1000 lbs. per acre into the seeding program. This mulch shall be crimped into the slope to provide both wind and water erosion control and seed holding. This will enhance revegetation.

Reporting and Annual Inspections

19. Eacb year the applicant shall file an annual mining report with the State. These reports shall be filed until financial assurances are released. Monitoring activities will continue until the County is satisfied that performance standards have been met. In accordance with SMARA Section 2774 (b), Inyo County as the Lead Agency shall inspect the site and file annual inspection reports with the State.

Reclamation Responsibility Statement

20. The applicant shall submit a notarized statement to the Inyo County Planning Department accepting responsibility for reclaiming lands as per the conditions specific herein.

Financial Assurances

21. The total financial assurances required for this operation is $85,932.00. Financial assurances shall be posted with the Inyo County Planning Department. Said assurances shall be made payable to the County of Inyo and the Department of Conservation.

Financial Assurance Recalculation

22. Financial assurances shall be recalculated each year in accordance with Section 2773.1(a)(3) of SMARA and Inyo County Code. This shall occur at the time of annual inspection.

Release of Financial Assurances

23. As required reclamation standards are achieved, that portion of financial assurances covering the completed activity may be released. The remainder of financial assurances covering revegetation and monitoring shall not be released until the revegetation performance standards are met.

Implementation of Reclamation Plan

24. Once any portion of this Reclamation Plan is implemented by commencing of mining, all of its conditions and limitations shall be operative, and violation of any part shall constitute a violation of this reclamation plan and Chapter 7.70 of Inyo County Code.

Hold Harmless

25. The applicant, and operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its agents, officers and employees to attack, set aside, void, or annul any approval of the County, its advisory agencies, appeal boards, or its legislative body concerning Amended Reclamation Plan No. 93-4 Amended Conditional Use Permit 93-5/ Pacific Custom Material.

Attachments: Vicinity Map
Office of Mine Reclamation comments

Date	Reviewers Initials	
	Project Planner	
	Review Planner	
	Planning Director	
	Secretary	

Attachment A

Ryan Smith-Standridge

From:	Tom Schaniel <tschaniel@gbuapcd.org>
Sent:	Wednesday, August 6, 2025 12:03 PM
To:	Thomas Hrubik; Petelski Rick
Cc:	Grace Weitz; Ann Logan; Luke Eisenhardt; Tori DeHaven; Ryan Smith-Standridge; Taylor, Ashley@Waterboards; Steinert, Tiffany@Waterboards; Lindberg, Jeff@ARB; Mooy, Cori@ARB; Kim, Christopher@ARB
Subject:	Notices of Violation #1023 & #1024, Global Pumice Mine, Olancha, California
Attachments:	2025-08-06 Cover Letter to Accompany NOVs and Inspection Report - FINAL.pdf; 2025-08-06 Global Pumice - NOV #1023 - Dust - Static.pdf; 2025-08-06 Global Pumice - NOV #1024 - Engine - Static.pdf; 2025-07-30 Global Pumice - Inspection - #2787 - Static.pdf

Tom Hrubik and Rick Petelski,

Please find attached a cover letter, that is then accompanied by the two subject Notice of Violations (NOV's), as well as the inspection report from our July 30, 2025 inspection.

The matters observed on July 30th were significant, especially given the history of the mine to this point, and therefore the District expects your immediate attention to these NOV's and the requirements spelled out in the cover letter. If you have any questions, feel free to contact me or Grace Weitz, Deputy Air Pollution Control Officer for the District.

Two other brief matters.

Notice to Comply (NTC) #2007, that was issued on November 17, 2023, and which addressed breakdown requirements, is considered resolved by Tom Hrubik's email of December 22, 2023.

Second, it seems possible that the issues raised here at the Global Pumice Mine, both for dust control and proper permitting of engines, may apply to Southwest Pumice's Makayla mine. We hope to inspect that mine in the near future, and should we find similar issues, Notices of Violation for that facility would also be issued. We would strongly advise a proactive effort at the Makayla mine to avoid future NOV's.

Your prompt and thorough attention to these matters is greatly appreciated.

Tom Schaniel
Air Quality Specialist II
Great Basin Unified Air Pollution Control District
157 Short Street
Bishop, CA 93514
(760) 872-8211 ext. 240
cell: (760) 937-2458

Attachment A

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537
Tel: 760-872-8211 www.gbuapcd.org

August 6, 2025

Tom Hrubik
PO Box 174
Apple Valley, CA 92307
thrubik@globalpumice.com

VIA EMAIL AND CERTIFIED MAIL (tracking no. 7018 3090 0001 0378 7022)

Dear Mr. Hrubik:

On July 30, 2025, District staff (myself, Luke Eisenhardt, and Tom Schaniel) conducted an inspection of the Global Pumice Mine. The purpose of this inspection was to determine if Global Pumice had made any progress toward remedying the five outstanding Notices of Violation (NOV) that the District has issued to Global Pumice for failure to comply with the conditions of the Permits to Operate #1658-00-13 and #1659-00-13 and Authority to Construct #1659-03-21[1].

District Staff was disappointed and concerned by what we observed during the inspection. Tom Schaniel has prepared an inspection report that summarizes the many permit violations that we observed during our inspection. Please refer to this inspection report, which is attached to this letter, for a precise description of all the violations.

The violations observed by staff were so severe and pervasive that we were not able to release any of the outstanding NOVs. In fact, staff observed new violations of Global Pumice's permit conditions that necessitated the issuance of two more NOVs. Those NOVs are attached to this letter.

The first NOV (number 1023) relates to excessive dust in violation of District rules, permit conditions, and the EPA's New Source Performance Standards (NSPS). To put it simply, Global Pumice's dust control methods are inadequate to control the processing plant and driving surfaces. The processing plant was the most problematic and emissive area of the mine. While staff observed spray bars on the processing plant, their placement did not correlate to the drop points that were producing the worst dust, and their spray nozzles were not evenly or adequately wetting the material. Additionally, while a water truck was present during our inspection, there were multiple areas traveled by heavy equipment that were not wet enough to control the dust.

[1] For your references, the outstanding NOV numbers are 1010 (issued 6/21/22), 1012 (issued 7/11/23), 1015 (issued 9/1/23), 1016 (issued 10/18/23), and 1020 (issued 4/30/24).

be removed and replaced with a compliant engine. **This written plan must also be submitted by email on or before August 15, 2025 at 5 pm.**

With these latest NOVs, Global Pumice's noncompliance with its permit conditions has continued unresolved for over three years. Since June 2022, District staff has inspected the mine fourteen times. Like the most recent inspection, prior inspections have at best revealed tiny amounts of progress with existing NOVs, and necessitated the issuance of additional NOVs due to the discovery of new violations. In short, it appears that Global Pumice is only slipping deeper into noncompliance, rather than working to remedy its noncompliance.

Given Global Pumice's ongoing issues and apparent unwillingness to voluntarily come into compliance, District leadership and permitting staff have deemed Global Pumice to be an enforcement priority. Accordingly, over the next two to three months, the District will conduct a series of unannounced inspections of the Global Pumice Mine. We sincerely hope that these inspections will show progress, or even a cessation of the issues and violations outlined in the seven active NOVs. Should that be the case, the District remains willing to resolve these NOVs via a settlement agreement. Global Pumice should also work to communicate with the District proactively and often to document the steps being taken to remedy their ongoing violations because your communication (or lack thereof) with the District has been a factor in past NOVs.

However, should these inspections continue to reveal noncompliance and/or new violations of permit conditions, the District will seek an order of abatement in front of the District Hearing Board pursuant to Cal. Health & Safety Code section 42450, *et seq.* A proceeding for an order of abatement will involve a formal, noticed hearing in front of the Hearing Board. At this hearing, the District will seek an injunction restraining Global Pumice from operating in violation of its permit conditions, District Rules, or state/federal law or regulations concerning emissions. Should Global Pumice ignore or violate the injunction by resuming operations prior to implementing appropriate control measures, the District will bring a lawsuit to enforce the injunction in the Inyo County Superior Court.

Finally, staff would like to remind Global Pumice of its breakdown notification obligations. Whenever key dust control equipment—such as spray bars or the water truck—breaks down, Global Pumice is obligated to inform the District within one hour of the breakdown. A breakdown also includes a situation where Global Pumice must cease operations because wind conditions make it impossible for staff to control dust emissions.

We look forward to seeing Global Pumice's progress toward compliance with its permit conditions and with the District rules and regulations.

Sincerely,

Grace Weitz

Grace Weitz
Deputy Air Pollution Control Officer

Attachment A

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537 Tel: 760-872-8211 www.gbuapcd.org

NOTICE OF VIOLATION

I. General Information		№ 1023
Owner or Operator Name: **Global Pumice, LLC**		
Premises or Operations Location: **Global Pumice Mine, Cactus Flat Road**		
Contact: **Tom Hrubik**	Title: **President**	Phone №: **(760) 559-3280**
Mailing Address: **P.O. Box 174, Apple Valley, CA 92307**		
Email: **thrubik@globalpumice.com**	GBUAPCD Permit #: **ATC 1659-03-21, PTO 1659-00-13**	

II. Violation

YOU ARE HEREBY NOTIFIED THAT A VIOLATION OF STATE OR FEDERAL CODES, AND/OR OF GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT RULES AND REGULATIONS HAS OCCURRED.

List of Code Sections, Rules or Regulations Violated:

District Rule 400 - Ringelmann Chart; 40 CFR 60, NSPS, Subpart OOO - Standards for Performance for Nonmetallic Mineral Processing Plants; District Rule 200 - Permits Required; and ATC 1659-03-21, Conditions 5, 8, 9, and 14

SUCH VIOLATION(S) MAY BE PUNISHED AS MISDEMEANORS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 42400, OR CIVIL PENALTIES MAY BE IMPOSED PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 42402

Description of Violation:

During a scheduled inspection of the site, the plant had emissions of approximately 50% average opacity for a five minute Visible Emissions Evaluation (VEE) and a discharge of emissions over 20% for a period aggregating more than three minutes in one hour. Spray bars were operational, but were ineffective, apparently because of inadequate number, placement and quality of spray. A non-permitted piece of equipment (PowerScreen Chieftan 2200) was on site and mine staff indicated it had been in use when the second screen in the plant was down for repair. This piece of equipment did not have any PERP placards, and the District was not notified of its use. Heavy equipment transporting fines produced dust in its wake that appeared to be in excess of 20% opacity when transporting fines to the fines pile because of inadequate watering of the area it was working in on top of the fines pile. Review of VEE reports from mine staff indicated emissions from the fines pile on July 28th and 29th averaged approximately 30% opacity over a 6 minute VEE and a discharge of emissions of 20% or more for a period aggregating more than three minutes in one hour.

THE ABOVE VIOLATION MUST BE CORRECTED BY THE FOLLOWING DATE: **Immediately** PLEASE RESPOND TO THE DISTRICT IN WRITING WITH A FULL DESCRIPTION OF THE STEPS BEING TAKEN TO END THE STATE OF VIOLATION AND PREVENT ITS RECURRENCE. YOUR RESPONSE DOES NOT PRECLUDE THE POSSIBILITY OF FURTHER LEGAL ACTION.

III. Conditions

Date Violation Observed: **July 30, 2025**	Location(s) of Observer: **Onsite**		
Wind Speed (mph): **4-8** Direction: **N**	Temperature: **87** °F	Cloud Cover: **Clear**	Precip: **None**
Source Actively Emitting at time of Observation: ☑ Yes ☐ No	VEE Conducted: ☑ Yes ☐ No (If Yes, attach VEE Form)		

IV. Notification

Notice Issued By: **Tom Schaniel**	Signature:	
Date Issued: **August 6, 2025**	Issued Via: ☐ Hand Delivered ☑ Email ☑ Certified Mail	Cert #: **7018 3090 0001 0378 7022**

NOV Form: Revised 5/2021

Attachment A

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537 Tel: 760-872-8211 www.gbuapcd.org

NOTICE OF VIOLATION

I. General Information		№ 1024
Owner or Operator Name: **Global Pumice, LLC**		
Premises or Operations Location: **Global Pumice Mine, Cactus Flat Road**		
Contact: **Tom Hrubik**	Title: **President**	Phone №: **(760) 559-3280**
Mailing Address: **P.O. Box 174, Apple Valley, CA 92307**		
Email: **thrubik@globalpumice.com**	GBUAPCD Permit #: **PTO 1658-00-13 & ATC 1659-03-21**	

II. Violation

YOU ARE HEREBY NOTIFIED THAT A VIOLATION OF STATE OR FEDERAL CODES, AND/OR OF GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT RULES AND REGULATIONS HAS OCCURRED.

List of Code Sections, Rules or Regulations Violated:

District Rule 200 - Permits Required; 17 CCR, Section 93115.7 - Air Toxic Control Measures (ATCM) for Stationary CI Engines; PTO 1658-00-13, Condition 3 - Compliance, and ATC 1659-03-21, Condition 15 - Portable Equipment

SUCH VIOLATION(S) MAY BE PUNISHED AS MISDEMEANORS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 42400, OR CIVIL PENALTIES MAY BE IMPOSED PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 42402

Description of Violation:

During a scheduled inspection of the site, an unpermitted and noncompliant engine was used to power the site. The engine providing onsite power was not the engine on permit 1658-00-13, which is the only engine permitted at the facility. GBUAPCD has not been pro-actively notified about the use of any engine (including a PERP engine) that is not on the permit. The GenSet had a PERP placard, but that placard was unreadable for the PERP number and expiration date, and therefore status of PERP registration was unverifiable. Based upon the EPA family name on the 2014 Caterpillar Engine model C7.1 (DPKXL7.01BL1), the engine is a California Tier 3 engine, but a Tier 4 engine is required for Prime Engines not otherwise already permitted at a stationary source in California

THE ABOVE VIOLATION MUST BE CORRECTED BY THE FOLLOWING DATE: **8/15/2025**. PLEASE RESPOND TO THE DISTRICT IN WRITING WITH A FULL DESCRIPTION OF THE STEPS BEING TAKEN TO END THE STATE OF VIOLATION AND PREVENT ITS RECURRENCE. YOUR RESPONSE DOES NOT PRECLUDE THE POSSIBILITY OF FURTHER LEGAL ACTION.

III. Conditions

Date Violation Observed: **July 30, 2025**	Location(s) of Observer: **Onsite**		
Wind Speed (mph): **4-8** Direction: **N**	Temperature: **87** °F	Cloud Cover: **Clear**	Precip: **None**
Source Actively Emitting at time of Observation: ☐ Yes ☑ No	VEE Conducted: ☐ Yes ☑ No (If Yes, attach VEE Form)		

IV. Notification

Notice Issued By: **Tom Schaniel**	Signature:	
Date Issued: **August 6, 2025**	Issued Via: ☐ Hand Delivered ☑ Email ☑ Certified Mail	Cert #: **7018 3090 0001 0378 7022**

NOV Form: Revised 5/2021

Attachment A

Great Basin Unified Air Pollution Control District

157 Short Street, Bishop, California 93514-3537 www.gbuapcd.org
Tel: 760-872-8211 Fax: 760-872-6109 info@gbuapcd.org

Inspection Report

Page # 1 of 6 № 2787

Company Name: Global Pumice, LLC	
Mailing Address: P.O. Box 174, Apple Valley, CA 92307	
Facility Location: Global Pumice Mine, Cactus Flat Road, Olancha, CA 93522	
I. General Information	
Sources Inspected: Pumice Mine	Permit №: PTO 1659-00-13 and ATC 1659-03-21
	Process Rate:
	County: Inyo
Facility Contact: Tom Hrubik	Title: President
Contact Email: thrubik@globalpumice.com	Phone №: (760) 559-3280
Reason for Inspection: General Inspection on Current Conditions and Status of Resolving Outstanding NOV's	

II. Pre-Inspection

Prior Notice: ☑ Yes ☐ No	Wind Speed/Direction: N mph/ 4-8	Temperature: 87 °F	Precipitation: None
Operating Status: ☑ Normal ☐ Abnormal	Comments: Operating for Most of our Inspection		
Control Status: ☑ Normal ☐ Abnormal	Comments: Sprayers were operable, but not fully effective		

III. Inspection

All sources in compliance with:

Visible Emission Regulations: ☐ Yes ☑ No ☐ N/A		Sampling/Testing Requirements: ☐ Yes ☐ No ☑ N/A	
Recordkeeping Requirements: ☑ Yes ☐ No ☐ N/A		Permit Conditions: ☐ Yes ☑ No ☐ N/A	

IV. Discussion/Recommended Action

This inspection was conducted by Tom Schaniel, Luke Eisenhardt and Grace Weitz. We first noted some dust rising vertically from the site around 9:55 a.m. from about 13 miles away from the site while traveling on US 395 Southbound. The amount of dust, while visible from a long distance, was still significantly less than previous observed plume of dusts that are wind-driven, often from a south wind.

As we turned on Cactus Flats Road at approximately 10:05 a.m. we encountered David Hart of the Global Pumice Mine. David said he was waiting for a truck that was running late, but that he would lead us up to the mine.

The non-paved portions of Cactus Flats Road, once we were past the Haiwee Dam construction site, were fairly dusty from vehicular traffic at 20 mph, as was the access road to the mine with vehicular traffic at 15 mph. Wetting of roads was not evident until were in the actual mine site, and was sporadic at best on site. We arrived at the mine at approximately 10:20 a.m.

We discussed with David that we would like to see the plant (which was running), then see the genset, then look at the fines pile. David stayed with us as we conducted the inspection.

Inspector: Tom Schaniel, Luke Eisenhardt & Grace Weitz	**Date:** July 30, 2025
Received by:	**Reinspection:**

Great Basin Unified Air Pollution Control District

157 Short Street, Bishop, California 93514-3537 www.gbuapcd.org
Tel: 760-872-8211 Fax: 760-872-8109 info@gbuapcd.org

Inspection Report **Page #** 3 of 6 **№** 2787

Company Name: Global Pumice, LLC

Address: P.O. Box 174, Apple Valley, CA 92307

Facility Location: Global Pumice Mine, Cactus Flat Road, Olancha, CA 93522

IV. Discussion/Recommended Action (Continued)

Tom discussed current watering operations and plans with David. He indicated they had 2 trucks early in the season, but that one truck had a mechanical failure 3 to 4 weeks ago, and was being worked on by their staff as time allowed at another location. They were still getting water from the same place they have for years, and they have still been pursuing efforts to get water from a closer farmer or from DWP's Haiwee site, but neither of those have been successful so far. He has also heard talk of trying to establish a well, but there are concerns that a well is even viable on the property.

Tom discussed current fines management with David. Global Pumice have had multiple trucks of fines going out on most days, but they do not at this moment have an order for fines. When fines are going out, they take first from fines that the plant is currently producing, and then from some fines stockpiles that are on top of the larger fines pile. Since they have no current orders, fines are being transported to the large fines pile, and being pushed over the south edge of the pile, expanding the footprint of the large fines pile to the south. The fines pile seems to be similar in size to previous visits, though a bit reconfigured.

We the traveled up onto the fines pile. Tom rode with David, and Grace and Luke drove separately. The top of the fines pile appeared to be significantly reconfigured from previous inspections, with a loop road on the fines pile providing much better access for watering trucks, and potentially putting all the fines in reach of a watering truck. The south edge had multiple loads pushed over the edge by a loader. Actual placement of fines was done with acceptable levels of dust, with more dust coming from the movement of the loader on the fines pile. The loop road was well wetted, but the area from the loop road to the south edge where fines were being pushed over the edge was not wetted, and, as mentioned, emissive to traffic. It seems likely that wind would make the newly placed fines and the travel path to it emissive if not wetted. David requested the water truck to wet this area.

After viewing the fines pile, we met with Eddy, who was operating the loader that was moving unprocessed product to the plant. Eddy was the trained VEE Global Pumice employee who regularly took VEE readings and prepared the report. Eddy had a binder with multiple items he was tracking, which included VEE. Eddy only had VEE reports for the last 2 days, but indicated that other days were on site, and they were willing to provide. Eddy was conducting two 6 minute VEE reports per day. His two for the plant showed virtually no emissions for an idle plant. His two for the fines pile showed emissions ranging from 10% to 60% and both had averages near 30% and both reports showed the fines pile had a discharge of emissions of 20% or more for a period aggregating more than three minutes in one hour. Opacities this high, based upon the requirements of Condition 14 - Visible Emissions Evaluations and Method 9 Certification from ATC 1659-03-21 would require immediate corrective action, of which none was noted.

Lastly we traveled to the west of the mine site, to take some pictures of the fines pile, particularly the western slope.

Attachment A

Great Basin Unified Air Pollution Control District

157 Short Street, Bishop, California 93514-3537 www.gbuapcd.org
Tel: 760-872-8211 Fax: 760-872-6109 info@gbuapcd.org

Inspection Report **№** 2787

Company Name: Global Pumice, LLC

Address: P.O. Box 174, Apple Valley, CA 92307

Facility Location: Global Pumice Mine, Cactus Flat Road, Olancha, CA 93522

V. Photographs



Grace Weitz of GBUAPCD, David Hart of Global Pumice, an Tom Schaniel of GBUAPCD observe plant and emissions



Loader putting ore in hopper. Dust emissions are mostly from plant.



Water truck arriving on site after filling with water at remote location.



PowerScreen 2200 Chieftan Screen. Not part of permitted equipment.

COUNTY OF INYO
PLANNING DEPARTMENT

P.O. Drawer L, Independence, California 93526
Telephone (619) 878-0263 FAX (619) 872-2712
Peter Chamberlin, Director of Planning

March 24, 1994

Mr. Leonard Hobbs
Director of Technical Services
Pacific Lightweight Products Company
715 North Central Avenue
Suite #101
Glendale, Ca. 91203

RE:

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT # 93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

NOTICE OF DECISION

On March 23, 1994 the Inyo County Planning Commission held a public hearing to consider your Reclamation Plan and Conditional Use Permit Application (RP #93-4 and CUP#93-5). the reclamation plan covers property located in Inyo County approximately two miles south of the community of Olancha, and five and half miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in southern Inyo County [Township 20 south, Range 37 east, sections 1 and 12, M.D,M. & M.]. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). The project is a Reclamation Plan application for an existing open pit pumice mine. The pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. All the disturbed land is Zoned OS-40 (Open Space - 40 acres minimum).

The mined pumice is crushed, screened and then transported to the Newhall area in Southern California for further processing. The pumice removed from the site will be used in producing lightweight concrete.

At that meeting, the Commission adopted the Negative Declaration of Environmental Impact thus certifying the provisions of the California Environmental Quality Act had been satisfied. The Commission also found that both the reclamation plan and conditional use permit conforms and meets the requirements of Inyo County Code and SMARA.

The Commission further approved Reclamation Plan #93-4 and Conditional Use Permit #93-5 subject conditions listed below:

CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This reclamation plan and conditional use permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Must comply with the Great Basin Unified Air Pollution Control Board emissions requirements as outlined in the permit issued by Great Basin.

4. Upon approval, two acres per year shall be reclaimed as outlined in the reclamation plan. The first years acreage shall be divided into two one acre segments. One segment shall let natural vegetation take over while the second segment shall be reseeded with the appropriate seeds to give 80% of the surrounding plant density and 80% species diversity. At the time of this planting a good watering shall be conducted on both plots. This shall be done at the appropriate time of the year. This site shall be monitored every six months to insure success. At the same time provisions shall be installed to discourage noxious weeds from gaining a foothold on the site.

5. If noxious weeds appear, immediate measures shall be taken to rid the site of such plants. This may consist of any method deemed appropriate that does not affect the desired plants.

6. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de

minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

7. As a condition for approval of Conditional Use Permit #93-5, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its appeals board, or its legislative body concerning Conditional Use Permit #93-5. The County reserves the right to prepare its own defense.

8. Development shall be in substantial conformance with the submitted application

RECLAMATION PLAN CONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This Reclamation Plan and Conditional Use Permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Revegetation occurs naturally in areas of inactivity. However, reseeding shall occur to the extent that is indicated by the one acre test plots conducted the first year of reclamation. One will be reseeded the other will not. The viability of these two plots will dictate the planting on the remainder of the site. It is understood that the reseeded plot should have better performance than the unseeded plot, however, criteria should be obtained to show the whether the value of reseeding is substantially better than natural reseeding. Maybe less reseeding is necessary.

4. Upon completion of mining, or after one year of inactivity in phased reclamation area, the area disturbed by Pacific lightweight Products will be reviewed for revegetation, and a reduction in the bond will be based upon the success of the revegetation. Success will be achieved when the density of the plants reaches 25% of the density of plants on the undisturbed ground, and the plant diversity reaches 60% of the undisturbed ground.

5. The seed mix shall be of comparable plants that are in the undisturbed area.

6. Concurrent reclamation will be performed by the operator to reclaim the areas disturbed after 1975 or already scarified by previous mining management practices. If the operations intrude into the previously disturbed areas as delineated on the "Contour

Map at the Conclusion of Mining" submitted with the reclamation plan, a new appraisal of the site will occur. Contours will closely follow that map for final reclamation..

7. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with the prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area. All pre-mining drainage courses will be restored within three months of closure and such reclamation shall not promote accelerated soil erosion.

8. Scarify all areas of mining disturbance and existing mining operation roads with in the area of operations.

9. All structures, equipment, foundations, pipelines, trash, and debris shall be removed from the site within three months of closure.

10. Financial assurances in the sum of $30,000.00 in the form of a surety bond, irrevocable letter of credit, cash, or certificate of deposit shall be posted with the Inyo County Planning Department. Said financial assurances shall be made payable to the County of Inyo and the California Director of Conservation.

11. The applicant shall submit a notarized statement to the Planning Department accepting responsibility for reclaiming the lands as per the conditions specified herein prior to any additional mining or exploration activities commencing.

12. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

13. This Reclamation Plan shall be reviewed and the applicant's compliance with the conditions listed above shall be evaluated every year, as required by section 2774(b) of SMARA, after the date of approval. The amount of the financial assurances shall also be reviewed and adjusted as deemed appropriate, at the same time.

14. As a condition for approval of Reclamation Plan #93-4, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its

appeals board, or its legislative body concerning Reclamation Plan #93-4. The County reserves the right to prepare its own defense.

15. Development shall be in substantial conformance with the submitted application.

Failure to comply with the conditions stated above will result in the current use being in violation of Chapter 18.76 of the Inyo County Code.

Concerning Condition # 10 (RP) which requires financial assurances in the amount of $30,000.00, please advise this Department as to the type of financial assurances you will be acquiring so we may send you the appropriate forms.

In regards to Condition #11 (RP) which requires a notarized statement to be submitted by the applicant to the Planning Department accepting responsibility for reclaiming the mine site, we have enclosed a statement we wish to have signed and notarized by the applicant.

If you have any questions regarding the above, please feel free to contact this office.

Sincerely,

Peter Chamberlin
Planning Director

Curtis E. Kellogg
Associate Planner

Attachment: Responsibility Statement Form

cc: BLM (Ridgecrest)
Paul Payne (5th District Supervisor)
Denyse Racine (Fish & Game - Bishop)

CEK/cek

Inyo County Planning Department
P.O. Drawer "L"
Independence, Ca. 93526

RE:

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT # 93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

In accordance with conditions placed on Reclamation Plan #93-4 issued to Pacific Lightweight Products by the Inyo County Planning Commission on March 23, 1994 and as stated in the Notice of Decision dated March 24, 1994, we agree to accept the responsibility for reclaiming the mined lands as stated therein.

Sincerely,

_____ _____

NOTARY ACKNOWLEDGMENT

Attachment A

COUNTY OF INYO
PLANNING DEPARTMENT

P.O. Drawer L, Independence, California 93526
Telephone (619) 878-0263 FAX (619) 872-2712
Peter Chamberlin, Director of Planning

STAFF REPORT

AGENDA ITEM NO. 6

DATE: MARCH 23, 1994

RE:

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT # 93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

Application:	Reclamation Plan #93-4 / Pacific Lightweight Products Conditional Use Permit #93-5 / Pacific Lightweight Products
Applicant:	Pacific Lightweight Products
Location:	The subject property is located in Inyo County approximately two miles south of the community of Olancha, and five and half miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in southern Inyo County [Township 20 south, Range 37 east, sections 1 and 12, MD B. & M.].
A.P.N.	38-200-01
Zoning:	OS-40 (Open Space - 40 acres minimum)
General Plan:	OP (Park Recreational - 40 acres or as designated)
Site Size:	The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products).
Proposal:	The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment

to a previously approved Conditional Use Permit, the applicant has filed applications for both Conditional Use Permit (the mine is on private lands) as required by the Inyo County Zoning Ordinance and a Reclamation Plan as required by California Surface Mining and Reclamation Act (SMARA) and County Ordinance. Therefore, this project is a request by Pacific Lightweight Products to comply with the requirements of the County Zoning Ordinance and SMARA in regards to reclamation of existing mining operations

PROJECT LOCATION:

The subject property is located in Inyo County approximately two miles south of the community of Olancha, and five and half miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in southern Inyo County [Township 20 south, Range 37 east, sections 1 and 12, M.D.M. & M.]. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). Access to the site is by an unpaved, County maintained road known as Cactus Flats Road (County I. D. #5024). See attached Vicinity Map. The nearest developed area to the site is a ranch operation approximately two miles northwest of the pit area.

PROJECT DESCRIPTION:

The proposed project is a Reclamation Plan application for an existing open pit pumice mine. The pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment to a previously approved Conditional Use Permit, the applicant has filed applications for both Conditional Use Permit (the mine is on private lands) as required by the Inyo County Zoning Ordinance and a Reclamation Plan as required by California Surface Mining and Reclamation Act (SMARA) and County Ordinance. Therefore, this project is a request by Pacific Lightweight Products to comply with the requirements of the County Mining Ordinance and SMARA in regards to reclamation of existing mining operations. All the disturbed land is Zoned OS-40 (Open Space - 40 acres minimum).

The mined pumice is crushed, screened and then transported to the Newhall area in Southern California for further processing. The pumice removed from the site will be used in producing lightweight concrete.

The pumice is loosened by bulldozer. A front-end loader picks up the material and transports it to the processing plant. The processing plant is set up near the center of the deposit for ease of operation due to the method of extraction. The front-end loader deposits the pumice for crushing and screening and then returns to the quarry. However,

instead of going back empty, the loader picks up processed pumice and transports it to on-site stockpiles before returning to the quarry. There are three stockpile areas located around the site. The applicant stated this is the reason for the expansion over the original 20 acres, permitted in 1985.

Upon approval, the size of the mined area will be reduced in size at the rate of a minimum of two acres per year. This will be done by reclamation processes. See the attached colored contour map.

An estimated 20,000 tons of pumice are currently being extracted per year at a maximum capacity of 30,000 tons per year may be achieved. At the current volume of extraction, the life of the mine operation has been calculated to end in 2003.

No waste material is generated by the mining process.

The mining operation employees a four person mining operation crew working eight hours per day. These employees work five days per week and commute to the mining site from various communities and surrounding rural areas.

There is no water supply at the site. The water used for dust suppression on the haul roads and operations area is transported in truck and tanker from Haiwee Reservoir. No water is utilized at the site for the extraction process. Potable water is purchased by Pacific Lightweight for their employees.

The sanitary facilities on the site are portable toilets.

The mining operation utilizes mobile equipment. This equipment consists of: tracked D9N bulldozer, Front end loader, a water truck, a bobcat loader, a portable welder, four screens, a fifteen belt conveyor system, a rock crusher and a truck scale. Water and fuel are trucked to the site. Equipment is refueled and lubricated as needed by a mobile service truck. No hazardous contaminants are released from the mobile service vehicle.

No additional road construction is required beyond maintenance of the existing roads.

SITE DESCRIPTION:

Access is by an established truck route off Cactus Flat Road. The applicant has stated that there are no known endangered, threatened or sensitive vegetation on or around the project site. The California Department of Fish and Game wrote a letter (attached) voicing their concerns over various flora/fauna species to wit; Russian Thistle, Mojave Ground Squirrel, Desert Tortoise and Ripley's Cymopterous. These concerns have been adequately addressed within the body of this Staff Report. The Planning Department referenced the State of California Department of Fish and Game Natural Diversity Database.

The general geology is granite and metamorphic rocks which are overlain by alluvial gravels, tuffs, lake bed sediments, and andesitic and basaltic lava flows. The latter is referred to as the Coso Formation.

The pumice deposits are in tuffs and are well exposed in some places. The occurrences east of Haiwee Reservoir are considered for the most part to represent rhyolitic pyrocrastic flows and to a lesser degree water reworked pumice of the same composition. They are correlated within a very narrow range in the upper part of the late Tertiary Coso Formation. It represents a limited and unique period of explosive volcanic activity in the Coso region which appears to have occurred between 2.99 and 3.14 +/- 0.20 million years ago.

The only rock being mined at the site is pumice. It is a waterlain deposit from five to forty feet deep that dips six degrees to the west. The moisture content of the "in situ" pumice varies between eight to twelve percent. The consolidation is such that it will excavate without blasting but is cohesive enough to stand in vertical faces. In most of the area, the pumice is on the surface with zero to very little overburden. No faults or folds are exposed on the property to interfere with mining.

LAND USE/ACTIVITIES SURROUNDING PROJECT SITE:

The surrounding land uses are as follows:

North: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

South: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

East: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

West: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

RECLAMATION PLAN/CONDITIONAL USE PERMIT:

The project before the Planning Commission consists of a Reclamation Plan submitted to amend a previously approved Conditional Use Permit with reclamation conditions (C.U.P. #85-1).

The Reclamation Plan, as submitted, calls for the removal of all equipment from the site. As the equipment utilized at the site is mobile, It will be removed from the site at the time of closure.

Precast concrete footings associated with the truck scales will be broken up and buried on the site.

All of the access and haul roads are to be contoured to blend in with the natural terrain, ripped or scarified. All open pits and piles of ore and any waste material existing at the time of closure shall be leveled to conform, as much as possible, with the existing terrain. The overall effect will be that of rounded undulating mounds that will blend in with the surrounding landscape. Any cut slopes will be either benched or sloped to blend in with the existing contours of the lands (as shown on the maps submitted with the application).

Based upon the long history of the continued mining at the site and the large ore reserves, it appears that only a major economic event would result in the mining activity being discontinued and abandoned (year 2001 estimated completion date). This may result in a difficult determination as to when the mining activity ceases and when the reclamation plan is to be implemented.

During the past seven years it was found that revegetation occurs naturally in the areas of inactivity.

The final mine closure will include the following site reclamation activities:

1. Revegetation occurs naturally in areas of inactivity. To supplement natural revegetation a seed mix of native species will be planted.

2. If any stockpiles remain at the time of closure they shall be recontoured in accordance with the final contour map attached to the reclamation plan. Coarse aggregate will be laid down over the finer sizes to reduce dust. The area will then be seeded with native species to control dust.

3. Upon completion of mining, or after one year of inactivity in a phased reclamation area, the area disturbed by Pacific Lightweight Products will be reviewed for revegetation (natural). If natural vegetation is not working reseeding will take place with the natural seed of the area. Success shall be achieved when the plant density of native plants reaches 25% of the density of plants on the undisturbed ground.

4. The diversity of the plant cover shall be considered successful if 60% of the native species in the area have been reestablished on the site.

5. Control of noxious weeds shall be maintained until native species have gained control. Weeds can be controlled by any appropriate method.

6. The two acres per year reclamation requirement (concurrent reclamation) shall be considered as test plots. If revegetation is not occurring at an acceptable rate, then other

methods of reseeding shall take place. Acceptable rate shall be defined as reaching the standards to release the bonding on each two acre plot in two years.

7. Each 2 acre plot shall be used as a basis of determining reclamation methods used on next plot.

8. Water may be applied as a dust control method, however plants must be able to sustain themselves for one year after the last application of water.

9. Reclamation shall reestablish pre-mining drainage.

10. Mine personnel shall be advised that desert tortoises are fully protected by state and federal law, and may not be taken, harmed or harassed at any time. If a tortoise is found on the project site, all operations in the vicinity should cease, and either the Department of Fish and Game or the U.S. Fish and Wildlife Service should be called immediately. Only those individuals authorized by U. S. Fish and Wildlife Service may handle desert tortoises.

11. At the conclusion of mining approximately 30 acres shall remain to be reclaimed. Reclamation and monitoring shall follow the guidelines established in the previously reclaimed ten two acre test plots.

12. All equipment shall be removed from the site prior to final reclamation and revegetation.

13. Financial assurances shall be calculated and posted to cover the entire 50.4 acres disturbed. This can be reduced as reclamation is completed and successful.

DIVISION OF MINES AND GEOLOGY COMMENTS:

Pursuant to SMARA, the County is required to submit all reclamation plan applications to the State Geologists (Division of Mines and Geology) for a 45 day review and comment period prior to any approval of a reclamation plan.

The State Geologist comments on a pending application requires the County to prepare a written response addressing the issues raised in their comments. In addition, if the County's position differs from the State Geologist comments, our responses are to address, in detail, why specific comments and suggestions were not accepted. Comments were received by the Planning Department. All comments have been addressed below.

The Planning Staff substantially concurred with the applicant's evaluation of the operation, its impacts and proposed reclamation conditions. However, in reviewing the DMG comments we concur that some additional information and reclamation measures need be considered in order to adequately address the reclamation of the site.

Many of the following DMG comments have been incorporated into the reclamation plan. Many were incorporated into the plan prior to DMG comments. The County will respond back to the State Geologist as to how their comments were addressed and why others were not accepted.

The following are the DMG comments and the County's responses:

1. **DMG Comment (June 22, 1993):**

SMARA Section 2772 (d) requires that the maximum anticipated depth of mining be indicated on the reclamation plan. It was difficult to ascertain the depth of mining in reviewing the reclamation plan. We recommend that the depth of mining be clearly stated and tied to a verifiable bench mark that can be referenced in the field for compliance monitoring.

Inyo County Response:

Inyo County concurs. The depth of mining has been indicated in the information supplied to us by Pacific Lightweight Products, specifically in the reclamation application. Forty feet is the maximum mining depth.

2. **DMG Comment (June 22, 1993):**

SMARA Section 2772 (f) requires that the reclamation plan describe the surface mining operation and provide a time schedule for completion of each segment of mining so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation. The reclamation plan mentions phased reclamation occurring over the next ten years. A specific plan describing the proposed phased reclamation should be presented, and depicted on the site plans.

Inyo County Response:

Inyo County concurs, This has been answered in the reclamation plan.

3. **DMG Comment (June 22, 1993):**

SMARA Sections 2772 (i.) states that the reclamation plan shall include an assessment of the effect of reclamation on future mining at the site. A short statement assessing the potential for future mining at the site following reclamation should be added to the reclamation plan.

Inyo County Response:

Inyo County concurs. This is a pumice mine. The applicant plans to mine the pumice and reclaim. Nothing will be mined afterwards. This area is in the OS-40 (Open Space) zone, The nature of this pit would not preclude another mine operating in the same pit or adjacent to this pit. The pumice is on the surface. Mining pumice will continue until it is uneconomical and not feasible to mine. If, at a later date, it becomes feasible then mining could continue.

4. **DMG Comment (June 22, 1993):**

SMARA Section 2773.1 requires that financial assurances be required of a surface mining operations to guarantee site reclamation; the financial assurances be payable to the SMARA lead agency and the State Geologist; that the financial assurances be submitted to the state geologist for review and comment; and that lead agencies annually inspect mining operations to determine SMARA compliance. We recommend that financial assurances be included to cover the cost of revegetation the site should natural vegetation fail to meet the performance standards.

Inyo County Response:

Inyo County concurs. Financial assurances will be filed at the time of approval as required in SMARA. The calculations are shown in the Plan. This is a planned, phased reclamation operation. No financial assurances will be released until reclamation is deemed a success. Success is defined in the reclamation plan.

5. **DMG Comment (June 22, 1993):**

CCR section 3502 (b)(1) requires that the reclamation plan include a description of the environmental setting of the mine site. A full description of the site is necessary for the following three reasons: 1) to document baseline conditions, 2) to aid in development and evaluation of an appropriate revegetation plan, and 3) to evaluate purported mining and reclamation impacts on wildlife habitat.

Prior to site disturbance, a quantitative description of the biotic setting of the site will be necessary to adequately establish baseline conditions of the site. This quantitative evaluation should include percent cover or density, and diversity measurements for each of the vegetation types that will "naturally " recolonize the reclaimed landforms.

Also, prior to any site disturbance, the purported lack of impacts to sensitive, rare, threatened, and endangered plants and animals should be verified. The revegetation of the site should be designed to help lessen impacts to unique species. Without the knowledge of which species occur on the site, the revegetation design cannot target those species.

Inyo County Response:

Inyo County concurs. This is included in the Reclamation Plan. The site is disturbed, so any prior requirements can not be met. Knowledge of the plant species is known. Photographs have been taken. Any description of the mine is not as adequate as a first hand look. It is suggested that a visit to the mine be conducted by anyone commenting on the adequacy of the mine reclamation plan. Many things could and would have been done differently if the disturbance had not already occurred.

The adjacent land will be used as a comparison to address when revegetation will be considered a success. The shape reclaimed land will conform to the existing landforms around the site. Comparison will be done photographically.

6. **DMG Comment (June 22, 1993):**

CCR Section 3705 (a) requires that vegetative cover or density, and species-richness sufficient to stabilize the surface against effects of long-term erosion and be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover, and species richness of naturally occurring habitats should be documented in baseline studies carried out prior to initiation of mining. We recommend that the reclamation plan be amended to include the aforementioned baseline studies.

Inyo County Response:

Inyo County does not concur. The base line studies cannot be done because the land has already been disturbed. Comparison can occur only with the surrounding area which is similar with the mined land. This has be done via photographs and will continue to be done on an on-going basis. The mined material has a unique feature that once rained upon, the surface seals itself and no wind erosion will occur.

Vegetative density will be required to confirm reclamation success. However, the County will not require complete vegetative density. This statement is some what vague, because we have not determined the vegetative cover needed to deem reclamation a success.

7. **DMG Comment (June 22, 1993):**

CCR Section 3703 (a) requires that all sensitive species be conserved or mitigated. The reclamation plan does not qualify the statement that "there is no known endangered, threatened or sensitive vegetation in the surrounding area". We recommend that the source of this statement be identified, and that a survey methods and results be detailed in the reclamation plan.

The California Department of Fish and Game Natural Diversity Data Base reports that Ripley's cymopterus (Cymopterus ripleyi), a CNPS List 2 plant, occurring near the project Vicinity. We recommend that the absence of this species be verified by surveys conducted at the appropriate time of the year by a qualified botanist. We also

recommend that an informal consultation be conducted with the Department of Fish and Game to determine the presence of any sensitive species that may be impacted within the project boundaries.

Inyo County Response:

Inyo County concurs. The only sensitive plant species located near the site is Cymopterus ripleyi. The 50.4 acres are already disturbed. There is no vegetation on the disturbed site. Therefore, no vegetative studies need be conducted on an already cleared area. The absence of species need not be verified by a qualified botanist because there are no plants on the land in question. The intent is to reclaim the area once mining is complete.

The endangered species "Cymopterus ripleyi" has been found within one mile of this mine site. If the species was once on the site, no amount of study by a qualified botanist will bring the plant back. It is counter productive to study something after the fact. This plant is reported in the roadway and appears to be in abundance near the site. It is assumed that when the mine is reclaimed the plant will repopulate the mine site.

8. **DMG Comment (June 22, 1993):**

CCR Section 3503 (c) states that all reasonable measures be taken to protect the habitat of fish and wildlife and CCR Section 3702 (b) states that wildlife habitat be at least as good as pre-project. We recommend that remedial measures for habitat restoration be developed should natural revegetation of the project site not insure after cessation of mining.

Inyo County Response:

Inyo County concurs. This is a phased reclamation plan. After each two acre plot is revegetated, monitoring will be done to insure that revegetation is a success. Financial assurances will be retained until reclamation is deemed a success. The land will have the same characteristics as the undisturbed area. It is assumed that fauna will reuse the site when reclamation is complete.

9. **DMG Comment (June 22, 1993):**

SMARA Section 2773(a) requires that the reclamation plan establish site-specific criteria for evaluation compliance with the approved reclamation plan, including sediment and erosion control. The erosion control measures described in the reclamation plan are vague, and consist of regrading slopes and placing coarse aggregate over finer material to reduce wind and water erosion. The proposed erosion control measures may not be adequate in highly exposed areas or drainage swales. We recommend that the reclamation plan include and erosion control monitoring plan, and

provide a contingency plan that will be set into place to augment the proposed erosion control measures (see item #10), if erosion is evident during annual inspections.

Inyo County Response:

Inyo County concurs. SMARA requires site specific criteria for reclamation. This is what has been done at the site. The slope and drainage will be similar to the pre-mining slopes. The type of material on site, pumice, when wet crusts over and will not blow in the wind. The yearly two acre reclamation plots will act as test plots to insure successful reclamation of the plant site. If revegetation needs to take place it will be done.

If erosion is evident during annual inspections, additional measures will be taken to control it. This can include revegetation, and other drainage control measures to insure erosion is minimized. The criteria to judge success has been written into the reclamation plan.

10. DMG Comment (June 22, 1993):

SMARA Section 2772 (h)(2) requires streambanks and stream beds be rehabilitated in the manner that will minimize erosion. According to the reclamation plan, the original drainage hat transected a portion of the site will be reestablished, and coarse aggregate will be laid down over the finer material to reduce wind and water erosion. The reclamation plan needs to describe in greater detail how the drainage will be protected from water erosion. We recommend that sufficiently sized coarse aggregate be applied to the drainage area to insure that drainage is protected from water erosion.

Inyo County Response:

Inyo County concurs. If it is seen that coarser aggregate is required to be placed in drainages.

11. DMG Comment (June 22, 1993):

CCR Section 3711 establishes mandatory standards for topsoil salvage, maintenance, and redistribution. The reclamation plan does not discuss topsoil management. For example, the reclamation plan states that "re-vegetation occurs naturally in areas of inactivity." The seeds, microbial organisms, and organic matter found in the upper six inches of growth media constitute a significant resource when used in arid land reclamation. Successful revegetation of the site may not be possible without this resource. We recommend that the upper six inches of growth media be stockpiled and reapplied during reclamation. We also recommend that the reclamation plan be amended to address the five subsections set forth in this section.

Inyo County Response:

Inyo County concurs. However, the nature of the site preludes such measures. The reclamation plan is being filed after the fact. The land has already been disturbed. It is impossible to stockpile the upper six inches of growth media because it is already lost.

The site has already been disturbed and no top soil is available. The pumice is very close to, if not on the surface. Plants grow on the pumice. The pumice retains water when it rains, so therefore, natural revegetation will take place, at a slow rate.

12. DMG Comment (June 22, 1993):

SMARA Sections 2773 (a) requires that the reclamation plan establish "site -specific criteria for evaluating compliance with the approved reclamation plan. including topography, revegetation, and sediment and erosion control." The reclamation plan does not identify the criteria by which the success of the revegetation of the site will be judge. We highly recommend that minimum standards be developed by the operator in conjunction with the lead agency and DMG. For example, the standard should specifically state the amount of vegetative cover or density, and diversity to be obtained over a specific monitoring period. CCR Section 3705 (m) requires that these standards and sampling methods be set forth in the reclamation plan. For revegetation elements, monitoring should be done for a minimum of five years following implementation. Monitoring should be done on an annual basis with reports submitted to the lead agency and DMG. The monitoring program should address the stability and success of the rehabilitated areas, compare these areas to baseline conditions and performance standards, and suggest remedial measures, where needed. The sample size should provide 80 percent confidence level, as a minimum. The review of the reports by agency personnel should allow for modifications in monitoring, rehabilitation, or revegetation techniques.

Inyo County Response:

Inyo County concurs. This has been done. The "test" plots will be the yearly two acres reclaimed each year. Criteria for successful reclamation will be included in the reclamation standards.

13. DMG Comment (June 22, 1993):

CCR Section 3705 (b) requires test plots to be conducted simultaneously with mining to determine the most appropriate planting procedures. We recommend that test plots be conducted to test the feasibility of the "re-vegetation" of the site. Test plots could ascertain the amount of vegetative cover density, and diversity attained over time to determine the efficacy of natural revegetation in meeting the success criteria or minimum standards.

Inyo County Response:

Inyo County concurs. The two acre per year reclamation phased program will work very well as test plots.

General Inyo County Comments on Mines and Geology Comments:

General comments. Department of Mines and Geology should visit sites prior to making specific comments. The operator of this mine has been helpful in completing the application for a new reclamation plan. The application and information given us was the most complete and accurate.

Each mine in Inyo County is site specific. Each mine needs to be visited and a site inspection is required before any comments can be made on the application. Inyo County has a unlimited number of microclimates, geologic, and biotic features that makes these visits necessary. The same standards can not be applied to numerous mines. Standards needed to meet the requirements of SMARA will be met in all cases.

The following are comments received from concerned agencies:

Great Basin Unified Air Quality Control District:

The operation is under permit by Great Basin. If the operators are causing a fugitive dust problem then appropriate action should be instigated by Great Basin.

California Department of Fish and Game:

This is a project with a greater than "de minimus" finding as defined by the California Department of Fish and Game since it will have a measurable adverse impact on wildlife resources. Vegetation has been disturbed at the project area, so payment of the fee is required pursuant to Section 711.4 of the Fish and Game Code.

If this project is approved, the applicant will be required to pay a fee of $1275.00 at the time the Planning Department files a Notice of Determination in compliance with the California Environmental Quality Act (CEQA). The County will then forward the monies to the California Department of Fish and Game. Section 21809 (b) of the Public Resources Code provides that this project will not be "operative, vested or final" until this fee has been paid.

FINANCIAL ASSURANCES:

As required by the Division of Mines and Geology the Surface Mining and Reclamation Act of 1975, financial assurances have been formulated for this reclamation plan by the applicant. Inyo County Planning Department Mining Engineer has

reviewed the applicant's proposed reclamation procedures and costs and has concurred with the proposed financial assurances amount.

The applicant proposed to do reclamation on the concurrent basis. This is allowed by SMARA. The total cost estimated by the applicants is projected at $30,000 for 50.4 acres. Annual inspections will show success on the test plots (two acres per year). When success is determined on each two acre plot the financial assurances will be reduced accordingly. The Planning Department concurs with the amount of financial assurances.

ENVIRONMENTAL REVIEW:

In accordance with the requirements of the California Environmental Quality Act (CEQA), an Initial study was completed and a Draft Negative Declaration of Environmental Impact, was prepared and circulated for public review and comment by June 18, 1993. Comments were received from the CalTrans District 9 office, and the California Department of Fish and Game.

CalTrans Comments were received. CalTrans comment stated that the project would have no effect on the State transportation system.

California Department of Fish and Game comments are attached and have been incorporated into the conditions of the Conditional Use Permit and Reclamation Plan.

PUBLIC NOTICE:

Notice of this public hearing has been posted, published and mailed to all parties concerned.

RECOMMENDATIONS:

The planning Department recommends the Planning Commission approve Reclamation Plan #93-4 and Conditional use permit #93-5 by taking the following actions (three motions).

A. Based upon the Initial Study and all the written and verbal comments received, adopt the Negative Declaration of Environmental Impact thus certifying that the requirements of the California Environmental Quality Act have been met.

B. Find the proposed reclamation plan conforms and meets the requirements of Chapter 18.76 (Mining and Land Reclamation) of Inyo County Code and the provisions of the State Surface Mining and Reclamation Act.

(Evidence: The proposed Reclamation Plan and Conditional Use Permit are consistent with the requirements of Inyo County Code and SMARA.)

(Evidence: Existing public and private services are adequate to meet the requirements of the proposed project without the need for their expansion.)

(Evidence: The adverse environmental impacts inherent with the proposal are minor in nature and will not exceed thresholds of significance either individually or cumulatively).

(Evidence: Based upon the environmental evaluation of the proposed project [Reclamation Plan with Conditional Use Permit], it has been found that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; or public health, safety, and welfare. This constitutes a Negative Finding for the Mandatory Findings require pursuant to Section 15065 of the CEQA Guidelines.)

C. Find that the project will have a *"Greater than De Minimus"* impact on wildlife and vegetation.

(Evidence: As the Reclamation Plan and Conditional Use Permit have been filed after the applicant disturbed 30.4 acres of habitat, the project has a "Greater than De Minimus" effect on the environment pursuant to Section 711.4 of the Public Resources Code.)

D. Approve Conditional Use Permit #93-5/ and Reclamation Plan #93-4 / Pacific Lightweight Products subject to the following Conditions:

CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This reclamation plan and conditional use permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Must comply with the Great Basin Unified Air Pollution Control Board emissions requirements as outlined in the permit issued by Great Basin.

4. Upon approval, two acres per year shall be reclaimed as outlined in the reclamation plan. The first years acreage shall be divided into two one acre segments. One segment shall let natural vegetation take over while the second segment shall be reseeded with the appropriate seeds to give 80% of the surrounding plant density and 80% species diversity. At the time of this planting a good watering shall be conducted on both plots. This shall be done at the appropriate time of the year. This site shall be monitored

every six months to insure success. At the same time provisions shall be installed to discourage noxious weeds from gaining a foothold on the site.

5. If noxious weeds appear, immediate measures shall be taken to rid the site of such plants. This may consist of any method deemed appropriate that does not affect the desired plants.

6. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code fir potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

7. As a condition for approval of Conditional Use Permit #93-5, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its appeals board, or its legislative body concerning Conditional Use Permit #93-5. The County reserves the right to prepare its own defense.

8. Development shall be in substantial conformance with the submitted application

RECLAMATION PLAN CONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This Reclamation Plan and Conditional Use Permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Revegetation occurs naturally in areas of inactivity. However, reseeding shall occur to the extent that is indicated by the one acre test plots conducted the first year of reclamation. One will be reseeded the other will not. The viability of these two plots will dictate the planting on
the remainder of the site. It is understood that the reseeded plot should have better performance than the unseeded plot, however, criteria should be obtained to show the whether the value of reseeding is substantially better than natural reseeding. Maybe less reseeding is necessary.

4. Upon completion of mining, or after one year of inactivity in phased reclamation area, the area disturbed by Pacific lightweight Products will be reviewed for revegetation, and a reduction in the bond will be based upon the success of the revegetation. Success will be achieved when the density of the plants reaches 25% of the density of plants on the undisturbed ground, and the plant diversity reaches 60% of the undisturbed ground.

5. The seed mix shall be of comparable plants that are in the undisturbed area.

6. Concurrent reclamation will be performed by the operator to reclaim the areas disturbed after 1975 or already scarified by previous mining management practices. If the operations intrude into the previously disturbed areas as delineated on the "Contour Map at the Conclusion of Mining" submitted with the reclamation plan, a new appraisal of the site will occur. Contours will closely follow that map for final reclamation..

7. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with the prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area. All pre-mining drainage courses will be restored within three months of closure and such reclamation shall not promote accelerated soil erosion.

8. Scarify all areas of mining disturbance and existing mining operation roads with in the area of operations.

9. All structures, equipment, foundations, pipelines, trash, and debris shall be removed from the site within three months of closure.

10. Financial assurances in the sum of $30,000.00 in the form of a surety bond, irrevocable letter of credit, cash, or certificate of deposit shall be posted with the Inyo County Planning Department. Said financial assurances shall be made payable to the County of Inyo and the California Director of Conservation.

11. The applicant shall submit a notarized statement to the Planning Department accepting responsibility for reclaiming the lands as per the conditions specified herein prior to any additional mining or exploration activities commencing.

12. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code fir potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling

fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

13. This Reclamation Plan shall be reviewed and the applicant's compliance with the conditions listed above shall be evaluated every year, as required by section 2774(b) of SMARA, after the date of approval. The amount of the financial assurances shall also be reviewed and adjusted as deemed appropriate, at the same time.

14. As a condition for approval of Reclamation Plan #93-4, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its appeals board, or its legislative body concerning Reclamation Plan #93-4. The County reserves the right to prepare its own defense.

15. Development shall be in substantial conformance with the submitted application

Attachments: Vicinity Map
"Contour Map at Conclusion of Mining"
CalTrans Letter
Great Basin Comments
Department of Fish and Game Comments
Department of Mines and Geology Comments

EHG CEK/cek

Attachment A

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
500 SOUTH MAIN STREET
BISHOP, CA 93514
(619) 872-0692

RECEIVED
JUN 9 1993
INYO CO. PLANNING DEPT.

June 7, 1993

File: Inyo-395-32.66
SCH: 93052045

Mr. Curtis Kellogg
Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526

RECLAMATION PLAN #93-4/PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-05/PACIFIC LIGHTWEIGHT PRODUCTS

Thank you for the opportunity to review and comment on the above project. The project is located in Inyo County approximately two miles south of Olancha, 5-1/2 miles east in the Upper Centennial Flat area. Access to the site will be by an unpaved county road, Cactus Flats Road.

As a responsible agency for transportation, Caltrans has no comments to offer regarding this project.

Sincerely,

F. K. WALTON, Chief
Transportation Planning
Branch A

cc: SCH: Russ Colliau

X	ROGER DEHART	X
	CURTIS KELLOGG	
	C. THISTLETHWAITE	
	SANDY MILLER	
	BRAD MERTAN	
	EARL CANN	
	JANET CROSS	
	FILE	

Attachment B

Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 872-2712
E-Mail: InyoPlanning@telis.org

March 30, 1998

CERTIFIED

State of California
Department of Conservation
Division of Mines and Geology
Mined-Land Reclamation Project Office
801 "K" Street
MS 09-06
Sacramento, Ca. - 95814 - 3529

RE: Amended Reclamation Plan #93-4 and CUP #93-5/Olancha Pumice Mine/Pacific Custom Materials

To Whom it May Concern:

Attached please find a copy of the proposed amended reclamation plan and Conditional Use Permit for Pacific Custom materials for their Olancha Pumice Mine. The mine ID number for this mine is 91-14-0003. This document is for your thirty day review and comments. Please forward your comments to the County in a timely manner.

Sincerely,

Earl H. Gann

Earl H. Gann
Mine Reclamation Planner

Attachments: Proposed amended Reclamation Plan #93-4, CUP 93-5

DEPT OF CONSERVATION
OFFICE OF
MINE RECLAMATION
RECEIVED
98 APR -3 AM 8:26

transmittal RP-93-4

CONDITIONAL USE PERMIT APPLICATION

The following information is required by the Planning Commission pursuant to the requirement of the Inyo County Zoning Ordinance.

APPLICANT: Name: Pacific Custom Materials, Inc.
Address: 715 North Central Avenue, Suite 101
City: Glendale, CA 91203
Telephone: (818) 240-5160

OWNER: Name: Ely Trust
Address: Box 90960
City: Santa Barbara, CA 93190
Telephone: (805) 569-2303

ENGINEER: Name: Nancy D. Garnett
Address: 1341 West Mockingbird Lane
City: Dallas, TX 75247
Telephone: (972) 647-3824

ASSESSORS PARCEL NUMBER: 33-200-01 Zoning: OS-40

I HEREBY REQUEST that the Inyo County Planning Commission consider this conditional use permit application for the following project (describe completely and in detail):

Pacific Custom Materials, Inc. (PCM) currently operates an open pit pumice mine in Inyo County, California. The mine has an approved Conditional Use Permit # 93-5 and an approved Surface Mining Reclamation Plan # 93-4.

The mine is located approximately two miles south of the community of Olancha and five and one-half miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in southern Inyo County. PCM currently leases 320 acres from the Ely Trust. The current mine operation occupies approximately 50 acres of the leased property.

The current operation has essentially remained the same since initiation of mining activities in 1985. The pumice is mined by open pit methods with a bulldozer and front-end loader. The mined pumice is processed by crushing, sizing, and flotation prior to being transported off-site. The pumice removed from the site is used in the production of lightweight concrete, structural block, cultured stone and other commercial products. The mine would continue to operate eight hours per day. The mine currently employs five persons and proposes to employ eight persons.

Based on current reserve calculations, the mine has approximately four months of accessible operating reserves remaining. In order for the mine to continue operating, PCM requests approval to expand its mining activities and increase the project area from approximately 50 acres

to approximately 75 acres. The proposed area of expansion includes areas disturbed by previous owners.

CONSENT: I consent to the submission of the conditional use permit application.

(Signed by at least one record owner of the property)

CERIFICATION: I hereby certify that the above information is correct to the best of my knowledge.

(Signed by the applicant or Engineer)

NOTE: THIS APPLICATION REQUIRES A PUBLIC HEARING BEFORE THE INYO PLANNING COMMISSION. YOU OR A REPRESENTATIVE MUST BE PRESENT TO ANSWER ANY QUESTIONS. FAILURE TO APPEAR MAY RESULT IN THE PUBLIC HEARING BEING CONTINUED OR THE APPLICATION DENIED.

ENVIRONMENTAL INFORMATION FORM

GENERAL INFORMATION:

Name: Pacific Custom Materials, Inc.
Address: 715 North Central Avenue, Suite 101
City: Glendale, CA 91203 Phone: (818) 240-5160

Assessor's Parcel Number: 33-200-1

Zoning: OS-40 (Open Space – 40 acres minimum)

Existing Use of Property: Property is operated as pumice mine.

List any other related permits and other public approvals required for this project (Local, State or Federal): Great Basin Unified Air Pollution Control District – Permit to Operate; County of Inyo – Mining Reclamation Plan and Mine Operation Annual Report

PROJECT DESCRIPTION:

Proposed Project: (Describe Completely)

Pacific Custom Materials proposes to expand its mining activities and increase the project area from approximately 50 acres to approximately 75 acres. The area of expansion includes areas disturbed by previous owners. The operation remains essentially the same as the existing mining operation. However, a portable sizing screen process will be added in order to reduce production of out-of-specification material. This process will result in a beneficial environmental impact, as fines are removed prior to additional processing. This will help to minimize the quantity of fines being processed and/or transported and will help to minimize fugitive particulate emissions.

Plans: Attach any development plans, plot plans, design plans, and elevations, which depict the proposed development.

Checklist: Are the following environmental impacts applicable to the project. Discuss below all the items checked YES (attach additional sheets if necessary):

YES	NO	
X	___	Change in existing features of any water courses, natural vegetation, slopes or substantial alteration of ground contours.

X	___	Change in scenic views.
X	___	Change in the pattern, scale or character of the project area.
___	X	Generation of significant amounts of solid waste.
X	___	Generation of dust, ash, smoke, fumes or odors.
___	X	Change in surface or ground water quality or quantity.
X	___	Change in existing noise or vibration levels.
X	___	Location of filled land or on slopes of 10% or more.
X	___	Use or disposal of potentially hazardous, toxic or flammable materials.
___	X	Increase in demand for municipal services (sheriff, fire, water, sewer, electricity, etc.).
X	___	Increase in fossil fuel consumption.
___	X	Relationship to a larger project or series of projects.

Discussion of all the above items checked YES:

See Attachment I
Environmental Information Form
Pacific Custom Materials - Pumice Mine

ENVIRONMENTAL SETTING:

Describe the project site as it now exists, including information on topography, soils, plants, animals, drainage, climate, air quality, access, traffic, utilities, noise and structures.

See Attachment I
Environmental Information Form
Pacific Custom Materials - Pumice Mine

Describe the surrounding properties, including information listed above.

See Attachment I
Environmental Information Form
Pacific Custom Materials - Pumice Mine

CERTIFICATION: I hereby certify that the statements furnished above and in any attachments present the data and information required for this Environmental Information Form to the best of my ability, and the facts, statements and information presented are true and correct to the best of my knowledge and belief.

1-19-98
DATE

Jim Nilsen
SIGNITURE

Attachment I
Environmental Information Form
Pacific Custom Materials -Pumice Mine

CHECKLIST RESPONSES

The following discussion is in response to items checked YES on the Environmental Information Form checklist.

Features

The proposed project is an expansion of the existing permitted mining operation. The existing and proposed operations are "open-pit" mining. Both existing and proposed operations will result in changes to the features of the natural vegetation, slope and ground contours. However, changes are and will continue to be minimal and/or temporary, as the operation must comply with an approved surface mining reclamation plan.

Scenic Views

The proposed mining activities are essentially the same as existing activities; therefore, views of the actual operation will remain essentially the same. Topography in the proposed project area consists of low rolling hills sloping to the southwest. Mining activities in the proposed area of expansion will change the scenic view, as topography and vegetation are disturbed. Changes to the scenic views will be either minimal and/or temporary, as the operation must comply with an approved surface mining reclamation plan.

Pattern, Scale or Character

The pattern, scale or character of the proposed project area will change slightly from the existing operation. The proposed project will utilize an additional two-deck screen and four conveyors at the main plant, and a portable screening plant with three conveyors.

Dust, Ash, Smoke, Fumes or Odors

The current operation generates dust and exhaust fumes from the operation of mining equipment. PCM proposes to add a portable screening process. This process removes fines prior to additional processing. This will help to minimize the quantity of fines being processed and/or transported and will help to minimize process and/or fugitive particulate emissions.

Throughout the history of the mine, it has been observed that the moisture content of the pumice ranges from 11% to 15%. The significance of this naturally occurring water is that it helps

minimize the generation of dust during the mining operation. To further reduce the potential dust emissions, PCM policies and procedures include the following:

- A watering truck applies water/dust suppressant to haul roads and around screening plant operations.
- All mining activities are ceased, when wind conditions are such that dust levels can not be controlled.
- The maximum speed limit for any vehicle on the property is 15 miles per hour.
- Transfer points are enclosed.
- Screens are covered with a fabric cover.
- Mining and reclamation occur simultaneously, which reduces the exposure of disturbed areas.
- Water spray bars are used as necessary.

Noise

The proposed project includes the addition of a portable screening process to reduce production of out of specification material. This process includes the use of a self contained feed hopper, screen, and three conveyors. The proposed project will also require the use of an additional two-deck sizing screen and three electric conveyors at the main plant. Noise levels generated from the proposed additional equipment will increase slightly from the existing operation, as equipment additions are minimal. Most of the additional equipment will be powered from the existing on-site power supply.

No complaints have ever been received regarding noise levels at the mine. No sensitive receptors are located in close proximity to the project; the nearest human residence is located approximately 2.7 miles from the mine.

Filled Land

Reclamation activities may require minimal areas of backfill in order to establish final contours.

Potentially Hazardous, Toxic or Flammable Materials

Potentially hazardous, toxic or flammable materials at the site are currently limited to the storage of diesel, waste oil, used oil filters, antifreeze, spent antifreeze, and lubricating oils for equipment.

The operation employs best management practices in handling, storing and using potential hazardous, toxic or flammable materials. Storage tanks are all above ground and include an 8,000-gallon diesel tank and a 500-gallon waste oil tank. A berm constructed of native soil provides secondary containment. Waste oil, used oil filters, and spent antifreeze are shipped off-site for reprocessing by an approved recycler.

Fossil Fuel Consumption

The proposed project will result in a slight increase in fossil fuel consumption. The facility currently operates a diesel powered electric generator to power processing equipment. The proposed portable screening plant utilizes a self-contained diesel power supply. Additionally, the proposed number of truck trips per day will increase from six to eight trips per day to eight to ten trips per day.

ENVIRONMENTAL SETTING:

The following discussion describes the project site as it now exists, including information on topography, soils, plants, animals, drainage, climate, air quality, access, traffic, utilities, noise and structures.

The proposed project site includes approximately 50 acres within the permitted pumice mine, and approximately 25 acres in the proposed area of expansion. The proposed area of expansion includes areas disturbed by previous owners.

The topography in the proposed area of expansion is open desert with rolling hills sloping to the southwest. Most of the surface area within the existing mine has been disturbed, but disturbed areas will be reclaimed as stipulated in the surface mine reclamation plan. Natural drainage patterns have been maintained.

No known endangered, threatened, or sensitive vegetation has been identified in the project area, as vegetation and wildlife habitat within the proposed project area have either been disturbed or eliminated. Vegetation previously identified in the proposed project area includes small brush, plants, and trees, as described below.

Project Area Vegetation

Scientific Name	Common Name
Ambrosia dumosa	Bursage
Amsinckia tessillata	Checker Fiddleneck
Atriplex canescens	Fourwing Saltbush
Atriplex confertiafolia	Shadscale
Larrea tridentata	Creosote Bush
Sitanion histrix	Squirrel Tail
Sitanion gibatum	Squirrel Tail ?
Stipa speciosa	N.C.N.
Yucca brevifolia	Joshua Tree

The approved surface mine reclamation plan and the surface mine reclamation plan application address reclamation of disturbed areas.

Wildlife has not been observed in the proposed project area.

Visual quality is impacted by processing equipment, which occupies approximately one acre, and stockpiles of mined material covering approximately five acres.

The project area is in an arid climate zone, and the precipitation averages six inches of rainfall per year.

Air quality is impacted by the mining operation. However, the operation complies with Permits to Operate issued by the Great Basin Unified Air Pollution Control District. Emissions resulting from the combustion of fossil fuels are minimal. One diesel generator is currently used to power equipment, and proposed changes will necessitate the use of an additional generator. Proposed process changes will help minimize process and/or fugitive dust emissions. In addition, operating policies and procedures are designed to further minimize dust emissions and include:

- A watering truck applies water/dust suppressant to haul roads and around screening plant operations.
- All mining activities are ceased, when wind conditions are such that dust levels can not be controlled.
- The maximum speed limit for any vehicle on the property is 15 miles per hour.
- Transfer points are enclosed.
- Screens are covered with a fabric cover.
- Mining and reclamation occur simultaneously, which reduces the exposure of disturbed areas.
- Water spray bars are used as necessary.

The mine is located approximately two miles south of the community of Olancha and five and one-half miles east on Cactus Flat Road. The mine is approximately one-half mile north of the Cactus Flats Road.

Traffic, related to the existing operation, consists of approximately six to eight truck trips per day and employee transportation to and from the site. Currently there are five employees at the mine. The number of truck trips per day will be increased to approximately eight to ten and the number of employees will be increased to eight.

No public utilities are required at the mine.

Even though noise is generated by the operation, no complaints have ever been received regarding noise levels at the mine. No sensitive receptors are located in close proximity to the project; the nearest human residence is located approximately 2.7 miles from the mine.

Employees are trained regarding health hazards associated to noise levels and the use of hearing protection.

There are no permanent structures located on the property, with the exception of pre-cast concrete blocks supporting the portable truck scale. All other equipment whether currently in use or proposed is temporary. The current reclamation plan requires that all structures, equipment, foundations, pipelines, trash, and debris be removed from the site within three months of closure.

The following discussion describes the surrounding properties, including information listed above.

The surrounding properties are similar to the proposed project area. Surrounding properties are open desert with rolling hills sloping to the southwest.

No known endangered, threatened, or sensitive vegetation has been identified in the immediate surrounding area. As per the Inyo County Planning Department, Cymopterus ripleyi has been identified approximately a mile from the project area. Vegetation previously identified in the immediate area surrounding the project includes small brush and plants, as described below.

Surrounding Area Vegetation

Scientific Name	Common Name
Ambrosia dumosa	Bursage
Amsinckia tessillata	Checker Fiddleneck
Atriplex canescens	Fourwing Saltbush
Atriplex confertiafolia	Shadscale
Larrea tridentata	Creosote Bush
Sitanion histrix	Squirrel Tail
Sitanion gibatum	Squirrel Tail
Stipa speciosa	N.C.N.
Yucca brevifolia	Joshua Tree

Coyotes have been observed in the area immediately surrounding the project. No other wildlife has been observed in the area immediately surrounding the project.

Air quality, visual quality, traffic, and noise conditions associated with the surrounding properties do not contribute to the environmental impact associated with the project, as land use associated with the surrounding areas is open space.

No structures or utilities are located on the surrounding properties.

Attachment B

COUNTY OF INYO

MINING RECLAMATION PLAN APPLICATION

PLEASE PRINT OR TYPE | DATE 15-Dec-97 | USE ADDITIONAL SHEETS IF NECESSARY

This application is for a: (check the appropriate box(es)) | ASSIGNED RP #

X	Mining Operations		Sand/Gravel Pit	X	Screening Plant
	Milling Operation		Concrete Batch Plant		Asphalt Batch Plant
	Exploration		Other (describe)		

1 TYPE OF RECLAMATION PLAN APPLICATION:

	New Rec Plan		Exploration Rec Plan	
X	Amended Rec Plan		Amended Exploration	Existing Reclamation Plan Number 93-4

2 APPLICANT:

Name: Pacific Custom Materials, Inc. Phone: (818) 240-5160

Address: 715 North Central Avenue

City: Glendale State: CA Zip: 91203

3 REPRESENTATIVE:

Name: Fred Smalley Phone: 760-764-2248

100 US Highway 395

City: Olancha State: CA Zip: 93549

4 LANDOWNER:

Name: Ely Trust Phone: (805) 569-2303

Address: Box 90960

City: Santa Barbara State: CA Zip: 93190

5 OPERATOR:

Name: Pacific Custom Materials, Inc. Phone: (818) 240-5160

Address: 715 North Central Avenue

City: Glendale State: CA Zip: 91203

6 LESSEE:

Name: Pacific Custom Materials, Inc. Phone: (818) 240-5160

Address: 715 North Central Avenue

City: Glendale State: CA Zip: 91203

7 FEE CALCULATION:

Acreage 75.4 - 5 = 70.4 X 50 = $3520 + $1750 + $5270

If less than five acres then fee is $1750.00

Amended with no increase in acreage is $500. Total fee is: $5,270

8 LOCATION:

Assessor Parcel Number(s) 33-200-01

Section(s) 1 Township(s) 20 South Range(s) 37 East

Latitude 36 Degrees, 14 Minutes Longitude 117 Degrees, 55 Minutes

9 CLAIM DESCRIPTION(S):

NAME	TYPE	RECORDED	BLM#

Project Site is Located on Private Property

10 GEOLOGY: Describe the geology of the area with a more detailed geologic description of the mineral deposit to be mined and principle minerals or rock types present. If referenced in geologic report, please attach copy.

The project area is located in the Basin Range Province of California. This geomorphic province is characterized by north-south trending mountains and valleys with great topographic relief. Because of the faulted valleys, drainage in the Great Basin is interior with generally high evaporation rates. Most of the lakes and streams in this region are ephemeral, holding water only after heavy rains.

Rock types exposed in the Basin Range Province comprise the oldest (Precambrian) to the youngest (Recent), with granitic, metamorphic, and sedimentary rocks well represented. In the project area volcanoes have been very active in the last 10,000 years, accounting for the abundant pumice deposits that are quarried at the mine.

Pumice is the only type of rock being mined at the site. It is a waterlain deposit from 5 to 40 feet thick that dips approximately 6 degrees to the west. The moisture content of the "in situ" pumice varies from 11% to 15%. The consolidation of the deposit is such that it can be excavated without blasting. However, it is cohesive enough to stand in vertical faces. In most of the project area, the pumice is on the surface with zero to little overburden. No faults or folds are exposed on the property.

11 ENVIRONMENT: Give a description of the environmental setting of the site and surrounding areas Describe existing land use, topography, vegetation,wildlife, surface and groundwater characteristics Describe average rain fall and other factors pertaining to the environment.

Land use associated with the existing project is pumice mining. Open range is the current land use associated with both the proposed area of expansion and the surrounding areas

The topography in the proposed area of expansion is open desert with rolling hills sloping to the southwest. Most of the surface area within the existing mine has been disturbed, but disturbed areas will reclaimed as stipulated in the approved surface mine reclamation plan. Natural drainage patterns have been maintained. upgrade slope - cover w/ native aggregate

No known endangered or threatened, threatened or sensitive vegetation has been identified in the project area.

11 ENVIRONMENT continued

Vegetation and wildlife habitat within the project area have either been disturbed or eliminated. The approved mine reclamation plan addresses reclamation of disturbed areas. Vegetation previously identified in the proposed area includes:

Scientific Name	Common Name
Ambrosia dumosa	Bursage
Amsinckia tessillata	Checker Fiddleneck
Atriplex canescens	Fourwing Saltbush
Atriplex confertiafolia	Shadscale
Sitanion Histrix	Squirrel Tail
Sitanion Gibatum	Squirrel Tail
Stipa Speciosa	N.C.N.
Larrea tridentata	Creosote Bush
Yucca brevifolia	Joshua Tree

No wildlife has been observed in the project area.

The project area is in an arid climate zone, and the precipitation averages six inches of rainfall per year. Rainfall provides the only naturally occurring source of water on the property.

Air quality is impacted by the mining operation; however, the operation complies with permits to operate issued by the Great Basin Unified Air Pollution Control District. Emissions resulting from the combustion of fossil fuels are minimal. One diesel generator is currently used to power equipment, and proposed changes will necessitate the use of an additional generator. Proposed process changes will help minimize process and/or fugitive dust emissions. In addition, operating policies and procedures are designed to further minimize dust emissions.

Traffic related to the existing operation consists of approximately six to eight truck trips per day and employee transportation to and from the site. Currently there are five employees at the mine. The number of truck trips per day will be increased to approximately eight to ten and the number of employees will be increased to eight.

Even though noise is generated by the operation, no complaints have ever been received regarding noise levels at the mine. No sensitive receptors are located in close proximity to the project; the nearest human residence is located approximately 2.7 miles from the mine. Employees are trained regarding health hazards associated to noise levels and the use of hearing protection.

No public utilities are required at the mine. There are no permanent structures located on the property, with the exception of pre-cast concrete blocks supporting the portable truck scale. All other equipment whether currently in use or proposed is temporary. The current reclamation plan requires that all structures, equipment, foundations, pipelines, trash, and debris be removed from the site within three months of closure.

12 CULTURAL RESOURCES: Give a breif synopsis of any archaeological or historical siginificance of the area.

To the best of our knowledge, there is no cultural or historical significance related to the project area. Visual observations do not indicate any archaeological or historical significance. The project area has been previously disturbed.

13 MAPS:

Provide maps showing the following:

1 Vicinity map showing access routes.
2 A workable contour map showing all proposed features and structures. Suggested scale of 1"=400'. This map shall also show permanent control points tied to the Sections, Township, and Range the the operation is located on. Depending upon the size of the operation and terrain, the contours levels should be adequate to show the features of the mine. Contour levels of 2 ft to 10 ft should be adequate.
2 A contour map showing the disturbed area after the proposed reclamation has been completed.

14 MINING OPERATION:

A. Proposed Starting Date: Mining in Progress

B. Name of Mine or Project: Pacific Custom Materials - Pumice Mine

C. Minerals to be Mined: Pumice

	ORE	WASTE (Fines)	TOTAL
D. Maximim Yearly Production:	80,000 Tons	40,000 Tons	120,000 Tons

E. Estimated Mine Life: 10 Years Estimated Time to Complete Reclamation: 10 Years

F. Operation is: [X] Continuous [ ] Intermittent [ ] Seasonal

G. Operation is: [ ] New Site [X] In Operation [ ] Inactive

H. Days per Week: 5 Daily Hours: 8 Starting Time: 6:00AM

I. Estimated Number of Employees: 8 Shifts per Day: 1

J. Type of housing (if needed): No Housing Required

15 MINE DIMENSIONS:

Highest Elevation: 4,580 Feet Overall Slope Angle: 5 Degrees Road Width: 20 feet Bermed

Maximum Depth: 60 Feet Maximum Slope Angle: 75 Degrees Road length: <0.5 Miles

Maximum Length: 2,460 Feet Maximum Width: 1,900 Feet Road Grade: Variable 1 to 4 degrees

Angle of Repose of Native or host material: 32 Degrees

Bench Height: 30 Feet Bench Width: 20 Feet

16 SIZE OF OPERATION (in Acres):

Owned		Leased	75	Total acres	75 Acres
Patented		Sub-Leased		Reclaimed	11 Acres
Unpatened		Other		To be Reclaimed	64 Acres

17 MINE WASTE: Fines / Stockpile — Describe waste piles, stockpiles, tailings ponds, other ponds and leach pads. Answer for EACH pile, pond or pad where appropriate.

Higest Elevation: 4580 Feet Overall slope Angle: 10 Degrees

Maximum Height: 40 Feet Surface area of Ponds: N/A

Maximum Length: 435 Feet Depth of ponds: N/A

Maximum Width: 435 Feet **Fines are used for reclamation.**

earlier stated no overburden

18 MINING METHODS (check all that apply)

X	Open Pit		Shovel Truck		Waste Dump
	Borrow Pit		Dragline		Tailings pond
	Gravel/Sand Pit		Single Bench	X	Quarry
	Clay Pit		Multibench		Exploration
	Hill Top		Underground		Vat Leaching
X	Side Hill		Hardrock		Other (describe)

19 OTHER CONSTRUCTION: (check all that apply)

X	Access Roads		Explosive Storage	X	Sheds
	Asphalt Batch Plant		Office Site		Shops
	Bathhouse (dry)		On Site Living Qtrs.	X	Stockpiles
	Blasting		Sewage Disposal		Tailings Dams
	Concrete Batch Plant	X	Plant Site	X	Tanks
X	Conveyors	X	Screening		WaterWells
X	Crushers		Settling Ponds		Waste Dumps
					Other (describe)

20 PROCESSING:

A. Check all box(es) that describe operations

					Asphalt Batch
X	Crushing		Heap Leaching		Precipitate
	Milling	X	Sizing		Hand Sort
	Washing		Amalgamation		Smelting
X	Flotation		Concrete Batch		Other (describe)

B. List Chemicals Used in the Processing

None

21 ACCESS:

Describe existing access routes to the operation site. Describe any proposed new access routes to be constructed.

The mine is located approximately 2 miles south of the community of Olancha and five and one-half miles east. Access to the mine from Highway 395 south of Olancha is on Cactus Flats Road.

No new access routes are required.

22 AIR QUALITY:

List number and types of vehicles and equipment associated with the project.

(1) Caterpillar D8 Dozer	(6) Sizing Screens (Portable Screening Plant Included)
(2) Front End Wheel Loaders Caterpillar 966	(24) Belt Conveyors
(1) Water Truck	(1) Screw Conveyor
(1) Bobcat Loader	(2) Roll Crushers
(1) Service Truck with Welder	(1) Diesel Generator
(1) Gallion Grader	(1) Water Pump

23 WATER QUALITY / SUPPLY:

Source of Fresh Water	LA Aquaduct	Chemicals Used	None
Gallons per Day Fresh	8,000 (Summer) 4,000 (Winter)	Methods of Chemical Disposal	Not Applicable
Gallons per Day Recycled	Zero	Proposed Sewage System	Portable Toilet
Total Gallons Used per Day	8,000 (Summer); 4,000 (Winter)		

24 ENERGY: List Amount of Energy to be Consumed per Month by the Project

Electricty	225 kw Diesel Generator (on site)	Diesel Fuel	4,082 Gallons
Natural Gas	None	Other (type)	166 Gallons Gasoline
Propane	None		

25 SITE ALERATIONS:

Describe the site alterations that will be produced by your proposed project. For instances, describe topographic changes, storm flows that will have to be channelized, length of new roads and/or easements and other such changes.

Existing operations result and proposed modifications will result in changes to the features of the natural vegetation, slope and ground contours. However, changes are and will continue to be minimal and/or temporary, as the operation complies with an approved surface mine reclamation plan.

Disturbed areas are reclaimed and will continue to be reclaimed.

Natural drainage patterns have been maintained.

26 If your project requires any permits from other agencies, please identify the agency and type of permits. Some of the agencies or departments that you may have to obtain permits listed below: Great Basin Unified Air Pollutio Control District - Permit to Operate

Great Basin Unified Air Pollution Control District	County Road Department
Lahontan Regional Water Control Board	Bureau of Land Management
County Environmental Health	California Department of Fish and Game
County Building and Safety Department	Inyo National Forest

27 HAZARDOUS WASTES; AIR QUALITY; AND HAZARDOUS MATERIALS:

Pursuant to Section 65962.5(e) of the California Government Code the project site IS [ ] IS NOT [X] identified in the latest list prepared by the Secretary of Environmental Affairs as a hazardous waste site.

Pursuant to Section 65850.2(a)(1) of the California Government Code the applicant WILL [X] WILL NOT [ ] need to compply with Section 25505, 25533, and 25534 of the California Health and Safety Code requiring a hazardous material business plan; hazardous materials regestration forms, and the preparation of a Risk Management and PreventionProgram (RMPP), respectively, and the requirements for a permit for construction or modification from the Great Basin Unified Air Pollution Control District (Hazardous Materials Business Plan and Great Basin UAPCD Authority to Construct are required.)
Pursuant to Section 65850.2(a)(2) of the California Government Code the applicant WILL [ ] WILL NOT [X] handle acutely hazardous materials as defined by Section 25500 et. seq. of the California Health and Safety Code. If "will" is checked then a notice of requirement to comply with or determination of exemption for a Risk Management and Prevention Program (RMPP) from the Inyo County Environmental Health Department shall be attached to this application pursuant to Section 65850.2(b) of the California Government Code.

Pursuant to Section 65850.2(b) of the California Government Code the applicant shall attach certification from the Great Basin Unified Air Pollution Control District that the Project is in compliance with any disclosures required by Section 42303 of the California Health and Safety Code concerning information needed by them to determine air pollution resulting from the project.

28 PROPOSED OR POTENTIAL USE OF THE LAND AFTER RECLAMATION:

Open Space

29 METHODS OF RECLAMATION:(Check all that apply)

[X]	Backfilling	[X]	Topsoil Salvage
[X]	Regrading	[ ]	Soil Augumention
[X]	Stabilization of slopes	[X]	Rehabilitation of drainage
[ ]	Resoiling	[X]	Equipment and refuse removal
[X]	Revegetation	[X]	Mitigate Hazards
[ ]	Other (describe)	[ ]	Other (describe)

30 TIMING OF RECLAMATION:

check one	
X	Mining and reclamation will be done simultaneously
	Reclamation will be done after mining is complete

State sequence of mining and reclamation.

Reclamation activities occur simultaneously with the mining operation.

The operation includes mining and processing of pumice. Processing of the pumice takes place at the main plant and at the flotation plant. The proposed operation includes processing at the portable screening plant. The main processing plant is located near the center of the pumice deposit; however, it may be relocated at some point in time in order to expedite reclamation activities prior to closure of the mine. As soon as the quarrying operations are terminated in an area, reclamation activities are initiated. Reclamation includes recontouring and revegetation as stipulated in the reclamation plan.

NOTE: The answers to questions 28, 29, & 30 ARE NOT Your Reclamation Plan!! The Reclamation Plan can be written on pages15and 16 of this application. Additional pages may be used.

31 FINANCIAL ASSURANCE :

Section 2773.1 of the Surface Mining and Reclamation Act (SMARA) requires that financial asusrances be established for each surface mining operation to ensure reclamation is performed in accordance with the mining operation's reclamation plan. The assurance is to be reviewed on an annual basis to account for newly disturbed land, reclamation performed, and inflation. The reclamation performed must be in accordance with the approved reclamation plan.

Please provide a detailed breakdown of all costs and calculations in arriving at the required reclamation. This cost breakdown shall take into account the status of the operation for the next year. It shall take into account all mining performed in the past and through the next year, including reclamation that has been approved by the lead agency.

Below are the steps required to calculate financialassurances on a mine reclamation plan. There are many osts estimating manuals available to assist you with your coste estimates. Any manuals used should be referenced. Data on equipment production rates and operating costs are usually published by the equipment manufacture. Labor rates are also published. Substantiation of labor rates is required.

1 Describe the TASKS to be performed.
2 Identify the EQUIPMENT necessary to complete each task.
3 Identify LABOR requirements for each task.
4 Identify MATERIALS needed for each task.
5 List Material COSTS.
6 Calculate PRODUCTION Rates
7 Define UNIT costs.
8 MULTIPLY the Unit Costs by Production Rates.
9 Calculate MOBILIZATION costs.
10 Define MONITORING requirements.
11 ADD the costs for all cost items in cost category.
12 ADD TOTAL COSTS for all categories.
13 Add charges for SUPERVISION, OVERHEAD, CONTINGENCIES.
14 Calculate THIRD PARTY CONTRACT COSTS.
15 TOTAL all costs to arrive at Total Estimated Reclamation Costs.

32 RECLAMATION ACTIVITIES AND COSTS: Based on Current Reclamation Costs

Reclamation Activity	Manpower Required	Costs/Hour	Equipment Required	Costs/Hour	Material Required	Material Costs
Regrading Quarry	Operator	$24/Hour	D9 Cat	$150/Hour	Fuel	$489
		$		$		$
Revegetation	Laborer	$18/Hour		$	Seed	$9,600
		$		$		$
Equipment	Iron	$24/Hour/	966 E Cat	$67/Hour	Fuel	$479
Removal	Workers (3)	Worker				$
			Truck	$300/Round		$
		$		Trip		$
Monitoring		$		$180/Round		$
		$		Trip		$
		$		$		$
		$		$		$
		$		$		$

33 PRDUCTION RATES List Source of Production Rate Data

Catepillar Preformance Handbook, 23rd Edition

The tasks calculations listed below may not be enough tasks to cover the needed tasks to reclaim the mine disturbance. Use additional pages to show these calculations. This form may not cover all types of calculations. If this is the case show these calculations and explain the calculations.

34 **TASK 1** Regrading Quarry Describe Task Reduce south facing wall to 3 to 1 slope

Equipment D9 Cat Quantity 94,611 Cubic Yards

Production Units/Hour	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Side by Side Dozing	X	Grade 20% Down	=	Adjusted Units/Hour
1,150		0.75		1.7		0.83		1.2		1.4		2044

Item	Item Cost	X	Quanity	/	Rate	=	Total Cost
D9 Cat	$150/Hour		94,611		2044 Cubic Yards/Hour		$6,900

Item	Item Cost	X	Quantity	=	Total Cost
Operator	$24/Hour		46 Hours		$1,104

Item	Item Cost	X	Quantity	X	Rate	=	Total Cost
Fuel	.80/gal		46 Hours		13 gal/Hour		$479

TASK 2 Revegetation Describe Task Approximately 50 acres to be seeded.

base on 75ac

Item	Item Cost	X	Quantity	=	Total Cost
Seed	$192/Acre		39.4 Acres		$7,565

Item	Item Cost	X	Quantity	X	Rate	=	Total Cost
Laborer	$18/Hour		39.4 Acres		2 Hours/Acre		$1,383

NO soil sales.

34 **TASK 3** Removal of Equipment Describe Task Load and Transport Equipment

Item	Item Cost	X	Quantity	=	Total Cost
Front End Wheel Loader Caterpillar 966	$67/Hour		41 Hours		$2,747

Item	Item Cost	X	Quantity	=	Total Cost
Trucking (Based on Round Trips (RT))	$300/RT		7RT		$2,100

Item	Item Cost	X	Quantity	X	Item	=	Total Cost
Operator/Iron Worker	$24/Hour		41 Hours		3 Workers		$2,952

Item	Item Cost	X	Quantity	X	Rate	=	Item Cost
Fuel	.80/gal		41 Hours		13 gal/Hour		$427

TASK 4 Mobilization Describe Task D9 Cat Mobilization

Item	Item Cost	X	Quantity	=	Total Cost
D9 Cat	$67/Hour		8 Hours		$536

Item	Item Cost	X	Quantity	=	Total Cost
Operator	$24/Hour		8 Hours		$192

TASK 5 Mobilization Describe Task Front End Loader Mobilization

Item	Item Cost	X	Quantity	=	Total Cost
Front End Wheel Loader Caterpillar 966	$67/Hour		8 Hours		$536

Item	Item Cost	X	Quantity	=	Total Cost
Operator	$24/Hour		8 Hours		$192

TASK 6 Monitoring Describe Task Site Visit

Item	Rate	X	Item Cost	X	Quantity	=	Total Cost
Monitoring (Based on Round Trips (RT))	2 RTs/Year		180/RT		5 Years		$536

34 **TASK 7** Describe Task

Quanity

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

TASK 8 Describe Task

Quanity

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

TASK 9 Describe Task

Quanity

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

TASK 10 Describe Task

Quanity

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

34 **TASK** _____ Describe Task _____

Quanity _____

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

_____ _____ _____

TASK _____ Describe Task _____

Quanity _____

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

_____ _____ _____

TASK _____ Describe Task _____

Quanity _____

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

_____ _____ _____

TASK _____ Describe Task _____

Quanity _____

Equipment	Units/hr	X	Operator Efficiency	X	Ease of Material	X	Task Efficiency	X	Time round trip	=	hours/unit

Quanity / (hours/unit) = hours

_____ _____ _____

35 RECLAMATION COST ESTIMATE SUMMARY SHEET MINING AND MILLING OPERATIONS

Section 2773.1 of the Surface Mining and Reclamation Act (SMARA) requires that financial assurances be established for each mining operation to ensure reclamation is performed in accordance with the surface mining operation's approved reclamation plan. The assurance is to be reviewed on an annual basis to account for new lands disturbed, inflation, and reclamation of lands completed in accordance with the approved reclamation plan.

Please provide calculations for the estimate of actual costs of reclamation of your operation based on existing and/or anticipated disturbance resulting from your operation over the next year, or for the total disturbance. Thesse calculations should show a detailed breaddown of cost to include, but not be limited to the following items.

A. Earthwork Recontouring

	Tasks	Hours	Manpower	Equipment	Materials
1	Regrading Quarry	46	$ 1,104	$ 6,900	$ 479
2			$	$	$
3	Mobilization	8	$ 192	$ 1,200	$
4			$	$	$
5			$	$	$
6			$	$	$
7			$	$	$
8			$	$	$
9			$	$	$
	Subtotal		$ 1,296	$ 8,100	$ 479

B. Revegetation/ Stabilization

	Tasks	Hours	Manpower	Equipment	Materials
1	Revegetation	100	$ 1,383	$	$ 7,564
2			$	$	$
3			$	$	$
4			$	$	$
5			$	$	$
6			$	$	$
7			$	$	$
8			$	$	$
	Subtotal		$ 1,383	$	$ 7,564

C. Detoxification / Disposal of Wastes

	Tasks	Hours	Manpower	Equipment	Materials
1			$	$	$
2			$	$	$
3			$	$	$
4			$	$	$
5			$	$	$
6			$	$	$
	Subtotal		$	$	$

D. Structure Removal Tasks		Hours	Manpower	Equipment	Materials
1	Remove Equipment	41	$ 2,952	$ 4,847	$ 427
2			$	$	$
3	Mobilization	8	$ 192	$ 536	$
4			$	$	$
5			$	$	$
6			$	$	$
	Subtotal		$ 3,144	$ 5,383	$ 427

E. Monitoring Tasks		Hours	Manpower	Equipment	Materials
1	Site Visits (RT)	80	$ 1,120	$ 680	$
2			$	$	$
3			$	$	$
4			$	$	$
5			$	$	$
	Subtotal		$	$	$

F.	Total	$ 6,943	$ 14,163	$ 8,470
G.	Cumulative Total	$ 29,576		
H.	Contingency (10%)	$ 2,957		
I.	Insurance (on site Liability)(1.5%)	$ 443		
J.	Contract Administration (15%)	$ 4,436		
K.	Bond (performance & payment)(1.5%)	$ 443		
L.	Profit (10%)	2,957		
M.	GRAND TOTAL	$ 40,812		

* All Reclamation Costs are to be calculated as third party contracts. The County will put reclamation contracts out to bid in case of operator default. If you seek a bond reduction based upon your own "in house" equipment and personnel submit a second cost analysis and a written request for the reduction to the County.

36 TYPE OF FINANCIAL ASSURANCES (check one):

[X] Surety Bond

[ ] Government Agency

[ ] Irrevocable Letter of Credit

[ ] Trust Funds (Cash Certificate of Deposit)

NOTE: Inyo County has County approved forms for each of the following types of financial assurances. Financial assurances must be on the County approved form. Contact the County for the correct form.

37 RECLAMATION PLAN: (This question should be answered after question 31 is answered.)

Use this space to write your reclamation plan. Use additional sheets if necessary.

Current Status

Pumice mining and reclamation activities occur simultaneously, as part of the normal operating procedures at the Pacific Custom Materials Pumice Mine. The mine has an estimated remaining life of ten years. Once the pumice supply is depleted, no other mining is planned. Currently, approximately 11 acres of disturbed land have been regraded and reseeded. Current reclamation rates exceed the reclamation rate of two acres per year stipulated in Conditional Use Permit # 93-5. The proposed final contour map submitted as part of this Surface Mining Reclamation Plan Application identifies areas already reclaimed, areas to be reclaimed, and the timing of reclamation.

Upon completion of all mining and processing operations any disturbed areas that have not been previously reclaimed will be reclaimed in accordance with an approved Surface Mining Reclamation Plan

Mining and Processing Operations

The existing and proposed operations include mining and processing of pumice.

Mining of pumice requires the removal of topsoil and overburden; however minimal topsoil is present. If present, topsoil and overburden are removed and stockpiled for reclamation. Existing vertical cuts vary in height from 20 feet to 70 feet and pose little danger of collapse unless further undercutting were to occur At present there is no need to facilitate further cutting due to the location of the pumice. The proposed maximum depth of mining is 60 feet.

A dozer is utilized to rip the pumice deposit and a front-end wheel loader picks up and hauls the pumice to the main plant. However, PCM is proposing to haul the pumice to the portable screening area prior to hauling the pumice to the main plant. At the portable screening plant, the pumice will be initially screened to reduce production of out-of- specification material. This process will also result in a beneficial environmental impact, as the quantity of fines being processed and/or transported, which may contribute to either process or fugitive particulate emissions, will be significantly reduced.

From the portable screening plant pumice would then be hauled to the main plant. Primary processing of the pumice currently takes place and would continue to take place at the main plant and flotation plant. Processing includes crushing, screening, and flotation. Fines and coarse aggregates are stockpiled for present and future reclamation. The main processing and flotation plants are currently located near the center of the pumice deposit. However, the main plant may be relocated at some point in time in order to expedite reclamation activities prior to closure of the mine. The portable screening plant will be located near the mining activity.

Reclamation

Upon completion of quarrying operations in a given area, reclamation activities begin. Areas of disturbance are scarified. Stockpiled fines are used as backfill; a coarse aggregate is placed over the finer material to minimize wind erosion and fugitive dust emissions. If available, overburden and/or topsoil are to be used as final cover materials to enhance revegetation efforts.

After disturbed areas have been recontoured and the coarse aggregate has been applied, a seed mixture is broadcast over the disturbed area. The seed mixture is comprised of the following native species (common names):

- ☐ Indian Ricegrass
- ☐ Desert Globemallow
- ☐ ~~Red Brome Grass~~
- ☐ Cheesebush
- ☐ Fourwing Saltbush

37 CONTINUATION OF RECLAMATION PLAN:

Continue writing the reclamation plan on this page and additional pages to write your reclamation plan.

- ☐ Desert Spinach
- ☐ Burrobush
- ☐ Shadscale
- ☐ Creosote
- ☐ Desert Senna.

Disking is not applicable for seed application purposes; fines would be exposed to wind erosion. Application by hand is a more suitable method for applying the seed mixture to the disturbed area. Seed will be applied by a person standing upwind of the disturbed area during moderate wind conditions. Seeds will fall between the coarser materials and be protected from the wind.

Planting will occur from October through November, as most of the seeds require cold stratification. Grasses will germinate in early spring. Germination of shrubs will follow as temperatures in the spring increase. This process will be employed for ongoing as well as closure reclamation efforts. Test plots have been established, in addition to the areas reclaimed as part of the phased reclamation program, to monitor revegetation techniques.

Operating procedures prohibit any activities in an area once the area has been seeded. This maximizes revegetation efforts and helps minimize fugitive emissions.

The pumice material when wet crusts over and does not blow in the wind; however, reclamation activities include monitoring for erosion. If erosion is evident, additional revegetation and other drainage control measures can be employed to minimize erosion.

Upon completion of all mining activities the quarry will be regraded. The southwest facing headwall will be reduced to a 3 to 1 slope. This will be accomplished by pushing material off the high wall from above with a D9 Dozer. The southwest side of the main stockpile will be rounded off. Material will be pused down and used as fill for the lower levels. Remaining disturbed areas will be regraded in accordance with the approved final contour map. The existing contour map and proposed final contour map have been submitted as part of this Surface Mining Reclamation Plan Application.

Removal of Equipment

There are no permanent structures located on the property, with the exception of pre-cast concrete blocks supporting the portable truck scale. All other equipment whether currently in use or proposed is temporary. The current reclamation plan requires that all structures, equipment, foundations, pipelines, trash, and debris be removed from the site within three months of closure.

Once the truck scale has been removed from the pre-cast concrete blocks, the pre-cast concrete blocks will be dismantled and removed from the site. The blocks will either be used at another facility or recycled.

All processing equipment will be loaded on trucks with a front-end wheel loader and transported to either another facility or to a metal recycling facility in Bakersfield, California.

The area will be inspected to ensure all materials, equipment, trash, and debris are removed from the property.

Monitoring

Upon completion of mining and reclamation activities, monitoring will be performed once every six months to ensure the success of reclamation efforts.

38 NOTIFICATION OF RESPONSIBILITY

I, Jim Milam, the undersigned representing (the) Pacific Custom Materials, Inc.

(myself/company/corporation) legal holder of the possessory interest, mineral and/ surface rights

to the property commonly known as Pacific Custom Materials Pumice Mine located in

Township 20 South Range 37 East Section(s) 1 (SBBM OR MDBM)

circle one

do, hereby, acknowledge to abide by the reclamation plan submitted with the application.

Jim Milam

Signature

Date: 2-20-98

Individual Acknowledgment:

See Attached

Corporation Acknowledgment:

Attachment B

ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Contra Costa } ss.

On February 20, 1998 (DATE) before me, Julia D. Hoffman, Notary Public (NOTARY),
personally appeared Jim Milam (SIGNER(S))

☒ personally known to me - OR- ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

JULIA D. HOFFMAN
Comm. # 1173377
NOTARY PUBLIC - CALIFORNIA
Contra Costa County
My Comm. Expires Feb. 12, 2002

WITNESS my hand and official seal.

Julia D. Hoffman
NOTARY'S SIGNATURE

Julia D. Hoffman

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgment to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☒ CORPORATE OFFICER
Regional Operations Manager (TITLE(S))
☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Pacific Custom Materials, Inc.

DESCRIPTION OF ATTACHED DOCUMENT

Notification of Responsibility
TITLE OR TYPE OF DOCUMENT

1
NUMBER OF PAGES

February 20, 1998
DATE OF DOCUMENT

OTHER

RIGHT THUMBPRINT OF SIGNER
Top of thumbprint here

39 APPLICANTS CERTIFICAT[illegible]OF FILING; (Legal owner of the property mu[illegible]ign)

NOTE: If more than one person is involved in the ownership of the property or mineral rights a separate page must be attached tothis application which lists the names and addresses of all persons having interest in the ownership of the property or mineral rights.

All applicants for surface mining reclamation plans who are not also the recorded owner(s) of the property must submit a signed statement by the property/mineral rights owner(s) authorizing them to act on their behalf.

I certify under penalty of perjury that I am the owner of record, or as noted below and the owner of record has knowledge of and consents to the proposed surface mining reclamation plan application for this property I further certify that the information contained is true and correct to the best of my knowledge.

EACH SIGNATURE BELOW NEEDS TO BE NOTARIZED

Wilma E Ely 3/11/98
Signature Date

Owner of Possessory interest or Mineral Rights

Address

Individual or Corporate Acknowledgment:

Wilma E Ely 3/11/98
Signature Date

Legal Owner(s) (all individual owners must sign as their names appear on the deed to the land)

Address

Individual or Corporate Acknowledgment:

Attachment B

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SANTA BARBARA } ss.

On MARCH. 11 1998 (Date), before me, E.M. STEVENSON, NOTARY PUBLIC (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared WILMA E. ELY. (Name(s) of Signer(s))

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

E. M. STEVENSON
Commission # 1135387
Notary Public — California
Santa Barbara County
My Comm. Expires Apr 30, 2001

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: APPLICANTS CERTIFICATION OF FIUNG OWNER OF POSSESORY INTEREST + LEGAL OWNER

Document Date: _____ Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

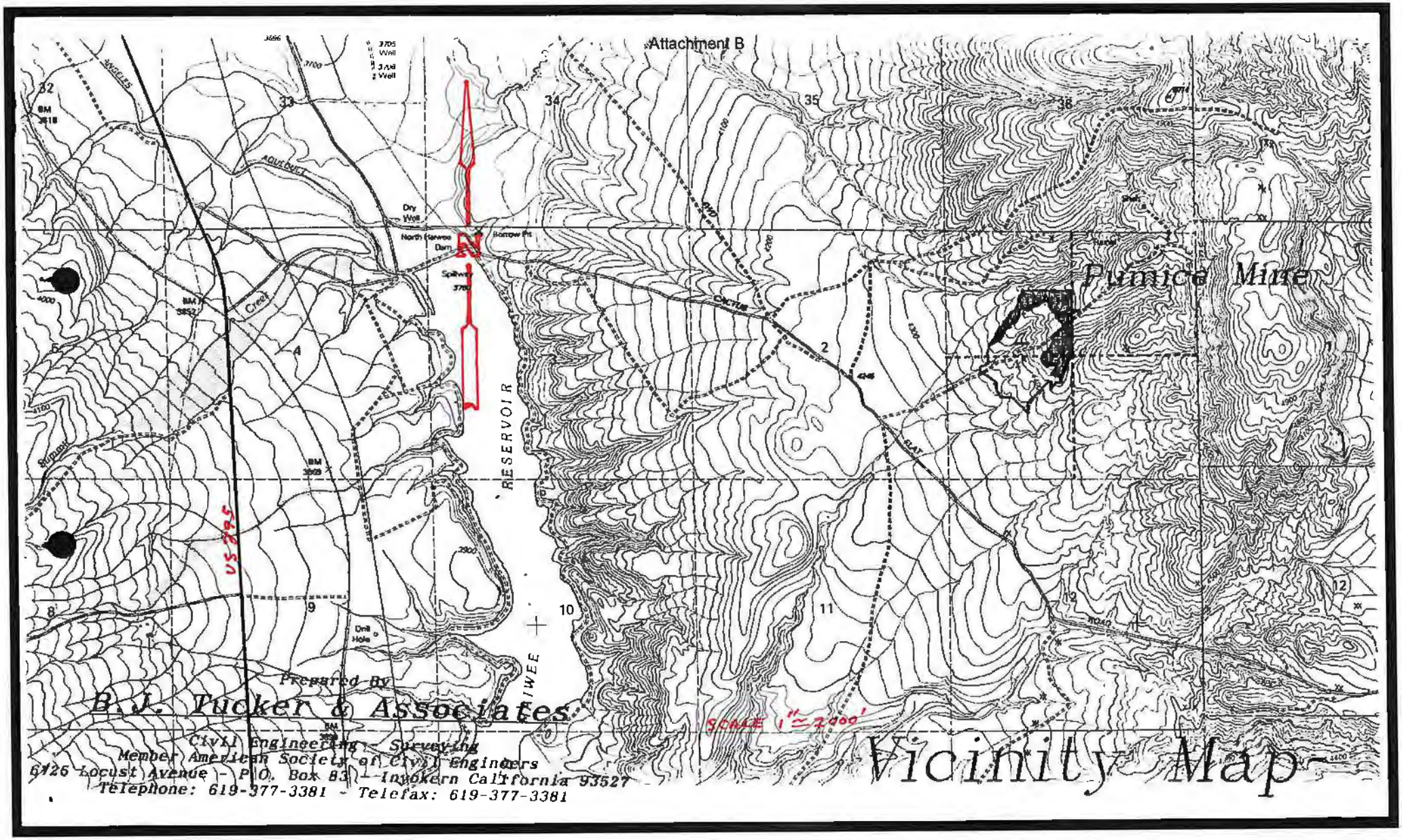
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 1997 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 Prod. No. 5907 Reorder: Call Toll-Free 1-800-876-6827

Attachment B



Vicinity Map

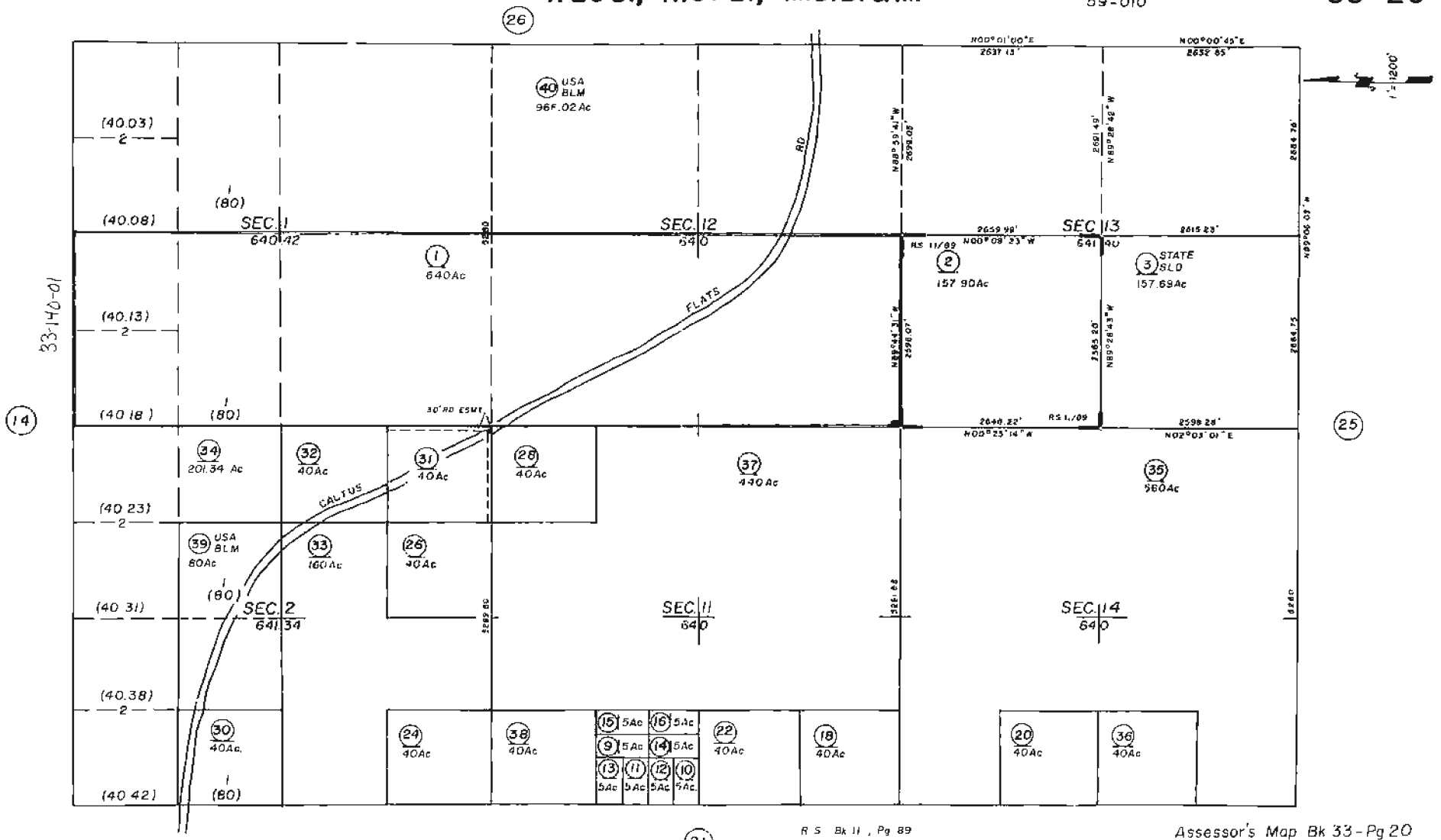
Prepared By
B.J. Tucker & Associates
Civil Engineering - Surveying
Member American Society of Civil Engineers
6126 Locust Avenue - P.O. Box 83 - Inyokern California 93527
Telephone: 619-377-3381 - Telefax: 619-377-3381

Attachment B

T. 20 S., R. 37 E., M.D.B.&M.

TAX RATE AREA 59-010

33-20



NOTE There are no definite surveys of county roads - locations are approximate

R S Bk 11, Pg 89

Assessor's Map Bk 33 - Pg 20
County of Inyo, Calif
1950

Attachment B

NAMES & ADDRESSES OF OWNERS
WITHIN 300' OF 33-200-01
OWNER: Ely Trust
LESSEE: Pacific Custom Material, Inc
REQUESTED BY: Bob Booher, Danali Inc

33-140-01	State of California State Lands Division 1807 13th St, Sacramento CA 95814
33-200-02	John Stewart 2616 Martha, Torrance CA 90501
33-200-28	Billy E & Marguerite M Foster 212 E Quincy, Pittsburg KS 66762
33-200-31	Incardinated Priests of Diocese of Fresno Priestly Form Program Diocese of Fresno Attn: Property Dept 1550 N Fresno St, Fresno CA 93703
33-200-32	Incardinated Priests of Diocese of Fresno Priestly Form Program Diocese of Fresno Attn: Property Dept 1550 N Fresno St, Fresno CA 93703
33-200-34	Ely Trust Wilma E Ely, Trustee 777 Charlotte Ln, Santa Barbara CA 93105
33-200-35	Ely Trust Wilma E Ely, Trustee 777 Cbarlotte Ln, Santa Barbara CA 93105
33-200-37	Ely Trust Wilma E Ely, Trustee 777 Charlotte Ln, Santa Barbara CA 93105
33-200-40	United States of America Bureau of Land Management 2800 Cottage Way-E2807, Sacramento CA 95825

Prepared by Lorena Miller
Supervisor-Fiscal Services
November 6, 1997

Attachment B

STATE OF CALIFORNIA-THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
DFG 753.5a (6-91)

21401

Lead Agency: Inyo Co Planning Date: 6-21-94

County/State Agency of Filing: Inyo Document No.:

Project Title: Reclam 93-4 CUP 93-5

Project Applicant Name: Pacific Estate Products Phone Number: 818-240-5160

Project Applicant Address: 715 N Central Ave Suite 101, Glendale 91203

Project Applicant *(check appropriate box)*: Local Public Agency ☐ School District ☐ Other Special District ☐
State Agency ☐ Private Entity ☒

CHECK APPLICABLE FEES:

( )	Environmental Impact Report	$850.00	$
(X)	Negative Declaration	$1,250.00	$ 1250.00
( )	Application Fee Water Diversion *(State Water Resources Control Board Only)*	$850.00	$
( )	Projects Subject to Certified Regulatory Programs	$850.00	$
(X)	County Administrative Fee	$25.00	$ 25.00
( )	Project that is exempt from fees		
	TOTAL RECEIVED		$ 1275.00

Signature and title of person receiving payment: Linda Clude Assistant

FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/FASB THIRD COPY-LEAD AGENCY FOURTH COPY-COUNTY/STATE AGENCY OF FILING

VENDOR: **PACIFIC NATURAL AGGRAGATE CO.**

CUR REF. NO.	YOUR INVOICE NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
	0618					002631
479 N		05/19/94	1,275.00	1,275.00	.00	1,275.00
					Check total	1,275.00

Rec Reclam #93-4 and CUP #93-5
Fish and Game payment 1250.00
Documentary handling fee 25.00
1275.00

RECEIVED
JUN 20 1994
INYO CO. PLANNING DEPT.

	PETER	
	CHUCK	
	CURTIS	
	SANDY	
	EARL	
	FILE Notice of D	

CEQA Determination

Notice of Determination

Attachment B

To: XX Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

XX County Clerk Inyo
County of _____

From: (Public Agency) Inyo County Planning Department, P.O. Drawer "L", Independence Ca. 93526 (Address)

FILED
JUN 21 1994
BEVERLY J. HARRY
INYO COUNTY CLERK
DEPUTY

Subject:
Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Reclamation Plan#93-4 and Conditional Use Permit #93-5 / Pacific Lightweight Products
Project Title AKA: PACIFIC NATURAL AGREGATE COMPANY - PER

93052039	Curtis E. Kellogg	619-878-0263
State Clearinghouse Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

Project Location (include county) Two miles south of the community of Olancha, 5 1/2 mi. east on Cactus Flats Road in the Upper Centenial Flat area, Coso Range, Inyo County.

Project Description:
Reclamation Plan and Conditional Use Permit for an existing open pit pumice mine.

This is to advise that the Inyo Co. Planning Commission has approved the above described project on
☐ Lead Agency ☐ Responsible Agency

March 23, 1994 and has made the following determinations regarding the above described project:
(Date)

1. The project [☐will ☒will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐were ☒were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐was ☒was not] adopted for this project.
5. Findings [☒were ☐were not] made pursuant to the provisions of CEQA.

Neg. Dec.

This is to certify that the final ~~EIR~~ with comments and responses and record of project approval is available to the General Public at:

Signature (Public Agency)	June 20, 1994 Date	Associate Planner Title

Date received for filing at OPR:

Attachment B

COUNTY OF INYO
PLANNING DEPARTMENT

P.O. Drawer L, Independence, California 93526
Telephone (619) 878-0263 FAX (619) 872-2712
Peter Chamberlin, Director of Planning

State of California
Department of Conservation
Office of Mine Reclamation
801 "K" Street
Mail Stop 09-06
Sacramento, Ca. 95814-3529

March 24, 1994

RE:

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT # 93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

Dear Sirs:

Attached please find a copy of the Notice of Decision dated March 24, 1994 outling the conditions of approval for Reclamation Plan #93-4 / Pacific Lightweight Products and Conditional Use Permit #93-5 / Pacific Lightweight Products. Also attached is a copy of the reclamation plan approved by the Inyo County Planning Commission on March 23, 1994.

Pursuant to Section 2774 (d.) of the Surface Mining and Reclamation Act (SMARA) our responses to the DMG letter addressing the above projects are included within the body of the Staff Report presented to the Commission and have also been listed below:

DIVISION OF MINES AND GEOLOGY COMMENTS:

The following are the DMG comments and the County's responses:

1. **DMG Comment (June 22, 1993):**

SMARA Section 2772 (d) requires that the maximum anticipated depth of mining be indicated on the reclamation plan. It was difficult to ascertain the depth of mining in reviewing the reclamation plan. We recommend that the depth of mining be clearly stated and tied to a verifiable bench mark that can be referenced in the field for compliance monitoring.

Inyo County Response:

Inyo County concurs. The depth of mining has been indicated in the information supplied to us by Pacific Lightweight Products, specifically in the reclamation application. Forty feet is the maximum mining depth.

2. **DMG Comment (June 22, 1993):**

SMARA Section 2772 (f) requires that the reclamation plan describe the surface mining operation and provide a time schedule for completion of each segment of mining so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation. The reclamation plan mentions phased reclamation occurring over the next ten years. A specific plan describing the proposed phased reclamation should be presented, and depicted on the site plans.

Inyo County Response:

Inyo County concurs. This has been answered in the reclamation plan.

3. **DMG Comment (June 22, 1993):**

SMARA Sections 2772 (i.) states that the reclamation plan shall include an assessment of the effect of reclamation on future mining at the site. A short statement assessing the potential for future mining at the site following reclamation should be added to the reclamation plan.

Inyo County Response:

Inyo County concurs. This is a pumice mine. The applicant plans to mine the pumice and reclaim. Nothing will be mined afterwards. This area is in the OS-40 (Open Space) zone. The nature of this pit would not preclude another mine operating in the same pit or adjacent to this pit. The pumice is on the surface. Mining pumice will continue until it is uneconomical and not feasible to mine. If, at a later date, it becomes feasible then mining could continue.

4. DMG Comment (June 22, 1993):

SMARA Section 2773.1 requires that financial assurances be required of a surface mining operations to guarantee site reclamation; the financial assurances be payable to the SMARA lead agency and the State Geologist; that the financial assurances be submitted to the state geologist for review and comment; and that lead agencies annually inspect mining operations to determine SMARA compliance. We recommend that financial assurances be included to cover the cost of revegetation the site should natural vegetation fail to meet the performance standards.

Inyo County Response:

Inyo County concurs. Financial assurances will be filed at the time of approval as required in SMARA. The calculations are shown in the Plan. This is a planned, phased reclamation operation. No financial assurances will be released until reclamation is deemed a success. Success is defined in the reclamation plan.

5. DMG Comment (June 22, 1993):

CCR section 3502 (b)(1) requires that the reclamation plan include a description of the environmental setting of the mine site. A full description of the site is necessary for the following three reasons: 1) to document baseline conditions, 2) to aid in development and evaluation of an appropriate revegetation plan, and 3) to evaluate purported mining and reclamation impacts on wildlife habitat.

Prior to site disturbance, a quantitative description of the biotic setting of the site will be necessary to adequately establish baseline conditions of the site. This quantitative evaluation should include percent cover or density, and diversity measurements for each of the vegetation types that will "naturally " recolonize the reclaimed landforms.

Also, prior to any site disturbance, the purported lack of impacts to sensitive, rare, threatened, and endangered plants and animals should be verified. The revegetation of the site should be designed to help lessen impacts to unique species. Without the knowledge of which species occur on the site, the revegetation design cannot target those species.

Inyo County Response:

Inyo County concurs. This is included in the Reclamation Plan. The site is disturbed, so any prior requirements can not be met. Knowledge of the plant species is known. Photographs have been taken. Any description of the mine is not as adequate as a first hand look. It is suggested that a visit to the mine be conducted by anyone commenting on the adequacy of the mine reclamation plan. Many things could and would have been done differently if the disturbance had not already occurred.

The adjacent land will be used as a comparison to address when revegetation will be considered a success. The shape reclaimed land will conform to the existing landforms around the site. Comparison will be done photographically.

6. **DMG Comment (June 22, 1993):**

CCR Section 3705 (a) requires that vegetative cover or density, and species-richness sufficient to stabilize the surface against effects of long-term erosion and be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover, and species richness of naturally occurring habitats should be documented in baseline studies carried out prior to initiation of mining. We recommend that the reclamation plan be amended to include the aforementioned baseline studies.

Inyo County Response:

Inyo County does not concur. The base line studies cannot be done because the land has already been disturbed. Comparison can occur only with the surrounding area which is similar with the mined land. This has be done via photographs and will continue to be done on an on-going basis. The mined material has a unique feature that once rained upon, the surface seals itself and no wind erosion will occur.

Vegetative density will be required to confirm reclamation success. However, the County will not require complete vegetative density. This statement is some what vague, because we have not determined the vegetative cover needed to deem reclamation a success.

7. **DMG Comment (June 22, 1993):**

CCR Section 3703 (a) requires that all sensitive species be conserved or mitigated. The reclamation plan does not qualify the statement that "there is no known endangered, threatened or sensitive vegetation in the surrounding area". We recommend that the source of this statement be identified, and that a survey methods and results be detailed in the reclamation plan.

The California Department of Fish and Game Natural Diversity Data Base reports that Ripley's cymopterus (Cymopterus ripleyi), a CNPS List 2 plant, occurring near the project Vicinity. We recommend that the absence of this species be verified by surveys conducted at the appropriate time of the year by a qualified botanist. We also recommend that an informal consultation be conducted with the Department of Fish and Game to determine the presence of any sensitive species that may be impacted within the project boundaries.

Inyo County Response:

Inyo County concurs. The only sensitive plant species located near the site is Cymopterus ripleyi. The 50.4 acres are already disturbed. There is no vegetation on the disturbed site. Therefore, no vegetative studies need be conducted on an already cleared area. The absence of species need not be verified by a qualified botanist because there are no plants on the land in question. The intent is to reclaim the area once mining is complete.

The endangered species "Cymopterus ripleyi" has been found within one mile of this mine site. If the species was once on the site, no amount of study by a qualified botanist will bring the plant back. It is counter productive to study something after the fact. This plant is reported in the roadway and appears to be in abundance near the site. It is assumed that when the mine is reclaimed the plant will repopulate the mine site.

8. DMG Comment (June 22, 1993):

CCR Section 3503 (c) states that all reasonable measures be taken to protect the habitat of fish and wildlife and CCR Section 3702 (b) states that wildlife habitat be at least as good as pre-project. We recommend that remedial measures for habitat restoration be developed should natural revegetation of the project site not insure after cessation of mining.

Inyo County Response:

Inyo County concurs. This is a phased reclamation plan. After each two acre plot is revegetated, monitoring will be done to insure that revegetation is a success. Financial assurances will be retained until reclamation is deemed a success. The land will have the same characteristics as the undisturbed area. It is assumed that fauna will reuse the site when reclamation is complete.

9. DMG Comment (June 22, 1993):

SMARA Section 2773(a) requires that the reclamation plan establish site-specific criteria for evaluation compliance with the approved reclamation plan, including sediment and erosion control. The erosion control measures described in the reclamation plan are vague, and consist of regrading slopes and placing coarse aggregate over finer material to reduce wind and water erosion. The proposed erosion control measures may not be adequate in highly exposed areas or drainage swales. We recommend that the reclamation plan include and erosion control monitoring plan, and provide a contingency plan that will be set into place to augment the proposed erosion control measures (see item #10), if erosion is evident during annual inspections.

Inyo County Response:

Inyo County concurs. SMARA requires site specific criteria for reclamation. This is what has been done at the site. The slope and drainage will be similar to the pre-mining

slopes. The type of material on site, pumice, when wet crusts over and will not blow in the wind. The yearly two acre reclamation plots will act as test plots to insure successful reclamation of the plant site. If revegetation needs to take place it will be done.

If erosion is evident during annual inspections, additional measures will be taken to control it. This can include revegetation, and other drainage control measures to insure erosion is minimized. The criteria to judge success has been written into the reclamation plan.

10. DMG Comment (June 22, 1993):

SMARA Section 2772 (h)(2) requires streambanks and stream beds be rehabilitated in the manner that will minimize erosion. According to the reclamation plan, the original drainage hat transected a portion of the site will be reestablished, and coarse aggregate will be laid down over the finer material to reduce wind and water erosion. The reclamation plan needs to describe in greater detail how the drainage will be protected from water erosion. We recommend that sufficiently sized coarse aggregate be applied to the drainage area to insure that drainage is protected from water erosion.

Inyo County Response:

Inyo County concurs. If it is seen that coarser aggregate is required to be placed in drainages.

11. DMG Comment (June 22, 1993):

CCR Section 3711 establishes mandatory standards for topsoil salvage, maintenance, and redistribution. The reclamation plan does not discuss topsoil management. For example, the reclamation plan states that "re-vegetation occurs naturally in areas of inactivity." The seeds, microbial organisms, and organic matter found in the upper six inches of growth media constitute a significant resource when used in arid land reclamation. Successful revegetation of the site may not be possible without this resource. We recommend that the upper six inches of growth media be stockpiled and reapplied during reclamation. We also recommend that the reclamation plan be amended to address the five subsections set forth in this section.

Inyo County Response:

Inyo County concurs. However, the nature of the site preludes such measures. The reclamation plan is being filed after the fact. The land has already been disturbed. It is impossible to stockpile the upper six inches of growth media because it is already lost.

The site has already been disturbed and no top soil is available. The pumice is very close to, if not on the surface. Plants grow on the pumice. The pumice retains water when it rains, so therefore, natural revegetation will take place, at a slow rate.

12. DMG Comment (June 22, 1993):

SMARA Sections 2773 (a) requires that the reclamation plan establish "site -specific criteria for evaluating compliance with the approved reclamation plan. including topography, revegetation, and sediment and erosion control." The reclamation plan does not identify the criteria by which the success of the revegetation of the site will be judge. We highly recommend that minimum standards be developed by the operator in conjunction with the lead agency and DMG. For example, the standard should specifically state the amount of vegetative cover or density, and diversity to be obtained over a specific monitoring period. CCR Section 3705 (m) requires that these standards and sampling methods be set forth in the reclamation plan. For revegetation elements, monitoring should be done for a minimum of five years following implementation. Monitoring should be done on an annual basis with reports submitted to the lead agency and DMG. The monitoring program should address the stability and success of the rehabilitated areas, compare these areas to baseline conditions and performance standards, and suggest remedial measures, where needed. The sample size should provide 80 percent confidence level, as a minimum. The review of the reports by agency personnel should allow for modifications in monitoring, rehabilitation, or revegetation techniques.

Inyo County Response:

Inyo County concurs. This has been done. The "test" plots will be the yearly two acres reclaimed each year. Criteria for successful reclamation will be included in the reclamation standards.

13. DMG Comment (June 22, 1993):

CCR Section 3705 (b) requires test plots to be conducted simultaneously with mining to determine the most appropriate planting procedures. We recommend that test plots be conducted to test the feasibility of the "re-vegetation" of the site. Test plots could ascertain the amount of vegetative cover density, and diversity attained over time to determine the efficacy of natural revegetation in meeting the success criteria or minimum standards.

Inyo County Response:

Inyo County concurs. The two acre per year reclamation phased program will work very well as test plots.

General Inyo County Comments on Mines and Geology Comments:

General comments. Department of Mines and Geology should visit sites prior to making specific comments. The operator of this mine has been helpful in completing the application for a new reclamation plan. The application and information given us was the most complete and accurate.

Each mine in Inyo County is site specific. Each mine needs to be visited and a site inspection is required before any comments can be made on the application. Inyo County has an unlimited number of microclimates, geologic, and biotic features that makes these visits necessary. The same standards can not be applied to numerous mines. Standards needed to meet the requirements of SMARA will be met in all cases.

We hope the data and attached information will satisfy the requirements of SMARA.

Sincerely,

Peter Chamberlin
Planning Director

Curtis E. Kellogg
Associate Planner

Attachments: Notice of Decision
Rec. Plan #93-4 / CUP #93-5
Planning Department Staff Report

CEK/cek

COUNTY OF INYO
PLANNING DEPARTMENT

P.O. Drawer L, Independence, California 93526
Telephone (619) 878-0263 FAX (619) 872-2712
Peter Chamberlin, Director of Planning

March 24, 1994

Mr. Leonard Hobbs
Director of Technical Services
Pacific Lightweight Products Company
715 North Central Avenue
Suite #101
Glendale, Ca. 91203

RE:

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT # 93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

NOTICE OF DECISION

On March 23, 1994 the Inyo County Planning Commission held a public hearing to consider your Reclamation Plan and Conditional Use Permit Application (RP #93-4 and CUP#93-5). the reclamation plan covers property located in Inyo County approximately two miles south of the community of Olancha, and five and half miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in southern Inyo County [Township 20 south, Range 37 east, sections 1 and 12, M.D,M. & M.]. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). The project is a Reclamation Plan application for an existing open pit pumice mine. The pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. All the disturbed land is Zoned OS-40 (Open Space - 40 acres minimum).

The mined pumice is crushed, screened and then transported to the Newhall area in Southern California for further processing. The pumice removed from the site will be used in producing lightweight concrete.

At that meeting, the Commission adopted the Negative Declaration of Environmental Impact thus certifying the provisions of the California Environmental Quality Act had been satisfied. The Commission also found that both the reclamation plan and conditional use permit conforms and meets the requirements of Inyo County Code and SMARA.

The Commission further approved Reclamation Plan #93-4 and Conditional Use Permit #93-5 subject conditions listed below:

CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This reclamation plan and conditional use permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Must comply with the Great Basin Unified Air Pollution Control Board emissions requirements as outlined in the permit issued by Great Basin.

4. Upon approval, two acres per year shall be reclaimed as outlined in the reclamation plan. The first years acreage shall be divided into two one acre segments. One segment shall let natural vegetation take over while the second segment shall be reseeded with the appropriate seeds to give 80% of the surrounding plant density and 80% species diversity. At the time of this planting a good watering shall be conducted on both plots. This shall be done at the appropriate time of the year. This site shall be monitored every six months to insure success. At the same time provisions shall be installed to discourage noxious weeds from gaining a foothold on the site.

5. If noxious weeds appear, immediate measures shall be taken to rid the site of such plants. This may consist of any method deemed appropriate that does not affect the desired plants.

6. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de

minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

7. As a condition for approval of Conditional Use Permit #93-5, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its appeals board, or its legislative body concerning Conditional Use Permit #93-5. The County reserves the right to prepare its own defense.

8. Development shall be in substantial conformance with the submitted application

RECLAMATION PLAN CONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This Reclamation Plan and Conditional Use Permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Revegetation occurs naturally in areas of inactivity. However, reseeding shall occur to the extent that is indicated by the one acre test plots conducted the first year of reclamation. One will be reseeded the other will not. The viability of these two plots will dictate the planting on the remainder of the site. It is understood that the reseeded plot should have better performance than the unseeded plot, however, criteria should be obtained to show the whether the value of reseeding is substantially better than natural reseeding. Maybe less reseeding is necessary.

4. Upon completion of mining, or after one year of inactivity in phased reclamation area, the area disturbed by Pacific lightweight Products will be reviewed for revegetation, and a reduction in the bond will be based upon the success of the revegetation. Success will be achieved when the density of the plants reaches 25% of the density of plants on the undisturbed ground, and the plant diversity reaches 60% of the undisturbed ground.

5. The seed mix shall he of comparable plants that are in the undisturbed area.

6. Concurrent reclamation will be performed by the operator to reclaim the areas disturbed after 1975 or already scarified by previous mining management practices. If the operations intrude into the previously disturbed areas as delineated on the "Contour

Map at the Conclusion of Mining" submitted with the reclamation plan, a new appraisal of the site will occur. Contours will closely follow that map for final reclamation..

7. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with the prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area. All pre-mining drainage courses will be restored within three months of closure and such reclamation shall not promote accelerated soil erosion.

8. Scarify all areas of mining disturbance and existing mining operation roads with in the area of operations.

9. All structures, equipment, foundations, pipelines, trash, and debris shall be removed from the site within three months of closure.

10. Financial assurances in the sum of $30,000.00 in the form of a surety bond, irrevocable letter of credit, cash, or certificate of deposit shall be posted with the Inyo County Planning Department. Said financial assurances shall be made payable to the County of Inyo and the California Director of Conservation.

11. The applicant shall submit a notarized statement to the Planning Department accepting responsibility for reclaiming the lands as per the conditions specified herein prior to any additional mining or exploration activities commencing.

12. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

13. This Reclamation Plan shall be reviewed and the applicant's compliance with the conditions listed above shall be evaluated every year, as required by section 2774(b) of SMARA, after the date of approval. The amount of the financial assurances shall also be reviewed and adjusted as deemed appropriate, at the same time.

14. As a condition for approval of Reclamation Plan #93-4, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its

appeals board, or its legislative body concerning Reclamation Plan #93-4. The County reserves the right to prepare its own defense.

15. Development shall be in substantial conformance with the submitted application.

Failure to comply with the conditions stated above will result in the current use being in violation of Chapter 18.76 of the Inyo County Code.

Concerning Condition # 10 (RP) which requires financial assurances in the amount of $30,000.00, please advise this Department as to the type of financial assurances you will be acquiring so we may send you the appropriate forms.

In regards to Condition #11 (RP) which requires a notarized statement to be submitted by the applicant to the Planning Department accepting responsibility for reclaiming the mine site, we have enclosed a statement we wish to have signed and notarized by the applicant.

If you have any questions regarding the above, please feel free to contact this office.

Sincerely,

Peter Chamberlin
Planning Director

Curtis E. Kellogg
Associate Planner

Attachment: Responsibility Statement Form

cc: BLM (Ridgecrest)
Paul Payne (5th District Supervisor)
Denyse Racine (Fish & Game - Bishop)

CEK/cek

Inyo County Planning Department
P.O. Drawer "L"
Independence, Ca. 93526

RE:

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT # 93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

In accordance with conditions placed on Reclamation Plan #93-4 issued to Pacific Lightweight Products by the Inyo County Planning Commission on March 23, 1994 and as stated in the Notice of Decision dated March 24, 1994, we agree to accept the responsibility for reclaiming the mined lands as stated therein.

Sincerely,

_____ _____

NOTARY ACKNOWLEDGMENT

COUNTY OF INYO
PLANNING DEPARTMENT

P.O. Drawer L, Independence, California 93526
Telephone (619) 878-0263 FAX (619) 872-2712
Peter Chamberlin, Director of Planning

STAFF REPORT

AGENDA ITEM NO. 6

DATE: MARCH 23, 1994

RE:

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT # 93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

Application:	Reclamation Plan #93-4 / Pacific Lightweight Products Conditional Use Permit #93-5 / Pacific Lightweight Products
Applicant:	Pacific Lightweight Products
Location:	The subject property is located in Inyo County approximately two miles south of the community of Olancha, and five and half miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in southern Inyo County [Township 20 south, Range 37 east, sections 1 and 12, MD B. & M.].
A.P.N.	38-200-01
Zoning:	OS-40 (Open Space - 40 acres minimum)
General Plan:	OP (Park Recreational - 40 acres or as designated)
Site Size:	The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products).
Proposal:	The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment

to a previously approved Conditional Use Permit, the applicant has filed applications for both Conditional Use Permit (the mine is on private lands) as required by the Inyo County Zoning Ordinance and a Reclamation Plan as required by California Surface Mining and Reclamation Act (SMARA) and County Ordinance. Therefore, this project is a request by Pacific Lightweight Products to comply with the requirements of the County Zoning Ordinance and SMARA in regards to reclamation of existing mining operations

PROJECT LOCATION:

The subject property is located in Inyo County approximately two miles south of the community of Olancha, and five and half miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in southern Inyo County [Township 20 south, Range 37 east, sections 1 and 12, M.D,M. & M.]. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). Access to the site is by an unpaved, County maintained road known as Cactus Flats Road (County I. D. #5024). See attached Vicinity Map. The nearest developed area to the site is a ranch operation approximately two miles northwest of the pit area.

PROJECT DESCRIPTION:

The proposed project is a Reclamation Plan application for an existing open pit pumice mine. The pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment to a previously approved Conditional Use Permit, the applicant has filed applications for both Conditional Use Permit (the mine is on private lands) as required by the Inyo County Zoning Ordinance and a Reclamation Plan as required by California Surface Mining and Reclamation Act (SMARA) and County Ordinance. Therefore, this project is a request by Pacific Lightweight Products to comply with the requirements of the County Mining Ordinance and SMARA in regards to reclamation of existing mining operations. All the disturbed land is Zoned OS-40 (Open Space - 40 acres minimum).

The mined pumice is crushed, screened and then transported to the Newhall area in Southern California for further processing. The pumice removed from the site will be used in producing lightweight concrete.

The pumice is loosened by bulldozer. A front-end loader picks up the material and transports it to the processing plant. The processing plant is set up near the center of the deposit for ease of operation due to the method of extraction. The front-end loader deposits the pumice for crushing and screening and then returns to the quarry. However,

instead of going back empty, the loader picks up processed pumice and transports it to on-site stockpiles before returning to the quarry. There are three stockpile areas located around the site. The applicant stated this is the reason for the expansion over the original 20 acres, permitted in 1985.

Upon approval, the size of the mined area will be reduced in size at the rate of a minimum of two acres per year. This will be done by reclamation processes. See the attached colored contour map.

An estimated 20,000 tons of pumice are currently being extracted per year at a maximum capacity of 30,000 tons per year may be achieved. At the current volume of extraction, the life of the mine operation has been calculated to end in 2003.

No waste material is generated by the mining process.

The mining operation employees a four person mining operation crew working eight hours per day. These employees work five days per week and commute to the mining site from various communities and surrounding rural areas.

There is no water supply at the site. The water used for dust suppression on the haul roads and operations area is transported in truck and tanker from Haiwee Reservoir. No water is utilized at the site for the extraction process. Potable water is purchased by Pacific Lightweight for their employees.

The sanitary facilities on the site are portable toilets.

The mining operation utilizes mobile equipment. This equipment consists of tracked D9N bulldozer, Front end loader, a water truck, a bobcat loader, a portable welder, four screens, a fifteen belt conveyor system, a rock crusher and a truck scale. Water and fuel are trucked to the site. Equipment is refueled and lubricated as needed by a mobile service truck. No hazardous contaminants are released from the mobile service vehicle.

No additional road construction is required beyond maintenance of the existing roads.

SITE DESCRIPTION:

Access is by an established truck route off Cactus Flat Road. The applicant has stated that there are no known endangered, threatened or sensitive vegetation on or around the project site. The California Department of Fish and Game wrote a letter (attached) voicing their concerns over various flora/fauna species to wit; Russian Thistle, Mojave Ground Squirrel, Desert Tortoise and Ripley's Cymopterous. These concerns have been adequately addressed within the body of this Staff Report. The Planning Department referenced the State of California Department of Fish and Game Natural Diversity Database.

The general geology is granite and metamorphic rocks which are overlain by alluvial gravels, tuffs, lake bed sediments, and andesitic and basaltic lava flows. The latter is referred to as the Coso Formation.

The pumice deposits are in tuffs and are well exposed in some places. The occurrences east of Haiwee Reservoir are considered for the most part to represent rhyolitic pyrocrastic flows and to a lesser degree water reworked pumice of the same composition. They are correlated within a very narrow range in the upper part of the late Tertiary Coso Formation. It represents a limited and unique period of explosive volcanic activity in the Coso region which appears to have occurred between 2.99 and 3.14 +/- 0.20 million years ago.

The only rock being mined at the site is pumice. It is a waterlain deposit from five to forty feet deep that dips six degrees to the west. The moisture content of the "in situ" pumice varies between eight to twelve percent. The consolidation is such that it will excavate without blasting but is cohesive enough to stand in vertical faces. In most of the area, the pumice is on the surface with zero to very little overburden. No faults or folds are exposed on the property to interfere with mining.

LAND USE/ACTIVITIES SURROUNDING PROJECT SITE:

The surrounding land uses are as follows:

North: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

South: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

East: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

West: Vacant BLM Lands. Zoned OS-40 (Open space - 40 acres minimum).

RECLAMATION PLAN/CONDITIONAL USE PERMIT:

The project before the Planning Commission consists of a Reclamation Plan submitted to amend a previously approved Conditional Use Permit with reclamation conditions (C.U.P. #85-1).

The Reclamation Plan, as submitted, calls for the removal of all equipment from the site. As the equipment utilized at the site is mobile, It will be removed from the site at the time of closure.

Precast concrete footings associated with the truck scales will be broken up and buried on the site.

All of the access and haul roads are to be contoured to blend in with the natural terrain, ripped or scarified. All open pits and piles of ore and any waste material existing at the time of closure shall be leveled to conform, as much as possible, with the existing terrain. The overall effect will be that of rounded undulating mounds that will blend in with the surrounding landscape. Any cut slopes will be either benched or sloped to blend in with the existing contours of the lands (as shown on the maps submitted with the application).

Based upon the long history of the continued mining at the site and the large ore reserves, it appears that only a major economic event would result in the mining activity being discontinued and abandoned (year 2003 estimated completion date). This may result in a difficult determination as to when the mining activity ceases and when the reclamation plan is to be implemented.

During the past seven years it was found tbat revegetation occurs naturally in the areas of inactivity.

The final mine closure will include the following site reclamation activities:

1. Revegetation occurs naturally in areas of inactivity. To supplement natural revegetation a seed mix of native species will be planted.

2. If any stockpiles remain at the time of closure they shall be recontoured in accordance with the final contour map attached to the reclamation plan. Coarse aggregate will be laid down over the finer sizes to reduce dust. The area will then be seeded with native species to control dust.

3. Upon completion of mining, or after one year of inactivity in a phased reclamation area, the area disturbed by Pacific Lightweight Products will be reviewed for revegetation (natural). If natural vegetation is not working reseeding will take place with the natural seed of the area. Success shall be achieved when the plant density of native plants reaches 25% of the density of plants on the undisturbed ground.

4. The diversity of the plant cover shall be considered successful if 60% of the native species in the area have been reestablished on the site.

5. Control of noxious weeds shall be maintained until native species have gained control. Weeds can be controlled by any appropriate method.

6. The two acres per year reclamation requirement (concurrent reclamation) shall be considered as test plots. If revegetation is not occurring at an acceptable rate, then other

methods of reseeding shall take place. Acceptable rate shall be defined as reaching the standards to release the bonding on each two acre plot in two years.

7. Each 2 acre plot shall be used as a basis of determining reclamation methods used on next plot.

8. Water may be applied as a dust control method, however plants must be able to sustain themselves for one year after the last application of water.

9. Reclamation shall reestablish pre-mining drainage.

10. Mine personnel shall be advised that desert tortoises are fully protected by state and federal law, and may not be taken, harmed or harassed at any time. If a tortoise is found on the project site, all operations in the vicinity should cease, and either the Department of Fish and Game or the U.S. Fish and Wildlife Service should be called immediately. Only those individuals authorized by U. S. Fish and Wildlife Service may handle desert tortoises.

11. At the conclusion of mining approximately 30 acres shall remain to be reclaimed. Reclamation and monitoring shall follow the guidelines established in the previously reclaimed ten two acre test plots.

12. All equipment shall be removed from the site prior to final reclamation and revegetation.

13. Financial assurances shall be calculated and posted to cover the entire 50.4 acres disturbed. This can be reduced as reclamation is completed and successful.

DIVISION OF MINES AND GEOLOGY COMMENTS:

Pursuant to SMARA, the County is required to submit all reclamation plan applications to the State Geologists (Division of Mines and Geology) for a 45 day review and comment period prior to any approval of a reclamation plan.

The State Geologist comments on a pending application requires the County to prepare a written response addressing the issues raised in their comments. In addition, if the County's position differs from the State Geologist comments, our responses are to address, in detail, why specific comments and suggestions were not accepted. Comments were received by the Planning Department. All comments have been addressed below.

The Planning Staff substantially concurred with the applicant's evaluation of the operation, its impacts and proposed reclamation conditions. However, in reviewing the DMG comments we concur that some additional information and reclamation measures need be considered in order to adequately address the reclamation of the site.

Many of the following DMG comments have been incorporated into the reclamation plan. Many were incorporated into the plan prior to DMG comments. The County will respond back to the State Geologist as to how their comments were addressed and why others were not accepted.

The following are the DMG comments and the County's responses:

1. DMG Comment (June 22, 1993):

SMARA Section 2772 (d) requires that the maximum anticipated depth of mining be indicated on the reclamation plan. It was difficult to ascertain the depth of mining in reviewing the reclamation plan. We recommend that the depth of mining be clearly stated and tied to a verifiable bench mark that can be referenced in the field for compliance monitoring.

Inyo County Response:

Inyo County concurs. The depth of mining has been indicated in the information supplied to us by Pacific Lightweight Products, specifically in the reclamation application. Forty feet is the maximum mining depth.

2. DMG Comment (June 22, 1993):

SMARA Section 2772 (f) requires that the reclamation plan describe the surface mining operation and provide a time schedule for completion of each segment of mining so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation. The reclamation plan mentions phased reclamation occurring over the next ten years. A specific plan describing the proposed phased reclamation should be presented, and depicted on the site plans.

Inyo County Response:

Inyo County concurs, This has been answered in the reclamation plan.

3. DMG Comment (June 22, 1993):

SMARA Sections 2772 (i.) states that the reclamation plan shall include an assessment of the effect of reclamation on future mining at the site. A short statement assessing the potential for future mining at the site following reclamation should be added to the reclamation plan.

Inyo County Response:

Inyo County concurs. This is a pumice mine. The applicant plans to mine the pumice and reclaim. Nothing will be mined afterwards. This area is in the OS-40 (Open Space) zone, The nature of this pit would not preclude another mine operating in the same pit or adjacent to this pit. The pumice is on the surface. Mining pumice will continue until it is uneconomical and not feasible to mine. If, at a later date, it becomes feasible then mining could continue.

4. DMG Comment (June 22, 1993):

SMARA Section 2773.1 requires that financial assurances be required of a surface mining operations to guarantee site reclamation; the financial assurances be payable to the SMARA lead agency and the State Geologist; that the financial assurances be submitted to the state geologist for review and comment; and that lead agencies annually inspect mining operations to determine SMARA compliance. We recommend that financial assurances be included to cover the cost of revegetation the site should natural vegetation fail to meet the performance standards.

Inyo County Response:

Inyo County concurs. Financial assurances will be filed at the time of approval as required in SMARA. The calculations are shown in the Plan. This is a planned, phased reclamation operation. No financial assurances will be released until reclamation is deemed a success. Success is defined in the reclamation plan.

5. DMG Comment (June 22, 1993):

CCR section 3502 (b)(1) requires that the reclamation plan include a description of the environmental setting of the mine site. A full description of the site is necessary for the following three reasons: 1) to document baseline conditions, 2) to aid in development and evaluation of an appropriate revegetation plan, and 3) to evaluate purported mining and reclamation impacts on wildlife habitat.

Prior to site disturbance, a quantitative description of the biotic setting of the site will be necessary to adequately establish baseline conditions of the site. This quantitative evaluation should include percent cover or density, and diversity measurements for each of the vegetation types that will "naturally " recolonize the reclaimed landforms.

Also, prior to any site disturbance, the purported lack of impacts to sensitive, rare, threatened, and endangered plants and animals should be verified. The revegetation of the site should be designed to help lessen impacts to unique species. Without the knowledge of which species occur on the site, the revegetation design cannot target those species.

Inyo County Response:

Inyo County concurs. This is included in the Reclamation Plan. The site is disturbed, so any prior requirements can not be met. Knowledge of the plant species is known. Photographs have been taken. Any description of the mine is not as adequate as a first hand look. It is suggested that a visit to the mine be conducted by anyone commenting on the adequacy of the mine reclamation plan. Many things could and would have been done differently if the disturbance had not already occurred.

The adjacent land will be used as a comparison to address when revegetation will be considered a success. The shape reclaimed land will conform to the existing landforms around the site. Comparison will be done photographically.

6. **DMG Comment (June 22, 1993):**

CCR Section 3705 (a) requires that vegetative cover or density, and species-richness sufficient to stabilize the surface against effects of long-term erosion and be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover, and species richness of naturally occurring habitats should be documented in baseline studies carried out prior to initiation of mining. We recommend that the reclamation plan be amended to include the aforementioned baseline studies.

Inyo County Response:

Inyo County does not concur. The base line studies cannot be done because the land has already been disturbed. Comparison can occur only with the surrounding area which is similar with the mined land. This has be done via photographs and will continue to be done on an on-going basis. The mined material has a unique feature that once rained upon, the surface seals itself and no wind erosion will occur.

Vegetative density will be required to confirm reclamation success. However, the County will not require complete vegetative density. This statement is some what vague, because we have not determined the vegetative cover needed to deem reclamation a success.

7. **DMG Comment (June 22, 1993):**

CCR Section 3703 (a) requires that all sensitive species be conserved or mitigated. The reclamation plan does not qualify the statement that "there is no known endangered, threatened or sensitive vegetation in the surrounding area". We recommend that the source of this statement be identified, and that a survey methods and results be detailed in the reclamation plan.

The California Department of Fish and Game Natural Diversity Data Base reports that Ripley's cymopterus (Cymopterus ripleyi), a CNPS List 2 plant, occurring near the project Vicinity. We recommend that the absence of this species be verified by surveys conducted at the appropriate time of the year by a qualified botanist. We also

recommend that an informal consultation be conducted with the Department of Fish and Game to determine the presence of any sensitive species that may be impacted within the project boundaries.

Inyo County Response:

Inyo County concurs. The only sensitive plant species located near the site is Cymopterus ripleyi. The 50.4 acres are already disturbed. There is no vegetation on the disturbed site. Therefore, no vegetative studies need be conducted on an already cleared area. The absence of species need not be verified by a qualified botanist because there are no plants on the land in question. The intent is to reclaim the area once mining is complete.

The endangered species "Cymopterus ripleyi" has been found within one mile of this mine site. If the species was once on the site, no amount of study by a qualified botanist will bring the plant back. It is counter productive to study something after the fact. This plant is reported in the roadway and appears to be in abundance near the site. It is assumed that when the mine is reclaimed the plant will repopulate the mine site.

8. DMG Comment (June 22, 1993):

CCR Section 3503 (c) states that all reasonable measures be taken to protect the habitat of fish and wildlife and CCR Section 3702 (b) states that wildlife habitat be at least as good as pre-project. We recommend that remedial measures for habitat restoration be developed should natural revegetation of the project site not insure after cessation of mining.

Inyo County Response:

Inyo County concurs. This is a phased reclamation plan. After each two acre plot is revegetated, monitoring will be done to insure that revegetation is a success. Financial assurances will be retained until reclamation is deemed a success. The land will have the same characteristics as the undisturbed area. It is assumed that fauna will reuse the site when reclamation is complete.

9. DMG Comment (June 22, 1993):

SMARA Section 2773(a) requires that the reclamation plan establish site-specific criteria for evaluation compliance with the approved reclamation plan, including sediment and erosion control. The erosion control measures described in the reclamation plan are vague, and consist of regrading slopes and placing coarse aggregate over finer material to reduce wind and water erosion. The proposed erosion control measures may not be adequate in highly exposed areas or drainage swales. We recommend that the reclamation plan include and erosion control monitoring plan, and

provide a contingency plan that will be set into place to augment the proposed erosion control measures (see item #10), if erosion is evident during annual inspections.

Inyo County Response:

Inyo County concurs. SMARA requires site specific criteria for reclamation. This is what has been done at the site. The slope and drainage will be similar to the pre-mining slopes. The type of material on site, pumice, when wet crusts over and will not blow in the wind. The yearly two acre reclamation plots will act as test plots to insure successful reclamation of the plant site. If revegetation needs to take place it will be done.

If erosion is evident during annual inspections, additional measures will be taken to control it. This can include revegetation, and other drainage control measures to insure erosion is minimized. The criteria to judge success has been written into the reclamation plan.

10. DMG Comment (June 22, 1993):

SMARA Section 2772 (h)(2) requires streambanks and stream beds be rehabilitated in the manner that will minimize erosion. According to the reclamation plan, the original drainage hat transected a portion of the site will be reestablished, and coarse aggregate will be laid down over the finer material to reduce wind and water erosion. The reclamation plan needs to describe in greater detail how the drainage will be protected from water erosion. We recommend that sufficiently sized coarse aggregate be applied to the drainage area to insure that drainage is protected from water erosion.

Inyo County Response:

Inyo County concurs. If it is seen that coarser aggregate is required to be placed in drainages.

11. DMG Comment (June 22, 1993):

CCR Section 3711 establishes mandatory standards for topsoil salvage, maintenance, and redistribution. The reclamation plan does not discuss topsoil management. For example, the reclamation plan states that "re-vegetation occurs naturally in areas of inactivity." The seeds, microbial organisms, and organic matter found in the upper six inches of growth media constitute a significant resource when used in arid land reclamation. Successful revegetation of the site may not be possible without this resource. We recommend that the upper six inches of growth media be stockpiled and reapplied during reclamation. We also recommend that the reclamation plan be amended to address the five subsections set forth in this section.

Inyo County Response:

Inyo County concurs. However, the nature of the site preludes such measures. The reclamation plan is being filed after the fact. The land has already been disturbed. It is impossible to stockpile the upper six inches of growth media because it is already lost.

The site has already been disturbed and no top soil is available. The pumice is very close to, if not on the surface. Plants grow on the pumice. The pumice retains water when it rains, so therefore, natural revegetation will take place, at a slow rate.

12. DMG Comment (June 22, 1993):

SMARA Sections 2773 (a) requires that the reclamation plan establish "site -specific criteria for evaluating compliance with the approved reclamation plan. including topography, revegetation, and sediment and erosion control." The reclamation plan does not identify the criteria by which the success of the revegetation of the site will be judge. We highly recommend that minimum standards be developed by the operator in conjunction with the lead agency and DMG. For example, the standard should specifically state the amount of vegetative cover or density, and diversity to be obtained over a specific monitoring period. CCR Section 3705 (m) requires that these standards and sampling methods be set forth in the reclamation plan. For revegetation elements, monitoring should be done for a minimum of five years following implementation. Monitoring should be done on an annual basis with reports submitted to the lead agency and DMG. The monitoring program should address the stability and success of the rehabilitated areas, compare these areas to baseline conditions and performance standards, and suggest remedial measures, where needed. The sample size should provide 80 percent confidence level, as a minimum. The review of the reports by agency personnel should allow for modifications in monitoring, rehabilitation, or revegetation techniques.

Inyo County Response:

Inyo County concurs. This has been done. The "test" plots will be the yearly two acres reclaimed each year. Criteria for successful reclamation will be included in the reclamation standards.

13. DMG Comment (June 22, 1993):

CCR Section 3705 (b) requires test plots to be conducted simultaneously with mining to determine the most appropriate planting procedures. We recommend that test plots be conducted to test the feasibility of the "re-vegetation" of the site. Test plots could ascertain the amount of vegetative cover density, and diversity attained over time to determine the efficacy of natural revegetation in meeting the success criteria or minimum standards.

Inyo County Response:

Inyo County concurs. The two acre per year reclamation phased program will work very well as test plots.

General Inyo County Comments on Mines and Geology Comments:

General comments. Department of Mines and Geology should visit sites prior to making specific comments. The operator of this mine has been helpful in completing the application for a new reclamation plan. The application and information given us was the most complete and accurate.

Each mine in Inyo County is site specific. Each mine needs to be visited and a site inspection is required before any comments can be made on the application. Inyo County has a unlimited number of microclimates, geologic, and biotic features that makes these visits necessary. The same standards can not be applied to numerous mines. Standards needed to meet the requirements of SMARA will be met in all cases.

The following are comments received from concerned agencies:

Great Basin Unified Air Quality Control District:

The operation is under permit by Great Basin. If the operators are causing a fugitive dust problem then appropriate action should be instigated by Great Basin.

California Department of Fish and Game:

This is a project with a greater than "de minimus" finding as defined by the California Department of Fish and Game since it will have a measurable adverse impact on wildlife resources. Vegetation has been disturbed at the project area, so payment of the fee is required pursuant to Section 711.4 of the Fish and Game Code.

If this project is approved, the applicant will be required to pay a fee of $1275.00 at the time the Planning Department files a Notice of Determination in compliance with the California Environmental Quality Act (CEQA). The County will then forward the monies to the California Department of Fish and Game. Section 21809 (b) of the Public Resources Code provides that this project will not be "operative, vested or final" until this fee has been paid.

FINANCIAL ASSURANCES:

As required by the Division of Mines and Geology the Surface Mining and Reclamation Act of 1975, financial assurances have been formulated for this reclamation plan by the applicant. Inyo County Planning Department Mining Engineer has

reviewed the applicant's proposed reclamation procedures and costs and has concurred with the proposed financial assurances amount.

The applicant proposed to do reclamation on the concurrent basis. This is allowed by SMARA. The total cost estimated by the applicants is projected at $30,000 for 50.4 acres. Annual inspections will show success on the test plots (two acres per year). When success is determined on each two acre plot the financial assurances will be reduced accordingly. The Planning Department concurs with the amount of financial assurances.

ENVIRONMENTAL REVIEW:

In accordance with the requirements of the California Environmental Quality Act (CEQA), an Initial study was completed and a Draft Negative Declaration of Environmental Impact, was prepared and circulated for public review and comment by June 18, 1993. Comments were received from the CalTrans District 9 office, and the California Department of Fish and Game.

CalTrans Comments were received. CalTrans comment stated that the project would have no effect on the State transportation system.

California Department of Fish and Game comments are attached and have been incorporated into the conditions of the Conditional Use Permit and Reclamation Plan.

PUBLIC NOTICE:

Notice of this public hearing has been posted, published and mailed to all parties concerned.

RECOMMENDATIONS:

The planning Department recommends the Planning Commission approve Reclamation Plan #93-4 and Conditional use permit #93-5 by taking the following actions (three motions).

A. Based upon the Initial Study and all the written and verbal comments received, adopt the Negative Declaration of Environmental Impact thus certifying that the requirements of the California Environmental Quality Act have been met.

B. Find the proposed reclamation plan conforms and meets the requirements of Chapter 18.76 (Mining and Land Reclamation) of Inyo County Code and the provisions of the State Surface Mining and Reclamation Act.

(Evidence: The proposed Reclamation Plan and Conditional Use Permit are consistent with the requirements of Inyo County Code and SMARA.)

(Evidence: Existing public and private services are adequate to meet the requirements of the proposed project without the need for their expansion.)

(Evidence: The adverse environmental impacts inherent with the proposal are minor in nature and will not exceed thresholds of significance either individually or cumulative(y).

(Evidence: Based upon the environmental evaluation of the proposed project [Reclamation Plan with Conditional Use Permit], it has been found that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; or public health, safety, and welfare. This constitutes a Negative Finding for the Mandatory Findings require pursuant to Section 15065 of the CEQA Guidelines.)

C. Find that the project will have a *"Greater than De Minimus"* impact on wildlife and vegetation.

(Evidence: As the Reclamation Plan and Conditional Use Permit have been filed after the applicant disturbed 30.4 acres of habitat, the project has a "Greater than De Minimus" effect on the environment pursuant to Section 711.4 of the Public Resources Code.)

D. Approve Conditional Use Permit #93-5/ and Reclamation Plan #93-4 / Pacific Lightweight Products subject to the following Conditions:

NDITIONAL PERMIT ONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This reclamation plan and conditional use permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Must comply with the Great Basin Unified Air Pollution Control Board emissions requirements as outlined in the permit issued by Great Basin.

4. Upon approval, two acres per year shall be reclaimed as outlined in the reclamation plan. The first years acreage shall be divided into two one acre segments. One segment shall let natural vegetation take over while the second segment shall be reseeded with the appropriate seeds to give 80% of the surrounding plant density and 80% species diversity. At the time of this planting a good watering shall be conducted on both plots. This shall be done at the appropriate time of the year. This site shall be monitored

every six months to insure success. At the same time provisions shall be installed to discourage noxious weeds from gaining a foothold on the site.

5. If noxious weeds appear, immediate measures shall be taken to rid the site of such plants. This may consist of any method deemed appropriate that does not affect the desired plants.

6. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code fir potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

7. As a condition for approval of Conditional Use Permit #93-5, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its appeals board, or its legislative body concerning Conditional Use Permit #93-5. The County reserves the right to prepare its own defense.

8. Development shall be in substantial conformance with the submitted application.

RECLAMATION PLAN CONDITIONS OF APPROVAL:

1. Any expansion of the mining activities or surface disturbance beyond that depicted in the application and accompanying plans (50.4 acres) shall require the submission and approval of an amended Reclamation Plan and Conditional Use Permit by Inyo County Planning Department.

2. This Reclamation Plan and Conditional Use Permit shall become void unless the use is established on construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Revegetation occurs naturally in areas of inactivity. However, reseeding shall occur to the extent that is indicated by the one acre test plots conducted the first year of reclamation. One will be reseeded the other will not. The viability of these two plots will dictate the planting on
the remainder of the site. It is understood that the reseeded plot should have better performance than the unseeded plot, however, criteria should be obtained to show the whether the value of reseeding is substantially better than natural reseeding. Maybe less reseeding is necessary.

4. Upon completion of mining, or after one year of inactivity in phased reclamation area, the area disturbed by Pacific lightweight Products will be reviewed for revegetation, and a reduction in the bond will be based upon the success of the revegetation. Success will be achieved when the density of the plants reaches 25% of the density of plants on the undisturbed ground, and the plant diversity reaches 60% of the undisturbed ground.

5. The seed mix shall be of comparable plants that are in the undisturbed area.

6. Concurrent reclamation will be performed by the operator to reclaim the areas disturbed after 1975 or already scarified by previous mining management practices. If the operations intrude into the previously disturbed areas as delineated on the "Contour Map at the Conclusion of Mining" submitted with the reclamation plan, a new appraisal of the site will occur. Contours will closely follow that map for final reclamation..

7. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with the prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area. All pre-mining drainage courses will be restored within three months of closure and such reclamation shall not promote accelerated soil erosion.

8. Scarify all areas of mining disturbance and existing mining operation roads with in the area of operations.

9. All structures, equipment, foundations, pipelines, trash, and debris shall be removed from the site within three months of closure.

10. Financial assurances in the sum of $30,000.00 in the form of a surety bond, irrevocable letter of credit, cash, or certificate of deposit shall be posted with the Inyo County Planning Department. Said financial assurances shall be made payable to the County of Inyo and the California Director of Conservation.

11. The applicant shall submit a notarized statement to the Planning Department accepting responsibility for reclaiming the lands as per the conditions specified herein prior to any additional mining or exploration activities commencing.

12. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code fir potential habitat loss. Because of the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of the Fish and Game Code requires the payment of $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than "de minimus" standard of section 711.4. Said $1,250 and the $25.00 documentary handling

fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after the reclamation plan and conditional use permit approval)

13. This Reclamation Plan shall be reviewed and the applicant's compliance with the conditions listed above shall be evaluated every year, as required by section 2774(b) of SMARA, after the date of approval. The amount of the financial assurances shall also be reviewed and adjusted as deemed appropriate, at the same time.

14. As a condition for approval of Reclamation Plan #93-4, the applicant shall defend, indemnify and hold harmless Inyo County (County), or its agents, officers and employees to attack, set aside, void or annul an approval of the County, its advisory agencies, its appeals board, or its legislative body concerning Reclamation Plan #93-4. The County reserves the right to prepare its own defense.

15. Development shall be in substantial conformance with the submitted application

Attachments: Vicinity Map
"Contour Map at Conclusion of Mining"
CalTrans Letter
Great Basin Comments
Department of Fish and Game Comments
Department of Mines and Geology Comments

EHG CEK/cek

Attachment B

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
500 SOUTH MAIN STREET
BISHOP, CA 93514

(619) 872-0692

RECEIVED
JUN 9 1993
INYO CO. PLANNING DEPT.

June 7, 1993

File: Inyo-395-32.66
SCH: 93052045

Mr. Curtis Kellogg
Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526

RECLAMATION PLAN #93-4/PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-05/PACIFIC LIGHTWEIGHT PRODUCTS

Thank you for the opportunity to review and comment on the above project. The project is located in Inyo County approximately two miles south of Olancha, 5-1/2 miles east in the Upper Centennial Flat area. Access to the site will be by an unpaved county road, Cactus Flats Road.

As a responsible agency for transportation, Caltrans has no comments to offer regarding this project.

Sincerely,

F. K. WALTON, Chief
Transportation Planning
Branch A

cc: SCH: Russ Colliau

X	ROGER DEHART	X
	CURTIS KELLOGG	
	C. THISTLETHWAITE	
	SANDY MILLER	
	BRAD METTAM	
	EARL GANN	
	JANET CROSS	
	FILE	

Attachment B

Ellen Hardebeck
Control Officer

RECEIVED
JUN 1 1993
INYO CO. PLANNING DEPT.

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short St. Suite #6 - Bishop, CA 93514
(619) 872-8211

June 17, 1993

Mr. Curtis Kellogg
Inyo County Planning Dept
Drawer L
Independence, CA 93526

RE: Reclamation Plan # 93-4, Pacific Lightweight Products Company

Dear Curtis,

Thank you for the opportunity to comment on Pacific Lightweight Products Company's Reclamation Plan. We have reviewed their plan and have the following concerns:

(1) According to Pacific's plan they propose to restore only a small number of acres each year. This leaves thirty acres waiting to be restored until the year 2003. Because of this slow pace of reclamation, we believe their program comes in conflict with our Fugitive Dust Rule. Rule 401 calls for reasonable precautions to be taken to prevent fugitive dust from leaving a property boundary. We emphasize this point by outlining in their permit what we believe are reasonable ongoing precautions. (ref: permit condition 9)

(2) The purpose of a reclamation project should be to restore disturbed terrain to its natural condition. Pacific Products is conducting mining activities in an arid, infertile area. They propose to simply spread a blanket cover of coarse pumice. Without help, natural vegetation is supposed to grow, thrive, and eventually cover an area 30 acres in size. Perhaps they do not realize that native vegetation can take decades to reestablish itself. Their reclamation plan should thoroughly explain how they plan to foster and accelerate the establishment of plant life in the distressed areas.

Thank you for considering these comments.

Sincerely,

Larry Cameron

Larry Cameron
Air Quality Specialist

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Attachment B

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, Governor

DEPARTMENT OF FISH AND GAME
330 GOLDEN SHORE, SUITE 50
LONG BEACH, CA 90802
(310) 590-5113

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OCT 11 1993
CA DEPT. OF FISH & GAME

WORKING COPY

October 5, 1993

PETER
CHUCK
CURTIS
SANDY
EARL
FILE

Mr. Peter Chamberlin, Director
Inyo County Planning Department
Post Office Drawer L
Independence, California 93526

Dear Mr. Chamberlin:

Negative Declaration and Initial Study for Reclamation Plan #93-4 and Conditional Use Permit #93-5 Inyo County

This letter is to document the results of our site visit to the Pacific Lightweight Pumice Mine on August 4, 1993, and to follow up on the Department of Fish and Game letter of June 14, 1993, regarding the Negative Declaration and Initial Study for Reclamation Plan #93-4 and Conditional Use Permit #93-5.

The project site consists of a 50-acre area that has been stripped of topsoil and vegetation. Russian thistle, (*Salsola pestifera*), a weedy non-native species, is colonizing the site. The project site is located within the range of the Mohave ground squirrel, (*Spermophilus mohavensis*), a species listed as Threatened by the Department of Fish and Game; the desert tortoise, (*Gopherus agassizii*), a species listed as Threatened by the U.S. Fish and Wildlife Service; and Ripley's cymopterus, (*Cymopterus ripleyi*), a rare plant species.

The Surface Mining and Reclamation Act of 1975 (SMARA) and State Mining and Geology Board regulations for surface mining and reclamation practice require that the reclamation plan contain a pre-project description of the biological resources found on the site. This should include descriptions of the vegetative communities and wildlife species found on the site, with emphasis on rare, threatened or endangered species. The revegation of the site should be designed to help lessen impacts to unique species. State regulations also require that wildlife habitat be at least as good as pre-project conditions (CCR Section 3703(b)).

A pre-project description of the site is not possible because the project site has already been disturbed. However, the reclamation plan can be designed to restore the site to a condition similar to that of the surrounding area. The reclamation plan should, therefore, discuss vegetative density, cover, and species richness of naturally occurring habitats

adjacent to the project area, and methods for revegetating the site with native plant materials. The reclamation plan should also contain criteria for evaluating compliance with the revegetation plan. Standards for vegetative cover, density, and diversity to be attained over a specific monitoring period should be set forth in the reclamation plan (CCR Section 3705(m)). Test plots to be conducted simultaneously within mining to determine most appropriate revegetation techniques should also be employed. Establishment of test plots and refinement of revegetation techniques should be compatible with the goal of phasing the reclamation over a period of ten years.

The reclamation plan should also assume that Mohave ground squirrel and desert tortoise will recolonize the site if it is reclaimed to a suitable condition. Establishment of habitat for these species should be a goal of the reclamation plan. Additionally, the reclamation plan should contain guidelines for mine employees should any desert tortoise be encountered on any access road or on the project site itself. [redacted] advised that desert tortoise are fully protected by state and federal law, and may not be taken, harmed, or harassed at any time. If a tortoise is found on the project site, all operations in the vicinity should cease, and either the Department of Fish and Game or U.S. Fish and Wildlife Service should be called immediately. Only those individuals authorized by U.S. Fish and Wildlife Service may handle desert tortoises.

In summary, the Department of Fish and Game recommends that the reclamation plan be rewritten to contain the information identified above. The Department requests the opportunity to review the revised reclamation plan upon its completion. Thank you for the opportunity to comment on this project. If you have any questions, please call Ms. Denyse Racine, Associate Wildlife Biologist, at (619) 872-1158.

Sincerely,

Fred Worthley
Regional Manager
Region 5

cc: See attached page

cc: Ms. Karen Wiese
Division of Mines and Geology
Sacramento, California

Mr. Leonard Hobbs
Pacific Lightweight Products
Glendale, California

Mr. Ray Bransfield
U.S. Fish & Wildlife Service
Ventura, California

Mr. Vern Bleich
Department of Fish and Game
Bishop, California

Ms. Denyse Racine
Department of Fish and Game
Bishop, California

Mr. Bruce Kinney
Department of Fish and Game
Bishop, California

Attachment B

Ellen Hardebeck
Control Officer

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JUN 1 1 1993
INYO CO. PLANNING DEPT.

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short St. Suite #6 · Bishop, CA 93514
(619) 872-8211

June 17, 1993

WORKING COPY

Mr. Curtis Kellogg
Inyo County Planning Dept
Drawer L
Independence, CA 93526

RE: Reclamation Plan # 93-4, Pacific Lightweight Products Company

Dear Curtis,

Thank you for the opportunity to comment on Pacific Lightweight Products Company's Reclamation Plan. We have reviewed their plan and have the following concerns:

(1) According to Pacific's plan they propose to restore only a small number of acres each year. This leaves thirty acres waiting to be restored until the year 2003. Because of this slow pace of reclamation, we believe their program comes in conflict with our Fugitive Dust Rule. Rule 401 calls for reasonable precautions to be taken to prevent fugitive dust from leaving a property boundary. We emphasize this point by outlining in their permit what we believe are reasonable ongoing precautions. (ref: permit condition 9)

(2) The purpose of a reclamation project should be to restore disturbed terrain to its natural condition. Pacific Products is conducting mining activities in an arid, infertile area. They propose to simply spread a blanket cover of coarse pumice. Without help, natural vegetation is supposed to grow, thrive, and eventually cover an area 30 acres in size. Perhaps they do not realize that native vegetation can take decades to reestablish itself. Their reclamation plan should thoroughly explain how they plan to foster and accelerate the establishment of plant life in the distressed areas.

Thank you for considering these comments.

Sincerely,

Larry Cameron

Larry Cameron
Air Quality Specialist

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Attachment B

STATE OF CALIFORNIA - RESOURCES AGE
PETE WILSON, Governor

DEPARTMENT OF CONSERVATION
DIVISION OF MINES AND GEOLOGY
MINED-LAND RECLAMATION PROJECT
801 K STREET, MS 13-32
SACRAMENTO, CA 95814-3531
(916) 323-8567 PHONE
(916) 324-1396 FAX

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JUN 28 1993
INYO CO. PLANNING DEPT.

June 22, 1993

	PETER
	CHUCK
	CURTIS
	SANDY
	EARL
	FILE

Curtis E. Kellogg
Associate Planner
County of Inyo Planning Department
Drawer L
Independence, CA 93526

Dear Mr. Kellogg:

Reclamation Plan #93-4 and Conditional Use Permit #93-5 for Pacific Lightweight Products

The Mined-Land Reclamation Project staff of the Department of Conservation's Division of Mines and Geology (DMG) has reviewed the Reclamation Plan #93-4 and Conditional Use Permit #93 for Pacific Lightweight Products. The project includes the removal of pumice from a 50 acre open pit mine. The following comments, prepared by James Pompy, Karen Wiese and Catherine Gaggini, are offered to assist in your review of this project.

The Surface Mining and Reclamation Act of 1975 (SMARA) (public Resources Code §2710 et seq.) and the State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, §3500 et seq.) require that specific items be addressed or included in reclamation plans. The following items were either not included or not sufficiently addressed in the documents we reviewed. We recommend that the reclamation plan be supplemented to adequately address these mandatory items.

Mining Operation and Closure

(Refer to SMARA Sections 2770.5, 2772(a),(b),(c),(d),(e),(f),(i),(j), 2773.1, CCR Section 3502(b)(2),(b)(5), 3709(a),(b), 3713(a),(b))

1. SMARA Section 2772 (d) requires that the maximum anticipated depth of mining be indicated in the reclamation plan. It was difficult to ascertain the depth of mining in reviewing the reclamation plan. We recommend that the depth of mining be clearly stated and tied to a verifiable bench mark that can be referenced in the field for compliance monitoring.

2. SMARA Section 2772 (f) requires that the reclamation plan describe the surface mining operation and provide a time schedule for completion of each segment of mining so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be

subject to further disturbance by the surface mining operation. The reclamation plan mentions phased reclamation occurring over the next ten years. A specific plan describing the proposed phased reclamation should be presented, and depicted on the site plans.

3. SMARA Section 2772 (i) states that the reclamation plan shall include an assessment of the effect of reclamation on future mining at the site. A short statement assessing the potential for future mining at the site following reclamation should be added to the reclamation plan.

4. SMARA Section 2773.1 requires that financial assurances be required of all surface mining operations to guarantee site reclamation; that the financial assurances be payable to the SMARA lead agency and the State Geologist; that the financial assurances be submitted to the State Geologist for review and comment; and that lead agencies annually inspect mining operations to determine SMARA compliance. These requirements should be incorporated into the reclamation plan prior to approval. We recommend that financial assurance be included to cover the cost of revegetating the site should the natural vegetation fail to meet the performance standards.

Environmental Setting and Protection of Fish and Wildlife Habitat

(Refer to CCR Sections 3502(b)(1), 3503(c), 3703 (a),(b),(c), 3704(g), 3705(a), 3706(a),(f),(g), 3710(a),(b),(c),(d), 3713(b)

5. CCR Section 3502 (b)(1) requires that the reclamation plan include a description of the environmental setting of the mine site. A full description of the site is necessary for the following three reasons: 1) to document baseline conditions, 2) to aid in development and evaluation of an appropriate revegetation plan, and 3) to evaluate purported mining and reclamation impacts on wildlife habitat.

Prior to site disturbance, a quantitative description of the biotic setting of the site will be necessary to adequately establish baseline conditions of the site. This quantitative evaluation should include percent cover or density, and diversity measurements for each of the vegetation types that will "naturally" recolonize the reclaimed landform.

Also, prior to any site disturbance, the purported lack of impacts to sensitive, rare, threatened, and endangered plants and animals should be verified. The revegetation of the site should be designed to help lessen impacts to unique species. Without the knowledge of which species occur on the site, the revegetation design cannot target those species.

6. CCR Section 3705(a) requires that the vegetative cover or density, and species-richness be sufficient to stabilize the surface against effects of long-term erosion and be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover, and species richness of naturally occurring habitats should be documented in baseline studies carried out prior to the initiation of mining. We recommend that the reclamation plan be amended to include the aforementioned baseline studies.

7. CCR Section 3703(a) requires that all sensitive species be conserved or mitigated. The reclamation plan does not qualify the statement that "there is no known endangered, threatened or sensitive vegetation in the surrounding area." We recommend that the source of this statement be identified, and that the survey methods and results be detailed in the reclamation plan.

   The California Department of Fish and Game Natural Diversity Data Base reports Ripley's cymopterus (*Cymopterus ripleyi*), a CNPS List 2 plant, occurring near the project vicinity. We recommend that the absence of this species be verified by surveys conducted at the appropriate time of the year by a qualified botanist. We also recommend that an informal consultation be conducted with the Department of Fish and Game to determine the presence of any sensitive species that may be impacted within the project boundaries.

8. CCR Section 3503(c) states that all reasonable measures be taken to protect the habitat of fish and wildlife and CCR Section 3703(b) states that wildlife habitat be at least as good as pre-project. We recommend that remedial measures for habitat restoration be developed should natural revegetation of the project site not ensure after cessation of mining.

Hydrology and Water Quality

(Refer to SMARA Sections 2772(h)(1),(h)(2), 2773(a), CCR Sections 3503(a)(3),(b)(1),(d), 3706(c),(d),(e),(f),(g), 3710 (b),(c), 3711(e), 3712)

9. SMARA Section 2773(a) requires that the reclamation plan establish site-specific criteria for evaluating compliance with the approved reclamation plan, including sediment and erosion control. The erosion control measures described in the reclamation plan are vague, and consist of regrading slopes and placing coarse aggregate over finer material to reduce wind and water erosion. The proposed erosion control measures may not be adequate in highly exposed areas or drainage swales. We recommend that the reclamation plan include an erosion control monitoring plan, and provide a contingency plan that will be set into place to augment the proposed erosion control measures (see item #10), if erosion

is evident during annual inspections.

10. SMARA Section 2772(h)(2) requires that streambanks and streambeds be rehabilitated in a manner that will minimize erosion. According to the reclamation plan, the original drainage that transected a portion of the site will be re-established, and coarse aggregate will be laid down over the finer sized material to reduce wind and water erosion. The reclamation plan needs to describe in greater detail how the drainage will be protected from water erosion. We recommend that sufficiently sized coarse aggregate be applied to the drainage area to insure that the drainage is protected from water erosion.

Resoiling and Revegetation

(Refer to SMARA Section 2773(a), CCR Sections 3503(a)(1),(f),(g), 3704(c), 3705(a),(b),(c),(d),(e),(f),(g),(h),(i),(j),(k),(l),(m), 3707(b),(d), 3711(a),(b),(c),(d),(e))

11. CCR Section 3711 establishes mandatory standards for topsoil salvage, maintenance, and redistribution. The reclamation plan does not discuss topsoil management. For example, the reclamation plan states that "re-vegetation occurs naturally in areas of inactivity." The seeds, microbial organisms, and organic matter found in the upper six inches of growth media constitute a significant resource when used in arid land reclamation. Successful revegetation of the site may not be possible without this resource. We recommend that the upper six inches of growth media be stockpiled and reapplied during reclamation. We also recommend that the reclamation plan be amended to address the five subsections set forth in this section.

12. SMARA Section 2773 (a) requires that the reclamation plan establish "site-specific criteria for evaluating compliance with the approved reclamation plan, including topography, revegetation, and sediment and erosion control." The reclamation plan does not identify the criteria by which the success of the revegetation of the site will be judged. We highly recommend that minimum standards be developed by the operator in conjunction with the lead agency and DMG. For example, the standards should specifically state the amount of vegetative cover or density, and diversity to be attained over a specific monitoring period. CCR Section 3705(m) requires that these standards and the sampling method be set forth in the reclamation plan. For revegetation elements, monitoring should be conducted for a minimum of five years following implementation. Monitoring should be done on an annual basis with reports submitted to the lead agency and DMG. The monitoring program should address the stability and success of the rehabilitated areas, compare these areas to baseline conditions and performance standards, and suggest remedial measures, where needed. The sample size should provide an 80 percent confidence level, as a minimum. The review of the reports by agency personnel should allow

for modifications in monitoring, rehabilitation, or revegetation techniques.

13. CCR Section 3705(b) requires test plots to be conducted simultaneously with mining to determine the most appropriate planting procedures. We recommend that test plots be conducted to test the feasibility of the "re-vegetation" of the site. Tests plots could ascertain the amount of vegetative cover or density, and diversity attained over time to determine the efficacy of natural revegetation in meeting the success criteria or minimum standards.

Please send a copy of the approved reclamation plan, response to our comments, and permit issued by you as lead agency under SMARA to the Mined-Land Reclamation Program office at 801 K Street, M.S. 12-32, Sacramento, CA 95814-3531. The approved documents will be placed in the Mined-Land Reclamation Project files pursuant to the Surface Mining and Reclamation Act.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 323-8565.

Sincerely,

James Pompy
Mined-land Reclamation
Project Manager

Concur:

6-22-93 Trinda L. Bedrossian
Dated: Trinda L. Bedrossian
Supervising Geologist
RG 3363, CEG 1064

cc: Mr. Dennis O'Bryant, Office of Mine Reporting & Reclamation Compliance

Attachment B

COUNTY OF INYO
PLANNING COMMISSION

P.O. Drawer L, Independence, California 93526
Telephone (619) 878-0263 FAX (619) 872-2712
Peter Chamberlin, Director of Planning

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN the Inyo County Planning Commission will hold a public hearing on Wednesday, March 23, 1994, at 10:20 a.m. in the Board of Supervisors Room, Administrative Center, Independence, to consider the following:

RECLAMATION PLAN #93-4/PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-5/PACIFIC LIGHTWEIGHT PRODUCTS

A request by Pacific Lightweight Products for approval of a mining reclamation plan pursuant to the State Surface Mining and Reclamation Act and a Conditional Use Permit (CUP) for an existing open pit pumice mine. The CUP is required because the applicant wishes to increase the area of disturbance from 20 acres to 50.4 acres on a portion of property owned by the Ely Trust. The project site is zoned OS-40 (Open Space - 40 acre minimum) and located two miles south of Olancha and 5 1/2/ miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains. Environmental review pursuant to the requirements of the California Environmental Quality Act determined the project would have no potential for significant adverse impacts.

If you challenge any findings, determination or decision made regarding this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the hearing.

If you have any questions regarding the above, please write the Inyo County Planning Department, Drawer L, Independence, California, 93526 or phone (619) 878-0263.

Attachment B

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN the Inyo County Planning Commission will hold a public hearing on Wednesday, March 23, 1994, at 10:00 a.m. in the Board of Supervisors Room, County Administrative Center, Independence to consider the following:

TENTATIVE PARCEL MAP #307 / STONE

A request by Ron Stone to divide a 9.78 acre parcel into four 1 acre parcels with a remainder parcel of 4.78 acres. The property is zoned R-1-1.0 (One Family Residences - 1.0 acre minimum). The subject property is located at the southwest corner of Sierra Ladera Street and Sierra Grande Drive in the Wilkerson Ranch area, seven miles south of Bishop. Environmental review pursuant to the requirements of the California Environmental Quality Act determined the project would have no potential for significant adverse impacts.

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS ... CONDITIONAL USE PERMIT #93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

A request submitted by Pacific Lightweight Products for approval of a mining reclamation plan pursuant to the State Surface Mining and Reclamation Act and a Conditional Use Permit (CUP) for an existing open pit pumice mine. The CUP is required because the applicant wishes to increase the area of disturbance from 20 acres to 50.4 acres on a portion of property owned by the Ely Trust. The project site is zoned OS-40 (Open Space - 40 acre minimum) and located two miles south of Olancha and 5 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains. Environmental review pursuant to the requirements of the California Environmental Quality Act determined the project would have no potential for significant adverse impacts.

If you challenge any finding, determination or decision made regarding these projects in court, you may be limited to raising only the issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered prior to the hearing.

Please contact the Inyo County Planning Department if you have any questions regarding these projects at the Courthouse Annex, Independence during business hours, or phone (619) 878-0263.

PLEASE PUBLISH ONE TIME ONLY IN THE WEDNESDAY, MARCH 9, 1994, EDITION OF THE INYO REGISTER.

Attachment B

COUNTY OF INYO
PLANNING DEPARTMENT

P.O. Drawer L, Independence, California 93526
Telephone (619) 878-0263 FAX (619) 872-2712
Peter Chamberlin, Director of Planning

12/30/93

December 30, 1993

TO: Mr. Leo
Pacific Lig
715 North
Suite #101
Glendale,

and in turn:

Californi
Attn: Mi
407 Wes
Bishop, C

FROM: Curtis Ke
Earl Gann

RE: MEETIN
MOJAVE
RARE PI
PACIFIC

CURTIS
AFTER READING FISH & GAME LETTER OF OCTOBER 5TH I AGREE WITH EVERY STATEMENT WE NEED TO PROCEED — WE DEVISE AND WRITE AS CONDITIONS THE 2 ACRE/YEAR REVEGETATION AS A MONITORING PROGRAM.
HOBBS WILL HAVE TO ABIDE OR APPEAL —
LETS GO WITH IT. WE NEED NO MEETING.
Earl

A meeting has been requ
the concerns raised by th
(attached). The meeting

s the
e
_____ at

Please contact this office if you are unable to attend.
Sincerely,

Curtis E. Kellogg, Associate Planner

CEK/cek

Attachment B

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, Governor

DEPARTMENT OF FISH AND GAME
330 GOLDEN SHORE, SUITE 50
LONG BEACH, CA 90802
(310) 590-5113

RECEIVED
OCT 11 1993
CA [illegible] DEPT.

October 5, 1993

PETER
CHUCK
CURTIS
SANDY
EARL
FILE

Mr. Peter Chamberlin, Director
Inyo County Planning Department
Post Office Drawer L
Independence, California 93526

Dear Mr. Chamberlin:

Negative Declaration and Initial Study for Reclamation Plan #93-4 and Conditional Use Permit #93-5 Inyo County

This letter is to document the results of our site visit to the Pacific Lightweight Pumice Mine on August 4, 1993, and to follow up on the Department of Fish and Game letter of June 14, 1993, regarding the Negative Declaration and Initial Study for Reclamation Plan #93-4 and Conditional Use Permit #93-5.

The project site consists of a 50-acre area that has been stripped of topsoil and vegetation. Russian thistle, (*Salsola pestifera*), a weedy non-native species, is colonizing the site. The project site is located within the range of the Mohave ground squirrel, (*Spermophilus mohavensis*), a species listed as Threatened by the Department of Fish and Game; the desert tortoise, (*Gopherus agassizii*), a species listed as Threatened by the U.S. Fish and Wildlife Service; and Ripley's cymopterus, (*Cymopterus ripleyi*), a rare plant species.

The Surface Mining and Reclamation Act of 1975 (SMARA) and State Mining and Geology Board regulations for surface mining and reclamation practice require that the reclamation plan contain a pre-project description of the biological resources found on the site. This should include descriptions of the vegetative communities and wildlife species found on the site, with emphasis on rare, threatened or endangered species. The revegation of the site should be designed to help lessen impacts to unique species. State regulations also require that wildlife habitat be at least as good as pre-project conditions (CCR Section 3703(b)).

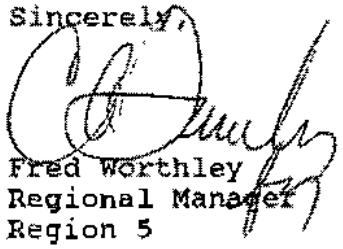
A pre-project description of the site is not possible because the project site has already been disturbed. However, the reclamation plan can be designed to restore the site to a condition similar to that of the surrounding area. The reclamation plan should, therefore, discuss vegetative density, cover, and species richness of naturally occurring habitats

adjacent to the project area, and methods for revegetating the site with native plant materials. The reclamation plan should also contain criteria for evaluating compliance with the revegetation plan. Standards for vegetative cover, density, and diversity to be attained over a specific monitoring period should be set forth in the reclamation plan (CCR Section 3705(m)). Test plots to be conducted simultaneously within mining to determine most appropriate revegetation techniques should also be employed. Establishment of test plots and refinement of revegetation techniques should be compatible with the goal of phasing the reclamation over a period of ten years.

The reclamation plan should also assume that Mohave ground squirrel and desert tortoise will recolonize the site if it is reclaimed to a suitable condition. Establishment of habitat for these species should be a goal of the reclamation plan. Additionally, the reclamation plan should contain guidelines for mine employees should any desert tortoise be encountered on any access road or on the project site itself. Employees should be advised that desert tortoises are fully protected by state and federal law, and may not be taken, harmed, or harassed at any time. If a tortoise is found on the project site, all operations in the vicinity should cease, and either the Department of Fish and Game or U.S. Fish and Wildlife Service should be called immediately. Only those individuals authorized by U.S. Fish and Wildlife Service may handle desert tortoises.

In summary, the Department of Fish and Game recommends that the reclamation plan be rewritten to contain the information identified above. The Department requests the opportunity to review the revised reclamation plan upon its completion. Thank you for the opportunity to comment on this project. If you have any questions, please call Ms. Denyse Racine, Associate Wildlife Biologist, at (619) 872-1158.

Sincerely,



Fred Worthley
Regional Manager
Region 5

cc: See attached page

cc: Ms. Karen Wiese
Division of Mines and Geology
Sacramento, California

Mr. Leonard Hobbs
Pacific Lightweight Products
Glendale, California

Mr. Ray Bransfield
U.S. Fish & Wildlife Service
Ventura, California

Mr. Vern Bleich
Department of Fish and Game
Bishop, California

Ms. Denyse Racine
Department of Fish and Game
Bishop, California

Mr. Bruce Kinney
Department of Fish and Game
Bishop, California

Attachment B

PACIFIC LIGHTWEIGHT PRODUCTS, CO.

715 NO. CENTRAL AVENUE, SUITE # 101 , GLENDALE, CALIFORNIA 91203

FAX NUMBER - 818-242-4167 OFFICE NUMBER - 818-240-5160

FAX

Date July 16, 1993

Number of Pages 1

TO: Curtis Kellogg

COMPANY: Planning Dept.

FAX NUMBER: 619-872-2712

FROM: Leonard Hobbs

REMARKS:

Denyse Racine of the Dept. of Fish and Game has just notified me that she can be at the pumice mine in Olancha at 2PM on Wednesday, Aug. 4. Is this acceptable to you?

IF THERE IS A PROBLEM WITH THE TRANSMISSION OR YOU DID NOT RECEIVE THE NUMBER OF PAGES SPECIFIED, PLEASE CONTACT US IMMEDIATELY.

Attachment B

PACIFIC LIGHTWEIGHT PRODUCTS CO.

RIDGELITE • CERAMIC LIGHTWEIGHT AGGREGATES

715 NORTH CENTRAL AVENUE • SUITE 101 • GLENDALE, CALIFORNIA 91203 • (818) 240-5160

RECEIVED
JUL 14 1993
INYO CO. PLANNING DEPT.

PETER	
CHUCK	
CURTIS	
SUE	
EARL	
FILE	

July 12, 1993

Denyse Racine
Dept. of Fish and Game
407 W. Line Street
Bishop, CA 93514

Dear Denyse Racine:

This is in response to our conversation regarding the application for Reclamation Plan and CUP for the pumice mine now pending at the Inyo County Planning Dept.

Enclosed is a letter from the Great Basin Unified A.P.C.D. expressing their concern with fugitive dust and re-vegetation of the mined area. Also enclosed are our comments along with photographs.

Even though this is fairly self explanatory, I would like to review some pertinent information which may not have been fully understood in the original application.

1. There is no increase in the mined area being requested. It has already reached it's maximum size. From now on there will be a contraction of the mined area by means of phased reclamation at the rate of a minimum of two acres per year.
2. All the water used to wet down the haul roads is brought in by truck. There is no water available at the site. This would make it extremely difficult and impractical to re-vegetate by man-made means.

It is our opinion that it would be very helpful if we could meet with you and the County Planning Dept. at the site to go over these issues. I will call you in the next few days to see if this is possible.

Sincerely,

PACIFIC LIGHTWEIGHT PRODUCTS

Leonard Hobbs
Director of Technical Services

Photo enclosures

cc Curtis Kellogg

Attachment B

PACIFIC LIGHTWEIGHT PRODUCTS CO.

RIDGELITE • CERAMIC LIGHTWEIGHT AGGREGATES

715 NORTH CENTRAL AVENUE • SUITE 101 • GLENDALE, CALIFORNIA 91203 • (818) 240-5160

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JUL 06 1993
INYO CO. PLANNING DEPT.

July 2, 1993

Mr. Curtis Kellogg
Inyo County Planning Dept.
P.O. Drawer L
Independence, CA 93526

Subject: RECLAMATION PLAN #93-4
CONDITIONAL USE PERMIT #93-5

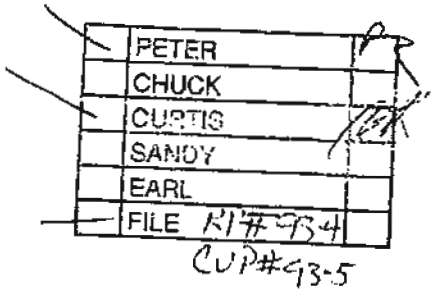
Dear Mr. Kellogg:

Please consider this our authorization to waive the time limits required by CEQA for the Subject Reclamation Plan and CUP.

Sincerely,

PACIFIC LIGHTWEIGHT PRODUCTS

Leonard Hobbs
Director of Technical Services



Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-0263
FAX: (619) 872-2712

County of
INYO

Peter Chamberlin
Planning Director

PROOF OF SERVICE BY MAIL

I, Curtis E. Kellogg, declare that:

1. I am a citizen of the United States and am employed by the County of Inyo, State of California. My Business address is 168 North Edwards Street, Post Office Drawer "L", Independence, California 93526

2. I served the foregoing letter by depositing a true copy thereof in the United States Mail, with first class postage fully paid thereon, in Independence, California, on July 1, 1993, in a sealed envelope addressed as follows:

Pacific Lightweight Products
Attn: Mr. Leonard Hobbs
715 North Central Avenue
Suite #101
Glendale, Ca. 91203

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 1st day of June, 1993, at Independence, California.

Curtis E. Kellogg
Associate Planner, County of Inyo
Project Planner

Direct Line Dial (619) 878-0267

CEK/cek

6/21/93 –
PHONE CALL FROM
MR. HOBBS –
CONCERNING CONTRACTS
WE WILL TRY TO SCHED
THIS MTG. ON 6/23/93
AFTER P.C.

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-0263
FAX: (619) 872-2712

County of
INYO

Peter Chamberlin
Planning Director

July 1, 1993

Pacific Lightweight Products
Attn: Mr. Leonard Hobbs
715 North Central Avenue
Suite #101
Glendale, Ca. 91203

Re: Reclamation Plan #93-4 and
Conditional Use Permit #93-5

COMMENTS FROM THE GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT (GBUAPCD), DEPARTMENT OF CONSERVATION, DIVISION OF MINES AND GEOLOGY (DMG) and DEPARTMENT OF FISH AND GAME (DFG).

Dear Mr. Hobbs:

Enclosed are the comments from the above named agencies on your Company's Reclamation Plan Application.

As you are aware, Reclamation Plan #93-4 and Conditional Use Permit #93-5 were continued from the Inyo County Planning Commission Meeting of June 23, 1993 to the meeting scheduled for July 28, 1993.

However, the DFG comments may require the re-issuance of the environmental documentation, a survey for a rare plant (*Cymopterus ripleyi*), survey for the Federally-Threatened Desert Tortoise and a CHIE and 2081 Form for the Mojave Ground Squirrel (see attached).

The GBUAPCD has concerns about the concurrent and final reclamation of the area. They also wish a further explanation as to possible acceleration of the final plant cover for the Reclamation Plan (see attached).

The DMG has requested that you address the following: Mining Operation and Closure; Environmental Setting and Protection of Fish and Wildlife Habitat; Hydrology and Water Quality; Resoiling and Revegetation (see attached).

As can be seen from the above comments, a significant amount of time will be required to answer the concerned Agencies questions. Unfortunately, the issuance of the Environmental Document under the California Environmental Quality Act (CEQA) has been chal-

lenged as to its completeness by the DFG. Therefore we recommend the following:

1. You write us formally waiving the time limitations under CEQA (CEQA requires that a Negative Declaration of Environmental Impact be completed 105 days after the application was deemed complete). Should you grant the waiver, the Planning Staff will have more time to deal with the endangered species issues.

OR:

2. At your option not to grant the waiver, you should be aware that the Planning Department will *RECOMMEND DENIAL WITHOUT PREJUDICE* at the July 28, 1993 meeting of the Inyo County Planning Commission because we have run out of time under CEQA. This will allow the concerned agencies the time for the research to be conducted as necessary. You will not ber required to refile or pay the application fees a second time. Be aware that new environmental documentation may be required to be prepared by this Department.

Please inform us of your decision *prior to: July 9, 1993.*

Anticipating your speedy written response in this matter. Please feel free to contact me if you questions concerning this matter.

Sincerely,

Curtis E. Kellogg
Associate Planner
Project Planner

Direct Line Dial (619) 878-0267

Attachments: COMMENTS FROM THE GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT (GBUAPCD), DEPARTMENT OF CONSERVATION, DIVISION OF MINES AND GEOLOGY (DMG) and DEPARTMENT OF FISH AND GAME (DFG).
AND:
RECENTLY RECEIVED CORRESPONDENCE FROM MR. HOBBS TO MR. CAMERON OF GBUAPCD (with photos)

cc: GBUAPCD, DMG and DFG.

CEK/cek

Attachment B

Ellen Hardebeck
Control Officer

RECEIVED
JUN 21 1993
INYO CO. PLANNING DEPT.

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short St. Suite #6 - Bishop, CA 93514
(619) 872-8211

June 17, 1993

Mr. Curtis Kellogg
Inyo County Planning Dept
Drawer L
Independence, CA 93526

RE: Reclamation Plan # 93-4, Pacific Lightweight Products Company

Dear Curtis,

Thank you for the opportunity to comment on Pacific Lightweight Products Company's Reclamation Plan. We have reviewed their plan and have the following concerns:

(1) According to Pacific's plan they propose to restore only a small number of acres each year. This leaves thirty acres waiting to be restored until the year 2003. Because of this slow pace of reclamation, we believe their program comes in conflict with our Fugitive Dust Rule. Rule 401 calls for reasonable precautions to be taken to prevent fugitive dust from leaving a property boundary. We emphasize this point by outlining in their permit what we believe are reasonable ongoing precautions. (ref: permit condition 9)

(2) The purpose of a reclamation project should be to restore disturbed terrain to its natural condition. Pacific Products is conducting mining activities in an arid, infertile area. They propose to simply spread a blanket cover of coarse pumice. Without help, natural vegetation is supposed to grow, thrive, and eventually cover an area 30 acres in size. Perhaps they do not realize that native vegetation can take decades to reestablish itself. Their reclamation plan should thoroughly explain how they plan to foster and accelerate the establishment of plant life in the distressed areas.

Thank you for considering these comments.

Sincerely,

Larry Cameron

Larry Cameron
Air Quality Specialist

4\pac.pum\061793.let

Attachment B

STATE OF CALIFORNIA - RESOURCES AGE. PETE WILSON, Governor

DEPARTMENT OF CONSERVATION
DIVISION OF MINES AND GEOLOGY
MINED-LAND RECLAMATION PROJECT
801 K STREET, MS 12-32
SACRAMENTO, CA 95814-3631
(916) 323-8567 PHONE
(916) 324-1396 FAX

RECEIVED
JUN 28 1993
INYO CO. PLANNING DEPT.

June 22, 1993

PETER	
CHUCK	
CURTIS	
SANDY	
EARL	
FILE	

Curtis E. Kellogg
Associate Planner
County of Inyo Planning Department
Drawer L
Independence, CA 93526

Dear Mr. Kellogg:

Reclamation Plan #93-4 and Conditional Use Permit #93-5 for Pacific Lightweight Products

The Mined-Land Reclamation Project staff of the Department of Conservation's Division of Mines and Geology (DMG) has reviewed the Reclamation Plan #93-4 and Conditional Use Permit #93 for Pacific Lightweight Products. The project includes the removal of pumice from a 50 acre open pit mine. The following comments, prepared by James Pompy, Karen Wiese and Catherine Gaggini, are offered to assist in your review of this project.

The Surface Mining and Reclamation Act of 1975 (SMARA) (public Resources Code §2710 et seq.) and the State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, §3500 et seg.) require that specific items be addressed or included in reclamation plans. The following items were either not included or not sufficiently addressed in the documents we reviewed. We recommend that the reclamation plan be supplemented to adequately address these mandatory items.

Mining Operation and Closure

(Refer to SMARA Sections 2770.5, 2772(a),(b),(c),(d),(e),(f),(i),(j), 2773.1, CCR Section 3502(b)(2),(b)(5), 3709(a),(b), 3713(a),(b))

1. SMARA Section 2772 (d) requires that the maximum anticipated depth of mining be indicated in the reclamation plan. It was difficult to ascertain the depth of mining in reviewing the reclamation plan. We recommend that the depth of mining be clearly stated and tied to a verifiable bench mark that can be referenced in the field for compliance monitoring.

2. SMARA Section 2772 (f) requires that the reclamation plan describe the surface mining operation and provide a time schedule for completion of each segment of mining so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be

subject to further disturbance by the surface mining operation. The reclamation plan mentions phased reclamation occurring over the next ten years. A specific plan describing the proposed phased reclamation should be presented, and depicted on the site plans.

3. SMARA Section 2772 (i) states that the reclamation plan shall include an assessment of the effect of reclamation on future mining at the site. A short statement assessing the potential for future mining at the site following reclamation should be added to the reclamation plan.

4. SMARA Section 2773.1 requires that financial assurances be required of all surface mining operations to guarantee site reclamation; that the financial assurances be payable to the SMARA lead agency and the State Geologist; that the financial assurances be submitted to the State Geologist for review and comment; and that lead agencies annually inspect mining operations to determine SMARA compliance. These requirements should be incorporated into the reclamation plan prior to approval. We recommend that financial assurance be included to cover the cost of revegetating the site should the natural vegetation fail to meet the performance standards.

Environmental Setting and Protection of Fish and Wildlife Habitat

(Refer to CCR Sections 3502(b)(1), 3503(c), 3703 (a),(b),(c), 3704(g), 3705(a), 3706(a),(f),(g), 3710(a),(b),(c),(d), 3713(b)

5. CCR Section 3502 (b)(1) requires that the reclamation plan include a description of the environmental setting of the mine site. A full description of the site is necessary for the following three reasons: 1) to document baseline conditions, 2) to aid in development and evaluation of an appropriate revegetation plan, and 3) to evaluate purported mining and reclamation impacts on wildlife habitat.

   Prior to site disturbance, a quantitative description of the biotic setting of the site will be necessary to adequately establish baseline conditions of the site. This quantitative evaluation should include percent cover or density, and diversity measurements for each of the vegetation types that will "naturally" recolonize the reclaimed landform.

   Also, prior to any site disturbance, the purported lack of impacts to sensitive, rare, threatened, and endangered plants and animals should be verified. The revegetation of the site should be designed to help lessen impacts to unique species. Without the knowledge of which species occur on the site, the revegetation design cannot target those species.

6. CCR Section 3705(a) requires that the vegetative cover or density, and species-richness be sufficient to stabilize the surface against effects of long-term erosion and be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover, and species richness of naturally occurring habitats should be documented in baseline studies carried out prior to the initiation of mining. We recommend that the reclamation plan be amended to include the aforementioned baseline studies.

7. CCR Section 3703(a) requires that all sensitive species be conserved or mitigated. The reclamation plan does not qualify the statement that "there is no known endangered, threatened or sensitive vegetation in the surrounding area." We recommend that the source of this statement be identified, and that the survey methods and results be detailed in the reclamation plan.

   The California Department of Fish and Game Natural Diversity Data Base reports Ripley's cymopterus (*Cymopterus ripleyi*), a CNPS List 2 plant, occurring near the project vicinity. We recommend that the absence of this species be verified by surveys conducted at the appropriate time of the year by a qualified botanist. We also recommend that an informal consultation be conducted with the Department of Fish and Game to determine the presence of any sensitive species that may be impacted within the project boundaries.

8. CCR Section 3503(c) states that all reasonable measures be taken to protect the habitat of fish and wildlife and CCR Section 3703(b) states that wildlife habitat be at least as good as pre-project. We recommend that remedial measures for habitat restoration be developed should natural revegetation of the project site not ensure after cessation of mining.

Hydrology and Water Quality

(Refer to SMARA Sections 2772(h)(1),(h)(2), 2773(a), CCR Sections 3503(a)(3),(b)(1),(d), 3706(c),(d),(e),(f),(g), 3710 (b),(c), 3711(e), 3712)

9. SMARA Section 2773(a) requires that the reclamation plan establish site-specific criteria for evaluating compliance with the approved reclamation plan, including sediment and erosion control. The erosion control measures described in the reclamation plan are vague, and consist of regrading slopes and placing coarse aggregate over finer material to reduce wind and water erosion. The proposed erosion control measures may not be adequate in highly exposed areas or drainage swales. We recommend that the reclamation plan include an erosion control monitoring plan, and provide a contingency plan that will be set into place to augment the proposed erosion control measures (see item #10), if erosion

is evident during annual inspections.

10. SMARA Section 2772(h)(2) requires that streambanks and streambeds be rehabilitated in a manner that will minimize erosion. According to the reclamation plan, the original drainage that transected a portion of the site will be re-established, and coarse aggregate will be laid down over the finer sized material to reduce wind and water erosion. The reclamation plan needs to describe in greater detail how the drainage will be protected from water erosion. We recommend that sufficiently sized coarse aggregate be applied to the drainage area to insure that the drainage is protected from water erosion.

Resoiling and Revegetation

(Refer to SMARA Section 2773(a), CCR Sections 3503(a)(1),(f),(g), 3704(c), 3705(a),(b),(c),(d),(e),(f),(g),(h),(i),(j),(k),(l),(m), 3707(b),(d), 3711(a),(b),(c),(d),(e))

11. CCR Section 3711 establishes mandatory standards for topsoil salvage, maintenance, and redistribution. The reclamation plan does not discuss topsoil management. For example, the reclamation plan states that "re-vegetation occurs naturally in areas of inactivity." The seeds, microbial organisms, and organic matter found in the upper six inches of growth media constitute a significant resource when used in arid land reclamation. Successful revegetation of the site may not be possible without this resource. We recommend that the upper six inches of growth media be stockpiled and reapplied during reclamation. We also recommend that the reclamation plan be amended to address the five subsections set forth in this section.

12. SMARA Section 2773 (a) requires that the reclamation plan establish "site-specific criteria for evaluating compliance with the approved reclamation plan, including topography, revegetation, and sediment and erosion control." The reclamation plan does not identify the criteria by which the success of the revegetation of the site will be judged. We highly recommend that minimum standards be developed by the operator in conjunction with the lead agency and DMG. For example, the standards should specifically state the amount of vegetative cover or density, and diversity to be attained over a specific monitoring period. CCR Section 3705(m) requires that these standards and the sampling method be set forth in the reclamation plan. For revegetation elements, monitoring should be conducted for a minimum of five years following implementation. Monitoring should be done on an annual basis with reports submitted to the lead agency and DMG. The monitoring program should address the stability and success of the rehabilitated areas, compare these areas to baseline conditions and performance standards, and suggest remedial measures, where needed. The sample size should provide an 80 percent confidence level, as a minimum. The review of the reports by agency personnel should allow

Attachment B

for modifications in monitoring, rehabilitation, or revegetation techniques.

13. CCR Section 3705(b) requires test plots to be conducted simultaneously with mining to determine the most appropriate planting procedures. We recommend that test plots be conducted to test the feasibility of the "re-vegetation" of the site. Tests plots could ascertain the amount of vegetative cover or density, and diversity attained over time to determine the efficacy of natural revegetation in meeting the success criteria or minimum standards.

Please send a copy of the approved reclamation plan, response to our comments, and permit issued by you as lead agency under SMARA to the Mined-Land Reclamation Program office at 801 K Street, M.S. 12-32, Sacramento, CA 95814-3531. The approved documents will be placed in the Mined-Land Reclamation Project files pursuant to the Surface Mining and Reclamation Act.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 323-8565.

Sincerely,

James Pompy

James Pompy
Mined-land Reclamation
Project Manager

Concur:

6-22-93 Trinda L. Bedrossian

Dated: Trinda L. Bedrossian
Supervising Geologist
RG 3363, CEG 1064

cc: Mr. Dennis O'Bryant, Office of Mine Reporting & Reclamation Compliance

Attachment B

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, Governor

DEPARTMENT OF FISH AND GAME

RECEIVED
JUN 18 1993
INYO CO. PLANNING DEPT.

407 W. Line Street
Bishop, CA 93514
872-1171

	ROGER DEHART
	CURTIS KELLOGG
	C. THISTLETHWAITE
	SANDY MILLER
	BRAD METTAM
	EARL GANN
	JANET CROSS
	FILE

June 14, 1993

Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526
Attn: Mr. Curtis Kellogg

Dear Mr. Kellogg,

The Department of Fish and Game has reviewed the Negative Declaration and Initial Study for Reclamation Plan #93-4 and Conditional Use Permit #93-5, Pacific Lightweight Products. The proposed project is a Reclamation Plan for an existing open pit pumice mine, and an application for a Conditional Use Permit to increase the area of disturbance to 50.4 acres. The proposed project is located in the Cactus Flats area within the Coso Mountains in south Inyo County. The proposed project is within the range of the Mohave ground squirrel, a species listed as Threatened by the Department of Fish and Game, and the desert tortoise, a species listed as Threatened by the U.S. Fish and Wildlife Service and the Department of Fish and Game. A rare plant species, Ripley's cymopterus, Cymopterus ripleyi, is also known from the project vicinity.

The document states that "The applicant has stated that there are no known endangered, threatened or sensitive vegetation on or around the project site". The California Natural Diversity Data Base shows that populations of Ripley's cymopterus have been documented near the project site. The Negative Declaration should include evidence that a qualified botanist has checked the project site and determined that no rare, threatened, or endangered species are found on the project site.

Since the project is also within the range of the Mohave ground squirrel, a state Threatened species, a Cumulative Human Impact Evaluation must be completed for the project. This evaluation must be completed by a qualified biologist who has received training in evaluation methodology conducted by the Department. Once the CHIE has been completed, the Department will determine appropriate mitigation for the project. A desert tortoise survey must also be completed by a qualified biologist for this project.

The project proponent must then obtain from the Department an Endangered Species Management Agreement (2081) for this project. The CHIE and 2081 are necessary because the Mohave ground squirrel is still listed as Threatened, pending review of the recent Fish and Game Commission action by the Office of Administrative Law.

The Department believes that the Negative Declaration as written does not contain information sufficient to support the findings of no significant environmental impact, and should be rewritten to include the results of the desert tortoise survey, rare plant survey, and Mohave ground squirrel CHIE. The revised Negative Declaration should then be recirculated for public review.

Thank you for the opportunity to comment on this project. If you have any questions, please call me or Mr. Bruce Kinney at the above telephone number.

Sincerely,

Denyse Racine

Denyse Racine
Associate Wildlife Biologist

Attachment B

PACIFIC LIGHTWEIGHT PRODUCTS CO.

RIDGELITE • CERAMIC LIGHTWEIGHT AGGREGATES

715 NORTH CENTRAL AVENUE • SUITE 101 • GLENDALE, CALIFORNIA 91203 • (818) 240-5160

June 30, 1993

Mr. Larry Cameron
Great Basin Unified A.P.C.D.
157 Short Street, Suite 6
Bishop, CA 93514

Subject: RECLAMATION PLAN #93-4 FOR PUMICE MINE

Dear Mr. Cameron:

This is to comment on your letter of June 17, 1993 to the Inyo Country Planning Department regarding the subject reclamation plan and more particularly the problem of fugitive dust at the site.

In accordance with our APCD Permit to Operate and as you are aware from our monthly reports to your office, water is applied to the haul roads and around the processing area on a daily basis during operating hours. Course aggregate is also applied over the large sand stock piles in order to stabilize the surface.

There are, however, some developments pertaining to wind erosion and fugitive dust that we have been studying over the past 8 years in which the mine has been in operation. We have been conducting experiments to find out what would happen if no coarse aggregate was applied to the outer surface of a newly established stock pile of fine sand. The results indicate an interesting phenomenon occurs. The wind will erode the fine particles of sand and expose the coarser larger particles below. As this erosion is progressing, the airborn dust is reduced because it is much more difficult for the force of the wind to move these larger pieces. Then something else happens which is of great importance. The rain falls and mixes with the pumice. Because the pumice has pozzolanic properties, it will react with the water to make a cementitious mixture. When it dries a crust is formed. This crust stabilizes the surface and prevents the particles from becoming airborne.

Right after stabilization of the ground occurs, seeds will attach themselves to this solid surface and germanation will begin naturally without human intervention. The roots of these plants will further aid in the stabilization of the surface. Attached are some photographs showing evidence of this process.

Therefore, based on these facts, it is our recommentation that in order to achieve mitigation of the airborne dust the fastest way

possible would be to follow this method of reclamation as described above and in more detail in the Reclamation Plan No. 93-4 which is now pending.

Sincerely,

PACIFIC LIGHTWEIGHT PRODUCTS

Leonard Hobbs
Director of Technical Services

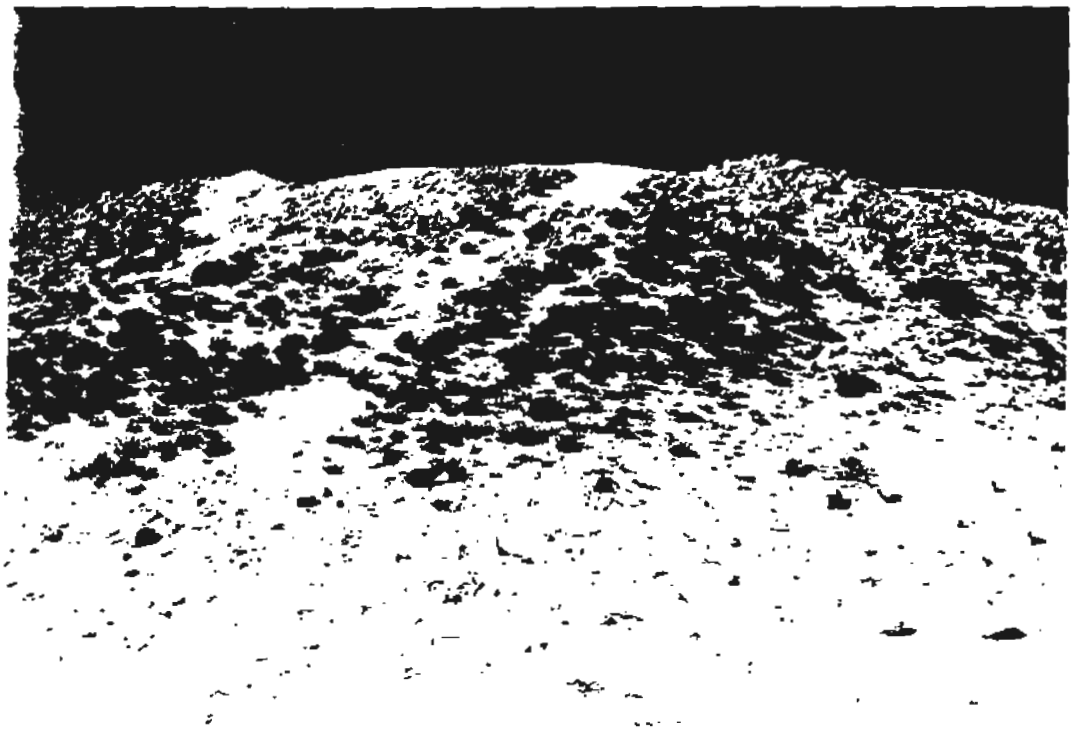
Photo enclosures

cc: Mr. Curtis Kellogg

PACIFIC NATURAL AGGREGATE CO. PUMICE MINE
Olancha, California



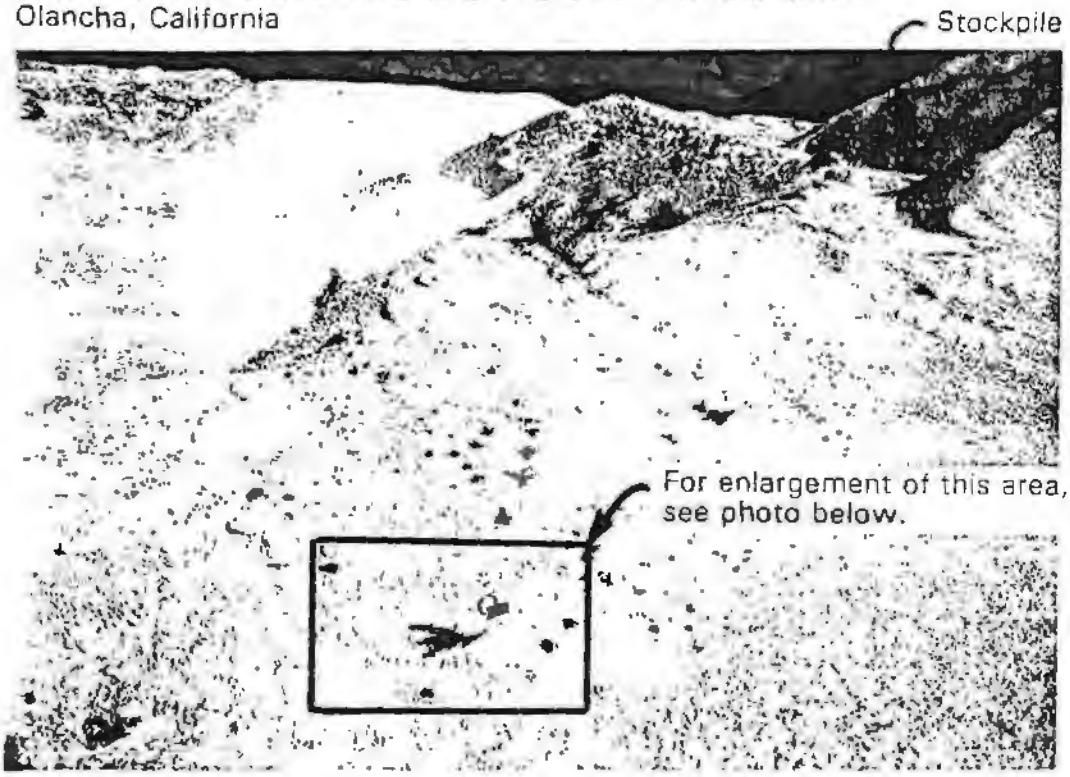
Main entrance to the pumice mine. Notice how the stockpile has revegetated without human intervention.



Date of photos: JUNE 22, 1993

Attachment B

PACIFIC NATURAL AGGREGATE CO. PUMICE MINE
Olancha, California



New growth just starting along the side of a stockpile area.

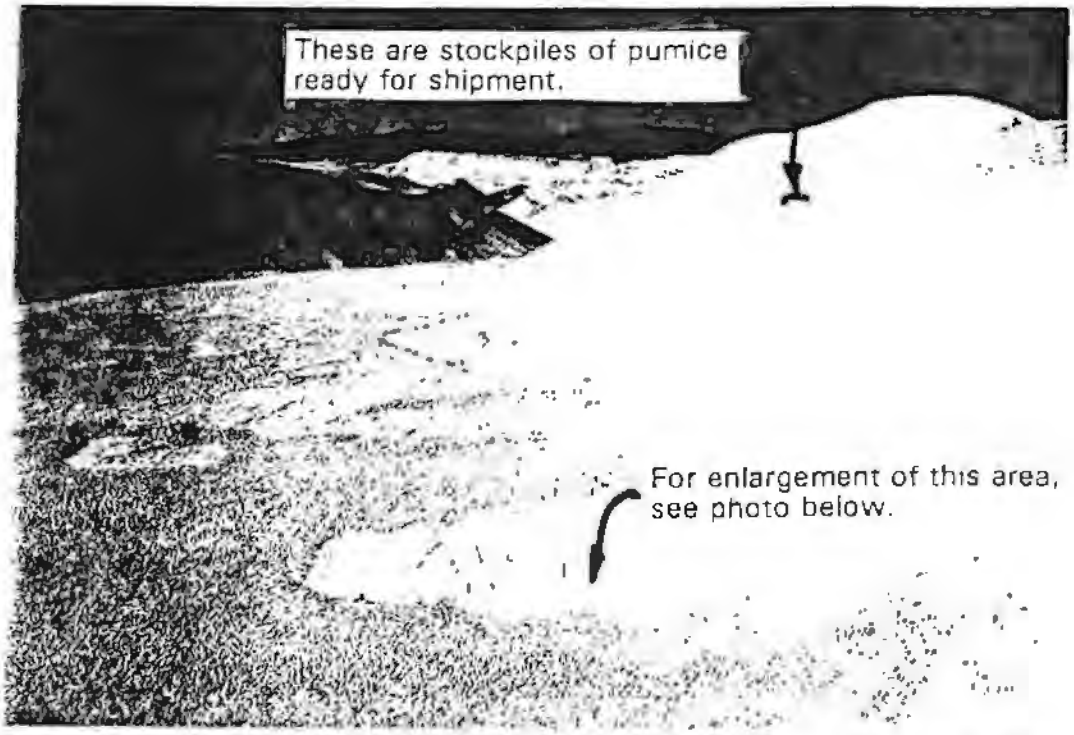


Date of photos: JUNE 22, 1993

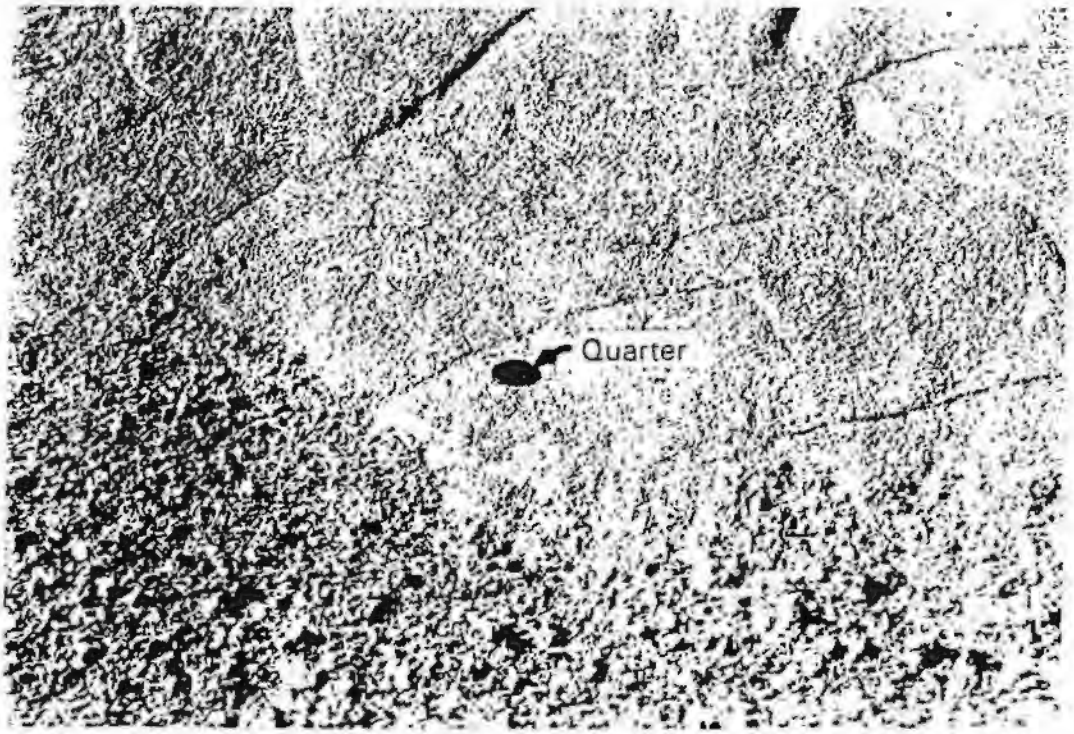
Attachment B

PACIFIC NATURAL AGGREGATE CO. PUMICE MINE

Olancha, California



Notice how the wind has blown the fine sand off from the surface of this area and exposed the coarser particles below. Then the rain has come along and the water has mixed with the pumice to form a dry crust which resists wind erosion. This flat area is the top of the large sand stockpile on the south side of the main road just inside the main gate.



Date of photos: JUNE 22, 1993

Attachment B

Ellen Hardebeck
Control Officer

RECEIVED
JUN 18 1993
INYO CO. PLANNING DEPT.

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short St. Suite #6 - Bishop, CA 93514
(619) 872-8211

June 17, 1993

Mr. Curtis Kellogg
Inyo County Planning Dept
Drawer L
Independence, CA 93526

RE: Reclamation Plan # 93-4, Pacific Lightweight Products Company

Dear Curtis,

Thank you for the opportunity to comment on Pacific Lightweight Products Company's Reclamation Plan. We have reviewed their plan and have the following concerns:

(1) According to Pacific's plan they propose to restore only a small number of acres each year. This leaves thirty acres waiting to be restored until the year 2003. Because of this slow pace of reclamation, we believe their program comes in conflict with our Fugitive Dust Rule. Rule 401 calls for reasonable precautions to be taken to prevent fugitive dust from leaving a property boundary. We emphasize this point by outlining in their permit what we believe are reasonable ongoing precautions. (ref: permit condition 9)

(2) The purpose of a reclamation project should be to restore disturbed terrain to its natural condition. Pacific Products is conducting mining activities in an arid, infertile area. They propose to simply spread a blanket cover of coarse pumice. Without help, natural vegetation is supposed to grow, thrive, and eventually cover an area 30 acres in size. Perhaps they do not realize that native vegetation can take decades to reestablish itself. Their reclamation plan should thoroughly explain how they plan to foster and accelerate the establishment of plant life in the distressed areas.

Thank you for considering these comments.

Sincerely,

Larry Cameron

Larry Cameron
Air Quality Specialist

4\pac.pum\061793.let

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-0263
FAX: (619) 872-2712

County of
INYO

Peter Chamberlin
Planning Director

PLANNING DEPARTMENT STAFF REPORT

AGENDA ITEM NO. 7

JUNE 23, 1993

RE: RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

PROJECT LOCATION:

The subject property is located in Inyo County approximately 2 miles south of the community of Olancha, 5 and 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in south Inyo County [Township 20 South, Range 37 East, Sections 1 and 12, M.D.B. & M.]. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). Access to the site will be by an unpaved, County maintained road known as Cactus Flats Road (Co. I.D. #5024)[see attached Vicinity Map]. The nearest developed area to the site would be a ranch operation approximately 2 miles north of the pit area.

PROJECT DESCRIPTION:

The proposed project is a Reclamation Plan application for an existing open pit Pumice mine. The Pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment to a previously approved Conditional Use Permit, the applicant has filed applications for both a Conditional Use Permit (mine is on private lands) and a Reclamation Plan (as required by the State Surface Mining and Reclamation Act [SMARA]). Therefore, this project is a request by Pacific Lightweight Products to comply with the requirements of both the County mining ordinance and SMARA in regards to reclamation of existing mining operations. All the disturbed land is zoned OS-40 (Open Space - 40 acres minimum).

BACKGROUND:

Access is either by established truck routes on the site, or by Cactus Flats Road , as previously mentioned. The applicant has stated that there are no known endangered, threatened or sensitive vegetation on or around the project site. The only fauna traversing the area are coyotes. The Desert Tortoise and Mohave Ground Squirrel are not now known to inhabit the project site or surrounding area. The area has been mined in the past and there is subsequent revegetation of areas already disturbed (such as low grade ore stockpiles).

The general geology of the area is that of granite and metamorphic rocks which are overlain by alluvial gravels, tuffs, lake beds and andesitic and basaltic lava flows. The latter is referred to as the Coso Formation.

The pumice deposits are in tuffs and are well exposed in some places. The occurrences east of Haiwee Reservoir are considered for the most part to represent rhyolitic pyrocrastic flows and to a lesser degree water-reworked pumice of the same composition. They are correlated within a very narrow range in the upper part of the late Tertiary Coso Formation. It represents a limited and unique period of explosive volcanic activity in the Coso region which appears to have occurred between 2.99 and 3.14 +/- 0.20 million years ago.

The only rock being mined at the site is pumice. It is a water-lain deposit from 5 to 40 feet deep that dips 6 degrees to the west. The moisture content of the "in situ" pumice varies between 8 to 12 percent. The consolidation is such that it will excavate without blasting but is cohesive enough to stand in vertical faces. In most of the area, the pumice is on the surface with zero to very little overburden. No faults or folds are exposed on the property to interfere with mining.

LAND USES/ACTIVITIES SURROUNDING PROJECT SITE:

The surrounding land uses are as follows:

North: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

South: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

East: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

West: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

CONDITIONAL USE PERMIT:

The mined pumice is crushed and screened and then transported to the Newhall area in Southern California for further processing. The pumice removed from the site will be used in producing light-weight concrete.

The Pumice is removed by Bulldozer and a front-end loader picks up the material and transports it to the processing plant. The processing plant was set up near the center of the deposit for ease of operation due to the method of extraction. The front end loader deposits the pumice for crushing and screening and then returns to the quarry. However, instead of having the loader go back empty, the operator picks up already processed (screened) material, and transports to the on-site stockpiles prior to return to the quarry. There are 3 stockpile areas located around the site. The applicant has indicated that is the justification for the entire area being mined at the same time (hence, the expansion from the original 20 acre permit in 1985).

Starting in 1993, the size of the mined area will be reduced in size at the rate of a minimum of 2 acres per year (see attached colored "Contour Map at Conclusion of Mining").

An estimated 20,000 tons of pumice are currently extracted per year. At maximum capacity 30,000 tons per year may be achieved. At the current volume of extraction, the life of the mine operation has been calculated to end in the year 2003.

No waste material is generated by the mining process.

The mining operation employs a 4 person mining/hauling/operations crew working 8 hours per day. These employees work 5 days per week and commute to the mining site from various communities and surrounding rural areas.

There is no water supply at the site and the water used for dust suppression on the haul roads and operations area is transported in by truck and tanker from Haiwee Reservoir. No water is utilized at the site for the extraction process. Potable water is purchased by Pacific Lightweight for their employees.

The sanitary facilities on the site are portable toilets.

The mining operation utilizes mobile equipment. The equipment consists of: Tracked D9N bulldozer; a front end loader; a water truck; a bobcat loader; a portable welder; 4 screens; a 15 belt conveyor system; a rock crusher and 1 truck scale. Water and fuel are trucked to the site.

Equipment is refueled and lubricated as needed by a mobile service truck. No hazardous contaminants are released from the mobile service vehicle.

No additional road construction is required beyond maintenance of

the existing roads to and crossing the property.

RECLAMATION PLAN:

The project before the Commission consists of a reclamation plan submitted to amend a previously approved Conditional Use Permit with reclamation conditions (C.U.P. #85-1).

The reclamation plan, as submitted, calls for the removal of all equipment from the site. As the equipment utilized at the site is mobile, it will be removed from the site at time of closure.

Precast concrete footings associated with the truck scale will be broken up and buried on the site.

All of the access and hauling roads are to be contoured, ripped or scarified. All open pits and piles of ore and any waste materials/overburden existing at time of closure shall be leveled to conform, as much as possible, with the existing terrain. The overall effect will be that of rounded, undulating mounds that will blend in with the surrounding landscape as much as possible. Any cut slopes will either be benched or sloped to blend in with the existing contours of the land (as shown on the maps submitted with the applications).

Based upon the long history of continued mining at the site and the large ore reserves, it appears that only a major economic event would result in the mining activity being discontinued and abandoned (year 2003 estimated completion date). This may result in a difficult determination as to when the mining activity "ceases" and when the reclamation plan is to be implemented.

During the past 7 years it was found that revegetation occurs naturally in areas of inactivity.

The final mine closure will include the following site reclamation activities:

1. Revegetation occurs naturally in areas of inactivity. For that reason no artificial revegetation is proposed and the site will be allowed to revegetate without human intervention. In the event that any stockpiles remain at time of closure, they will be recontoured in accordance with the final contour map attached to the Reclamation Plan application. Coarse aggregate will be laid down over the finer sizes in order to reduce wind erosion and fugitive dust.

   Upon completion of mining, or after one year of inactivity in a phased reclamation area, the area disturbed by Pacific Lightweight Products will be reviewed for revegetation (natural) and reduction of the bond will be based on the success of revegetation without human intervention. Success shall be achieved when the density of native plants (plant count) reaches 25% of the density of plants on undisturbed

ground. The Planning Department will determine the method to check plant cover (photographs or unit area plant count). If natural revegetation is "unsuccessful" then Pacific Light weight Products will be required to apply a compatible seed mix.

2. Concurrent reclamation will be performed by the operator to reclaim areas disturbed after 1976 or already scarified by previous mining management practices. If operations intrude into the previously disturbed areas as delineated on the "Contour Map at Conclusion of Mining" submitted with the Reclamation Plan, a new appraisal of the site will occur. Contours will closely follow that map for final reclamation.

3. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area.

4. Scarify all areas of mining disturbance and existing mining operation roads with in the area of operations.

FINANCIAL ASSURANCES:

As required by the Division of Mines and Geology and the Surface Mining and Reclamation Act of 1975, financial assurances have been formulated for this reclamation plan by the applicant. Mr. Earl Gann (Mining Engineer, Inyo County Planning Department) has reviewed the applicant's proposed reclamation procedures and costs and did concur with the proposed financial assurance amount.

The applicant proposes to do reclamation on a concurrent basis. This is allowed by SMARA. The applicant's cost estimates are projected to be $20,000.00 dollars. The County concurs with the applicant's estimate.

Mr. Hobbs (the representative for Pacific Lightweight Products) has done a creditable job in calculating the required work to reclaim the mine site. Pacific Lightweight plans to reclaim 2 acres each year for the next 10 years. The remainder (30+ acres will be done at time of closure). The map provided, and attached to this Staff Report, will be a great help to Mining Engineer assigned to the Planning Department in verifying the reclamation completed on a yearly basis.

ENVIRONMENTAL REVIEW:

In accordance with the requirements of the California Environmental Quality Act (CEQA), an Initial Study was completed and a Draft Negative Declaration of Environmental Impact, was prepared and circulated for public review and comment by June 18, 1993. No

comments other than the comment from the CALTRANS office, stating that the project would have no effect on the State transportation system, were received.

California Department of Transportation Comments:

The California Department of Transportation (CALTRANS) commented on the Negative Declaration of Environmental Impact that was circulated for review.

As a Responsible Agency, CALTRANS did not feel there would be any significant impacts from this project on the State transportation system (see attached CALTRANS letter).

Division of Mines and Geology Comments:

Pursuant to SMARA, the County is required to submit all reclamation plan applications to the State Geologist (Division of Mines and Geology) for a 45 day review and comment period prior to any approval of a reclamation plan.

The State Geologist's comments on a pending application requires the County to prepare a written response addressing the issues raised in their comments. In addition, if the County's position differs from the State Geologist's comments, our responses are to address, in detail, why specific comments and suggestions were not accepted.

As of the date of this Staff Report, no comments were received from the State Geologist.

This is a project with a greater than a "*de minimus*" finding as defined by the Department of Fish and Game since it will have a measurable adverse impact on wildlife resources. Some vegetation will be disturbed at the project area, so payment of the fee is required pursuant to Section 711.4 of the Fish and Game Code.

If this project is approved, the applicant will be required to pay a fee of $1275.00 dollars at the time the Planning Department files a Notice of Determination in compliance with the California Environmental Quality Act (CEQA). The County will then forward the monies to the Department of Fish and Game. Section 21809 (b) of the Public Resources Code provides that this project will not be "operative, vested or final" until this fee has been paid.

PUBLIC NOTICE:

Notice of this public hearing has been posted, published and mailed to all parties concerned.

RECOMMENDATIONS:

The Planning Department recommends the Planning Commission approve Reclamation Plan #93-4 and Conditional Use Permit #93-5 by taking the following actions (3 motions):

A. Based upon the Initial Study and all written and verbal comments received, adopt the Negative Declaration of Environmental Impact thus certifying that the requirements of the California Environmental Quality Act.

B. Find the proposed reclamation plan conforms and meets the requirements of Chapter 18.76 (Mining and Land Reclamation) of the Inyo County Code and the provisions of the State Surface Mining and Reclamation Act (SMARA).

C. Approve Reclamation Plan No. 93-4 and Conditional Use Permit #93-5 / Pacific Lightweight Products subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL:

1. Any expansion of the mining activity or surface disturbance beyond that depicted in the application and accompanying plans shall require the submission and approval of an amended reclamation plan and Conditional Use permit by Inyo County.

2. This Reclamation Plan and Conditional Use Permit shall become void unless the use is established or construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Every effort will be made to save seed bearing surface soil (if any) so that it may be spread over the disturbed surface to enhance revegetation.

4. Reclamation shall take place on an ongoing basis (concurrent reclamation).

RECLAMATION PLAN CONDITIONS OF APPROVAL:

5. Revegetation occurs naturally in areas of inactivity. For that reason no artificial revegetation is proposed and the site will be allowed to revegetate without human intervention. In the event that any stockpiles remain at time of closure, they will be recontoured in accordance with the final contour map attached to the Reclamation Plan application. Coarse aggregate will be laid down over the finer sizes in order to reduce wind erosion and fugitive dust.

   Upon completion of mining, or after one year of inactivity in a phased reclamation area, the area disturbed by Pacific

Lightweight Products will be reviewed for revegetation (natural) and reduction of the bond will be based on the success of revegetation without human intervention. Success shall be achieved when the density of native plants (plant count) reaches 25% of the density of plants on undisturbed ground. The Planning Department will determine the method to check plant cover (photographs or unit area plant count). If natural revegetation is "unsuccessful" then Pacific Light weight Products will be required to apply a compatible seed mix to the failed area(s).

6. Concurrent reclamation will be performed by the operator to reclaim areas disturbed after 1975 or already scarified by previous mining management practices. If operations intrude into the previously disturbed areas as delineated on the "Contour Map at Conclusion of Mining" submitted with the Reclamation Plan a new appraisal of the site will occur. Contours will closely follow that map for final reclamation.

7. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area.

8. Scarify all areas of mining disturbance and existing mining operation roads within the area of operations.

9. Pre-mining drainage courses will be restored to the satisfaction of the Inyo County Planning Department. All pre-mining drainage courses will be restored within three months of closure and such reclamation shall not promote accelerated soil erosion.

10. All structures, equipment, foundations, pipelines, trash and debris shall be removed from the site within three months of closure.

11. Financial assurances in the sum of $20,000.00 dollars in the form of a surety bond, irrevocable letter of credit or trust fund shall be posted with the Inyo County Planning Department. Said financial assurances shall be payable to the County of Inyo and the Director of Conservation.

12. The applicant shall submit a notarized statement to the Planning Department accepting responsibility for reclaiming the lands as per the conditions specified herein prior to any additional mining or exploration activities commencing.

13. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code for potential habitat loss. Because of

the potential loss of native vegetation and wildlife habitat, however sparse, Section 711.4 of Fish and Game code requires the payment of a $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than the *de minimus* standard of Section 711.4. Said $1,250 and a $25 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after reclamation plan and conditional use permit approval).

14. This Reclamation Plan shall be reviewed and the applicant's compliance with the conditions listed above shall be evaluated every year, as required by Section 2774(b) of SMARA, after the date of approval. The amount of the financial assurances shall also be reviewed and adjusted as deemed appropriate, at that time.

19. The applicant shall notify the Inyo County Planning Department prior to closure of the mining operation in order to coordinate reclamation of the site.

Attachments: Vicinity Map
"Contour Map at Conclusion of Mining"
CALTRANS Letter

CEK/cek

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-0263
FAX: (619) 872-2712

County of
INYO

Peter Chamberlin
Planning Director

PLANNING DEPARTMENT STAFF REPORT

AGENDA ITEM NO. 7

JUNE 23, 1993

PROJECT INFORMATION:

Application: **RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS**
CONDITIONAL USE PERMIT #93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

Applicant/Owner:	Pacific Lightweight Products
Representative:	Mr. Leonard Hobbs
Date of Hearing:	June 23, 1993
Location:	The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). The subject property is located approximately 2 miles south of the community of Olancha, 5 and 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in south Inyo County.
APN:	38-200-01
Zoning:	OS-40 (Open Space - 40 acre minimum).
General Plan Designation:	OP - Park / Recreational 40 acre / or as Designated
Total Acreage:	50.4 acres.
Project Planner:	Curtis E. Kellogg

BACKGROUND

The proposed project is a Reclamation Plan application for an existing open pit Pumice mine. The Pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres.

After publishing the public hearing notice, additional comments were received from the Governors Office of Planning and Research that routed the environmental documentation to the Department of Fish and Game.

The Department of Fish and Game comments are rather extensive (attached) and additional time will be required by the applicant, Staff and possibly others to adequately address their concerns regarding a rare plant species (*Ripley's cymopterus*), the completion of a Cumulative Human Impact Evaluation and the request for and Endangered Species Management Agreement (2081) from the California Department of Fish and Game.

Since the Public Hearing was advertised in the newspaper, the Commission needs to take formal action in continuing this item to the July 28, 1993 Planning Commission Public Hearing.

RECOMMENDATION:

The Planning Department recommends the Planning Commission take the following action:

> "Request continuance of RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS and CONDITIONAL USE PERMIT #93-5 / PACIFIC LIGHTWEIGHT PRODUCTS to the July 28, 1993 Planning Commission Public Hearing in order to address the concerns raised in correspondence from the State of California Department of Fish and Game."

Attachment: OPR Letter and California Department of Fish and Game Comments

CEK/cek

STATE OF CALIFORNIA | Attachment B | PETE WILSON, *Governor*

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO, CA 95814

RECEIVED
JUN 18 1993
INYO CO. PLANNING DEPT.

Jun 16, 1993

CURTIS KELLOGG
INYO COUNTY PLANNING
P.O. DRAWER L
INDEPENDENCE, CA 93526

Subject: RECLAIMATION PLAN #93-4
SCH # 93052045

Dear CURTIS KELLOGG:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call Russell Colliau at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

Sincerely,

Christine Kinne
Acting Deputy Director, Permit Assistance

✓	ROGER DEHART
✓	CURTIS KELLOGG
	C. THISTLETHWAITE
	SANDY MILLER
	BRAD METTAM
	EARL GANN
	JANET CROSS
	FILE

Attachment B

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, *Governor*

DEPARTMENT OF FISH AND GAME

RECEIVED
JUN 18 1993
INYO CO. PLANNING DEPT.

407 W. Line Street
Bishop, CA 93514
872-1171

	ROGER DEHART
	CURTIS KELLOGG
	C. THISTLETHWAITE
	SANDY MILLER
	BRAD METTAM
	EARL GANN
	JANET CROSS
	FILE

June 14, 1993

Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526
Attn: Mr. Curtis Kellogg

Dear Mr. Kellogg,

The Department of Fish and Game has reviewed the Negative Declaration and Initial Study for Reclamation Plan #93-4 and Conditional Use Permit #93-5, Pacific Lightweight Products. The proposed project is a Reclamation Plan for an existing open pit pumice mine, and an application for a Conditional Use Permit to increase the area of disturbance to 50.4 acres. The proposed project is located in the Cactus Flats area within the Coso Mountains in south Inyo County. The proposed project is within the range of the Mohave ground squirrel, a species listed as Threatened by the Department of Fish and Game, and the desert tortoise, a species listed as Threatened by the U.S. Fish and Wildlife Service and the Department of Fish and Game. A rare plant species, Ripley's cymopterus, Cymopterus ripleyi, is also known from the project vicinity.

The document states that "The applicant has stated that there are no known endangered, threatened or sensitive vegetation on or around the project site". The California Natural Diversity Data Base shows that populations of Ripley's cymopterus have been documented near the project site. The Negative Declaration should include evidence that a qualified botanist has checked the project site and determined that no rare, threatened, or endangered species are found on the project site.

Since the project is also within the range of the Mohave ground squirrel, a state Threatened species, a Cumulative Human Impact Evaluation must be completed for the project. This evaluation must be completed by a qualified biologist who has received training in evaluation methodology conducted by the Department. Once the CHIE has been completed, the Department will determine appropriate mitigation for the project. A desert tortoise survey must also be completed by a qualified biologist for this project.

The project proponent must then obtain from the Department an Endangered Species Management Agreement (2081) for this project. The CHIE and 2081 are necessary because the Mohave ground squirrel is still listed as Threatened, pending review of the recent Fish and Game Commission action by the Office of Administrative Law.

The Department believes that the Negative Declaration as written does not contain information sufficient to support the findings of no significant environmental impact, and should be rewritten to include the results of the desert tortoise survey, rare plant survey, and Mohave ground squirrel CHIE. The revised Negative Declaration should then be recirculated for public review.

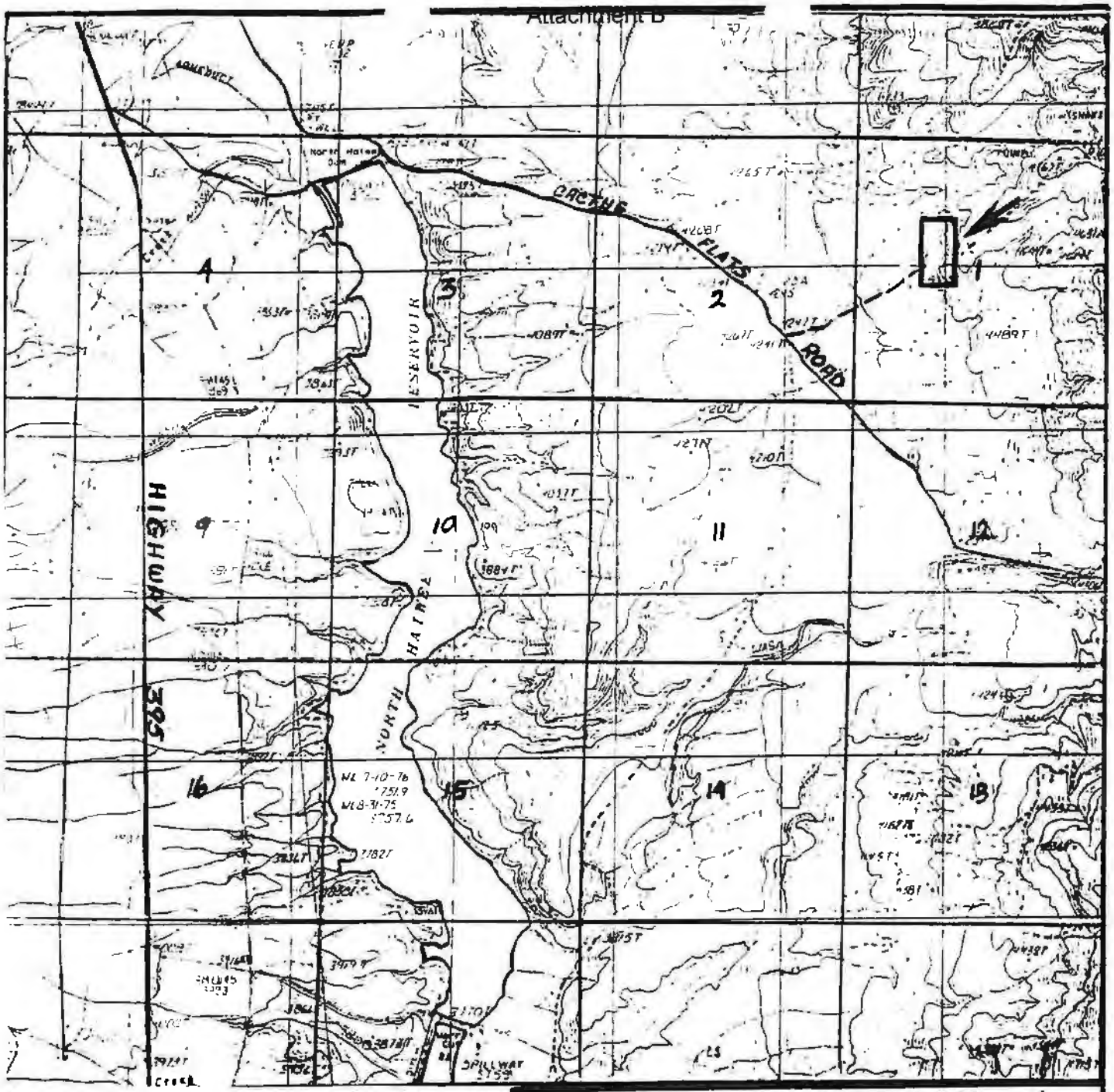
Thank you for the opportunity to comment on this project. If you have any questions, please call me or Mr. Bruce Kinney at the above telephone number.

Sincerely,

Denyse Racine

Denyse Racine
Associate Wildlife Biologist

Attachment B



VICINITY MAP

APPLICATION NO's RP#93-4 / CUP#93-5

APPLICANT Lightaleight Processing Co.

GEN. PLAN DES. Natural Resource Lands

REQUEST 50.4 acre open pit pumice mine.

SCALE 0 ½ 1

Attachment B

PLANNING DEPARTMENT

DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-0263
FAX: (619) 872-2712

County of
INYO

Peter Chamberlin
Planning Director

June 16, 1993

Pacific Lightweight Products
Attn: Mr. Leonard Hobbs
715 North Central Avenue
Suite #101
Glendale, Ca. 91203

Re: Reclamation Plan #93-4 and
Conditional Use Permit #93-5

Dear Mr. Hobbs:

Enclosed is the preliminary Staff Report for the above projects to be presented to the Inyo County Planning Commission at its meeting of June 23, 1993.

This report is being sent to you for your early review and comment. Please review the Staff recommended conditions of approval. Please be advised that any portion of the attached Staff Report is subject to change.

Please call me as soon as possible if you have any questions or comments. The Staff Report will be transmitted to the Planning Commission on June 18, 1993. Please let me have your comments by 5 p.m. on June 17, 1993.

Sincerely,

Curtis E. Kellogg
Associate Planner
Project Planner

(619) 878-0267

Attachment: Staff Report - RP93-4/CUP93-5

CEK/cek

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-0263
FAX: (619) 872-2712

County of
INYO

Peter Chamberlin
Planning Director

PLANNING DEPARTMENT STAFF REPORT

AGENDA ITEM NO. 7

JUNE 23, 1993

RE: RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

PROJECT LOCATION:

The subject property is located in Inyo County approximately 2 miles south of the community of Olancha, 5 and 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in south Inyo County [Township 20 South, Range 37 East, Sections 1 and 12, M.D.B. & M.]. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). Access to the site will be by an unpaved, County maintained road known as Cactus Flats Road (Co. I.D. #5024)[see attached Vicinity Map]. The nearest developed area to the site would be a ranch operation approximately 2 miles north of the pit area.

PROJECT DESCRIPTION:

The proposed project is a Reclamation Plan application for an existing open pit Pumice mine. The Pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment to a previously approved Conditional Use Permit, the applicant has filed applications for both a Conditional Use Permit (mine is on private lands) and a Reclamation Plan (as required by the State Surface Mining and Reclamation Act [SMARA]). Therefore, this project is a request by Pacific Lightweight Products to comply with the requirements of both the County mining ordinance and SMARA in regards to reclamation of existing mining operations. All the disturbed land is zoned OS-40 (Open Space - 40 acres minimum).

BACKGROUND:

Access is either by established truck routes on the site, or by Cactus Flats Road , as previously mentioned. The applicant has stated that there are no known endangered, threatened or sensitive vegetation on or around the project site. The only fauna traversing the area are coyotes. The Desert Tortoise and Mohave Ground Squirrel are not now known to inhabit the project site or surrounding area. The area has been mined in the past and there is subsequent revegetation of areas already disturbed (such as low grade ore stockpiles).

The general geology of the area is that of granite and metamorphic rocks which are overlain by alluvial gravels, tuffs, lake beds and andesitic and basaltic lava flows. The latter is referred to as the Coso Formation.

The pumice deposits are in tuffs and are well exposed in some places. The occurrences east of Haiwee Reservoir are considered for the most part to represent rhyolitic pyrocrastic flows and to a lesser degree water-reworked pumice of the same composition. They are correlated within a very narrow range in the upper part of the late Tertiary Coso Formation. It represents a limited and unique period of explosive volcanic activity in the Coso region which appears to have occurred between 2.99 and 3.14 +/- 0.20 million years ago.

The only rock being mined at the site is pumice. It is a water-lain deposit from 5 to 40 feet deep that dips 6 degrees to the west. The moisture content of the "in situ" pumice varies between 8 to 12 percent. The consolidation is such that it will excavate without blasting but is cohesive enough to stand in vertical faces. In most of the area, the pumice is on the surface with zero to very little overburden. No faults or folds are exposed on the property to interfere with mining.

LAND USES/ACTIVITIES SURROUNDING PROJECT SITE:

The surrounding land uses are as follows:

North: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

South: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

East: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

West: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

CONDITIONAL USE PERMIT:

The mined pumice is crushed and screened and then transported to the Newhall area in Southern California for further processing. The pumice removed from the site will be used in producing light-weight concrete.

The Pumice is removed by Bulldozer and a front-end loader picks up the material and transports it to the processing plant. The processing plant was set up near the center of the deposit for ease of operation due to the method of extraction. The front end loader deposits the pumice for crushing and screening and then returns to the quarry. However, instead of having the loader go back empty, the operator picks up already processed (screened) material, and transports to the on-site stockpiles prior to return to the quarry. There are 3 stockpile areas located around the site. The applicant has indicated that is the justification for the entire area being mined at the same time (hence, the expansion from the original 20 acre permit in 1985).

Starting in 1993, the size of the mined area will be reduced in size at the rate of a minimum of 2 acres per year (see attached colored "Contour Map at Conclusion of Mining").

An estimated 20,000 tons of pumice are currently extracted per year. At maximum capacity 30,000 tons per year may be achieved. At the current volume of extraction, the life of the mine operation has been calculated to end in the year 2003.

No waste material is generated by the mining process.

The mining operation employs a 4 person mining/hauling/operations crew working 8 hours per day. These employees work 5 days per week and commute to the mining site from various communities and surrounding rural areas.

There is no water supply at the site and the water used for dust suppression on the haul roads and operations area is transported in by truck and tanker from Haiwee Reservoir. No water is utilized at the site for the extraction process. Potable water is purchased by Pacific Lightweight for their employees.

The sanitary facilities on the site are portable toilets.

The mining operation utilizes mobile equipment. The equipment consists of: Tracked D9N bulldozer; a front end loader; a water truck; a bobcat loader; a portable welder; 4 screens; a 15 belt conveyor system; a rock crusher and 1 truck scale. Water and fuel are trucked to the site.

Equipment is refueled and lubricated as needed by a mobile service truck. No hazardous contaminants are released from the mobile service vehicle.

No additional road construction is required beyond maintenance of

the existing roads to and crossing the property.

RECLAMATION PLAN:

The project before the Commission consists of a reclamation plan submitted to amend a previously approved Conditional Use Permit with reclamation conditions (C.U.P. #85-1).

The reclamation plan, as submitted, calls for the removal of all equipment from the site. As the equipment utilized at the site is mobile, it will be removed from the site at time of closure.

Precast concrete footings associated with the truck scale will be broken up and buried on the site.

All of the access and hauling roads are to be contoured, ripped or scarified. All open pits and piles of ore and any waste materials/overburden existing at time of closure shall be leveled to conform, as much as possible, with the existing terrain. The overall effect will be that of rounded, undulating mounds that will blend in with the surrounding landscape as much as possible. Any cut slopes will either be benched or sloped to blend in with the existing contours of the land (as shown on the maps submitted with the applications).

Based upon the long history of continued mining at the site and the large ore reserves, it appears that only a major economic event would result in the mining activity being discontinued and abandoned (year 2003 estimated completion date). This may result in a difficult determination as to when the mining activity "ceases" and when the reclamation plan is to be implemented.

During the past 7 years it was found that revegetation occurs naturally in areas of inactivity.

The final mine closure will include the following site reclamation activities:

1. Revegetation occurs naturally in areas of inactivity. For that reason no artificial revegetation is proposed and the site will be allowed to revegetate without human intervention. In the event that any stockpiles remain at time of closure, they will be recontoured in accordance with the final contour map attached to the Reclamation Plan application. Coarse aggregate will be laid down over the finer sizes in order to reduce wind erosion and fugitive dust.

   Upon completion of mining, or after one year of inactivity in a phased reclamation area, the area disturbed by Pacific Lightweight Products will be reviewed for revegetation (natural) and reduction of the bond will be based on the success of revegetation without human intervention. Success shall be achieved when the density of native plants (plant count) reaches 25% of the density of plants on undisturbed

ground. The Planning Department will determine the method to check plant cover (photographs or unit area plant count). If natural revegetation is "unsuccessful" then Pacific Light weight Products will be required to apply a compatible seed mix.

2. Concurrent reclamation will be performed by the operator to reclaim areas disturbed after 1976 or already scarified by previous mining management practices. If operations intrude into the previously disturbed areas as delineated on the "Contour Map at Conclusion of Mining" submitted with the Reclamation Plan, a new appraisal of the site will occur. Contours will closely follow that map for final reclamation.

3. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area.

4. Scarify all areas of mining disturbance and existing mining operation roads with in the area of operations.

FINANCIAL ASSURANCES:

As required by the Division of Mines and Geology and the Surface Mining and Reclamation Act of 1975, financial assurances have been formulated for this reclamation plan by the applicant. Mr. Earl Gann (Mining Engineer, Inyo County Planning Department) has reviewed the applicant's proposed reclamation procedures and costs and did concur with the proposed financial assurance amount.

The applicant proposes to do reclamation on a concurrent basis. This is allowed by SMARA. The applicant's cost estimates are projected to be $20,000.00 dollars. The County concurs with the applicant's estimate.

Mr. Hobbs (the representative for Pacific Lightweight Products) has done a creditable job in calculating the required work to reclaim the mine site. Pacific Lightweight plans to reclaim 2 acres each year for the next 10 years. The remainder (30+ acres will be done at time of closure). The map provided, and attached to this Staff Report, will be a great help to Mining Engineer assigned to the Planning Department in verifying the reclamation completed on a yearly basis.

ENVIRONMENTAL REVIEW:

In accordance with the requirements of the California Environmental Quality Act (CEQA), an Initial Study was completed and a Draft Negative Declaration of Environmental Impact, was prepared and circulated for public review and comment by June 18, 1993. No

comments other than the comment from the CALTRANS office, stating that the project would have no effect on the State transportation system, were received.

California Department of Transportation Comments:

The California Department of Transportation (CALTRANS) commented on the Negative Declaration of Environmental Impact that was circulated for review.

As a Responsible Agency, CALTRANS did not feel there would be any significant impacts from this project on the State transportation system (see attached CALTRANS letter).

Division of Mines and Geology Comments:

Pursuant to SMARA, the County is required to submit all reclamation plan applications to the State Geologist (Division of Mines and Geology) for a 45 day review and comment period prior to any approval of a reclamation plan.

The State Geologist's comments on a pending application requires the County to prepare a written response addressing the issues raised in their comments. In addition, if the County's position differs from the State Geologist's comments, our responses are to address, in detail, why specific comments and suggestions were not accepted.

As of the date of this Staff Report, no comments were received from the State Geologist.

This is a project with a greater than a "*de minimus*" finding as defined by the Department of Fish and Game since it will have a measurable adverse impact on wildlife resources. Some vegetation will be disturbed at the project area, so payment of the fee is required pursuant to Section 711.4 of the Fish and Game Code.

If this project is approved, the applicant will be required to pay a fee of $1275.00 dollars at the time the Planning Department files a Notice of Determination in compliance with the California Environmental Quality Act (CEQA). The County will then forward the monies to the Department of Fish and Game. Section 21809 (b) of the Public Resources Code provides that this project will not be "operative, vested or final" until this fee has been paid.

PUBLIC NOTICE:

Notice of this public hearing has been posted, published and mailed to all parties concerned.

RECOMMENDATIONS:

The Planning Department recommends the Planning Commission approve Reclamation Plan #93-4 and Conditional Use Permit #93-5 by taking the following actions (3 motions):

A. Based upon the Initial Study and all written and verbal comments received, adopt the Negative Declaration of Environmental Impact thus certifying that the requirements of the California Environmental Quality Act.

B. Find the proposed reclamation plan conforms and meets the requirements of Chapter 18.76 (Mining and Land Reclamation) of the Inyo County Code and the provisions of the State Surface Mining and Reclamation Act (SMARA).

C. Approve Reclamation Plan No. 93-4 and Conditional Use Permit #93-5 / Pacific Lightweight Products subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL:

1. Any expansion of the mining activity or surface disturbance beyond that depicted in the application and accompanying plans shall require the submission and approval of an amended reclamation plan and Conditional Use permit by Inyo County.

2. This Reclamation Plan and Conditional Use Permit shall become void unless the use is established or construction necessary to its establishment is not commenced and diligently pursued within one year from the date of approval unless extended by the Planning Commission.

3. Every effort will be made to save seed bearing surface soil (if any) so that it may be spread over the disturbed surface to enhance revegetation.

4. Reclamation shall take place on an ongoing basis (concurrent reclamation). Seven acres are currently disturbed.

RECLAMATION PLAN CONDITIONS OF APPROVAL:

5. Revegetation occurs naturally in areas of inactivity. For that reason no artificial revegetation is proposed and the site will be allowed to revegetate without human intervention. In the event that any stockpiles remain at time of closure, the will be recontoured in accordance with the final contour map attached to the Reclamation Plan application. Coarse aggregate will be laid down over the finer sizes in order to reduce wind erosion and fugitive dust.

   Upon completion of mining, or after one year of inactivity in a phased reclamation area, the area disturbed by Pacific

Lightweight Products will be reviewed for revegetation (natural) and reduction of the bond will be based on the success of revegetation without human intervention. Success shall be achieved when the density of native plants (plant count) reaches 25% of the density of plants on undisturbed ground. The Planning Department will determine the method to check plant cover (photographs or unit area plant count). If natural revegetation is "unsuccessful" then Pacific Light weight Products will be required to apply a compatible seed mix to the failed area(s).

6. Concurrent reclamation will be performed by the operator to reclaim areas disturbed after 1975 or already scarified by previous mining management practices. If operations intrude into the previously disturbed areas as delineated on the "Contour Map at Conclusion of Mining" submitted with the Reclamation Plan a new appraisal of the site will occur. Contours will closely follow that map for final reclamation.

7. Reclamation will take into account pre-mining drainages and will shape the land so that it is consistent with prudent watershed principals. Due to lack of soils, the arid climate and the lack of stream channels, sedimentation and erosion control is not anticipated to be a problem. All existing drainage courses shall be left open and all grading will maintain the drainage of the area.

8. Scarify all areas of mining disturbance and existing mining operation roads with in the area of operations.

9. Pre-mining drainage courses will be restored to the satisfaction of the Inyo County Planning Department. All pre-mining drainage courses will be restored within three months of closure and such reclamation shall not promote accelerated soil erosion.

10. All structures, equipment, foundations, pipelines, trash and debris shall be removed from the site within three months of closure.

11. Financial assurances in the sum of $20,000.00 dollars in the form of a surety bond, irrevocable letter of credit or trust fund shall be posted with the Inyo County Planning Department. Said financial assurances shall be payable to the County of Inyo and the Director of Conservation.

12. The applicant shall submit a notarized statement to the Planning Department accepting responsibility for reclaiming the lands as per the conditions specified herein prior to any additional mining or exploration activities commencing.

13. Potential loss of native vegetation and wildlife habitat is considered to be in accord with the standards set by the Fish and Game Code for potential habitat loss. Because of the potential loss of native vegetation and wildlife habi-

tat, however sparse, Section 711.4 of Fish and Game code requires the payment of a $1,250.00 fee before this project becomes "operative, vested, or final". The potential impact is greater than the *de minimus* standard of Section 711.4. Said $1,250 and a $25 documentary handling fee shall be paid by the applicant at the time the Notice of Determination is filed by the Planning Department (5 days after reclamation plan and conditional use permit approval).

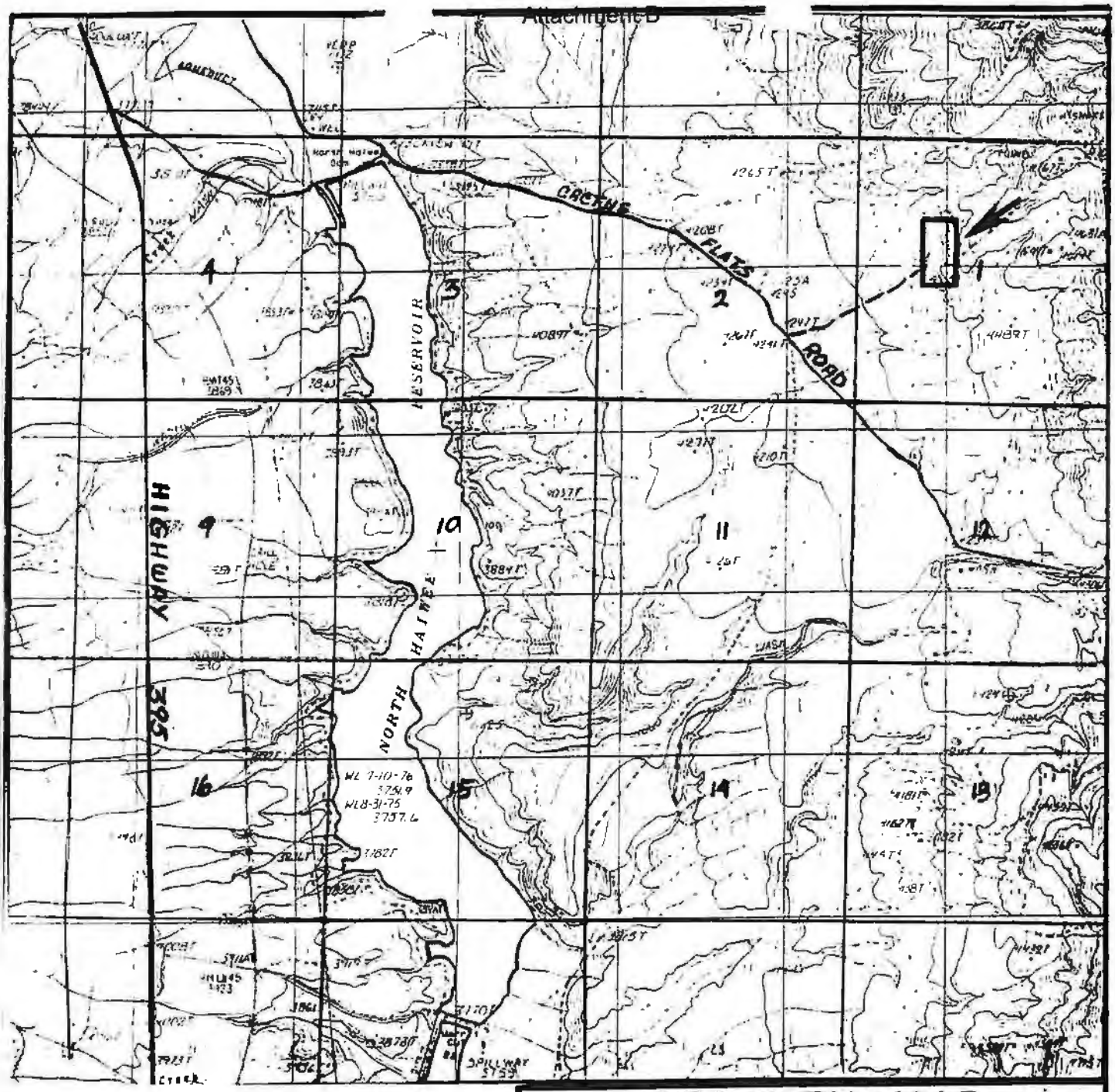
14. This Reclamation Plan shall be reviewed and the applicant's compliance with the conditions listed above shall be evaluated every year, as required by Section 2774(b) of SMARA, after the date of approval. The amount of the financial assurances shall also be reviewed and adjusted as deemed appropriate, at that time.

19. The applicant shall notify the Inyo County Planning Department prior to closure of the mining operation in order to coordinate reclamation of the site.

Attachments: Vicinity Map
"Contour Map at Conclusion of Mining"
CALTRANS Letter

CEK/cek

Attachment B



VICINITY MAP

APPLICATION NO's RP#93-4 / CUP#93-5

APPLICANT Lightweight Processing Co.

GEN.PLAN DES. Natural Resource Lands

REQUEST 50.4 acre open pit pumice mine.

SCALE 0 ½ 1 MILES

Attachment B

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, *Governor*

DEPARTMENT OF TRANSPORTATION
500 SOUTH MAIN STREET
BISHOP, CA 93514

(619) 872-0692

RECEIVED
JUN 9 1993
INYO CO. PLANNING DEPT.

June 7, 1993

File: Inyo-395-32.66
SCH: 93052045

Mr. Curtis Kellogg
Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526

RECLAMATION PLAN #93-4/PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-05/PACIFIC LIGHTWEIGHT PRODUCTS

Thank you for the opportunity to review and comment on the above project. The project is located in Inyo County approximately two miles south of Olancha, 5-1/2 miles east in the Upper Centennial Flat area. Access to the site will be by an unpaved county road, Cactus Flats Road.

As a responsible agency for transportation, Caltrans has no comments to offer regarding this project.

Sincerely,

F. K. WALTON, Chief
Transportation Planning
Branch A

cc: SCH: Russ Colliau

X	ROGER DEHART	X
	CURTIS KELLOGG	
	C. THISTLETHWAITE	
	SANDY MILLER	
	BRAD MELTAM	
	EARL GANN	
	JANET CROSS	
	FILE	

Attachment B

County of
INYO

PLANNING COMMISSION

DRAWER L • INDEPENDENCE • CALIFORNIA 93526 • (714) 878-2411 (Ext. 318)

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN the Inyo County Planning Commission will hold a public hearing on Wednesday, June 23, 1993, at 10:30 a.m. in the Board of Supervisors Room, County Administrative Center, Independence, to consider the following:

RECLAMATION PLAN #93-4/PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-5/PACIFIC LIGHTWEIGHT PRODUCTS

A request submitted by Pacific Lightweight Products for approval of a mining reclamation plan pursuant to the State Surface Mining and Reclamation Act for an existing open pit pumice mine. The operator wishes to increase the area of disturbance from 20 acres to 50.4 acres on a portion of property owned by the Ely Trust zoned OS-40 (Open Space - 40 Acre Minimum) and located two miles south of Olancha, 5 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains.

If you challenge any findings, determination or decision made regarding this project in court, you may be limited to raising only the issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered prior to the hearing.

Please contact the Inyo County Planning Department if you have any questions regarding this project at 619-878-0263.

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-2411 (Ext 2263)
FAX: (619) 872-2712

County of
INYO

Roger DeHart
Planning Director

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN the Inyo County Planning Commission will hold public hearings on Wednesday, June 23, 1993, at 10:00 a.m. in the Board of Supervisors Room, County Administrative Center, Independence to consider the following:

RECLAMATION PLAN #93-3 / HIATT READY MIX
CONDITIONAL USE PERMIT #93-2 /HIATT READY MIX

A request for approval of a mining reclamation plan pursuant to the State Surface Mining and Reclamation Act for an existing borrow site that is extracting decomposed granite for sale as fill. The site is zoned Open Space - 40 acre minimum. This Reclamation Plan has been submitted by D. Richard Cheeseman (dba Hiatt Ready-Mix Incorporated) to comply with the requirements of the State Surface Mining and Reclamation Act of 1975 (SMARA).

The total proposed surface disturbance has been calculated at 13.77 acres. Current surface disturbance has been estimated at approximately 7 acres and the applicant has indicated that concurrent reclamation will be performed.

The subject property is 13.77 acre leased portion of a 150 acre City of Los Angeles Department of Water and Power (LADWP) property located on the west side of Sunland Drive approximately 400' south of the intersection of Sunland Drive and Sunland Reservation Road, south of Bishop (APN #12-100-10).

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT PRODUCTS
CONDITIONAL USE PERMIT #93-5 / PACIFIC LIGHTWEIGHT PRODUCTS

A request for approval of a mining reclamation plan pursuant to the State Surface Mining and Reclamation Act for an existing open pit Pumice mine. The Pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment to a previously approved Conditional Use Permit, the applicant has filed applications for both a Conditional Use Permit (mine is on private lands) and a Reclamation Plan (as required by the State Surface Mining and Reclamation Act. All the disturbed land is zoned Open Space - 40 acres minimum.

The subject property is located approximately 2 miles south of the community of Olancha, 5 and 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in south Inyo County. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. Access to the site is an unpaved, County maintained road known as Cactus Flats Road.

If you challenge any finding, determination or decision made regarding these projects in court, you may be limited to raising only the issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered prior to the hearing.

Please contact the Inyo County Planning Department if you have any questions regarding these projects at the Courthouse Annex during business hours, or phone (619) 878-0263.

PLEASE PUBLISH ONE TIME ONLY IN THE WEDNESDAY, JUNE 9, 1993 EDITION OF THE INYO REGISTER.

Attachment B

June 3, 1993

Pacific Lightweight Products.

This is one Reclamation plan that appears to me to be in good shape. I have no problem with the documents submitted to the Planning Department.

Mr. Hobbs has done a creditable Job in calculating the required work to reclaim the mine. They are planning to reclaim two acres each year for the next ten years, then reclaim the remainder thirty plus acres the eleventh year. The map provided, delineating the proposed reclamation for each years project will be a great help in the verification of reclamation completed. This will facilitate the reduction of the bond.

The nature of the ground dictates natural vegetation. We should require a compatible seed mix be applied and watered at the appropriate time of year.

Reduction of the bond will be based on the success of revegetation of reclaimed areas. Success shall be achieved when the density of native plants (plant count) reaches 25 percent of natural undisturbed ground. The Planning Department will determine the method to check plant cover (photos or unit area plant count).

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-2411 (Ext 2263)
FAX: (619) 872-2712

County of
INYO

Roger DeHart
Planning Director

June 2, 1993

Larry Cameron
Great Basin Unified
Air Pollution Control District
157 Short Street, Suite 6
Bishop, CA 93514

Dear Mr. Cameron:

You were inadvertently left out of the mailing of the Negative Declaration for Reclamation Plan 93-4 and Conditional Use Permit 93-5/ Pacific Lightweight Products. This is for the pumice mine located on Cactus Flat Road, south of Olancha.

Please send your comments to the Inyo County Planning Department prior to June 18, 1993.

Sincerely

Curtis Kellogg
Associate Planner

Attachment B

Notice of Availability fo P lic Review INYO COUNTY

To: ☐ Interested Individuals

From: (Lead Agency) INYO COUNTY
PLANNING DEPT., DRAWER L
(Address)
INDEPENDENCE CA 93526
Contact CURTIS E. KELLOGG

☒ County Clerk
County of INYO

FILED
MAY 13 1993
BEVERLY A. HARRY
INYO COUNTY CLERK
BY DEPUTY

Subject: Notice of Availability for Public Review

This is to advise that _____ has prepared
(Lead Agency)

☒ Negative Declaration ☐ Environmental Impact Report

for the project identified below. As mandated by State law, the minimum public review period for this document is:

Negative Declaration	EIR
☐ 21 days (Negative Declaration was not submitted to the State Clearinghouse for review)	☐ 30 days (Draft EIR was not submitted to the State Clearinghouse for review)
☒ 30 days (Negative Declaration was submitted to the State Clearinghouse for review)	☐ 45 days (Draft EIR was submitted to the State Clearinghouse for a normal 45-day review)
☐ 21 days (State Clearinghouse granted a shortened review period for the Negative Declaration)	☐ 30 days (State Clearinghouse granted a shortened review period for the Draft EIR)

The document is available for review at 168 N Edwards Street (Courthouse Annex).
(Location)

A public hearing has been scheduled with the Inyo County Planning Commission to receive comments on the document.
(Hearing Body)

Date: June 23, 1993

Time: 10:00 a.m.

Place: Board of Supervisors Room, Administrative Center, Independence

The comment period for this document closes on June 18, 1993.
(Date)

Testimony at future public hearings may be limited to those issues raised during the public review period either orally or submitted in writing by 5:00 p.m. the day the comment period closes.

Project Title: Reclamation Plan 93-4 & Conditional Use Permit 93-5/PACIFIC LIGHTWEIGHT PROI

Project Location - Specific: Centenial Flat Area, 2 miles south of Olancha

Project Description (brief): Open Pit Pumice Mine (Reclamation Plan)

Signature _____ Date May 13, 1993

Title Associate Planner

Telephone 619-878-0267

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-2411 (Ext 2263)
FAX: (619) 878-2542

County of
INYO

Roger DeHart
Planning Director

DATE: May 12, 1993

PROJECT TITLE: Reclamation Plan #93-4 AND Conditional Use Permit #93-5/ PACIFIC LIGHTWEIGHT PRODUCTS

MAILED TO: OPR (10)/ BLM (RIDGECREST)/ DEPT. OF FISH AND GAME (BISHOP DIVISION OF MINES AND GEOLOGY

Affected Agency:

As Lead Agency for the above project, the Inyo County Planning Department has prepared the attached Negative Declaration of Environmental Impact in accordance with the California Environmental Quality Act (CEQA)(Section 21000 et. seq. of Public Resources Code). Your agency has been identified as either a trustee or responsible agency, or as an agency with a particular expertise, in some aspect of this project.

The enclosed Negative Declaration describes the proposed project, location, and a description of any mitigation measures to reduce or eliminate any potentially significant adverse impacts. Also enclosed is a copy of the Initial Study and project plans which form the basis for the findings in the Negative Declaration.

You are being asked to review the enclosed document and evaluate the potential adverse impacts of the project as it pertains to your area of responsibility and expertise. Comments may be submitted in the form of additional information, needs for further studies, and recommended mitigation measures designed to assist Inyo County in carrying out its responsibility under CEQA.

Section 21080 (c.) of Public Resources Code requires any recommendation for the preparation of an Environmental Impact Report to be backed by substantial evidence in the record. Should you recommend any mitigation measures, Section 21081.6 of Public Resources Code requires your agency to also submit a recommended monitoring program to ensure implementation.

All comments on this Negative Declaration must be received no later than JUNE 18, 1993. Inyo County is not required to consider any comments received after this date.

If you have any questions, please do not hesitate to contact this department. Thank you for your assistance in this matter.

Sincerely,

Roger De Hart
Planning Director

enclosure

Notice of Completion

Attachment B Appendix F

See NOTE below

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-0613 | SCH #

Project Title: Reclamation Plan 93-4 & Conditional Use Permit 93-5 PACIFIC LIGHT WEIGHT

Lead Agency: Inyo County Planning Dept. Contact Person: Curtis Kellogg

Street Address: P. O. Drawer L Phone: (619) 878-2411

City: Independence, Zip: 93526 County: INYO

Project Location

County: INYO City/Nearest Community: Olancha

Cross Streets: n/a Total Acres: 50.4

Assessor's Parcel No. 33-200-01 Section: 1 & 2 Twp. 20S Range: 37E Base: MDB&M

Within 2 Miles: State Hwy #: 395 Waterways: Haiwee Reservoir

Airports: n/a Railways: n/a Schools: n/a

Document Type

CEQA: ☐ NOP ☐ Supplement/Subsequent ☐ Early Cons ☐ EIR (Prior SCH No.) ☒ Neg Dec ☐ Other ☐ Draft EIR

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☒ Other Rec Plan

Local Action Type

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan

☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan

☐ Rezone ☐ Prezone ☒ Use Permit ☐ Land Division (Subdivision, Parcel Map, Tract Map, etc.)

☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☒ Other Rec. Plan

Development Type

☐ Residential: *Units* _____ *Acres* _____

☐ Office: *Sq.ft.* _____ *Acres* _____ *Employees* _____

☐ Commercial: *Sq.ft.* _____ *Acres* _____ *Employees* _____

☐ Industrial: *Sq.ft.* _____ *Acres* _____ *Employees* _____

☐ Educational _____

☐ Recreational _____

☐ Water Facilities: *Type* _____ *MGD* _____

☐ Transportation: *Type* _____

☒ Mining: *Mineral* Pumice

☐ Power: *Type* _____ *Watts* _____

☐ Waste Treatment: *Type* _____

☐ Hazardous Waste: *Type* _____

☐ Other: _____

Project Issues Discussed in Document

☒ Aesthetic/Visual
☐ Agricultural Land
☐ Air Quality
☒ Archeological/Historical
☐ Coastal Zone
☒ Drainage/Absorption
☐ Economic/Jobs
☐ Fiscal
☒ Flood Plain/Flooding
☐ Forest Land/Fire Hazard
☒ Geologic/Seismic
☒ Minerals
☒ Noise
☒ Population/Housing Balance
☐ Public Services/Facilities
☐ Recreation/Parks
☐ Schools/Universities
☐ Septic Systems
☐ Sewer Capacity
☒ Soil Erosion/Compaction/Grading
☐ Solid Waste
☐ Toxic/Hazardous
☒ Traffic/Circulation
☒ Vegetation
☐ Water Quality
☒ Water Supply/Groundwater
☐ Wetland/Riparian
☒ Wildlife
☐ Growth Inducing
☒ Landuse
☐ Cumulative Effects
☐ Other _____

Present Land Use/Zoning/General Plan Use

Zoned Open Space-40 acre min./General Plan Des. Natural Resource

Project Description

Open Pit Pumice Mine (Reclamation Plan)

NOTE: Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. from a Notice of Preparation or previous draft document) please fill it in.

Revised October 1989

Reviewing Agencies Checklist

Attachment B

KEY
S = Document sent by lead agency
X = Document sent by SCH
✓ = Suggested distribution

____**Resources Agency**
____Boating & Waterways
____Coastal Commission
____Coastal Conservancy
____Colorado River Board
____Conservation
__✓__Fish & Game
____Forestry
____Office of Historic Preservation
____Parks & Recreation
__✓__Reclamation
____S.F. Bay Conservation & Development Commission
____Water Resources (DWR)

Business, Transportation & Housing
____Aeronautics
____California Highway Patrol
__✓__CALTRANS District # 9
____Department of Transportation Planning (headquarters)
____Housing & Community Development

____**Food & Agriculture**

Health & Welfare
____Health Services _____

State & Consumer Services
____General Services
____OLA (Schools)

Environmental Affairs
____Air Resources Board
____APCD/AQMD
____California Waste Management Board
____SWRCB: Clean Water Grants
____SWRCB: Delta Unit
____SWRCB: Water Quality
____SWRCB: Water Rights
____Regional WQCB # _____ (_____)

Youth & Adult Corrections
____Corrections

Independent Commissions & Offices
____Energy Commission
____Native American Heritage Commission
____Public Utilities Commission
____Santa Monica Mountains Conservancy
____State Lands Commission
____Tahoe Regional Planning Agency

____Other _____

Public Review Period (to be filled in by lead agency)

Starting Date May 12, 1993 Ending Date June 18, 1993

Signature _____ Date May 12, 1993

Lead Agency (Complete if applicable):

Consulting Firm: _____
Address: _____
City/State/Zip: _____
Contact: _____
Phone: (____) _____

For SCH Use Only:

Date Received at SCH _____
Date Review Starts _____
Date to Agencies _____
Date to SCH _____
Clearance Date _____
Notes:

Applicant: PACIFIC LIGHTWEIGHT PRODUCTS
Address: 715 N Central Ave. #101
City/State/Zip: Glendale, CA 91203
Phone: (619) 372-5776

Revised October 1989

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-2411 (Ext 2263)
FAX: (619) 872-2712

County of
INYO

Roger DeHart
Planning Director

NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE:

Reclamation Plan #93-4 / Pacific Lightweight Products
Conditional Use Permit #93-5 / Pacific Lightweight Products

PROJECT LOCATION:

The subject property is located in Inyo County approximately two miles south of the community of Olancha, 5 and 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in south Inyo County [Township 20 South, Range 37 East, Sections 1 and 12, M.D.B. & M.]. The property is a part of a 640 acre parcel owned by the Ely Trust, of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). The nearest developed area to the site is a ranch approximately 2 miles north of the pit area. Access to the site will be by an unpaved County maintained road; Cactus Flats Road (Co. I.D. #5024)[see attached Vicinity Map].

PROJECT DESCRIPTION:

The proposed project is a Reclamation Plan for an existing open pit pumice mine. The pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator, however, has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. This is, therefore, a major amendment to the previously approved Conditional Use Permit and a Reclamation Plan (as required by the State Surface Mining and Reclamation Act [SMARA]) is mandated. Thus, the project is a request by Pacific Lightweight Products to comply with the requirements of both the County Zoning Ordinance and SMARA in regards to reclamation of existing mining operations. All the disturbed land is zoned OS-40 (Open Space - 40 acres minimum).

Total estimated surface disturbance for the open pit mining operation has been calculated at 50.4 acres. The area is comprised of low hills of open desert sloping to the southwest along the flank of the Coso Range Mountains. The area has limited topsoils and sparse vegetation. At the present time, the mined

area still has a slope in the same southwesterly direction. The operation is a combination of both "side-hill" and "open pit" and the natural drainage in the area has not been interrupted. The elevation difference is about 200 feet from the high to low point of the disturbed area.

Access is either by established truck/foot routes on the site or by Cactus Flats Road. There are no known endangered, threatened or sensitive vegetation on or around the project site. The Mohave Ground Squirrel is not now known to inhabit the project site or surrounding area. The area has been mined in the past and there is subsequent revegetation of areas already disturbed such as low grade ore stockpiles.

FINDINGS:

An Initial Study and an Evaluation of Potential Impacts has been prepared by the Planning Department (attached). The Initial Study, including an environmental checklist, indicated that the proposed project will not have a significant adverse impact on the environment for the following reasons:

A. The proposed project is consistent with the goals and objectives of the Inyo County General Plan. Therefore the development is consistent with the adopted General Plan Land Use Element designation of "Open Space - Natural Resources".

B. The proposed reclamation plan is consistent with the requirements of the Inyo County Zoning Ordinance.

C. Existing public and private services are adequate to meet the requirements of the proposed project without the need for their expansion.

D. The adverse environmental impacts inherent with the proposal are minor in nature and will not exceed thresholds of significance either individually or cumulatively.

E. Based upon the environmental evaluation of the proposed project (reclamation plan with conditional use permit), it has been found that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; or public health, safety, and welfare. This constitutes a Negative Finding for the Mandatory Findings required pursuant to Section 15065 of the CEQA Guidelines.

The review period for this Negative Declaration expires on June 18, 1993. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner, Curtis E. Kellogg, if you have any questions regarding this project.

INYO COUNTY PLANNING
DEPARTMENT

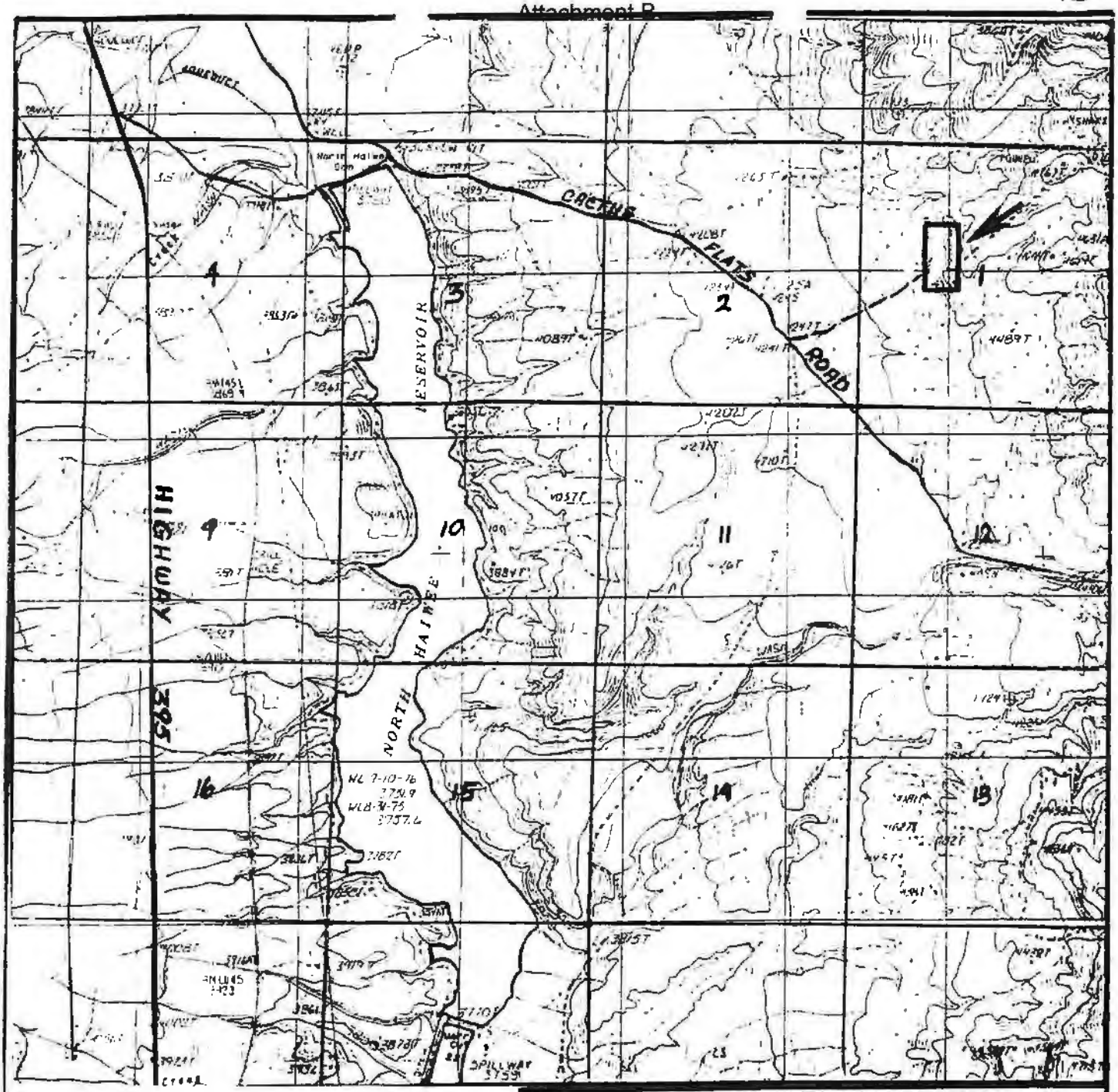
May 12, 1993
Date

Charles S. Thistlethwaite, AICP
Acting Planning Director

Attachments: Initial Study, Evaluation of Potential Impacts and Vicinity Map

CEK/cek

Attachment B



VICINITY MAP

APPLICATION NO's RP#93-4 / CUP#93-5

APPLICANT Lightweight Processing Co.

GEN. PLAN DES. Natural Resource Lands

REQUEST 50.4 acre open pit pumice mine.

SCALE 0 1/2 1

RECLAMATION PLAN #93-4 / PACIFIC LIGHTWEIGHT
CONDITIONAL USE PERMIT #93-5 / PACIFIC LIGHTWEIGHT

INITIAL STUDY AND EVALUATION OF POTENTIAL IMPACTS

This document, and all materials submitted by the applicant as part of the above application which are herein incorporated by reference, shall constitute the Initial Study pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines.

I. BACKGROUND INFORMATION:

1. APPLICANT: Pacific Lightweight Products

2. ADDRESS AND PHONE: 715 North Central Avenue,
Suite #101
Glendale, Ca. 91203
(619) 372-5776

II. DESCRIPTION OF THE PROJECT SITE AND ADJACENT PROPERTIES

1. ENVIRONMENTAL DESCRIPTION OF EXISTING PROJECT SITE AND BACKGROUND INFORMATION:

The subject property is located in Inyo County approximately 2 miles south of the community of Olancha, 5 and 1/2 miles east on Cactus Flats Road in the Upper Centennial Flat area within the Coso Range Mountains in south Inyo County [Township 20 South, Range 37 East, Sections 1 and 12, M.D.B. & M.]. The property consists of a 640 acre parcel owned by the Ely Trust of which 320 acres has been leased to Lightweight Processing Inc. (Pacific Lightweight Products). Access to the site will be by an unpaved, County maintained road known as Cactus Flats Road (Co. I.D. #5024)[see attached Vicinity Map]. Nearest developed area to the site would be a ranch operation approximately 2 miles north of the pit area.

The proposed project is a Reclamation Plan application for an existing open pit Pumice mine. The Pumice mine has an approved Conditional Use Permit (C.U.P. #85-1). The operator has exceeded the previously approved 20 acres of surface disturbance. The applicant wishes to increase the area of disturbance to 50.4 acres. As this is a major amendment to a previously approved Conditional Use Permit, the applicant has filed applications for both a Conditional Use Permit (mine is on private lands) and a Reclamation Plan (as required by the State Surface Mining and Reclamation Act [SMARA]). Therefore, this project is a request by Pacific Lightweight Products to comply with the requirements of both the County mining ordinance and SMARA in regards to reclama-

tion of existing mining operations. All the disturbed land is zoned OS-40 (Open Space - 40 acres minimum).

Total estimated surface disturbance for the open pit mining operation has been calculated at 50.4 acres. The area is comprised of low hills of open desert sloping to the southwest along the flank of the Coso Range Mountains. The area has a limited soil profile and sparse vegetation. At the present time, the mined area still has a slope in the same southwesterly direction. The operation is a combination of both "side-hill" and "open pit" and the applicant has stated that natural drainage in the area has not been interrupted. Elevation difference is about 200 feet from the high to low point of the disturbed area.

Access is either by established truck/foot routes on the site, or by Cactus Flats Road , as previously mentioned. The applicant has stated that there are no known endangered, threatened or sensitive vegetation on or around the project site. The only fauna traversing the area are coyotes. The Desert Tortoise and Mohave Ground Squirrel are not now known to inhabit the project site or surrounding area. The area has been mined in the past and there is subsequent revegetation of areas already disturbed such as low grade ore stockpiles.

2. LAND USES/ACTIVITIES SURROUNDING PROJECT SITE:

The surrounding land uses are as follows:

North: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

South: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

East: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

West: Vacant BLM Lands. Zoned OS-40 (Open Space - 40.0 acres minimum).

III. **ENVIRONMENTAL IMPACTS:**

The following is an environmental impact assessment checklist which provides the reviewer a summary of the environmental impacts which may occur from the proposed project. Following the environmental assessment checklist is a written discussion of all the environmental categories and possible mitigation measures to eliminate or reduce the impacts.

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST

ENVIRONMENTAL IMPACTS. (Explain all answers)

	Yes	Maybe	No
A. *EARTH.* Will the proposal result in:			
1. Unstable earth conditions or changes in geologic structure?	___	___	X
2. Disruptions, displacements, compaction, or overcovering of the soil?	___	___	X
3. Change in topography or ground surface relief features?	___	X	___
4. The destruction, covering or modification of any unique geologic or physical feature?	___	___	X
5. Any increase in wind or water erosion on or off the site?	___	___	X
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	___	___	X
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure or similar hazards?	___	___	X
B. *AIR.* Will the proposal result in:			
1. Substantial air emissions or deterioration of ambient air quality?	___	___	X
2. The creation of objectionable odors?	___	___	X
3. Alteration of air movement, moisture or temperature or any change in climate, either locally or regionally?	___	___	X
C. *WATER.* Will the proposal result in:			
1. Changes in currents, or the course or direction of water movements, in either marine or fresh water?	___	___	X

ENVIRONMENTAL IMPACTS. (Explain all answers)

	Yes	Maybe	No
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	___	___	X
3. Alterations to the course or flow of waters?	___	___	X
4. Change in the amount of surface water in any water body?	___	___	X
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	___	___	X
6. Alteration of the direction or rate of flow of flood waters?	___	___	X
7. Change in quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	___	___	X
8. Substantial reduction in the amount of water otherwise available for public water supplies?	___	___	X
9. Exposure of people or property to water-related hazards such as flooding or tidal waves?	___	___	X
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?	___	___	X

D. *PLANT LIFE.* Will the proposal result in:

1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	___	___	X
2. Reduction of the numbers of any unique, rare or endangered species of plants?	___	___	X
3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	___	___	X

ENVIRONMENTAL IMPACTS. (Explain all answers)

	Yes	Maybe	No
4. Reduction in acreage of any agricultural crop?	___	___	X
E. *ANIMAL LIFE.* Will the proposal result in:			
1. Change in the diversity of species, or number of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	___	___	X
2. Reduction of the numbers of any unique, rare or endangered species of animals?	___	___	X
3. Introduction of a new species of animals into an area, or result in a barrier to the migration or movement of animals?	___	___	X
4. Deterioration to existing fish or wildlife habitat?	___	___	X
F. *NOISE.* Will the proposal result in:			
1. Increase in existing noise levels?	___	___	X
2. Exposure of people to severe noise levels?	___	___	X
G. *LIGHT AND GLARE.* Will the proposal result in:			
1. The production of new light or glare? ...	___	___	X
H. *LAND USE.* Will the project result in:			
1. A substantial alteration of the present or planned land use of an area?	___	___	X
I. *NATURAL RESOURCES.* Will the proposal result in:			
1. Increase in the rate of use of any natural resource?	___	___	X
J. *RISK OF UPSET.* Does the proposal result in:			
1. A risk of an explosion or release of hazardous substances (including but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?.....	___	___	X

ENVIRONMENTAL IMPACTS. (Explain all answers)

	Yes	Maybe	No
2. Possible interference with emergency response plan or emergency evacuation plan?	___	___	X
K. *POPULATION.* Will the proposal result in:			
1. The alteration, distribution, density or growth rate of the human population of the area?	___	___	X
L. *HOUSING.* Will the proposal result in:			
1. Affecting existing housing, or create a demand for additional housing?	___	___	X
M. *TRANSPORTATION/CIRCULATION.* Will the proposal result in:			
1. Generation of substantial additional vehicular movement?	___	___	X
2. Affecting existing parking facilities, or create a demand for new parking?	___	___	X
3. Substantial impact upon existing transportation systems?	___	___	X
4. Alterations to present patterns of circulation or movement of people and/or goods?	___	___	X
5. Alterations to waterborne, rail, or air traffic?	___	___	X
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? ...	___	___	X
N. *PUBLIC SERVICES.* Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
1. Fire Protection?	___	___	X
2. Police protection?	___	___	X
3. Schools?	___	___	X
4. Parks and other recreational facilities?	___	___	X
5. Maintenance of public facilities, including roads?	___	___	X

ENVIRONMENTAL IMPACTS. (Explain all answers)

	Yes	Maybe	No
6. Other governmental services?	___	___	X

O. *ENERGY.* Will the proposal result in:

1. Use of substantial amounts of fuel or energy?	___	___	X
2. Substantial increase in the demand upon existing sources of energy, or require the development of new sources?	___	___	X

P. *UTILITIES.* Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

1. Power or natural gas?	___	___	X
2. Communication systems?	___	___	X
3. Water?	___	___	X
4. Sewer or septic tank?	___	___	X
5. Storm water drainage?	___	___	X
6. Solid waste disposal?	___	___	X

Q. *HUMAN HEALTH.* Will the proposal result in:

1. Creation of any health hazard or potential health hazard (excluding mental health)?	___	___	X
2. Exposure of people to potential health hazards?	___	___	X

R. *AESTHETICS.* Will the proposal result in:

1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	___	___	X

S. *RECREATION.* Will the proposal result in:

1. An impact upon the quality or quantity of existing recreational opportunities?	___	___	X

ENVIRONMENTAL IMPACTS. (Explain all answers)

	Yes	Maybe	No
T. *CULTURAL RESOURCES.*			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	___	___	X
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure or object?	___	___	X
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	___	___	X
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	___	___	X
U. *MANDATORY FINDINGS OF SIGNIFICANCE.*			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? ...	___	___	X
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	___	___	X
3. Does the project have impacts which are individually limited, but cumulatively considerable?	___	___	X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	___	___	X

A. THE PROJECT DOES NOT HAVE THE POTENTIAL FOR ANY ADVERSE ENVIRONMENTAL IMPACT IN THE FOLLOWING AREAS:

1. EARTH:

The project will not create any unstable earth conditions or change geologic substructures; impact any unique geologic or physical feature; or increase wind or water erosion on or off the site. Inyo County has no oceans, bays or inlets therefore, no impacts to these features will result.

There will be a minor change in topography or ground surface relief features. The effect upon the environment is decreed to be less than significant.

2. AIR:

This proposed development will not result in the creation of any objectionable orders. The project will not result in any alteration of air movement or change in the climate of the area because of its limited size.

3. WATER:

The proposed development, because of its limited impact area, will not lead to any changes in the direction or flow of ground waters. No change in the amount of surface water flowing to any body of water will result from an approval of the mining/Reclamation Plan application.

The area impacted by application of water (for dust suppression) is mitigated by absorption within the strata in the area of use. No well is on or off site. Potable water is trucked to the area on an as needed basis. Non-potable water is obtained from Hawiee Reservoir in an agreement with LADWP.

There will be no impact to the absorption rates of the project site. The majority of the site has porous surfaces that have not been compacted by mining equipment or vehicular use. It is not anticipated that water runoff will occur onto adjacent properties.

No changes to surface thermal springs will occur because none exist in the immediate project area.

The subject property is not within any identified 100 year floodplain as identified by the Federal Emergency Management Agency's National Flood Insurance Program (Flood Insurance Rate Map Community Panel No. 060073 1700 B). The property is in Zone "C" - area of minimal flooding.

4. PLANT LIFE:

The project site area has existing disturbance that have been calculated into the equations required for an environmental assessment. The proposed mining operations will disturb a total of 50.4 acres.

No State or Federally listed rare, threatened or endangered flora or fauna species were observed on the site by Planning Department personnel. This project will have a greater than "De Minimus" ruling in accordance with Section 711.4 of the Fish and Game Code.

The project will not introduce new species of plants into the site specific area nor produce a barrier to the normal replenishment of the species of plants surrounding the site. The project will not reduce in acreage any agricultural crop.

As operations will utilize undisturbed lands, natural revegetation could be thwarted. However, the reclamation plan addresses the above by recontouring the site and allowing natural revegetation processes to occur (as has occurred on the old stockpile areas). There is expected to be no adverse impact to the environment as the reclamation plan will address the temporary environmental pitfalls associated with the open pit mining works.

No Federal or State threatened species have been identified on the project site or in the immediate vicinity.

5. ANIMAL LIFE:

The project will not introduce new species of animals into the site specific area nor produce a barrier to the normal migration of animals surrounding the site. The project will not deteriorate any existing fish or wildlife habitat as the project involves both consideration of a reclamation plan and a Conditional Use Permit (current operations).

No Federal or State threatened species have been identified on the project site or in the immediate vicinity.

6. NOISE:

The proposed project will not expose people to severe noise levels as the reclamation processes proposed will be naturally occurring. No additional noise will result from the reclamation of the site. However, vehicles serving the active mining operation will create some noise. The noise generated by mining operations is minor in nature.

7. LIGHT AND GLARE:

No adverse light or glare from ground illumination will occur.

8. LAND USE:

The project is compatible with surrounding land uses in the area. The project, as proposed, will be consistent with the goals and policies of the O.P. ("Open Space - Park/Recreational") designation in the Inyo County General Plan.

9. NATURAL RESOURCES:

Because of the limited size of the mining operation covered by the Reclamation Plan and Conditional Use Permit (not over 20,000 tons of product per year) indicates that no substantial depletion of any nonrenewable resource will occur.

10. RISK OF UPSET:

There are no anticipated adverse impacts to public safety, including impacts on environmental health, spills/accidents, fire hazards, or inadvertent release of hazardous substances.

No interference with the Inyo County emergency response plan or emergency evacuation plan is anticipated to result from the approval of the project.

11. POPULATION:

There will not alteration to the distribution, density or growth rate of the population in the area.

12. HOUSING:

No impacts to housing will occur.

13. TRANSPORTATION/CIRCULATION:

The project site is served by a County maintained road (Cactus Flats Road #5024) that is not included as a portion of the procedures of reclamation. No significant impact in relationship to existing traffic in the area will occur.

No impact to waterborne, rail or air traffic will occur from the approval of the Reclamation Plan.

14. PUBLIC SERVICES:

No impact to public services will occur should this Reclamation Plan be approved.

Since no population increases will result from the project

no impacts on schools, parks, public facilities or governmental services will result.

15. ENERGY:

No additional amounts of fuel or energy will be required for the proposed reclamation project.

16. UTILITIES:

There is no requirements for public utilities based upon a reclamation plan.

17. HUMAN HEALTH:

The proposed Reclamation Plan will not create any health hazards or expose humans to any potential health hazards.

8. AESTHETICS:

The project area is surrounded by vistas of the Coso Range Mountains. The reclamation area will be slightly visible to travelers on both Cactus Flats Road and U. S. Highway 395.

18. RECREATION:

No impacts to the quality or quantity of existing recreational opportunities will result from the approval of the project.

19. CULTURAL RESOURCES:

No historical or archaeological resources have been identified on the project site. As a large portion of the site has already been physically disturbed, there is no potential for any adverse impacts as a result of the project even with the expansion proposed.

B. **THE PROJECT HAS THE POTENTIAL FOR ADVERSE ENVIRONMENTAL IMPACTS, BUT BELOW THE LEVEL OF SIGNIFICANCE:**

None.

C. **THE PROJECT HAS THE POTENTIAL FOR SIGNIFICANT ADVERSE IMPACTS ON THE ENVIRONMENT WHICH WILL EITHER BE FULLY MITIGATED OR MITIGATED TO LESS THAN SIGNIFICANT LEVELS IN THE FOLLOWING AREAS:**

None.

D. **THE PROJECT HAS THE POTENTIAL FOR SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS:**

None.

IV. DEPARTMENTS/AGENCIES TO BE SENT ENVIRONMENTAL DOCUMENT:

Bureau of Land Management - Ridgecrest.

Office of Planning and Research (State Clearinghouse).

California Department of Fish and Game - Bishop.

State of California Division of Mines and Geology.

V. PERSONS AND AGENCIES CONSULTED IN PREPARATION OF THIS INITIAL STUDY:

Mr. Earl Gann - Mining Engineer - Inyo County Planning Department.

Mr. Roger De Hart - Past Planning Director - Inyo County Planning Department.

Mr. Leonard Hobbs - Engineer - Pacific Lightweight Products.

DETERMINATION:

On the basis of this Initial Evaluation:

XX I find the proposed project will **NOT** have a significant effect on the environment, and **A NEGATIVE DECLARATION WILL BE PREPARED.**

____ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described above have been added to the project and **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**

____ I find the proposed project **MAY** have a significant effect on the environment, and **AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED.**

MAY 12, 1993
Date

Curtis E. Kellogg, Associate Planner

RECEIVED
MAY - 6 1993
INYO CO. PLANNING DEPT.

Attachment B

PACIFIC LIGHTWEIGHT PRODUCTS CO.

RIDGELITE • CERAMIC LIGHTWEIGHT AGGREGATES

715 NORTH CENTRAL AVENUE • SUITE 101 • GLENDALE, CALIFORNIA 91203 • (818) 240-5160

May 3, 1993

Mr. Earl Gann
Inyo County Planning Department
Drawer L
Independence, California 93526

Dear Mr. Gann:

This is to answer the inquiries in your letter dated April 20, 1993.

The geology (Sec. 8) has been expanded to include the general geology of the surrounding area.

The Joshua Tree and native grasses have been added to the original list. It should be noted that the closest Joshua is about 100 yards southwest of the mined area. All of these are at the lower elevations.

The maximum yearly capacity of the plant is 36,000 tons. The actual production rate is around 20,000 tons. In 1992 the production was 17,000 tons. 1993 looks like it will even be less than that.

For phased reclamation in 2-year increments and additional disturbed acreage, see additions to contour map and Section A-A of Page 9 of Attachment 4.

Regarding the "Cat book" job correction factors, the dust made when moving material with the dozer does not really have much effect on the vision of the operator. Also all of the material being moved by the dozer will be from a higher level to a lower level therefore the positive downslope correction factor is valid.

For these reasons, we feel that no recalculations should be made in the amount of financial assurance.

Sincerely,

PACIFIC LIGHTWEIGHT PRODUCTS CO.

Leonard Hobbs
Director of Technical Services

Enclosures

ROGER DELL
CURTIS KELLY
C. THISTLE
SANDY
X EARL GANN
JANET CROSS
RP #93-4

BACK TO ME, MAY HAVE TO ADD TO ORIGINAL

Revised May 3, 1993

Attachment 8: Pacific Lightweight Products

8. GEOLOGY

The general geology of the area is that of granite and metamorphic rocks which are overlain by alluvial gravels, tuffs, lake beds and andesitic and basaltic lava flows. The latter is referred to as the Coso Formation.

The pumice deposits are in the tuffs and are well exposed in some places. The occurrences east of Haiwee Reservoir are considered for the most part to represent rhyolitic pyroclastic flows and to a lesser degree water-reworked pumice of the same composition. They are correlated within a very narrow range in the upper part of the late Tertiary Coso Formation. It represents a limited and unique period of explosive volcanic activity in the Coso region which appears to have occurred between 2.99 and 3.14 +/- 0.20 million years ago.

The only type of rock being mined at this site is pumice. It is a waterlain deposit from 5 to 40 deep thick that dips 6 degrees to the west. The moisture content of the "in situ" pumice varies between 8 to 12 percent. The consolidation is such that it will excavate without blasting but is cohesive enough to stand in vertical faces. In most of the area, the pumice is on the surface with zero to very little overburden. No faults or folds are exposed on the property to interfere with mining.

Revised May 3, 1993

Attachment 9: Pacific Lightweight Products

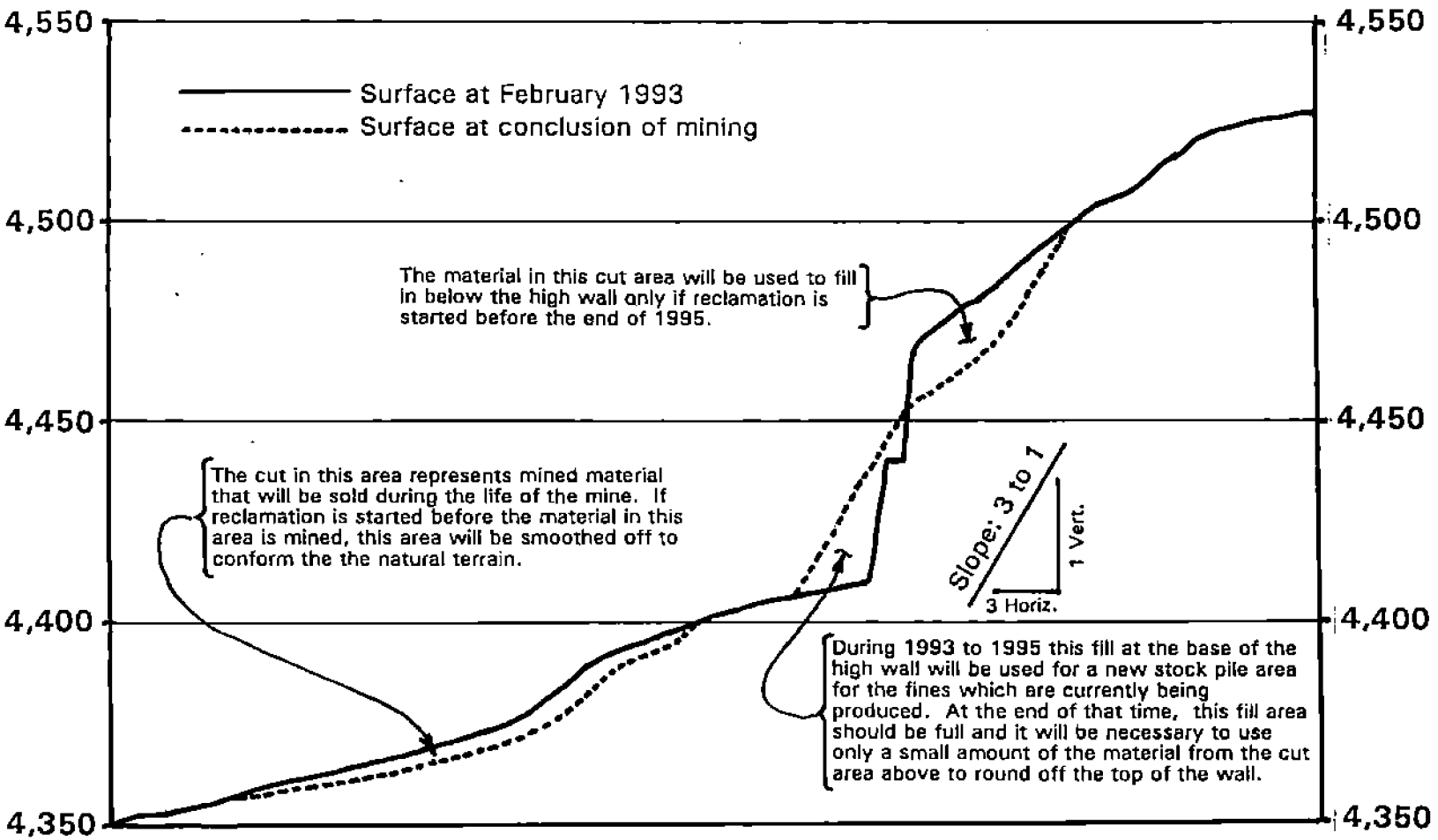
9. ENVIRONMENT

At the present time this site is an active open pit mining operation on 50 acres of privately owned land. The nearest human habitation is 2 miles away. Before the start of mining activities in 1985, this area consisted of low hills of open desert sloping to the southwest. At the present time, the mined area still has a slope in the same direction. Some of the water courses have been changed but their direction is still the same. This is a combination "side-hill" and "open pit" type of mine and the natural drainage has not been interrupted. There is about 200 feet difference in elevation from the high to the low point of the disturbed area. The only naturally occurring water on the property comes from rainfall which averages about 6 inches per year. There is no known endangered, threatened or sensitive vegetation on or around the project area. There are some Joshua Trees (Yucca Brevifolia) in the area but they exist only below the plant area in the lower altitudes.

Vegetation:
The vegetation is grasses, shrubs and small plants as described below:

Scientific Name	Common Name
Sitanion Histrix	Squirrel Tail
Sitanion Gibatum	Squirrel Tail
Stipa Speciosa	N.C.N.
Ambrosia Dumosa	Bursage
Amsinckia Tessillata	Checker Fiddleneck
Atriplex Canescens	Fourwing Saltbush
Atriplex Confertiafolia	Shadscale
Larrea Tridentata	Creosote Bush
Yucca Brevifolia	Joshua Tree

Animals:
The only animals to pass through the area are coyotes. The desert tortoise and Mojave ground squirrel are not known to inhabit the project site or surrounding area.



CROSS SECTION A-A

Horizontal Scale: 1 inch = 200 feet
Vertical Scale: 1 inch = 40 feet

Revised May 3, 1993

Attachment B

PLANNING DEPARTMENT
DRAWER L * INDEPENDENCE * CALIFORNIA 93526
OFFICE: (619) 878-2411 (Ext 2263)
FAX: (619) 872-2712

County of
INYO

Roger DeHart
Planning Director

April 20, 1993

Leonard Hobbs
Pacific Light Weight Products
715 N. Central Avenue, Room 101
Glendale, California 91203

Dear Mr. Hobbs:

Going over your mine reclamation plan application, the County has several questions.

The general geology of the area needs describing. The description given is of the mined mineral. Give a general geology of the surrounding area.

The Joshua Tree (Yucca brevifolia), was not on the list of plants. This plant is close to the mining operations. List the grasses in the area. Grasses are the first plants to revegetate the area.

Your plan is to mine 36,000 tons per year for ten years. Using the density of 1350 pounds per cubic yard. The mine will produce mine 533,000 cubic yards of material in the next ten years.

The disturbed acreage is 50.4 acres. However, the cross sections and contour maps show an additional five acres disturbed.

Attachment 2 states reclamation will proceed at a rate of 2 acres per year for ten years. Show on a map the proposed reclaimed area for each year.

When calculating the amount of material moved per hour, you used factors from the "Cat book." Did you consider using a dust factor and a material factor?

To make the reclamation plan and the inspections easier to understand, please do the following:

1. Show, on a map the proposed reclaimed area for each year.

2. Show the type of reclamation that will occur. Grading of slopes to match the natural terrain, and using mostly natural reseeding.
3. Recalculate your financial assurances with the additional acreage disturbed.
4. Use more dozer factors including dust, type of material. Use a better slope factor.

If you have any questions, please call me at 878-0263.

Sincerely,

Earl H. Gann

Earl H. Gann
Mining Engineer

Attachment B

PLANNING DEPARTMENT
DRAWER L • INDEPENDENCE • CALIFORNIA 93526
OFFICE: (619) 878-2411 (Ext 2263)
FAX: (619) 872-2712

County of
INYO

Roger DeHart
Planning Director

April 20, 1993 **CERTIFIED**

Department of Conservation
State Mining and Geology Board
Attn: Mr. Dennis J. O'Bryant - CHIEF, OMRRC
Mail Stop #09-06
801 "K" Street
Sacramento, Ca. 95814-3528

and

Department of Conservation
Mined Land Reclamation
Attn: Mr. James S. Pompy / Mined-Land Reclamation
Program Manager
Mail Stop #09-37
801 "K" Street
Sacramento, Ca. 95814-3528

Re: Reclamation Plan #93-4 / Pacific Lightweight Products
Conditional Use Permit #93-5 / Pacific Lightweight Products

Dear Mr. O'Bryant and Mr. Pompy:

Enclosed please find a copy of a submitted Reclamation Plan/Conditional Use Permit application for a open pit pumice mine, south of the community Olancha. A Negative Declaration will be forthcoming for this project.

The Reclamation Plan/Conditional Use Permit was previously scheduled to be heard before the Inyo County Planning Commission on May 26, 1993. However, due to legal timeline review requirements, deadline dates, and a reduction in Staffing in the Inyo County Planning Department, this project will not be able to be heard before the Planning Commission until June 23, 1993.

Please contact this Department if you have any questions regarding the above. Estimated end date for review: 06/10/93.

Sincerely,

Curtis E. Kellogg
Associate Planner

Attachments: 2 copies RP #93-4/CUP #93-5 Application & Map

cc: File

Pacific Lightweight Products
Mr. Leonard Hobbs - Engineer
715 North Central Avenue
Suite #101
Glendale, Ca. 91203

CEK/cek

Attachment B

COUNTY OF INYO
MINING RECLAMATION PLAN APPLICATION

PLEASE PRINT OR TYPE INFORMATION | DATE 2-23-93 | USE ADDITIONAL SHEETS, IF NECESSARY

This application is for a: (check the appropriate box(es))

- [X] Mining Operation
- [ ] Milling Operation
- [ ] Exploration
- [ ] Sand/Gravel Pit
- [ ] Concrete Bat
- [ ] Other (descri
- [X] Screening Plant
- [ ] lt Batch Plant

RE-FILE For P.C.

1. APPLICANT
   Name Pacific Lightweight Products
   Address 715 North Central Ave., Suite 101
   City Glendale State California Zip 91203

2. REPRESENTATIVE
   Name Same as applicant above Phone
   Address
   City State Zip

3. LANDOWNER
   Name Ely Trust Phone (805) 569-2303
   Address Box 90960
   City Santa Barbara State California Zip 93190

4. OPERATOR
   Name Same as applicant above Phone
   Address
   City State Zip

5. LESSEE
   Name Same as applicant above Phone
   Address
   City State Zip

6. ASSESSOR'S PARCEL NO. (S) 33-200-01
   Section(s) 1 Township(s) 20 South Range(s) 37 East
   Latitude 36°14′ Longitude 117°55′

6-1-92

7. CLAIM DESCRIPTION(S)

NAME	TYPE (lode, placer, millsite)	RECORDED VOL.	RECORDED PG	BLM ID #
The project site is located on private property.				

8. GEOLOGY

Describe the geologic setting of the area with a more detailed geologic description of the mineral deposit to be mined and principle minerals or rock types present. If referenced in a geologic report please attach a copy.

The only type of rock being mined at this site is pumice. It is a waterlain deposit from 5 to 40 deep thick that dips 6 degrees to the west. The moisture content of the "in situ" pumice varies between 8 to 12 percent. The consolidation is such that it will excavate without blasting but is cohesive enough to stand in vertical faces. In most of the area, the pumice is on the surface with zero to very little overburden. No faults or folds are exposed on the property to interfere with mining.

9. ENVIRONMENT

Give a description of the environmental setting of the site and the surrounding areas. Describe existing land use, topography, vegetation, wildlife, ground water and surface water characterciatics, average rain fall and other factors pertaining to the environment.

See Attachment 1

Attachment 1: Pacific Lightweight Products

9. ENVIRONMENT

At the present time this site is an active open pit mining operation on 50 acres of privately owned land. The nearest human habitation is 2 miles away. Before the start of mining activities in 1985, this area consisted of low hills of open desert sloping to the southwest. At the present time, the mined area still has a slope in the same direction. Some of the water courses have been changed but their direction is still the same. This is a combination "side-hill" and "open pit" type of mine and the natural drainage has not been interrupted. There is about 200 feet difference in elevation from the high to the low point of the disturbed area. The only naturaly occurring water on the property comes from rainfall which averages about 6 inches per year. There is no known endangered, threatened or sensitive vegetation on or around the project area.

Vegetation:
The vegetation is shrubs and small plants as described below:

Scientific Name	Common Name
Ambrosia Dumosa	Bursage
Amsinckia Tessillata	Checker Fiddleneck
Atriplex Canescens	Fourwing Saltbush
Atriplex Confertiafolia	Shadscale
Larrea Tridentata	Creosote Bush

Animals:
The only animals to pass through the area are coyotes. The desert tortoise and Mojave ground squirrel are not known to inhabit the project site or surrounding area.

10. MINING OPERATION

A. Proposed Starting Date: Mining in progress

B. Name of Mine or Project: Pacific Lightweight Products Co. Pumice Mine

C. Minerals To Be Mined: Pumice

D. Maximum Total Yearly Production: ORE 36,000 Tons WASTE Zero TOTAL 36,000 Tons

E. Estimated Mine Life: 10 years Estimated Time to Complete Reclamation: 10 years

F. Operation is: Continuous X Intermittent Seasonal

G. Operation is: New Site In Operation X Inactive

H. Days per Week: 5 Daily Operation Hours: 8 Starting Time: 7am

I. Estimated Number of Employees: 4 Number of Shifts Per Day: One

J. Type of Housing (if needed): No housing needed

11. MINE DIMENSIONS

Highest Elevation 4,580 Feet Overall Slope Angle 5 Degrees

Maximum Depth 40 Feet Maximum Slope Angle 75 Degrees

Maximum Length 2,460 Feet Maximum Width 1,300 Feet

Angle of Repose for Native or Host material 32 Degrees

Bench Height 30 Feet Bench Width 20 Feet

12. SIZE OF OPERATION (in Acres)

Owned		Leased	X
Patented		Sub-leased	
Unpatented		Other	

Total Acres: 50.4 To be Reclaimed: 50.4

13. MINE WASTE Describe waste piles, stockpiles, tailings ponds, other ponds, and leach pads. Answer for EACH pile, pond or pad where appropriate.

Highest Elevation Overall Slope Angle

Maximum Height Surface Area of Ponds

Maximum Length Depth of Ponds

Maximum Width

There is no mine waste.

14. TYPE OF OPERATION

X	Open Pit		Single Bench
	Borrow Pit		Multibench
X	Gravel/Sand Pit		Underground
	Clay pit		Hardrock
	Hill Top		Waste Dump
X	Side Hill		Tailings Pond
	Shovel/Truck		Quarry
	Dragline		Other (describe)

15. OTHER CONSTRUCTION

X	Access Roads	X	Plant Site
	Asphalt Batch Plant	X	Screening
	Bathhouse (Dry)		Settling Ponds
	Blasting		Sheds
	Concrete Batch Plant		Shops
X	Conveyors	X	Stockpiles
X	Crushers		Tailings Dams
	Explosive Storage	X	Tanks
	Office Site		Water Wells
	On-Site Living		Waste Dumps
	Sewage Disposal		Other (describe)

16. PROCESSING

A. Check box(es) that Describe Operation:

X	Crushing		Amalgamation
	Milling		Concrete Batch
	Washing		Asphalt Batch
X	Flotation		Precipitate
	Heap Leaching		Hand Sort
X	Sizing		Smelting
			Other (describe)

B. List Chemicals Used in the Processing

None

17. ACCESS — Describe existing access routes to the operation site. Describe any proposed new access roads to be constructed.

Access to the site from highway 395 is at Cactus Flats Road going southeast for 4 miles and then northeast for one-half mile along a side road into the mine.

18. AIR QUALITY

List Number and Types of Vehicles and Equipment Associated with the Project:

Vehicles:	Equipment: (All portable)
1 Dozer	4 Screens
2 Front-end Loader	15 Belt Conveyor
1 Water Truck	1 Rock Crusher
1 Bobcat Loader	1 Truck Scale
1 Mobile Welder	

19. WATER QUALITY / SUPPLY

Source of Fresh Water	Haiwee Reservoir
Gallons per Day Fresh	3,000 in summer and 2,000 in winter
Gallons per Day Recycled	Zero
Total Gallons Used per Day	3,000 in summer and 2,000 in winter
Chemicals Used	None
Method of Chemical Disposal	-
Proposed Sewage System	Portable Toilet

20. ENERGY

To Be Consumed by the Project/Month

ELECTRICITY	175 KW diesel generator on site
NATURAL GAS	None
OTHER FUELS (type)	None

21. Describe the site alterations that will be produced by your proposed project. For instances, describe topographic changes, storm flows that will have to be channelized, lengths of new roads and/or easements and other such changes:

No major changes to the general slope will be made. Site roads have been built but will be reclaimed at conclusion of mining.

22. If your project requires any permits from other agencies, please identify the agency and type of permits. Some of the agencies or departments that you may have to obtain permits from are listed below:

— Great Basin Unified Air Pollution Control District
Lahontan Regional Water Quality Control Board
County Environmental Health Department
County Building and Safety Department
County Road Department
Bureau of Land Management
— California Department of Fish and Game
Inyo National Forest

23. HAZARDOUS WASTES; AIR QUALITY; AND HAZARDOUS MATERIALS

Pursuant to Section 65962.5(e) of the California Government Code the project site
is [ ]
is not [X] identified on the latest list prepared by the Secretary of Environmental Affairs as a hazardous waste site.

Pursuant to Section 65850.2(a)(1) of the California Government Code the applicant
will [ ]
will not [X] need to comply with Sections 25505, 25533, and 25534 of the California Health and Safety Code requiring a hazardous material business plan; hazardous materials registration forms; and the preparation of a Risk Management and Prevention Program (RMPP), respectively, and the requirements for a permit for construction or modification from the Great Basin Unified Air Pollution Control District.

Pursuant to Section 65850.2(a)(2) of the California Government Code the applicant
Will [ ]
Will not [X] handle acutely hazardous materials as defined by Section 25500 et. seq. of the California Health and Safety Code. If "will" is checked then a notice of requirement to comply with or determination of exemption for a Risk Management and Prevention Program (RMPP) from the Inyo County Environmental Health Department shall be attached to this application pursuant to Section 65850.2(b) of the California Government Code.

Pursuant to Section 65850.2(b) of the California Government Code the applicant shall attach certification from the Great Basin Unified Air Pollution Control District that the project is in compliance with any disclosures required by Section 42303 of the California Health and Safety Code concerning information needed by them to determine air pollution resulting from the project.

Attachment B

PERMIT TO OPERATE

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short St. Suite #6 - Bishop, CA 93514
(619) 872-8211

PERMIT NUMBER 528

Pursuant to the authority granted under the Rules and Regulations for the Great Basin Unified Air Pollution Control District, the

Pacific Lightweight Products Company
715 North Central Avenue, Suite 101
Glendale, CA 91203

operations and associated equipment and buildings located at

3 miles east of hwy 395, on Cactus Flat Road
approximately 3 miles south of Olancha.
Section 1, Township 20 South, Range 37 East,
Mount Diablo Base and Meridian

is hereby granted a permit to operate as of **February 26, 1991.**

This Permit to Operate is granted for one year and may be renewed upon payment of the renewal fee on or before the anniversary date above. The anniversary date is the same for this permit as for permit number 471, which this permit replaces.

EQUIPMENT DESCRIPTION FOR PERMIT:

1 - Single Deck Screen (5' X 16')	25	hp	7 - Conveyors @ 7.5 hp ea.	52.5	hp
			8 - Conveyors @ 5 hp ea.	40	hp
1 - Triple Deck Screen (4' X 12')	20	hp	1 - 175 KWe Diesel generator		
			3 - Conveyors @ 15 hp ea.	45	hp
1 - Triple Deck Screen (8' X 20')	50	hp	1 - Rolls Crusher	50	hp
1 - Triple Deck Screen (3' X 16')	15	hp			

CONTROL SYSTEM
1 - Water truck

PERMIT CONDITIONS: See the attached conditional approval.

D:\a1\forms\po

Ellen Hardebeck
AIR POLLUTION CONTROL OFFICER

Date February 26, 1991

This Permit does not authorize the above permittee to violate any of the Rules and Regulations of the Great Basin Unified Air Pollution Control District or Division 20, Chapter 2, Article 3, of the Health and Safety Code of the State of California.

Conditional Approval for Permit to Operate No. 528
SOURCE NAME: Pacific Lightweight Pumice Products
3 miles east of hwy 395, on Cactus Flat Road
approximately 3 miles south of Olancha.

PERMIT CONDITIONS:

1. The District will be notified 48 hours prior to equipment start up and 48 hours prior to commencing seasonal start up by calling (619) 872-8211.
2. Pacific Lightweight Pumice Products, is responsible for dust control from commencement of this project to final completion and is also responsible for insuring that subcontractor(s), employees, and all other persons connected with the project abide by the conditions of this permit.
3. The maximum raw pumice input to the crushing and screening plant shall not exceed 20 tons per hour (34 cubic yards), and the equipment will not be operated more than 16 hours in any one day. Emissions from this plant may not exceed 250 pounds per day or 28.3 pounds per hour for any criteria pollutant except carbon monoxide.
4. When operating the pumice plant, Pacific Lightweight Pumice Products shall conform with all applicable emissions regulations contained in The New Source Performance Standard for Nonmetallic Mineral Processing Plants (NSPS), [40CFR60.670 (Subpart 000)]. The emission standards, in part, limit conveyor transfer points to a maximum dust emissions rate of 10% opacity, except that material transferred to the storage piles will not exceed the District's 20% opacity limit. The NSPS standard also limits emissions from any crusher to 15% opacity. No dust emission point on the screening plant shall exceed the NSPS opacity limits. If the NSPS standard or District Rule(s) 400, 401 or 404-A is violated, water spray-jets, baghouse, or similar control device will be installed at those fugitive dust emission point exceeding the allowed opacity.
5. When wind conditions are such that the applicant cannot control dust, Pacific Lightweight Pumice Products shall shut down all operations (except for equipment used for dust control). Under no circumstance will wind generated dust leave the site or be allowed to blow across a property boundary.
6. Pacific Lightweight Pumice Products will post and observe a 15 mph speed limit at the project site, and will observe a 25 mph speed limit while traveling on the unpaved portions of Cactus Flat Road. During normal daily activity, Pacific Lightweight Pumice Products, their contractor(s), and employees will observe this speed limit. The speed limit will be strictly enforced by the applicant. (Authority cited rules 402 & 210).
7. Reject waste material generated by the screening process will be buried daily before the close of business, and shall be covered with at least 4 inches of non-pumice material. The applicant shall take every reasonable precaution to prevent waste material from becoming airborne. Waste crankcase oil is hazardous waste, and will not be used or considered as a dust suppression agent.
8. The height of the storage piles and the conveyor drop distance shall be kept to a minimum. The pumice storage pile height shall not be allowed to exceed a 12 foot maximum height. If District Rule(s) 400, 401 or 402 are violated, water shall be applied to the storage piles as necessary to minimize fugitive dust emissions from wind erosion.

Conditional Approval for Permit to Operate No. 528
SOURCE NAME: Pacific Lightweight Pumice Products

9. Pacific Lightweight Pumice Products shall keep the active quarry as small as possible. Once any portion of the quarry is exhausted of useful material, the applicant shall immediately begin reclamation of the disturbed surface soil. Pacific Lightweight Pumice Products will not allow any abandoned portion of the quarry to remain subject to wind erosion for a period in excess of one (1) month without applying all reasonably available dust control measures necessary to prevent the transport of dust or dirt beyond the property boundary. Reasonable available control measures may include, but need not be limited to: sealing, re-vegetating, paving, or otherwise stabilizing the soil surfaces with chemical surfactants, or latex binders.
10. At the termination of mining, Pacific Lightweight Pumice Products will permanently close the quarry and prevent fugitive dust emissions prior to abandoning the site. Pacific Lightweight Pumice Products will comply with the closure mitigation measures stipulated by the Inyo County Planning Department Conditional Use Permit #85-1 written for the project, and by those outlined in condition number 9.
11. The provisions of this permit may be modified by the District if it determines the stipulated controls are inadequate, or if District Rule(s) 400, 401, 404-A, or 402 is violated. If requested by the Air Pollution Control Officer, Pacific Lightweight Pumice Products shall within thirty (30) days submit a written plan to the District describing how the dust emissions will be controlled and maintained below a Ringelmann I (20% opacity). The Air Pollution Control Officer will approve or modify the written plan. Pacific Lightweight Pumice Products will implement the plan immediately after approval by the APCO.
12. To prevent violations of District Rule(s) 400, 401 and 402, Pacific Lightweight Pumice Products shall have at a minimum one (1) watering truck available to apply water to the haul roads and screening plant area. The applicant will give particular attention to:
a. unimproved access roads used for entrances to or exit from the screening plant.
b. areas in and around the open quarry and screening plant.
c. dirt and mud carried on and deposited on adjacent improved streets and roads, and these streets are maintained in a clean manner.
d. the materials pit, and ore storage pile fugitive emissions when needed to maintain fugitive dust emissions below a Ringelmann 1 (20% opacity).
e. all dust emissions, and that any dust emission is kept below a Ringelmann 1 (20% opacity).
13. Pacific Lightweight Pumice Products shall promptly notify the District in writing should they learn of or encounter conditions where toxic air emissions of concern are allowed to disperse into the ambient air. Toxic air emissions are those listed on the AB2588 list of substances as required by the California Health & Safety Code Section 44321.

24. PROPOSED OR POTENTIAL USE OF THE LAND AFTER RECLAMATION

Open Space

25. METHODS OF RECLAMATION

Backfilling	X	Soil Augmentation	
Stablization of slopes	X	Rehabilitation of drainage	X
Resoiling and revegetation		Equipment and refuse removal	X
		Mitigate Hazards	X
		Other (describe)	

26. TIMING OF RECLAMATION

check one

[X] Mining and Reclamation is done simultaneously

[ ] Reclamation will be done after mining complete

State sequence of mining and reclamation.

See Attachment 2

Attachment 2: Pacific Lightweight Products

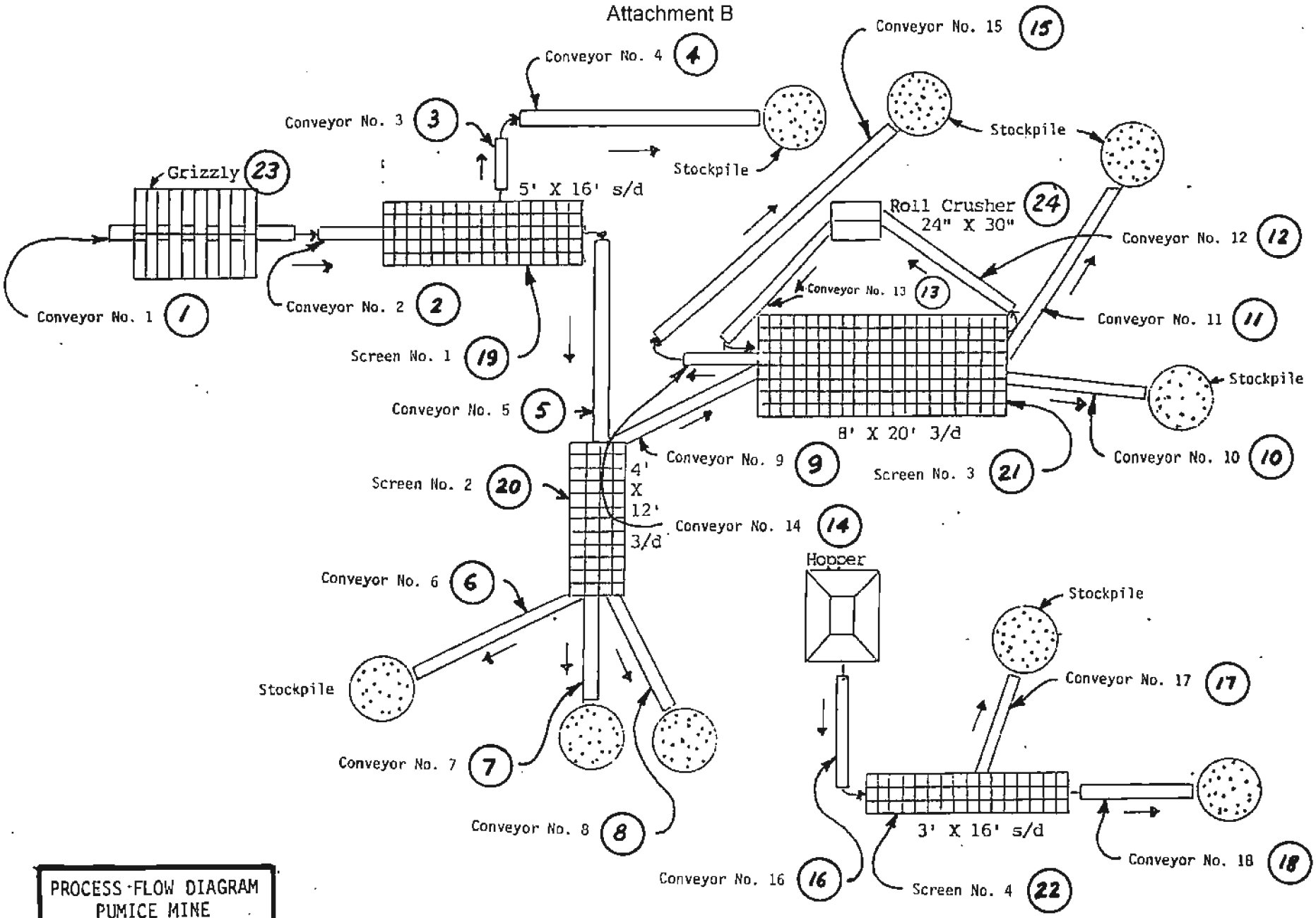
26. TIMING OF RECLAMATION

A. Operating Plan
The processing plant was set up near the center of the pumice deposit. The reason for this type of arrangement was because of the method of extraction. A dozer is used to rip the pumice and a front-end loader picks it up and transports it to the plant for crushing and screening. The loader then returns to the quarry to pick up more material. But instead of going back empty, he gets some screened pumice and transports it to one of the stockpiles. There are 3 stockpile areas located around the site. That is the reason the entire deposit is being mined at the same time. Starting in 1993, however, the size of the mined area will be reduced in size at the rate of a minimum of 2 acres per year as described below. Stockpiles of the pumice sand are covered with coarse aggregate in order to reduce wind erosion and fugitive dust.

B. Production
The annual production rate is about 20,000 tons. The maximum capacity of the plant is 30,000 tons per year. It is continuous throughout the year, weather permitting. The exception would be for repair, maintenance and holidays. The process consists of screening and crushing and conveying to stockpiles. The process flow diagram is shown on the following page. The pumice deposit is expected to be depleted in about the year 2003.

C. Reclamation
Reclamation on the 50 acres has started and will continue at the rate of 2 acres per year for 10 years at which time the remaining 30 acres will be reclaimed. Slopes will be regraded to meet final contour configuration of the approved reclamation plan. Final reclamation will begin at that time or sooner and the site will revert back to its original open space use. When mining operations started in 1985 the pumice was exposed on the surface and there was no overburden. The vegetation was growing in the pumice. During the past 7 years it was found that re-vegetation occurs naturally in areas of inactivity. For that reason no artificial re-vegetation is proposed and the site will be allowed to re-vegetate without human intervention. In the event that any stockpiles remain, they will be recontoured in accordance with the final contour map. Coarse aggregate will be laid down over the finer sizes in order to reduce wind erosion and fugitive dust. Since all of the equipment, including the truck scale, is portable it will be loaded onto trucks and transported off site. There are no concrete foundations on the property with the exception of precast concrete blocks supporting the truck scale. These will be broken up and buried on site.

Attachment B



PROCESS FLOW DIAGRAM
PUMICE MINE
Olancha, California
December 1988

Attachment 3

27. RECLAMATION COST ESTIMATE

The estimated cost of reclamation is $20,000. This estimate is based on a 10 year life-of-mine total reclamation cost starting in 1993 and includes contingency and administrative costs. The Pacific Lightweight Products Company proposes a surety of this amount based on the following calculations.

The two major cost items are regrading of the quarry and removal of the existing plant processing equipment.

A. Regrading Quarry
The southwest facing high wall will be reduced to a 3 to 1 slope by pushing off material from above. The southwest side of the main stockpile to the south of the processing area will be rounded off and pushed down to fill in at the lower levels. Other areas will be regraded in accordance with the final approved contour map. This will be accomplished with one Cat D9N dozer. All productivity data is from the Caterpillar Performance Handbook, 23rd Edition.

Total grading volume: 94,611 cubic yards (see cross sections AA, BB, CC)
Corrected production rate: 2,045 cubic yards per hour (see page 5 of this sec.)

1. EQUIPMENT

Item	Quantity	Rental Rate, $ per Hour	Total Hours	Total Cost
Cat D9N Dozer	1	150	47	$7,050
Mobilization and Demobilization				800

2. LABOR

Item	Quantity	Labor Rate, $ per Hour	Total Hours	Total Cost
Heavy Equip. Oper.	1	24	47	$1,128

3. MATERIALS

Item	Rate, gals. per hr.	Rate, $ per gal.	Total Gals.	Total Hours	Total Cost
Fuel	13	0.80	611	47	$ 489

Total direct cost for regrading quarry: $9,467

27. RECLAMATION COST ESTIMATE

B. Removal of Equipment
All of the plant processing equipment is portable. There are no concrete foundations except precast concrete blocks supporting the portable truck scale. These will be broken up and buried on site by the dozer. The equipment will be loaded onto trucks with a Cat 966 F wheel loader and transported to a metal recycling yard in Bakersfield. No salvage value for the iron was taken ($40 per ton).

1. EQUIPMENT

Item	Quantity	$ per Hour	Hours	Cost
Cat 966F Whl. Ldr.	1	67	35	$2,345
Truck	1		4 r.t.	$1,200

2. LABOR

Item	Quantity	Labor Rate, $ per Hour	Total Labor, $ per Hour	Total Hours	Total Cost
Iron Worker	3	24	72	35	$2,520

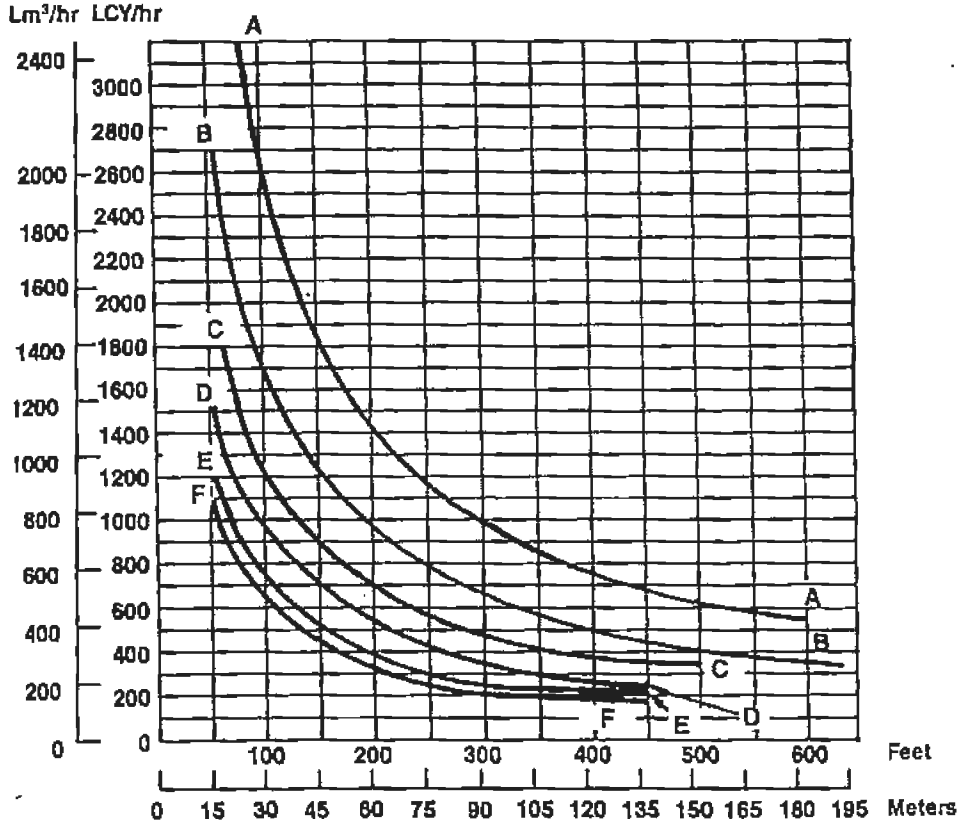
3. MATERIALS

Item	Rate, gals. per hr.	Rate, $ per gal.	Total Gals.	Total Hours	Total Cost
Fuel	5	0.80	175	35	$ 140

Total direct cost for removal of equipment:	$6,205

Total direct cost for regrading quarry and removal of equipment	$15,672
Insurance (1.5%)	235
Contract Administration (15%)	2,350
Bond (performance and payment 1.5%)	235
Profit (10%)	1,567
Grand total	$20,059

ESTIMATED DOZING PRODUCTION • Universal Blades • D7G through D11N



AVERAGE DOZING DISTANCE

KEY

A — D11N-11U
B — D10N-10U
C — D9N-9U
D — D8N-8U
E — D7H-7U
F — D7G-7U

NOTE: This chart is based on numerous field studies made under varying job conditions. Refer to correction factors following these charts.

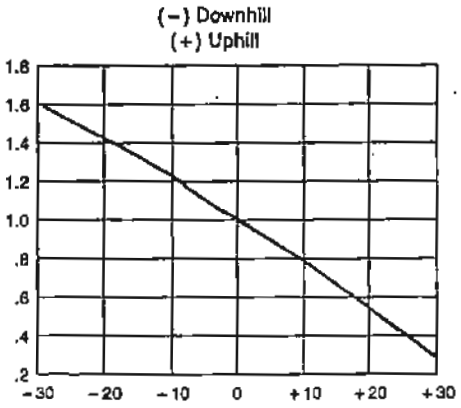
Bulldozers | Job Factors
Estimating Production Off-The-Job
• Example Problem

JOB CONDITION CORRECTION FACTORS

	TRACK-TYPE TRACTOR	WHEEL-TYPE TRACTOR
OPERATOR —		
Excellent	1.00	1.00
Average	0.75	0.60
Poor	0.60	0.50
MATERIAL —		
Loose stockpile	1.20	1.20
Hard to cut; frozen —		
with tilt cylinder	0.80	0.75
without tilt cylinder	0.70	—
cable controlled blade	0.60	—
Hard to drift; "dead" (dry, non-cohesive material) or very sticky material	0.80	0.80
Rock, ripped or blasted	0.60-0.80	—
SLOT DOZING	1.20	1.20
SIDE BY SIDE DOZING	1.15-1.25	1.15-1.25
VISIBILITY —		
Dust, rain, snow, fog or darkness	0.80	0.70
JOB EFFICIENCY —		
50 min/hr	0.83	0.83
40 min/hr	0.67	0.67
DIRECT DRIVE TRANSMISSION		
(0.1 min. fixed time)	0.80	—
BULLDOZER*		
Adjust based on SAE capacity relative to the base blade used in the Estimated Dozing Production graphs.		
GRADES — See following graph.		

*Note: Angling blades and cushion blades are not considered production dozing tools. Depending on job conditions, the A-blade and C-blade will average 50-75% of straight blade production.

% Grade vs. Dozing Factor



ESTIMATING DOZER PRODUCTION OFF-THE-JOB

Example problem:

Determine average hourly production of a D8N/8SU (with tilt cylinder) moving hard-packed clay an average distance of 45 m (150 feet) down a 15% grade, using a slot dozing technique.

Estimated material weight is 1600 kg/Lm³ (2650 lb/LCY). Operator is average. Job efficiency is estimated at 50 min/hr.

Uncorrected Maximum Production — 458 Lm³/h (600 LCY/hr) (example only)

Applicable Correction Factors:

Hard-packed clay is "hard to cut" material −0.80
Grade correction (from graph) .....−1.30
Slot dozing .....−1.20
Average operator .....−0.75
Job efficiency (50 min/hr) .....−0.83
Weight correction .....(2300/2650)−0.87

Production = Maximum Production × Correction Factors
= (600 LCY/hr) (0.80) (1.30) (1.20) (0.75) (0.83) (0.87)
= 405.5 LCY/hr

To obtain production in metric units, the same procedure is used substituting maximum uncorrected production in Lm³.

= 458 Lm³/h × Factors
= 309.6 Lm³/h

27. RECLAMATION COST ESTIMATE

CALCULATION SHEET

A. Production Rate of Cat D9N Dozer
(See page 1-57 of Caterpiller Performance Handbook or page 3 of this section)

1. Maximum uncorrected production rate at an avg. dozing distance of 110 ft.

$$1{,}150 \ \frac{\text{cu. yds}}{\text{hour}}$$

2. 366 condition factors:

Operator - Average:	0.75
Side by side dozing:	1.20
Efficiency - 50 min. per hour:	0.83
Grade at 20% down:	1.40
Density of pumice $\frac{2{,}300 \text{ p.c.y.}}{1{,}350 \text{ p.c.y.}}$:	1.70

Corrected production rate:

$$1{,}150 \ \frac{\text{cu. yds.}}{\text{hour}} (0.75)(1.20)(0.83)(1.40)(1.70) = 2{,}045 \ \frac{\text{cu. yds.}}{\text{hour}}$$

B. Total Hours Required

$$\text{Hours} = \frac{\text{Volume}}{\text{Rate}} = \frac{94{,}611 \text{ cu. yds.}}{2{,}045 \ \frac{\text{cu. yds.}}{\text{hour}}} = 47 \text{ hours}$$

Owning & Operating Costs

⑥ Hourly Fuel Consumption Tables
- Track-Type Tractors
- Agricultural Tractors

FUEL CONSUMPTION TABLES & LOAD FACTOR GUIDES . . .

TRACK-TYPE TRACTORS

Model	Low		Medium		High	
	liter	U.S. gal	liter	U.S. gal	liter	U.S. gal
D3C & LGP	4-7½	1-2	7½-11	2-3	9½-13	2½-3½
D4C & LGP	5½-9½	1½-2½	9½-13	2½-3½	11-15	3-4
D5C & LGP	5½-9½	1½-2½	9½-13	2½-3½	11-15	3-4
D4E	5½-9½	1½-2½	9½-13	2½-3½	11-15	3-4
D4H Series II & LGP	6-10½	1½-3	10½-14½	3-4	12½-17	3½-4½
D5B	9½-13	2½-3½	11-17	3-4½	15-21	4-5½
D5H Series II & LGP	11-15	3-4	12½-19½	3½-5	17-24	4½-6½
D6D & LGP	11-19	3-5	15-21	4-5½	21-26	5½-7
D6H Series II & LGP	13-22½	3½-6	17½-25	4½-6½	25-30½	6½-8
D7G Series II*	19-25	5-6½	26-34	7-9	32-40	8½-10½
D7H Series II & LGP	19-23	5-6	25-28	6½-7½	32-36	8½-9½
D8L & LGP	28-38	7½-10	40-45	10½-12	51-57	13½-15
D8N & LGP	22½-28	6-7½	28-38	7½-10	38-51	10-13½
D9N	30-42	8-11	44-53	11½-14	52-69	14½-18
D10N	46-51	12½-13½	62-66	16½-17½	77-92	20-22
D11N	62-70	16½-18½	85-93	22½-24½	108-115	28½-30½

*D7G fuel consumption data is based on a precombustion chamber equipped engine. Fuel consumption for a direct injection equipped D7G should be approximately 10% less.

AGRICULTURAL TRACTORS

Model	Low		Medium		High	
	liter	U.S. gal	liter	U.S. gal	liter	U.S. gal
D3C SA**	—	—	—	—	—	—
D4E SR	5½-9½	1½-2½	9½-13	2½-3½	11-15	3-4
D5B SA	13-19	3½-5	17-23	4½-6	21-26	5½-7
D6E SR	11-19	3-5	15-21	4-5½	21-26	5½-7
D8L SA	44-57	11½-15	53-70	14-18½	64-83	17-22
AG6	24½-32	6½-8½	32-40	8½-10½	40-48	10½-12½
Challenger 65B	30½-38	8-10	38-46	10-12	46-53	12-14
Challenger 75	34-41½	9-11	41½-49	11-13	49-57	13-15

**Insufficient data

LOAD FACTOR GUIDE

High: Steady ripping, shuttle pushloading. Agricultural drawbar work at full throttle, engine lugged to max. power most of the time; Little or no idling or travel in reverse.

Medium: Production dozing, pulling scrapers, most pushloading. Agricultural drawbar work at full throttle but not always lugging engine. Some idling and some travel with no load.

Low: Considerable idling or travel with no load.

Owning & Operating Costs

⑧ Hourly Fuel Consumption Tables
- Wheel Loaders & Integrated Toolcarriers
- Track Loaders

WHEEL LOADERS & INTEGRATED TOOLCARRIERS

Model	Low		Medium		High	
	liter	U.S. gal	liter	U.S. gal	liter	U.S. gal
910E, IT12B	4-7½	1-2	5½-9½	1½-2½	7½-13	2-3½
IT14B	4-7½	1-2	7½-11	2-3	9½-13	2½-3½
916, IT18B	5½-7½	1½-2	9½-12	2½-3	13-15	3½-4
926E, IT28B	7½-11	2-3	11-15	3-4	15-19	4-5
930, 930R	9½-13	2½-3½	13-17	3½-4½	19-23	5-6
936F	9½-13	2½-3½	13-17	3½-4½	19-23	5-6
950F	11-15	3-4	17-21	4½-5½	23-28	6-7½
966C	17-21	4½-5½	23-28	6-7½	32-38	8½-10
966F	17-21	4½-5½	23-28	6-7½	32-38	8½-10
980F	23-26	6-7	30-36	8-9½	42-47	11-12½
988B	32-38	8½-10	44-49	11½-13	60-66	16-17½
992C	54-60	14½-16	75-81	20-21½	104-113	27½-30
994	102-109½	27-29	136-147½	36-39	189-208	50-55

LOAD FACTOR GUIDE

High: Steady cycling on basic loader cycle.

Medium: Steady cycling but over haul distances or work on basic loader cycle with frequent periods at idle.

Low: Light utility work. Considerable idling.

TRACK LOADERS

Model	Low		Medium		High	
	liter	U.S. gal	liter	U.S. gal	liter	U.S. gal
931C	5½-9½	1½-2½	7½-11	2-3	11-15	3-4
935C	5½-9½	1½-2½	7½-11	2-3	11-15	3-4
943	5½-9½	1½-2½	9½-13	2½-3½	13-17	3½-4½
953	9½-13	2½-3½	15-19	4-5	19-23	5-6
963	13-17	3½-4½	21-25	5½-6½	25-30	6½-8
973	19-23	5-6	26-34	7½-9	36-42	9½-11

LOAD FACTOR GUIDE

High: Continuous excavating and loading from bank. Land clearing.

Medium: Bank or stockpile loading with idling periods. Load and carry.

Low: Large amounts of idling in any application.

Rentals

DAY
WEEK
MONTH

BAKERSFIELD — 805/393-5800
CORCORAN — 209/992-2193
FRESNO — 209/896-4040
OXNARD — 805/485-2171
SALINAS — 408/758-8461
SANTA MARIA — 805/925-8611

QUINN CAT

Construction Equipment

TRACK DOZERS

Model	HP	Weight	Day	Week	Month	Damage Waiver Fee/Day
D3C II	70	16,000	$300	$900	$2,700	$5.00
D4C II	80	16,800	350	1,000	2,980	5.50
D4H II	95	23,000	415	1,235	3,900	6.00
D5H II	120	29,000	600	1,800	5,600	9.00
D6H II	165	47,000	775	2,325	7,000	12.00
D7H II	215	57,000	1,100	3,600	11,000	17.00
D8N	285	82,000	1,400	4,600	14,000	20.00
D9N	370	102,080	–	6,000	18,000	25.00
D10N	520	139,960	–	–	23,000	35.00



WHEEL LOADERS
(plus tire wear)

Model		HP	Weight	Day	Week	Month	Damage Waiver Fee/Day
910F/IT12B	1.75 Yd.	75	17,530	$280	$800	$2,500	$4.00
IT14B	1.75 Yd.	85	18,374	300	900	2,800	4.50
918/IT18F	2.3 Yd.	98/105	22,000	335	1,000	3,000	5.00
926E/IT28F	2.6 Yd.	120	24,000	390	1,170	3,700	6.00
936F/IT38F	3 Yd.	135	26,000	500	1,500	4,750	8.00
950F II	4 Yd.	170	36,000	650	2,000	6,000	10.00
966F	5 Yd.	230	45,000	880	2,650	8,000	13.00
980C	6.25 Yd.	270	65,000	1,300	4,000	12,000	20.00
988B	8 Yd.	375	98,000	–	5,650	17,000	25.00

INTEGRATED TOOLCARRIERS
(includes either a bucket or forks)
Available at additional charge for IT Machines
Brooms • Brush • Bucket • Forks
Material Handling Arm
Tink Bucket - $1000 mo.

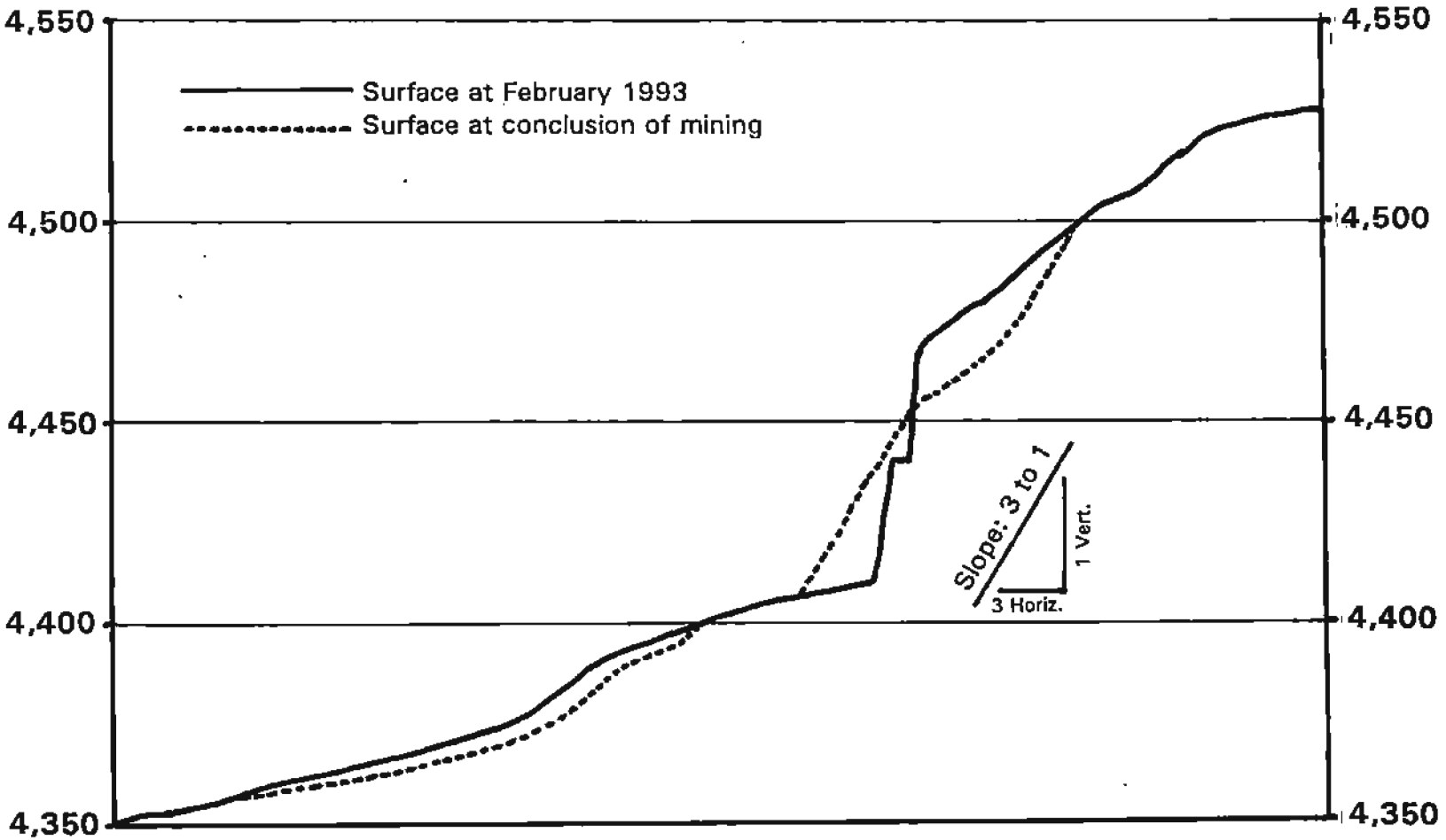


TRACK LOADERS

Model		HP	Weight	Day	Week	Month	Damage Waiver Fee/Day
935C II	1.3 Yd.	80	19,500	$350	$1,000	$3,000	$5.00
943	1.7 Yd.	80	27,000	470	1,400	4,400	7.00
953	2.3 Yd.	110	32,000	650	1,900	5,600	9.00
963	2.9 Yd.	150	42,500	–	2,400	7,250	12.00

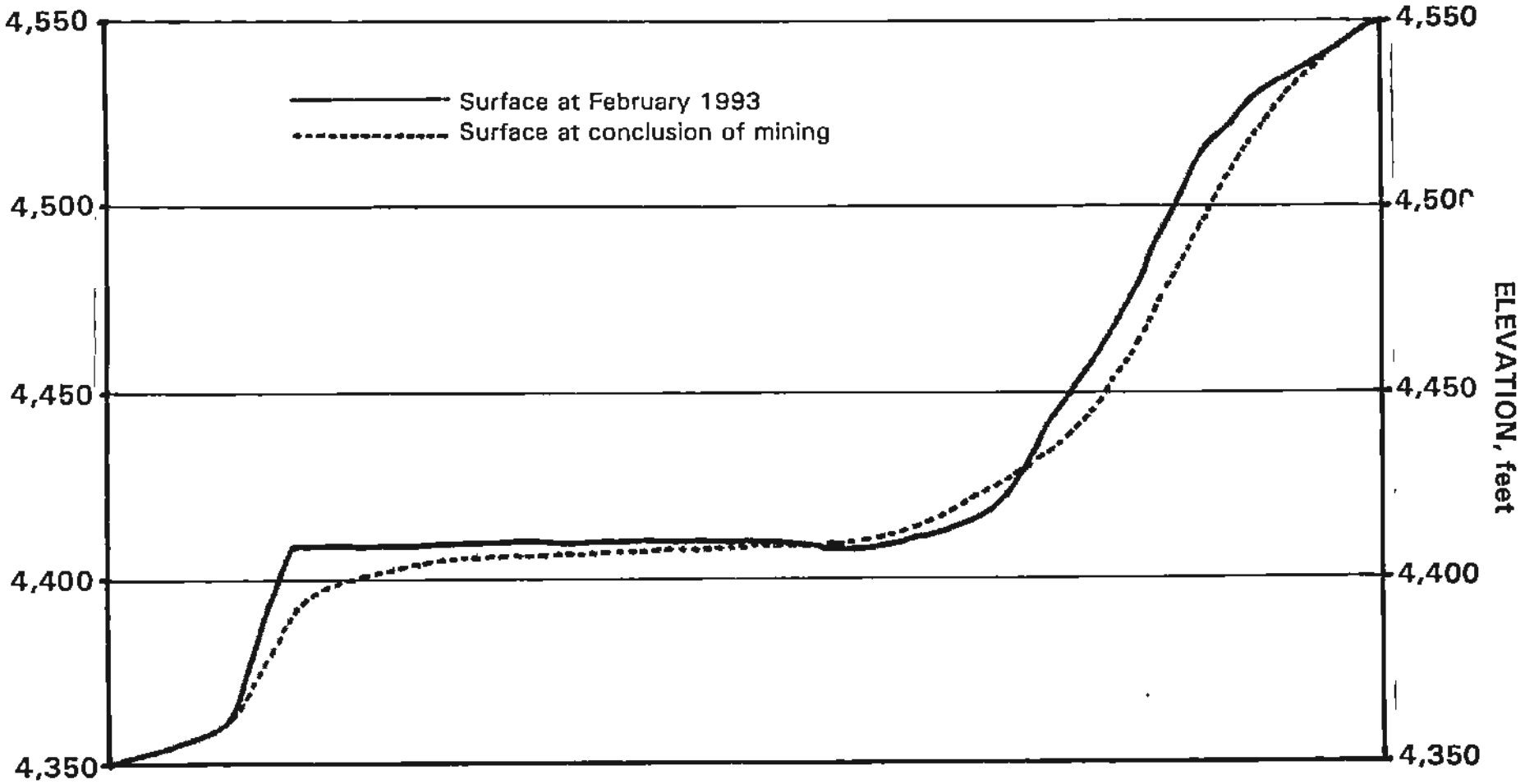


Effective 12/1/92 • Prices subject to change without notice



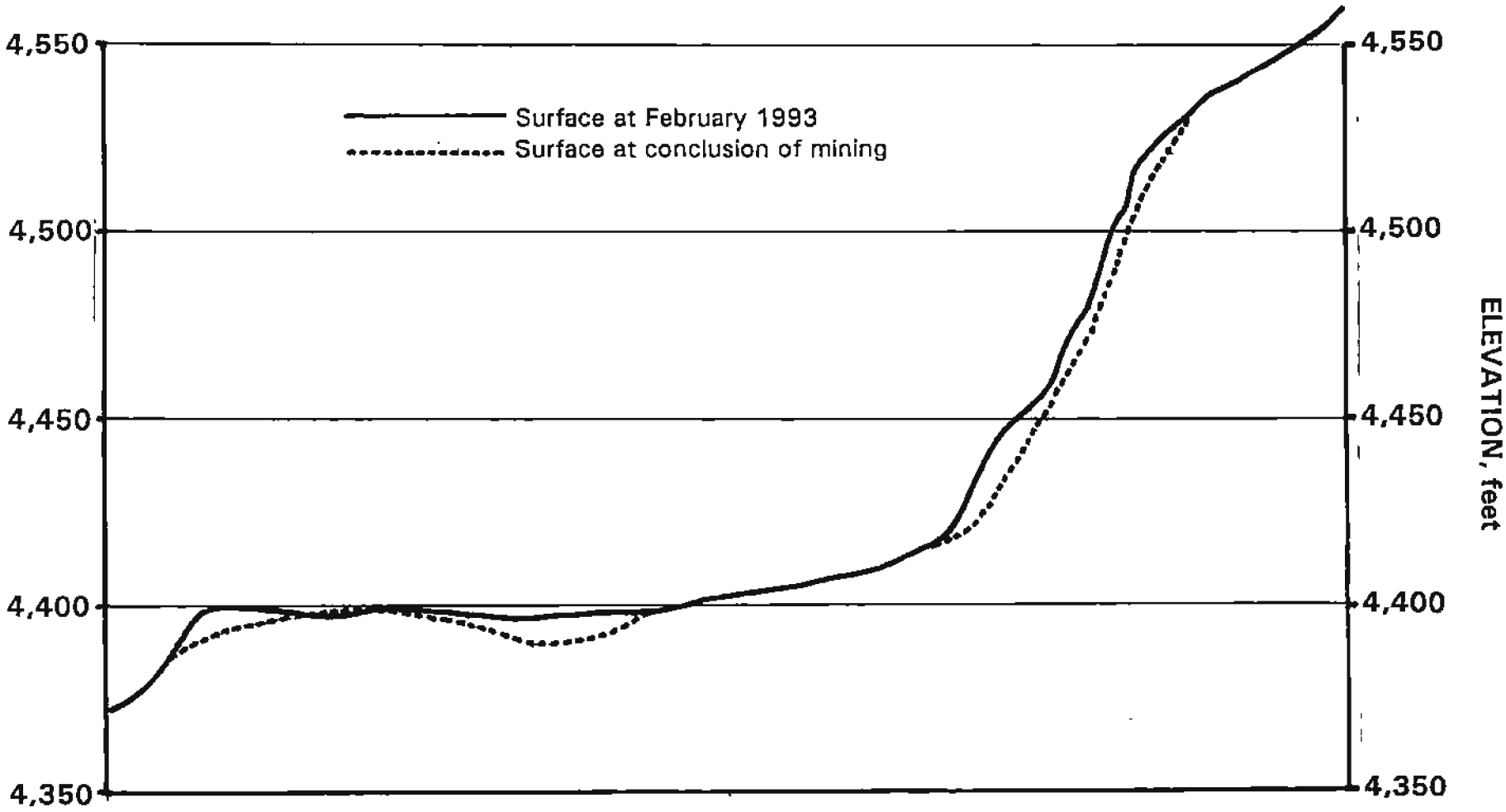
CROSS SECTION A-A

Horizontal Scale: 1 inch = 200 feet
Vertical Scale: 1 inch = 40 feet



CROSS SECTION B-B

Horizontal Scale: 1 inch = 200 feet
Vertical Scale: 1 inch = 40 feet

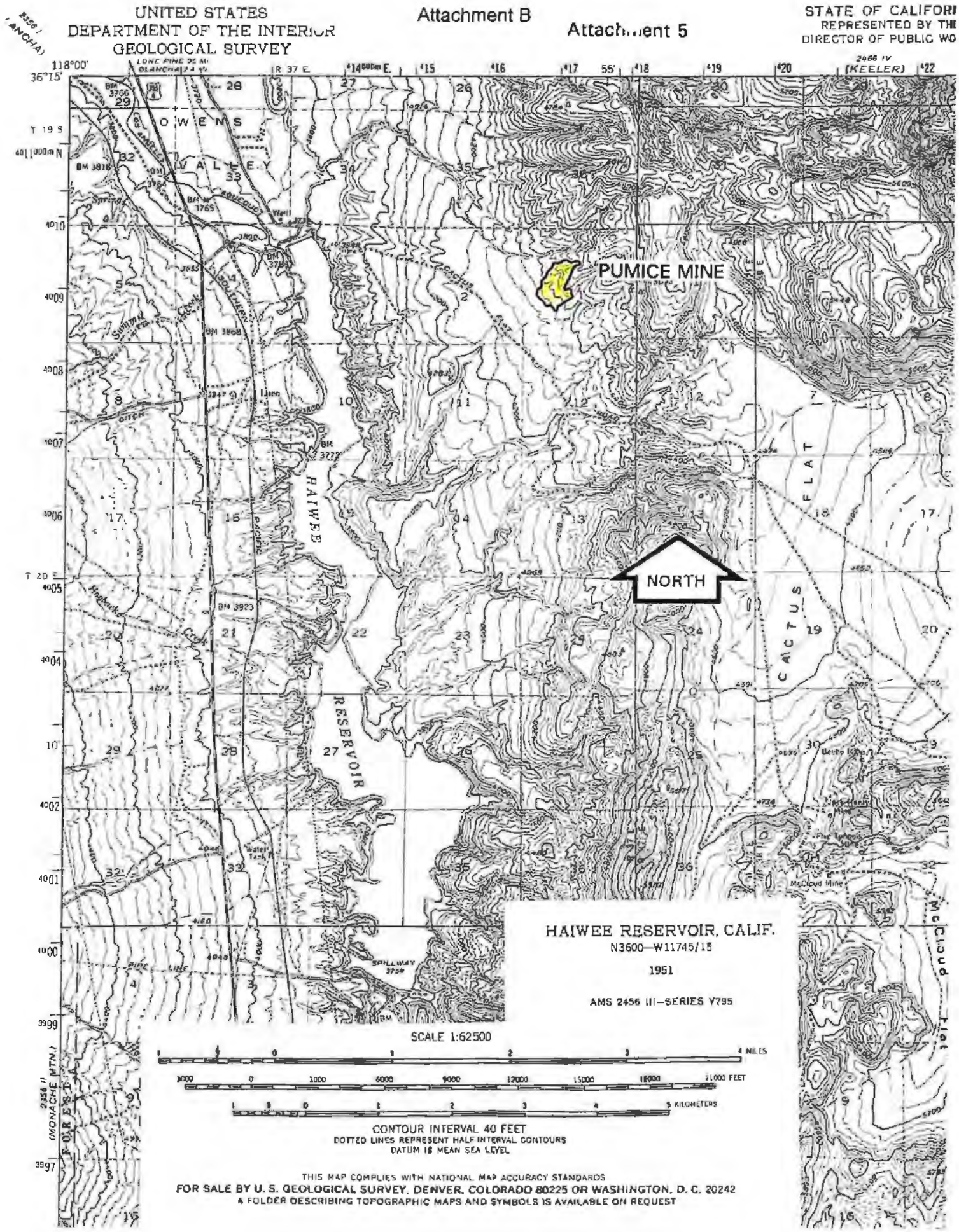


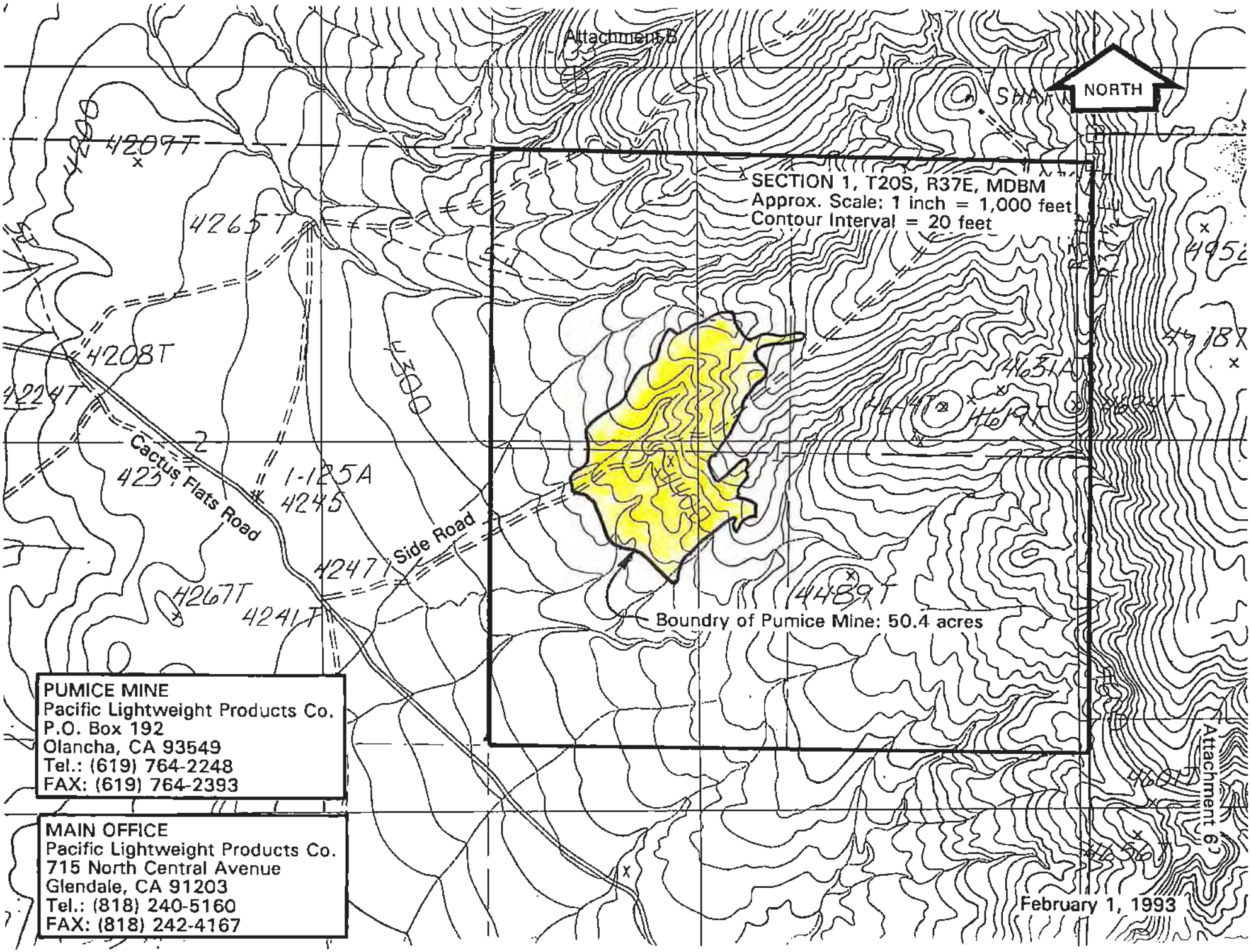
CROSS SECTION C-C

Horizontal Scale: 1 inch = 200 feet
Vertical Scale: 1 inch = 40 feet

Attachment B

Attachment 5




Attachment 6
NORTH
SECTION 1, T20S, R37E, MDBM
Approx. Scale: 1 inch = 1,000 feet
Contour Interval = 20 feet
Boundry of Pumice Mine: 50.4 acres
Cactus Flats Road
Side Road
4209T
4265T
4208T
4224T
4300
4247T
4267T
4241T
4489T
4631T
4619T
PUMICE MINE
Pacific Lightweight Products Co.
P.O. Box 192
Olancha, CA 93549
Tel.: (619) 764-2248
FAX: (619) 764-2393
MAIN OFFICE
Pacific Lightweight Products Co.
715 North Central Avenue
Glendale, CA 91203
Tel.: (818) 240-5160
FAX: (818) 242-4167
February 1, 1993
Attachment 6

Attachment B

Attachment 7
Page 1 of 2

87 2402

RECORDED IN OFFICIAL RECORDS
1987 JUN 11 PM 10 02
INYO COUNTY, CA.

RECORDED IN OFFICIAL RECORDS
1987 OCT 15 PM 3 23
INYO COUNTY, CA.
87 4963

DOC	1
UF	1
SUF	2
P.C.O.S.	
APN#	

WHEN RECORDED MAIL TO:
Wilma Ely
P.O. Box 90960
Santa Barbara, CA 93190-0960

CORRECTED DEED

CORPORATION GRANT DEED

Subject to Monument Survey Exempt
Document Transfer Tax Exempt

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

OVER-SEAS DEVELOPMENT COMPANY, a corporation in the process of dissolution hereby grants to

WILMA E. ELY, Trustee U/D/T dated February 22, 1985 F/B/O the Ely Family

the following described real property in the County of INYO, State of CALIFORNIA:

See "Exhibit A" attached (Including all mineral rights owned by Over-Seas Development Co.)

Dated: June 9, 1987

Over-Seas Development Company

By Wilma E. Ely
WILMA E. ELY, President

By Kathleen Incerti
KATHLEEN INCERTI, Secretary

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)

On June 9, 1987, before me, the undersigned Notary Public, personally appeared Wilma E. Ely, personally known to me or proved on the basis of satisfactory evidence to be the person who executed the within instrument as the President, and Kathleen Incerti, personally known to me or proved on the basis of satisfactory evidence to be the person who executed the within instrument as the Secretary of the Corporation that executed the within instrument and acknowledged to me that the corporation executed it pursuant to a resolution of its board of directors.

WITNESS My hand and official seal.

Notary for said State

OFFICIAL SEAL
JOHN P INCERTI
NOTARY PUBLIC - CALIFORNIA
SANTA BARBARA COUNTY
My comm. expires JAN 12, 1990

CORRECTED DEED TO INCLUDE
MINERAL RIGHTS

87 2402

87 4963

"EXHIBIT A"

A.P. NO 33-200-01
The West half of Section 1 and the West half of the Section 12 .

AP NO 33-200-33
The North half of the Southwest quarter and the Southeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 2.

AP NO 33-200-34
The North half of the North half and the Southeast quarter of the Northeast qaurter of Section 2.

AP NO 33-200-37
The East half of the West half and the Southeast quarter and the South half of the Northeast quarter and the Northwest quarter of the Northeast quarter of Sec.11

AP NO 33-200-02
The Northwest quarter of Section 13

AP NO 33-200-35
The East half and the East half of the West half and the Northwest quarter of the Northwest quarter and the Southwest quarter of the Southwest quarter of Section 14.

All in Township 20 South, Range 37 East

AP NO'S 33-280-06, 33-280-07, 33-280-08, 33-280-11, 33-280-12, 33-280-13, 33-300-01, 33-300-03, 33-300-11, 33-340-03, 33-340-04, 33-360-11, 33-270-09.

Lots 10,11,12,15,16,17,18,20,28, 47,48, 63 and 74 as shown upon Record of Survey Map of Enchanted Lake Village, Tract No. 1, of the portions of Sections 9, 16, and 21, Township 20 South, Range 37 East, M.D.B. & M., in the County of Inyo, State of California, as per map recorded October 8, 1957 in book 6, pages 17 to 19, inclusive, in the office of the County Recorder of said County.

AP NO'S 33-300-09, 33-300-10, 33-320-10,- 33-360-06, 33-270-11, 33-270-12.

Lots26,27,41,58,76 and 77 as shown upon Record of Survey Map of Enchanted Lake Village, Tract No 1, of the portions of Sections 9, 16, and 21, Township 20 South, Range 37 East, M.D.B. & M., In the County of Inyo, State of California, recorded October 28, 1957 in book 6, pages 17 to 19 inclusive in the office of the County Recorder.

Attachment B

31. NOTIFICATION OF RESPONSIBILITY

I, Leonard Hobbs, the undersigned representing (the) Pacific Lightweight Products Co.

(~~myself~~/company/~~corporation~~) legal holder of the possessory interest, mineral and/or surface rights

to the property commonly known as the Pacific Natural Aggregate Co. Pumice Mine located in

Township 20S Range 37E Section(s) 1 (SBBM or (MDBM))

CIRCLE ONE

do hereby acknowledge to abide by the Reclamation Plan as submitted with the application.

Leonard B. Hobbs

Signature

Date: FEB. 19, 1993

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss

ON Feb 19, 1993 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC,

PERSONALLY APPEARED Leonard Hobbs

☐ PERSONALLY KNOWN TO ME - OR - ☑ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) (S)ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME ~~IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES)~~, AND THAT BY (HIS)/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), ~~OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED~~, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL

ZSPI MORGAN SCHOENING ZSPI
COMM. #974440
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires September 27, 1996

Morgan Schoening

SIGNATURE OF NOTARY

CAPACITY CLAIMED BY SIGNER: ☑ INDIVIDUAL ☐ PARTNER(S)

☐ ATTORNEY-IN-FACT _____ SIGNING FOR

☐ CORPORATE OFFICER(S) _____ CAPACITY OF CORPORATE OFFICER

☐ OTHER _____

NOTARY LOCATION
1102 NORTH BRAND BLVD.
GLENDALE, CA 91202
818-241-0809

Attachment B

32 APPLICANTS CERTIFICATION OF FILING: (Legal owner of the property must sign)

NOTE: If more than one person is involved in the ownership of the property or mineral rights a separate page must be attached to this application which lists the names and adresses of all persons having interest in the ownership of the property or mineral rights.

All applicants for surface mining permits who are not also the recorded owner(s) of the property must submit a signed statement by the property/mineral rights owners(s) authorizing them to act on their behalf.

I certify under penalty of perjury that I am the owner of record, or as noted below and the owner of record has knowledge of and consents to the proposed surface mining reclamation plan application for this property. I further certify that the information contained is true and correct to the best of of my knowledge.

_____ Owner or Possessory Interest or Mineral Rights

__✓__ Legal Owner(s) (all individual owners must sign as their names appear on the deed to the land)

_____ Corporate Officer(s) empowered to sign for the Corporation.

_____ Owner's legal Agent having Power of Attorney for this action (a Certified Power of Attorney document must accompany the application form.)

Date: Nov. 1, 1993 Wilma E. Ely, Trustee

ALL-PURPOSE ACKNOWLEDGMENT No. 5179

State of CALIFORNIA
County of SANTA BARBARA

On 3-1-93 (DATE) before me, JOANNE L. COHEN (NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"),

personally appeared WILMA E. ELY (NAME(S) OF SIGNER(S)),

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

OFFICIAL SEAL
JOANNE L COHEN
Notary Public-California
SANTA BARBARA COUNTY
My Commission Expires
March 24, 1995

Witness my hand and official seal.

Joanne L. Cohen
SIGNATURE OF NOTARY

CAPACITY CLAIMED BY SIGNER

☒ INDIVIDUAL
☐ CORPORATE _____
OFFICER(S) _____ TITLE(S)
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
ELY TRUST

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Title or Type of Document Conditional Use Permit Application
Number of Pages 12 Date of Document _____
Signer(s) Other than Named Above LEONARD HOBBS

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CONDITIONAL USE PERMIT APPLICATION

The following information is required by the Planning Commission pursuant to the requirement of the Inyo County Zoning Ordinance.

APPLICANT:	Name:	Pacific Lightweight Products
	Address:	715 North Central Ave., Suite 101
	City:	Glendale, CA 91203
	Telephone:	(818) 240-5160
OWNER:	Name:	Ely Trust
	Address:	Box 90960
	City:	Santa Barbara, CA 93190
	Telephone:	(805) 569-2303
ENGINEER:	Name:	Leonard Hobbs
	Address:	715 North Central Ave., Suite 101
	City:	Glendale, CA 91203
	Telephone:	(818) 240-5160

ASSESSOR'S PARCEL NUMBER: 33-200-01 ZONING: OS-40

I HEREBY REQUEST that the Inyo County Planning Commission consider this conditional use permit application for the following described project (describe completely and in detail):

At the present time there is an existing active open pit pumice mining operation on 50 acres of land located approximately 3 miles east of Highway 395 just north of Cactus Flats Road near Olancha. It is located on privately owned land that has been leased from the property owner. In 1985, a CUP (No. 85-1) was issued for this operation. The original CUP was for an area of 20 acres for mining activity. Since that time there has been an additional 30 acres put into service.

The actual mining operation is essentially the same as it was when mining activities started in 1985. The pumice is mined by open pit methods with a bulldozer and front-end loader. The pumice is crushed and screened and shipped in trucks at the rate of up to 4 per day. The mine is operated 8 hours per day, 5 days per week by 4 employees. Reclamation of the 50 acres has already begun and will continue at the rate of at least 2 acres per year for 10 years at which time the 30 remaining acres will be reclaimed. Final reclamation will be completed at that time or sooner and the site will revert back to its original open space use in accordance with the Reclamation Plan. This is a request to obtain a CUP for the entire 50 acres.

CONSENT: I consent to the submission of the conditional use permit application.

X Wilma E. Ely

(Signed by at least one record owner of the property)

CERTIFICATION: I hereby certify that the above information is correct to the best of my knowledge.

Leonard Hall

(Signed by the Applicant or Engineer)

NOTE: THIS APPLICATION REQUIRES A PUBLIC HEARING BEFORE THE INYO COUNTY PLANNING COMMISSION. YOU OR A REPRESENTATIVE MUST BE PRESENT TO ANSWER ANY QUESTIONS. FAILURE TO APPEAR MAY RESULT IN THE PUBLIC HEARING BEING CONTINUED OR THE APPLICATION DENIED.

ENVIRONMENTAL INFORMATION FORM

GENERAL INFORMATION:

Name: Pacific Lightweight Products
Address: 715 North Central Ave., Suite 101
City: Glendale, CA 91203 Phone: (818) 240-5160

Assessor's Parcel Number: 33-200-01

Zoning: OS-40

Existing Use of the Property: Pumice Mine

List any other related permits and other public approvals required for this project (Local, State or Federal):

Great Basin Unified Air Pollution Control District
Reclamation Plan
Mining Operation Annual Report

PROJECT DESCRIPTION:

Proposed Project: (Describe completely)

The proposed project is the same as the existing project as described on page 4 of this application and shown on the plot plan.

Plans: Attach any development plans, plot plans, design plans, elevations which depict the proposed development.

Checklist: Are the following environmental impacts applicable to the project. Discuss below all items checked YES (attach additional sheets if necessary):

YES	NO	
X	___	Change in existing features of any water courses, natural vegetation, slopes or substantial alteration of ground contours.

X	___	Change in scenic views.
X	___	Change in the pattern, scale or character of the project area.
___	X	Generation of significant amounts of solid waste.
X	___	Generation of dust, ash, smoke, fumes or odors.
___	X	Change in surface or ground water quality or quantity.
X	___	Change in existing noise or vibration levels.
X	___	Location of filled land or on slopes of 10% or more.
X	___	Use or disposal of potentially hazardous, toxic or flammable materials.
___	X	Increase in demand for municipal services (sheriff, fire, water, sewer, electricity, etc.).
X	___	Increase in fossil fuel consumption.
___	X	Relationship to a larger project or series of projects.

Discussion of all the above items checked YES: _____

See Attachment 1

Attachment 1: Pacific Lightweight Products CUP Application

Before the start of mining activities in 1985, this area consisted of low hills sloping to the southwest. At the present time, the mined area still has a slope in the same direction. Some of the water courses have been changed but their direction is still the same. This is a combination "side-hill" and "open pit" type of mine and the natural drainage has not been interrupted. There is about 200 feet difference in elevation from the high to the low point of the disturbed area. The only naturally occurring water on the property comes from rainfall which averages about 6 inches per year.

During over 7 years of mining, it has been found that the moisture content of the pumice in place varies between 8 and 12 percent. This is significant because the naturally occurring water helps to minimize dust during transporting, crushing and screening. To further reduce fugitive dust in the area, the following steps are taken:

1. A watering truck applies water to haul roads and around the screening plant.

2. When wind conditions are such that the dust cannot be controlled, all mining activities are shut down.

3. The maximum speed limit of any vehicle on the property is 15 mph.

There is noise from the electric generator, crusher, screens and mobile equipment. No complaints have ever been received from this because the nearest human habitation is 2 miles distant.

There are no permanent structures on the property. All of the plant processing equipment is portable including the toilet which is serviced on a periodic basis as needed. The only exception is the portable truck scale which is resting on precast concrete blocks. These blocks will be broken up and buried at the site.

The flammable materials kept at the site are an 8,000 gallon tank holding diesel oil for the mobil equipment and a 500 gallon tank for holding used oil. This tank is periodically emptied by a recycler and shipped off site for reprocessing.

ENVIRONMENTAL SETTING:

Describe the project site as it now exists, including information on topography, soils, plants, animals, drainage, climate, air quality, visual quality, access, traffic, utilities, noise and structures:

The project site is an open pit mine. Most of the land surface has been moved and excavated in some areas to a depth of 40 feet. Because of the original consolidation of the pumice, some excavated areas stand in almost vertical faces. The vegetation has been eliminated and wildlife has been displaced and re-established in adjoining areas. Some of the drainage courses have been changed but their direction is still the same. The processing equipment is located on one acre and stockpiles cover about 5 acres. Haul roads have been established but wet down daily to control the fugitive dust. There are no government services required. No utility line extensions are necessary because power is generated by a portable generator. The traffic consists of up to 4 trucks per day and employee vehicles along Cactus Flats road and then one-half mile into the plant.

Describe the surrounding properties, including information as listed above.

The surrounding area is hilly open desert with no structures or human habitation within 2 miles. The vegetation is brush and small plants with nothing growing larger than 3 feet. There is no known endangered, threatened or sensitive vegetation in the surrounding area.

Vegetation:
The vegetation is shrubs and small plants as described below:

Scientific Name	Common Name
Ambrosia Dumosa	Bursage
Amsinckia Tessillata	Checker Fiddleneck
Atriplex Canescens	Fourwing Saltbush
Atriplex Confertiafolia	Shadscale
Larrea Tridentata	Creosote Bush

Animals:
The only animals to pass through the area are coyotes. The desert tortoise and Mojave ground squirrel are not known to inhabit the surrounding area.

CERTIFICATION: I hereby certify that the statements furnished above and in any attachments present the data and information required for this Environmental Information Form to the best of my ability, and the facts, statements and information presented are true and correct to the best of my knowledge and belief.

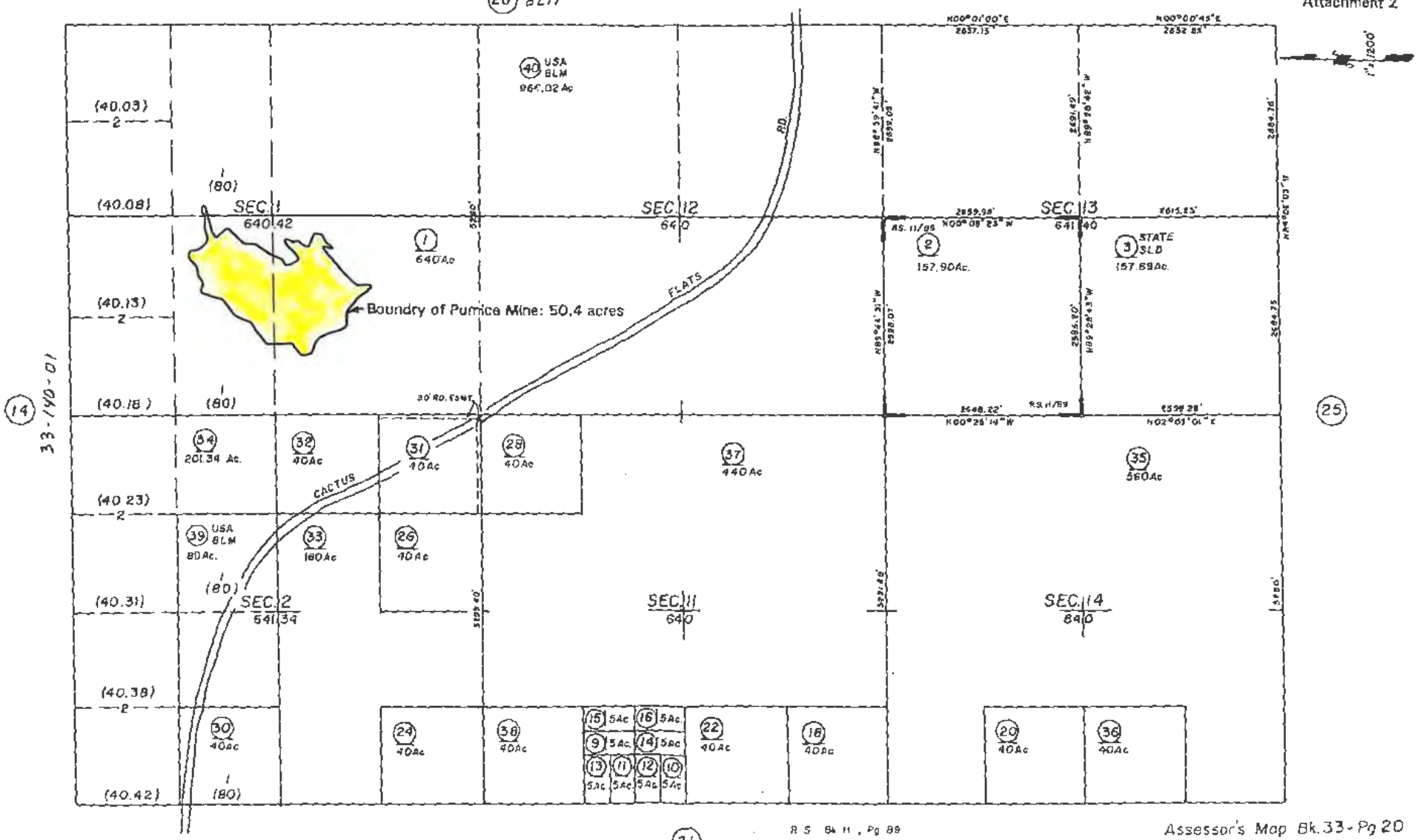
FEB. 19, 1993
DATE

Leonard Hood
SIGNATURE

T. 20S., R. 37E., M.D.B.&M.

TAX RATE AREA 59-010

33-20



NOTE: There are no definite surveys of county roads - locations are approximate

R S Bk 11, Pg 89

Assessor's Map Bk. 33 - Pg 20
County of Inyo, Calif.
1950

12-22-87

#90-dr-104

Attachment B

DATE RECEIVED 3/4/93 | ZONING

APN: 38-200-01 | SECTION ____, T ___S, R ____E

PACIFIC

APPLICANT'S NAME LIGHTWEIGHT | ENVIRONMENTAL DOCUMENT ISSUED:

ADDRESS 715 N Central Ave #101 Products | DATE:

PHONE Glendale CA 91203 | EIR ____

818-240-5160 | NEGATIVE DECLARATION ____

REPRESENTATIVE Leonard Voos | COND. NEG. DEC. ____

ADDRESS 715 N Central Ave #101 Glendale, CA 91203

PHONE 818-240-5160

PLANNING COMMISSION'S RECOMMENDATION:	DATE:	BOARD OF SUPERVISORS ACTION:	DATE:
APPROVAL	____	APPROVED	____
DENIAL	____	DENIED	____

OTHER INFORMATION AND COMMENTS:

OWNER: Ely TRUST. PO 90960
Santa Barbara, CA 93190
6/9/93 Notice of PH Mailed to Chrisport
6/9/93 Notice of PH mailed to P.O.'s
6/23/93 CONTINUED
6/29/93
3/9/94 Notice of PH published
3/9/94 Notice of PH mailed to P.O.'s & Agencies
3/9/94 Staff Rep. mailed to applicant

Attachment B



FONKT MINE

	DOCUMENT NAME
✓	Application
✓	Most Recent Environmental Doc.
	State Clearinghouse Number Letter
✓	Doc. Comments
✓	Fish & Game Comments
✓	Fish & Game Fees
✓	Most Recent Staff Report
✓	Maps/Pictures
	Notice of Decision
	Biological Studies
	Copy of Financial Assurances
✓	Notice of Determination
✓	Public Hearing Notice
✓	Notice of Availability
✓	Notice of Completion
	Notice of Responsibility
✓	Initial Study Checklist
	Authorization to Construct
	Notice of Non-Compliance
	Notice of Exemption

Attachment C

GLOBAL PUMICE, LLC
P.O. Box 174
Apple Valley, CA 92307
760-559-3280

September 9, 2025

Ms. Ryan Smith-Standridge
Associate Planner
Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, CA

SUBJECT: Response to Notice of Violation – Mine ID 91-14-0003 – Olancha Mine

Dear Ms. Standridge:

This letter constitutes our written response to your Notice of Violation letter dated August 13, 2025.

Pursuant to a Notice of Decision dated and filed August 5, 1998, the Notice expanded the Amended CUP 93-5/Amended Reclamation Plan 93-4, from 52 acres to 75 acres, a copy attached for your review.

The two Permit Violations noted in your letter stated (1) we are outside the approved mine boundary of 50.4 acres, and (2) we failed to maintain current reclamation at a rate of at least 2 acres per year.

The Amended CUP and Reclamation Plan noted above had been approved on August 5, 1998 to increase the approved mine site area to 75 acres. I would agree that we have or nearly have exceeded the boundary limitation of the 75 acres and need to file another Amendment to the CUP/Rec Plan to continue mining at the Olancha mine site. I have proposed the following action steps outlining our time frame to obtain the necessary amendments beyond the current approved 75 acres.

Action Required:

1. Within the next 30 days our intention is to have Mr. Joe Miller, civil engineer from Miller & Associates, Apple Valley, CA prepare a fly-over topo map to delineate the footprint for our mine expansion area. From this topo map, we will prepare the submittal applications to amend the current CUP and Reclamation Plan and file both applications together, within 30 days of receiving our engineered topo map. We will request an

expansion of up to 75 additional acres beyond our current boundary. Mr. Joe Miller will provide all engineering services related to the application requirements.

2. Regarding the failure to perform the 2-acre reclamation rate per year, we will pursue the completion of the required reclamation and reseeding, etc. on the previously disturbed 75 acres. Most of the grading for the reclamation has been completed with our mining activity, but we would request a coordinated approved plan with Inyo County Planning to determine the seeding schedule. We have requested a bid from the reseed group currently reseeding along Hwy 395 in Olancha and should have that bid quote within 3-5 days. We will keep you updated on this by next week.

3. We have been and continue to work with Mr. Tom Schaniel (Great Basin Unified Air Pollution Control District) to complete corrective actions submitted by Mr. Schaniel and to resolve the outstanding NOV items. I have *attached* some of the work completed and emails notes between Global Pumice and Mr. Schaniel as to our progress.

4. We would certainly request that Inyo County and Global Pumice enter into a workable Stipulation Agreement as soon as possible to set forth the mechanics and timeframe compliance schedule.

We look forward to working with Inyo County Planning to bring our Olancha mine site into complete compliance to continue our mining activities.

Sincerely,

Thomas Hrubik
President

Attachments: Notice of Decision – dated August 5, 1998
Great Basin correspondence

Attachment D

GLOBAL PUMICE, LLC
P.O. Box 174
Apple Valley, CA. 92307

August 6, 2026 **Delivery By Federal Expresss**

Ms. Ryan Smith-Standridge
Associate Planner / SMARA Coordinator
Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Re: Minor Amendment Applications – Amended Conditional Use Permit No. 93-5 and Minor Amendment to Reclamation Plan No. 93-4
Global Pumice, LLC – Industrial Mineral Operation

Dear Ms. Smith-Standridge:

Enclosed for filing are the Minor Amendment Application for Amended Conditional Use Permit No. 93-5 and the corresponding Minor Amendment Application to Reclamation Plan No. 93-4 for the Global Pumice, LLC Industrial Mineral Operation located near Olancha, California. I have also enclosed the required fees totaling $ 2,260.00, ($ 745.00 for Minor Amendment to a CUP, and $ 1,515.00 for Reclamation Plan Amendment without expansion, in the form of checks).

As we have discussed, Global Pumice, LLC has substantially completed the application package necessary to initiate the County's review process. Certain supplemental materials require additional time to obtain or prepare. Rather than delaying commencement of the County's review, the enclosed Stipulation Agreement establishes the schedule under which those supplemental materials will be submitted while allowing processing of the applications to proceed.

Global Pumice, LLC appreciates the professionalism, cooperation, and assistance extended by the Inyo County Planning Department throughout the preparation of these applications. We look forward to continuing to work cooperatively with County staff during the review process.

Thank you for your consideration.

Respectfully submitted,

GLOBAL PUMICE, LLC

By: _____

Thomas A. Hrubik
President

STIPULATION AGREEMENT

Regarding Submission of Supplemental Application Materials

Minor Amendment to Amended Conditional Use Permit No. 93-5
Minor Amendment to Reclamation Plan No. 93-4
Global Pumice, LLC – Industrial Mineral Operation
Olancha, Inyo County, California

This Stipulation Agreement ("Stipulation") is entered into by and between **Global Pumice, LLC** ("Applicant") and the **Inyo County Planning Department** ("County") regarding the Applicant's Minor Amendment Application for Amended Conditional Use Permit No. 93-5 and Minor Amendment to Reclamation Plan No. 93-4, submitted to the County on **August 6, 2026.**

RECITALS

WHEREAS, Applicant has submitted the above-referenced applications to initiate the County's review of the proposed Minor Amendments; and

WHEREAS, the parties acknowledge that the applications have been substantially completed and contain sufficient information to commence the County's review process, while certain supplemental materials remain to be obtained or prepared; and

WHEREAS, the parties desire to avoid unnecessary delay in processing the applications and agree that the remaining supplemental materials may be submitted in accordance with the schedule established by this Stipulation;

NOW, THEREFORE, the parties agree as follows:

1. Property Owner Authorization

Applicant shall obtain the required written authorization and signatures from the owner(s) of the subject property for the Minor Amendment Applications within approximately thirty (30) days following execution of this Stipulation.

2. Biological Resources Assessment and Air Quality / Fugitive Dust Evaluation

Applicant shall retain qualified consultants to prepare and submit the following technical studies:

- Biological Resources Assessment.
- Air Quality / Fugitive Dust Evaluation.

Applicant anticipates submitting these studies within approximately ninety (90) days following execution of this Stipulation, subject to consultant availability, field conditions, agency coordination, and other circumstances reasonably beyond Applicant's control.

3. Revisions to Maps

Should the County determine that revisions or supplemental mapping are necessary for either the Conditional Use Permit or Reclamation Plan applications, Applicant shall submit the requested revisions within approximately thirty (30) days following the County's request, unless otherwise mutually agreed.

4. Additional Information Requested by the County

Applicant agrees to provide any additional information, documents, or supporting materials reasonably requested by the County during its review of the applications within approximately sixty (60) days following such request, or within another mutually agreed period if additional time is reasonably necessary.

5. Processing of Applications

The County agrees that, upon execution of this Stipulation, the Minor Amendment Applications may continue through the normal review process while the supplemental materials identified herein are being prepared and submitted in accordance with the schedule established by this Stipulation.

For administrative purposes, the County acknowledges that the applications were submitted on **August 6, 2026**, and that the supplemental materials identified in this Stipulation shall become part of the administrative record upon their submission.

The parties acknowledge that this Stipulation is intended solely to facilitate the orderly processing of the applications while additional supporting information is being completed. Nothing contained herein shall constitute approval or denial of the applications, waive any applicable County review requirements, or limit the County's authority to request additional information reasonably necessary to complete its review.

Applicant agrees to diligently pursue completion of all supplemental materials identified herein, and the County agrees to continue processing the applications in good faith while those materials are being prepared and submitted in accordance with this Stipulation.

6. Good Faith Cooperation

The parties agree to continue working cooperatively and in good faith throughout the review process to complete the administrative record and facilitate timely consideration of the requested Minor Amendments.

7. Entire Agreement

This Stipulation constitutes the entire agreement between the parties concerning the submission of supplemental application materials for the above-referenced applications. Any amendment or modification to this Stipulation shall be effective only if made in writing and signed by both parties.

8. Effective Date

This Stipulation shall become effective upon execution by both parties and shall remain in effect until all supplemental materials identified herein have been submitted or until superseded by mutual written agreement.

IN WITNESS WHEREOF, the parties have executed this Stipulation Agreement as of the dates set forth below.

GLOBAL PUMICE, LLC

By: _____

Thomas A. Hrubik
President

Date: 8/6/2026

INYO COUNTY PLANNING DEPARTMENT

By: _____

Ryan Smith-Standridge
Associate Planner / SMARA Coordinator

Date: _____

Attachment D

Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

Planning Department Permit Application

Date: August 3, 2026	(Staff Use) Project #:

Applicant Name: GLOBAL PUMICE, LLC

Street Address: 19968 Bear Valley Rd, Suite B (PO Box 174)

City: Apple Valley State: CA Zip: 92307

Phone: 760-559-3280 Alternate Phone: 760-250-9332

e-mail: thrubik@globalpumice.com

Property Owner Name: Incerti & Ely Living Trust (50%) and Jennifer Romeyn (50%)

Street Address: 1006 Claremont Rd

City: Santa Barbara State: CA Zip: 93105

Phone: 805-886-1598 Alternate Phone:

e-mail: elykathleen03@gmail.com

Property Information Assessor's Parcel Number(s): 33-200-01

Address: Approx 2 miles south of the Community of Olancha, and 5 miles east of Cactus Flat Rd

Latitude: 36 degrees, 14 minutes Longitude: 117 degrees, 55 minutes

Section(s): Section 1 Township(s): 20S Range(s): 37E

Zoning: OS-40 (Open Space) General Plan Designation: Open Space- Natural Resources

Project Type (Check all that apply)

- [x] Conditional Use Permit
- [ ] Variance
- [ ] Zone Reclassification
- [ ] General Plan Amendment
- [ ] Specific Plan
- [ ] Development Agreement
- [ ] Renewable Energy Permit
- [ ] Renewable Energy Determination
- [ ] Tentative Tract Map
- [ ] Tentative Parcel Map
- [ ] Lot Line Adjustment
- [ ] Parcel Merger
- [ ] Certificate of Compliance
- [ ] Hosted Short-Term Rental
- [x] Mining Reclamation Plan
- [ ] Road Abandonment
- [ ] Design Review Committee
- [ ] Time Extension
- [ ] Telecom Plan or Amendment
- [ ] Mobile Home Waiver
- [x] Other Minor Amendment to Existing CUP/REC Plan

Applicant Name: GLOBAL PUMICE, LLC

Project Description Describe in detail Project Proposal(s). Be as specific as possible. Attach additional sheets as necessary.

The existing Amended CUP Permit 93-5 and Amended REC Plan Permit 93-5 were approved on July 22, 1998, to expand the mining footprint from the original permitted 52 acres to 75 acres. The mine life was to expire after 10 years. Global Pumice purchased the mining operation in October 2013 and continues to operate within the amended and approved 75 acre footprint to this date. Global Pumice desires to continue mining within the existing approved 75 acre footprint for an additional 7 years, however, to re-purpose and utilize the previous designated "waste pumice fines" as approved pumice products for future sales. This Minor Amendment will not expand the existing mining footprint and all mining activities under this Minor Amendment will stay within the approved existing mining boundaries.

Global Pumice is required to meet the reclamation requirements under the existing CUP/ REC plan totaling approximately 54 acres of disturbed mining area which is addressed in this new minor amendment request to bring this reclamation requirement into compliance.

PLEASE SEE THE ATTACHED NARRATIVE PREPARED BY GLOBAL PUMICE TO DISCUSS IN GREATER DETAIL THE REQUEST FOR THE NEW MINOR AMENDMENT TO THE EXISTING CUP/REC PLANS, ITS PURPOSE, GOALS AND RECLAMATION REQUIREMENTS

Project Goals Describe the goals and project benefits (i.e. jobs, housing, services created and revenues generated for the community, etc. Attach additional sheets as necessary.

PLEASE SEE THE ATTACHED NARRATIVE PREPARED BY GLOBAL PUMICE TO DISCUSS IN GREATER DETAIL THE REQUEST FOR THE NEW MINOR AMENDMENT TO THE EXISTING CUP/REC PLANS, ITS PURPOSE, GOALS AND RECLAMATION REQUIREMENTS

Applicant Name: GLOBAL PUMICE, LLC

Submission Requirements

Submittal guidance documents are available on our website for most types of Inyo County Planning permits. Common requirements include but are not limited to this application including the initial deposit, a site plan, and proof of ownership. Projects that have potential impacts to the environment require review under the California Environmental Quality Act (CEQA), and are likely to require additional information from the applicant and/or professionally prepared resource reports.

Property Owner Consent

I certify that I am the owner of the property at the project site, or am the trustee for a trust that owns the property, or an authorized officer for a legal entity that owns the property and that I consent to the submission of this application.

Name: Kathleen Ely Date:

Title: Owner Signature*:

Applicant Certification

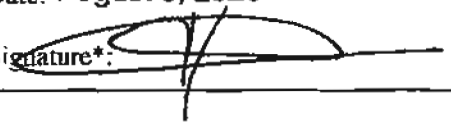
I hereby attest that the information contained in this application and any attachments is correct to the best of my knowledge.

Note that if the applicant is other than the property owner, the applicant must be named as an Authorized Agent on the Consent of Property Owner and Designation of Authorized Agent form that is included with the Inyo County Planning Department Permit Application.

Name: Thomas A. Hrubik License #

Company: Global Pumice, LLC Date: August 3, 2026

Title: President Signature*:



* By signing this application the applicant/property owner agrees to defend, indemnify, and hold the County harmless from any claim, action, or proceeding arising from this application or brought to attack, set aside, void or annul the County's approval of this application, and any environmental review associated with the proposed project.

General Information

Applicant Name: GLOBAL PUMICE, LLC

Property Owner Name: Incerti & Ely Living Trust (50%) and Jennifer Romeyn (50%)

Address: Approx 2 miles south of the Community of Olancha, and 5 miles east of Cactus Flat Rd

APN: 33-200-01

Project Description

Property Size: 75 acres

Existing Buildings & Structures: None
(including Square Footage & number of Floors)

Proposed Buildings & Structures: None
(including Square Footage & number of Floors)

Existing Yard Setbacks: N/A
(Front, Side, and Rear)

Distance between Structures: N/A

Parking: On Site for approximately 5-6 employees

Project Schedule: Monday-Friday - up to 10 hours per day (generally 40 hr workweek)

Project Phasing: Only as described in attached NARRATIVE for reclamation phasing

Provide a detailed description of the project (attach additional sheets as necessary):

- For Residential Projects, Describe, including number of units, size of units, anticipated sale prices or rental rates and type of household size anticipated.
- For Commercial Projects, Describe, including type of operation, square footage of sales area and loading facilities.
- For Industrial Projects, Describe, including type of operation, estimated employment per shift and number of shifts, loading facilities, truck traffic, and hazardous materials used onsite.
- For Institutional Projects, Describe, including services provided, estimated employment per shift, estimated occupancy and community benefits of project.

Applicant Name: GLOBAL PUMICE, LLC

Project Checklist

		Yes	No
1.	Change in existing features of any bays, tidelands, beaches, or hills or substantial alteration of ground contours.	☐	☑
2.	Change in scenic views, or vistas from existing residential areas, public lands or roads.	☐	☑
3.	Change in pattern, scale or character of general area of project.	☐	☑
4.	Significant amounts of solid waste or litter.	☐	☑
5.	Change in dust, ash, smoke, fumes or odors in vicinity	☐	☑
6.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration	☐	☑
7.	Of existing drainage patterns	☐	☑
8.	Substantial change in existing noise or vibration levels in the vicinity	☐	☑
9.	Site on filled land or on slope of 10 percent or more	☐	☑
10.	Use of disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.	☐	☑
11.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.)	☐	☑
12.	Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.)	☐	☑
13.	Known threatened or endangered species (animal or plant) on or near site.	☐	☑
14.	Known historical, archaeological, or cultural resource on or near site.	☐	☑
15.	Project is related to a larger project or a series of projects.	☐	☑

For all items checked **Yes**, please include a written discussion/explanation below (attach additional sheets as necessary).

Applicant Name: GLOBAL PUMICE, LLC

Environmental Setting

Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site, as needed. Attach additional sheets as necessary.

PLEASE SEE THE ATTACHED NARRATIVE PREPARED BY GLOBAL PUMICE TO DISCUSS IN GREATER DETAIL THE REQUEST FOR THE NEW MINOR AMENDMENT TO THE EXISTING CUP/REC PLANS, ITS PURPOSE, GOALS AND RECLAMATION REQUIREMENTS

Describe the surrounding properties, including information on plant and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback rear yard, etc.). Attach photographs of the vicinity, as needed. Attach additional sheets as necessary.

PLEASE SEE THE ATTACHED NARRATIVE PREPARED BY GLOBAL PUMICE TO DISCUSS IN GREATER DETAIL THE REQUEST FOR THE NEW MINOR AMENDMENT TO THE EXISTING CUP/REC PLANS, ITS PURPOSE, GOALS AND RECLAMATION REQUIREMENTS

Certification

I hereby attest that the information contained in this Environmental Information Worksheet and any attachments is correct to the best of my knowledge.

Note that if the signatory of this worksheet is other than the property owner, the signatory must be named as an Authorized Agent on the Consent of Property Owner and Designation of Authorized Agent form that is included with the Inyo County Planning Department Permit Application.

Name: Thomas A.Hrubik

License #

Company: Global Pumice, LLC

Date: August 3, 2026

Title: President

Signature:

Attachment D

Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

Consent of Property Owner and Designation of Authorized Agent

Date: August 3, 2026	(Staff Use) Project #:

General Information

Property Owner Name: Incerti & Ely Living Trust (50%) and Jennifer Romeyn (50%)

Applicant/Authorized Agent Name: GLOBAL PUMICE, LLC

Project Address: Approx 2 miles south of the Community of Olancha, and 5 miles east of Cactus Flat Rd

APN: 33-200-01 Permit Type: Minor Amendment to existing CUP/REC Plan

Consent I (we) the undersigned owner of record of the fee interest in the parcel of land identified by the address and Assessor Parcel Number(s) noted above, for which a land use permit, land division, general plan or ordinance amendment, or LAFCO application referral is being filed with the Inyo County Planning Department requesting an approval for the permit type listed above, do hereby certify that:

1. Such Application may be filed and processed with my (our) full consent.
2. I (we) hereby grant consent to Inyo County, its officers, agents, employees, independent contractors, consultants, sub-consultants and their officers, agents, and employees to enter the property identified above to conduct any and all surveys and inspections that are considered appropriate by the inspecting person or entity to process this application. This consent also extends to governmental entities other than the County, their officers, agencies, employees, independent contractors, consultants, sub-consultants, and their agents or employees if the other governmental entities are providing review, inspections and surveys to assist the County in processing this application. This consent will expire upon completion of the project.
3. If prior notice is required for entry to survey or inspect the property, please contact:

   Name: Kathleen Ely

   Address: 1006 Claremont Rd

   Telephone #: 805-886-1598 e-mail: elykathleen03@gmail.com
4. I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property:
   N/A

Authorization I (we) the undersigned owner of record of the fee interest in the parcel of land located at the address noted above and identified by the Assessor Parcel Number(s) noted above have authorized the person noted above as "Applicant/Authorized Agent" to act as my (our) agent in all contacts with Inyo County and to sign for all necessary permits in connection with this matter. *If the Applicant/Authorized Agent field above and the signature below are left blank it is assumed that the Property Owner will be acting as his own Agent, and no one will be acting on his behalf.*

Signatures

X _____ _____

Signature of Property Owner Date Signature of Authorized Agent Date

Rev. 7/2021

Attachment D

Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

Notification of Proximate Property Owners

Applicant Name: GLOBAL PUMICE, LLC

Date: August 3, 2026 | (Staff Use) Project #:

The following applications require the provision of public hearing notices to surrounding property owners within 300 feet of the boundary of the project property. Please check all that apply to this project.

- [x] Conditional Use Permit
- [ ] Variance
- [ ] Zone Reclassification
- [ ] General Plan Amendment
- [ ] Development Agreement
- [ ] Hosted Short-Term Rental
- [ ] Tentative Tract Map
- [ ] Tentative Parcel Map
- [ ] Certificate of Compliance
- [ ] Specific Plan
- [ ] Renewable Energy Determination
- [x] Mining Reclamation Plan
- [ ] Road Abandonment
- [ ] Telecom Plan or Amendment
- [ ] Renewable Energy Permit
- [ ] Mobile Home Waiver

The following applications require the provision of public hearing notices to surrounding property owners within 1,500 feet of the boundary of the project property. Please check if this applies to this project.

- [ ] Commercial Cannabis Conditional Use Permit for cultivation, retail, distribution, testing, manufacturing or microbusiness.

A list of of all applicable proximate property owners must be obtained from the latest Assessor's tax roll. Planning Department staff will act on your behalf to obtain the addresses and mail the appropriate notifications. Staff time and expenses (stamps, etc.) will be billed against your account.

- [ ] Check this box if you would like to elect to obtain the addresses of all applicable proximate property owners. To obtain the appropriate list please contact the Inyo County Assessor's office, and pay their associated fees. Then provide the Planning Department with addressed and stamped envelopes and the following information to demonstrate that you have properly obtained the addresses:
  - The County assessor map(s) or GIS maps covering your project site with the 300' or 1,500' surrounding area outlined, as obtained from the latest Assessor's tax roll.
  - The list of Assessor Parcel Numbers, property owners, and addresses for all properties within 300' or 1,500', as applicable, as obtained from the latest Assessor's tax roll.
  - Letter sized envelopes with first class postage affixed and addressed to each owner.
  - This form signed and dated at the bottom.

I bereby certify that the attached information contains all of the assessor parcel numbers from the latest Assessor's tax roll under preparation of all the properties with the area described on the attached maps and within a distance of three hundred (300) feet or one thousand five hundred (1,500) feet, as applicable, from all exterior boundaries of the project property.

I certify under penalty of perjury that the foregoing is true and correct.

Signature of Applicant — Date: 8/3/26

Rev. 7/2021

Attachment D

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168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

Processing Fee Agreement

Date: August 3, 2026	(Staff Use) Project #:

General Information

Applicant Name: GLOBAL PUMICE, LLC

Property Owner Name: Incerti & Ely Living Trust (50%) and Jennifer Romeyn (50%)

Project Address: Approx 2 miles south of the Community of Olancha, and 5 miles east of Cactus Flat Rd

APN: 33-200-01 Permit Type: Minor Amendment to existing CUP/REC Plan

Party Responsible for Payment of Fees (check): ☑ Applicant ☐ Property Owner

Basis of Fees

By County ordinance, Planning Department Processing Fees recover the costs of processing applications. These costs include personnel and overhead costs, as well as the cost of materials necessary to process the application. The deposit you pay is an estimate of the cost of processing the application and may not cover the entire cost for which you will ultimately be responsible.

Your initial deposit amount of $ 2,260.00 (see attached) will be applied toward processing your application(s). Interest does not accrue on this deposit. Monthly withdrawals against this deposit will be made based on the costs incurred in processing your application(s). Statements will be sent to you each month documenting the draws against your deposit. If the deposit reaches a balance of $400.00 or less you will be asked to make a subsequent deposit. You will be expected to deposit these additional fees within 30 days of a request for additional funds. If there is a balance remaining after reconciling the final bill, a refund check will be mailed to you within 45 days of the final closure of the project.

In order to implement the cost recovery provisions, please sign this statement indicating your agreement to the cost recovery procedure. This signed agreement is required for you application(s) to be accepted for processing. If you have questions regarding your application(s), or the billing status of your application(s), contact the **Inyo County Planning Department** at **(760) 878-0263**, and provide your project name and/or project number.

Agreement

I, the undersigned, agree to pay the Inyo County Planning Department Processing Fee, which consists of the costs, as described above, incurred by Inyo County in processing this application. Such payment will be made to the Inyo County Planning Department, P.O. Drawer L, Independence, CA 93526. I understand and agree that processing of my application will be suspended pending receipt by the Planning Department of all requested deposits. In the event of default of my obligations, I agree to pay all costs and expenses incurred by Inyo County in securing performance of this obligation, including the cost of reasonable attorneys' fees.

Signature

Thomas A. Hrubik		8/3/26
Name of Responsible Party	Signature of Responsible Party	Date

Rev. 7/2021

Attachment D

Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

Surface Mining Reclamation Plan Application

Date: August 3, 2026	(Staff Use) RP #:

Project Mine Name: GLOBAL PUMICE, LLC

The existing Amended CUP Permit 93-5 and Amended REC Plan Permit 93-5 were approved on July 22, 1998, to expand the mining footprint from the original permitted 52 acres to 75 acres. The mine life was to expire after 10 years. Global Pumice purchased the mining operation in October 2013 and continues to operate within the amended and approved 75 acre footprint to this date. Global Pumice desires to continue mining within the existing approved 75 acre footprint for an additional 7 years, however, to re-purpose and utilize the previous designated "waste pumice fines" as approved pumice products for future sales. This Minor Amendment will not expand the existing mining footprint and all mining activities under this Minor Amendment will stay within the approved existing mining boundaries.

Global Pumice is required to meet the reclamation requirements under the existing CUP/REC plan totaling approximately 54 acres of disturbed mining area which is addressed in this new minor amendment request to bring this reclamation requirement into compliance.

PLEASE SEE THE ATTACHED NARRATIVE PREPARED BY GLOBAL PUMICE TO DISCUSS IN GREATER DETAIL THE REQUEST FOR THE NEW MINOR AMENDMENT TO THE EXISTING CUP/REC PLANS, ITS PURPOSE, GOALS AND RECLAMATION REQUIREMENTS

Applicant Name: GLOBAL PUMICE, LLC
Street Address: 19968 Bear Valley Rd, Suite B
City: Apple Valley State: CA Zip: 92307
Phone: 760-559-3280 Alternate Phone: 760-250-9332
e-mail: thrubik@globalpumice.com

Landowner Name: Incerti & Ely Living Trust (50%) and Jennifer Romeyn (50%)
Street Address: 1006 Claremont Rd
City: Santa Barbara State: CA Zip: 92307
Phone: 805-886-1598 Alternate Phone:
e-mail: elykathleen03@gmail.com

Operator Name: Global Pumice, LLC
Street Address: 19968 Bear Valley Rd., Suite B
City: Apple Valley State: CA Zip: 92307
Phone: 760-559-3280 Alternate Phone: 760-250-9332
e-mail: thrubik@globalpumice.com

Surface Mining Reclamation Plan Application

Mine Name: Global Pumice, LLC

Application Type

☐ New Reclamation Plan Application

☑ Amendment to Existing Reclamation Plan

Previous Reclamation Plan #('s): **93-4**

Previous Conditional Use Permit #('s): **93-5**

Additional Permits Required, process to obtain may occur concurrently
Projects on Private Land Require a Conditional Use Permit from the County.
Projects on Public Land Require a Plan of Operation approved by the Landholder (BLM or USFS)

Location of Mine

☑ The Mine is on Private Property (Patented Land)

☐ The Mine is on Public Land

Landowner: ☐ BLM ☐ USFS ☐ LADWP

Nearest Community to Mine: Olancha, CA

Assessor's Parcel Number: 33-200-01

Section(s): Section 1 Township(s): 20S Range(s): 37E

Latitude: 36 degrees, 14 minutes Longitude: 117 degrees, 55 minutes

Mine Information

Type of Mine: ☑ Open Pit ☐ Subsurface Mine ☐ Exploration ☐ Milling/Processing ☐ Other

Minerals to be mined: pumice

Annual Production: Ore: 100,000 TN Waste: Total: 100,000

Estimated Life of Mine: 7 years

Mine is Operated: ☑ Continuously ☐ Intermittently ☐ Seasonally

Mine Operation is: ☐ New Site ☑ In Operation ☐ Inactive/Abandoned:

Maximum Yearly Production:: 100,000 Waste: Ore: 100,000

Estimated Number of employees: 5 to 7

Shifts per day:: 1 - 8-10 hrs/day

Highest Elevation: 4,580 feet Overall Slope Angle: 5 degrees Road width: 20 ft bermed

Maximum depth: 60 feet Maximum Slope Angle: 75 Road Length: .5 mile

Maximum Length: 2,460 feet Maximum width: 1900 ft Road Grade: 1-3 %

Bench Height: 30 feet Bench Width: 20 feet

Reclamation

Describe End Use of Mine Site: Open Space

Maximum Slopes upon Reclamation: 3:1

Revegetation Density Percentage Required: Species Diversity Percentage:

Attachment D

Reclamation Plan Content Checklist

The Division of Mine Reclamation (DMR) reviews reclamation plans for compliance and completeness pursuant to Public Resources Code (PRC) Section 2772.1(b)(1). When submitting a reclamation plan to DMR, the lead agency must certify that the reclamation plan is a complete submission and is in compliance with SMARA and associated regulations and the lead agency's mining ordinance pursuant to PRC 2772.1(a)(3)(A-E). Additionally, pursuant to PRC 2772.1(a)(2), information prepared as part of a permit application or environmental document (pursuant to CEQA) shall be incorporated into the reclamation plan if it is used to satisfy the requirements of SMARA and associated regulations. These items shall be properly indexed in a Required Contents Chart and included in an appendix to the reclamation plan.

This checklist may assist operators and lead agencies when preparing and reviewing draft proposed reclamation plans and reclamation plan amendments in determining if they meet the minimum content requirements of the Surface Mining and Reclamation Act of 1975 (SMARA) and associated regulations (see box below for sections relevant to reclamation plans).

Surface Mining and Reclamation Act of 1975
Public Resources Code (PRC)
Division 2. Geology, Mines and Mining
Chapter 9. Surface Mining and Reclamation Act of 1975
Section 2710 et seq.

This portion includes requirements for reclamation plans.

Associated Regulations
California Code of Regulations (CCR)
Title 14. Natural Resources
Division 2. Department of Conservation
Chapter 8. Mining and Geology
Subchapter 1. State Mining and Geology Board

Article 1. Surface Mining and Reclamation Practice. Commencing with Section 3500

This portion includes minimum acceptable mining and reclamation practices for surface mining operations.

Article 9. Reclamation Standards. Commencing with Section 3700

This portion includes performance standards, which may apply to surface mining operations pursuant to CCR Section 3700.

The checklist is divided into seven topical areas: General Considerations, Geology and Geotechnical, Hydrology and Water Quality, Sensitive Species and Habitat, Topsoil, Revegetation, and Agriculture. To use the checklist, place a checkmark next to items that have been addressed by the reclamation plan or leave it blank if the reclamation plan is deficient. Alternatively, write N/A if the item is not applicable to the specific surface mining operation being reviewed.

Disclaimer: This checklist, prepared by DMR, paraphrases portions of SMARA and associated regulations that address the content of reclamation plans and plan amendments. DMR staff uses this checklist internally in performing our review of reclamation plans. However, use of this checklist is not required and it is provided only as a helpful tool. DMR always recommends consulting the full text of SMARA and associated regulations, available at the link below. Additionally, completion of this checklist does not guarantee completeness or compliance of the reclamation plan pursuant to PRC Section 2772.1(b)(1). Analysis of completeness and compliance requires thorough review of each specific project.

http://www.conservation.ca.gov/index/Pages/lawsregs.aspx

Mine Name:	Checklist Completed by:
End Use:	Date:

GENERAL CONSIDERATIONS

Authority	Requirements/Practices/Standards	✓ or N/A
PRC 2772(b)	Required contents chart: A chart identifying the location (e.g. page number, chapter, appendix, or other location in the reclamation plan) of content that meets the requirements of PRC Sections 2772, 2773, 2773.3 and CCR Articles 1 and 9 (as delineated in this checklist).	
PRC 2772(c)(1)	Contact information: Name and address of the surface mining operator and any person designated by the operator as an agent for service of process (must reside in CA).	
PRC 2772(c)(2)	Material quantity and type: The anticipated total quantity and type of minerals to be mined (see Annual Report Instructions, Exhibit B, for mineral types and units of measure).	
PRC 2772(c)(3)	Dates: The initiation and termination dates of mining (be as specific as possible, e.g. December 31, 2030).	
PRC 2772(c)(4)	Depth of mining: The maximum anticipated depth of the surface mining operation.	
PRC 2772(c)(5) (A-F)	Reclamation plan maps shall include: Size and legal description of lands affected by surface mining operations; Names and addresses of owners of all surface interests and mineral interests; Property lines, setbacks, and the reclamation plan boundary; Existing and final topography with contour lines at appropriate intervals; Detailed geologic description of the area of the surface mining operation; Locations of railroads, utility features, and roads (access roads, temporary roads to be reclaimed, and any roads remaining for the end use). All maps, diagrams, or calculations that are required to be prepared by a California-licensed professional shall include the preparer's name, license number, signature & seal.	
PRC 2772(c)(6)	Mining method and schedule: A description of the mining methods and a time schedule that provides for completion of mining on each segment so that reclamation can be concurrent or phased.	
PRC 2772(c)(7)	Subsequent use(s): A description of the proposed subsequent use(s) after reclamation Evidence that all landowners have been notified of the proposed use.	
PRC 2772(c)(9)	Impact on future mining: A statement regarding the impact of reclamation on future mining on the site.	
PRC 2772(c)(10)	Signed statement: Statement signed by the operator accepting responsibility for reclamation of the mined lands per the reclamation plan.	
PRC 2776(b-c)	Pre-SMARA areas: Reclamation plans shall apply to operations conducted after January 1, 1976 or to be conducted in the future. Mined lands disturbed prior to January 1, 1976 *and not disturbed after that date* may be excluded from the reclamation plan.	
CCR 3502(b)(2)	Public health and safety: A description of how any potential public health and safety concerns that may arise due to exposure of the public to the site will be addressed.	
CCR 3709(a)	Equipment storage and waste disposal: Designate areas for equipment storage and show on maps. All waste shall be disposed of in accordance with state and local health and safety ordinances.	
CCR 3709(b)	Structures and equipment removed:	

	Structures and equipment should be dismantled and removed at closure, except as demonstrated to be necessary for the proposed end use.
CCR 3713(a)	Well closures: Drill holes, water wells, monitoring wells will be completed or abandoned in accordance with laws, unless demonstrated necessary for the proposed end use.
CCR 3713(b)	Underground openings: Any portals, shafts, tunnels, or openings will be gated or protected from public entry, and to preserve access for wildlife (e.g. bats).

GEOLOGY AND GEOTECHNICAL

Authority	Requirements/Practices/Standards	✓ or N/A
PRC 2772(c)(5)	A description of the general geology of the area A detailed description of the geology of the mine site.	
PRC 2773.3	If a metallic mine is located on, or within one mile of, any "Native American sacred site" and is located in an "area of special concern, " the reclamation plan shall require that all excavations and/or excess materials be backfilled and graded to achieve the approximate original contours of the mined lands prior to mining.	
CCR 3502(b)(4)	The source and disposition of fill materials used for backfilling or grading shall be considered in the reclamation plan.	
CCR 3502(b)(3)	The designed steepness and treatment of final slopes must consider the physical properties of slope materials, maximum water content, and landscaping. The reclamation plan shall specify slope angles flatter than the critical gradient for the type of slope materials. When final slopes approach the critical gradient, a Slope Stability Analysis will be required.	
CCR 3704.1	Backfilling required for surface mining operations for metallic minerals.	
CCR 3704(a)	For urban use, fill shall be compacted in accordance with Uniform Building Code, local grading ordinance, or other methods approved by the lead agency.	
CCR 3704(b)	For resource conservation, compact to the standards required for that end use.	
CCR 3704(d)	Final reclamation fill slopes shall not exceed 2:1 (H:V), except when allowed by site-specific engineering analysis, and the proposed final slope can be successfully revegetated. See also Section 3502(b)(3).	
CCR 3704(e)	At closure, all fill slopes shall conform with the surrounding topography or approved end use.	
CCR 3704(f)	Final cut slopes must have a minimum slope stability factor of safety that is suitable for the end use and conforms with the surrounding topography or end use.	

HYDROLOGY AND WATER QUALITY

Authority	Requirements/Practices/Standards	✓ or N/A
PRC 2770.5	For operations within the 100-year flood plain (defined by FEMA) and within one mile up- or downstream of a state highway bridge, Caltrans must be notified and provided a 45-day review period by the lead agency.	
PRC 2772(c)(8)(A)	Description of the manner in which contaminants will be controlled and mine waste will be disposed.	
PRC 2772(c)(8)(B)	The reclamation plan shall include a description of the manner in which stream banks/beds will be rehabilitated to minimize erosion and sedimentation.	
PRC 2773(a)	The reclamation plan shall establish site-specific sediment and erosion control criteria for monitoring compliance with the reclamation plan.	
CCR 3502(b)(6)	Temporary stream and watershed diversions shall be detailed in the reclamation plan.	
CCR 3503(a)(2)	Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.	

CCR 3503(b)(2)	Operations shall be conducted to substantially prevent siltation of groundwater recharge areas.
CCR 3503(a)(3)	Erosion control facilities shall be constructed and maintained where necessary to control erosion.
CCR 3503(b)(1)	Settling ponds shall be constructed where they will provide a significant benefit to water quality.
CCR 3503(d)	Disposal of mine waste and overburden shall be stable and shall not restrict natural drainage without suitable provisions for diversion.
CCR 3503(e)	Grading and revegetation shall be designed to minimize erosion and convey surface runoff to natural drainage courses or interior basins. Spillway protection shall be designed to prevent erosion.
CCR 3706(a)	Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water.
CCR 3706(b)	Water quality, recharge potential, and groundwater storage that is accessed by others shall not be diminished.
CCR 3706(c)	Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of surface mining operations to minimize siltation of lakes and water courses as per RWQCB/SWRCB.
CCR 3706(d)	Surface runoff and drainage shall be controlled to protect surrounding land and water resources. Erosion control methods shall be designed for not less than 20 year/1 hour intensity storm event.
CCR 3706(e)	Impacted drainages shall not cause increased erosion or sedimentation. Mitigation alternatives shall be proposed in the reclamation plan.
CCR 3706(f)(1)	Stream diversions shall be constructed in accordance with the Lake and Streambed Alteration Agreement (LSAA) between the operator and the Department of Fish and Wildlife.
CCR 3706(f)(2)	Stream diversions shall also be constructed in accordance with Federal Clean Water Act and the Rivers and Harbors Act of 1899.
CCR 3706(g)	All temporary stream diversions shall eventually be removed and the affected land reclaimed.
CCR 3710(a)	Surface and groundwater shall be protected from siltation and pollutants in accordance with the Porter-Cologne Act, the Federal Clean Water Act, and RWQCB/SWRCB requirements.
CCR 3710(b)	In-stream mining shall be conducted in accordance with Section 1600 et seq. of the California Fish and Game Code, Section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act of 1899.
CCR 3710(c)	In-stream mining shall be regulated to prevent impacts to structures, habitats, riparian vegetation, groundwater levels, and banks. In-stream channel elevations and bank erosion shall be evaluated annually using extraction quantities, cross-sections, and aerial photos.
CCR 3712	Mine waste and tailings and mine waste disposal units are governed by SWRCB waste disposal regulations and shall be reclaimed in accordance with this article: CCR Article 1. Surface Mining and Reclamation Practice. Section 3500 et seq.

SENSITIVE SPECIES AND HABITAT

Authority	Requirements/Practices/Standards	✓ or N/A
CCR 3502(b)(1)	A description of the environmental setting (identify sensitive species, wildlife habitat, sensitive natural communities, e.g. wetlands). Impacts of reclamation on surrounding land uses.	
CCR 3503(c)	Fish and wildlife habitat shall be protected by all reasonable measures.	
CCR 3703(a)	Sensitive species shall be conserved or mitigated as prescribed by the federal and California Endangered Species Acts.	
CCR 3703(b)	Wildlife habitat shall be established on disturbed land at least as good as pre-project, unless end use precludes its use as wildlife habitat.	
CCR 3703(c)	Wetlands shall be avoided or mitigated at 1:1 minimum for both acreage and habitat value.	
CCR 3704(g)	Piles or dumps shall not be placed in wetlands without mitigation.	
CCR 3710(d)	In-stream mining shall not cause fish to be trapped in pools or off-channel pits, or restrict migratory or spawning activities.	

Attachment D

TOPSOIL

Authority	Requirements/Practices/Standards	✓ or N/A
CCR 3503(a)(1)	Removal of vegetation and overburden preceding mining shall be kept to a minimum.	
CCR 3503(f)	When the reclamation plan calls for resoiling, mine waste shall be leveled and covered with a layer of finer material. A soil layer shall then be placed on this prepared surface. The use of soil conditioners, mulches, or imported topsoil shall be considered where such measures appear necessary.	
CCR 3704(c)	Mine waste shall be stockpiled to facilitate phased reclamation and kept separate from topsoil or other growth media.	
CCR 3705(e)	If soil is altered or other than native topsoil, soil analysis is required. Add fertilizers or soil amendments if necessary.	
CCR 3711(a)	All salvageable topsoil shall be removed as a separate layer. Topsoil and vegetation removal should not precede mining by more than one year.	
CCR 3711(b)	Topsoil resources shall be mapped prior to stripping and location of topsoil stockpiles shown on map included in the reclamation plan. Topsoil and other growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation purposes.	
CCR 3711(c)	Soil salvage operations and phases of reclamation shall be set forth in the reclamation plan to minimize the area disturbed and to achieve maximum revegetation success.	
CCR 3711(d)	Topsoil and growth media shall be used to phase reclamation as soon as can be accommodated following the mining of an area. Topsoil stockpiles shall not be disturbed until needed for reclamation. Topsoil stockpiles shall be clearly identified. Topsoil shall be planted with vegetation or otherwise protected to prevent erosion and discourage weeds.	
CCR 3711(e)	Topsoil shall be redistributed in a manner resulting in a stable, uniform thickness consistent with the end use	

REVEGETATION

Authority	Requirements/Practices/Standards	✓ or N/A
PRC 2773(a)	The reclamation plan shall be specific to the property and shall establish site-specific criteria for evaluating compliance with the reclamation plan with respect to revegetation.	
CCR 3503(g)	Available research regarding revegetation methods and selection of species given the topography, resoiling characteristics, and climate of the mined areas shall be used.	
CCR 3705(a)	Baseline studies shall be conducted prior to mining activities to document vegetative cover, density, and species richness. Vegetative cover shall be similar to surrounding habitats and self-sustaining.	
CCR 3705(b)	Test plots shall be conducted simultaneously with mining to ensure successful implementation of the proposed revegetation plan.	
CCR 3705(c)	Decompaction methods, such as ripping and disking, shall be used in areas to be revegetated to establish a suitable root zone for planting.	
CCR 3705(d)	Roads shall be stripped of roadbase materials, resoiled, and revegetated, unless exempted.	
CCR 3705(f)	Temporary access shall not disrupt the soil surface on arid lands except where necessary for safe access. Barriers shall be installed to keep unauthorized vehicles out.	
CCR 3705(g)	Use local native plant species (unless non-native species meet the end use). Areas to be developed for industrial, commercial, or residential shall be revegetated for the interim period to control erosion.	
CCR 3705(h)	Planting shall be conducted during the most favorable period of the year for plant establishment.	
CCR 3705(i)	Use soil stabilizing practices and irrigation when necessary to establish vegetation.	

CCR 3705(j)	If irrigation is used, demonstrate that revegetation has been self-sustaining without irrigation for two years prior to the release of financial assurance.
CCR 3705(k)	Noxious weeds shall be monitored and managed.
CCR 3705(l)	Plant protection measures such as fencing and caging shall be used where needed for revegetation success. Protection measures shall be maintained until revegetation efforts are successfully completed and the lead agency authorizes removal.
CCR3705(m)	Quantitative success standards for vegetative cover, density, and species richness shall be included in the reclamation plan. Monitoring to occur until success standards have been achieved. Sampling techniques for measuring success shall be specified. Sample size must be sufficient to provide at least an 80 percent statistical confidence level.

AGRICULTURE

Authority	Requirements/Practices/Standards	✓ or N/A
CCR 3707(a)	Where the end use will be agriculture, prime agricultural land shall be returned to a fertility level specified in the reclamation plan.	
CCR 3707(b)	Segregate and replace topsoil in proper sequence by horizon in prime agricultural soils.	
CCR 3707(c)	Post reclamation productivity rates for prime agricultural land must be equal to pre-project condition or to a similar site for two consecutive years. Productivity rates shall be specified in the reclamation plan.	
CCR 3707(d)	If fertilizers and amendments are applied, they shall not cause contamination of surface or groundwater.	
CCR 3708	For sites where the end use is to be agricultural, non-prime agricultural land must be reclaimed to be capable of sustaining economically viable crops common to the area.	

Surface Mining Reclamation Plan Application

Mine Name: Global Pumice, LLC

Other Permits

Mine Permits often require approvals from other agencies. Listed are some of the most common agencies that may require their own permitting. Please contact these agencies if you think there is a remote possibility that some sort of approval or permit will be required from them. Check all agencies that will be issuing a permit for this mining project.

- [x] Great Basin Unified Air Pollution Control District
- [ ] California Occupational Safety & Health Admin
- [ ] California Department of Fish and Wildlife
- [ ] Inyo County Building and Safety Department
- [ ] Inyo County Environmental Health Department
- [ ] Mining Safety and Health Administration
- [ ] Lahontan Regional Water Control Board
- [ ] U.S. Forest Service
- [ ] Bureau of Land Management
- [ ] Inyo County Road Department
- [ ] Other

Reclamation Plan

Per Public Resource Code 2772.1(a)(l), a Reclamation Plan needs to be submitted with this application. Attached to this application is a checklist provided by the State of California, Department of Conservation, Division of Mine Reclamation. For this application to be deemed complete and processed by the Inyo County Planning Department all applicable items on this checklist must be addressed in the Reclamation Plan.

Please provide 2 stapled or bound copies of the Reclamation Plan, 5 copies of any accompanying plans or maps, and a PDF formatted digital copy of the Reclamation Plan and any plans or maps.

Note that per Section 2772(F) of the California Public Resources Code: "All maps, diagrams, or calculations that require preparation in accordance with the Professional Engineers act, The Geologist and Geophysicist Act or the Professional Land Surveyor's Act shall be prepared by a California-licensed professional, shall include his or her license number and name and shall bear the signature and seal of the licensee."

Financial Assurance Cost Estimate (FACE)

Per Public Resource Code 2773.4(a), a Financial Assurance Cost Estimate (FACE) needs to be submitted with this application. Attached to this application is the prescribed form for the FACE prepared by the State of California, Department of Conservation, Division of Mine Reclamation, as well as the instructions for the FACE. The FACE should be a forward looking document, estimating the maximum amount of disturbance 12 months from the commencement of operations. FACE's for amendments to existing Reclamation Plans need to include all areas already disturbed in addition to areas projected to be disturbed within 12 months of the approval of the amended Reclamation Plan.

Financial Assurance Mechanism (FAM)

Per Public Resource Code 2773.4(e)(l), a Financial Assurance Mechanism (FAM) needs to be submitted (or an existing FAM amended and submitted) to Inyo County upon approval of the Reclamation Plan and the FACE and prior to commencement of any mining operations. For non-governmental entity operators the FAM shall be a surety bond, an irrevocable letter of credit, or a trust fund (typically in the form of a certificate of deposit). For governmental entity operators the FAM shall be any of the above, plus pledges of revenue and budget set asides. Beneficiaries of the FAM should be Inyo County, as Lead Agency, the State of California, Department of Conservation, and, if public land, the landowner (BLM or USFS).

Attachment D

Surface Mining Reclamation Plan Application

Mine Name: Global Pumice, LLC

California Environmental Quality Act (CEQA)

Reclamation Plan approval is a discretionary approval by the Inyo County Planning Commission, and as such, is subject to the California Environmental Quality Act (CEQA). Inyo County will be preparing the appropriate environmental documents for the project. The applicant shall fully fill out the Environmental Information Form that is included with the general Inyo County Planning Department Permit Application, as this information will be used as a starting point for the environmental review. Additionally, the applicant should consider getting a biological and/or cultural study done for the project area, as these are two of the major areas of concern for projects in Inyo County, and obtaining these studies, prepared by licensed professionals and experts in the field, can greatly expedite the environmental portion of the permit process.

Hold Harmless Clause

By signing this application the applicant/property owner agrees to defend, indemnify, and hold the County harmless from any claim, action , or proceeding arising from this application or brought to attack, set aside, void or annul the County's approval of this application, and any environmental review associated with the proposed project.

Property Owner/Mineral Rights Owner Consent

I certify that I am the owner of the property or owner of mineral rights claims at the project site, or am the trustee for a trust that owns the property or mineral right claims, or an authorized officer for a legal entity that owns the property or mineral rights claims and that I consent to the submission of this application.

Note that if the project is on private land, the Owner or applicant shall provide the County a preliminary title report prepared by a title company dated within 30-days of submission of this application, or if the project is on public lands, all mineral rights claims need to be listed within the Reclamation Plan.

Name: Kathleen Ely Date:

Title: Owner Signature:

Applicant Certification

I hereby attest that the information contained in this application and any attachments is correct to the best of my knowledge.

Note that if the applicant is other than the property owner or owner of the mineral rights claims, the applicant must be named as an Authorized Agent on the Consent of Property Owner and Designation of Authorized Agent form that is included with the Inyo County Planning Department Application.

Name: Thomas A. Hrubik License #

Company: Global Pumice, LLC Date: August 3, 2026

Title: President Signature:

APPLICATION FOR MINOR AMENDMENT

Amended Conditional Use Permit No. 93-5

and

Minor Amendment to Reclamation Plan No. 93-4

Global Pumice, LLC

Industrial Mineral Mine

Olancha, Inyo County, California

Prepared for

Inyo County Planning Department

August 2026

1. PURPOSE OF THIS APPLICATION

This application requests a Minor Amendment to Amended Conditional Use Permit No. 93-5 and the corresponding Minor Amendment to Reclamation Plan No. 93-4 for the Global Pumice, LLC Industrial Mineral Operation near Olancha, California. It supplements—and does not replace—the County's existing approvals. Except as specifically modified herein, the findings, analyses, Conditions of Approval, and reclamation objectives of the previously approved CUP and Reclamation Plan remain in effect.

The amendment requests a limited seven-year extension of the approved mine life to allow continued recovery of industrial mineral resources within the existing 75-acre approved operational footprint, including beneficial recovery and re-purposing of the Historical Industrial Mineral Inventory into additional approved products. It also updates the timing of reclamation activities and continues Best Management Practices (BMPs) and Fugitive Dust Management.

2. EXECUTIVE SUMMARY

Global Pumice, LLC requests approval of a Minor Amendment that does not expand the existing 75-acre approved operational footprint. The amendment consists of:

- A seven-year extension of the approved mine life.

- Recovery of approximately 1,000,000 tons of Historically Stockpiled Pumice Fines (the "Historical Industrial Mineral Inventory") located within the approximately 54-acre Historical Fines Stockpile Area.
- Authorization of additional industrial mineral products, including Natural Pozzolan, Industrial Absorbent Products, Floor Sweep Products, and Environmental Cleanup Absorbents.
- A Minor Amendment to the Reclamation Plan coordinating Progressive Reclamation with resource recovery.
- Continued implementation of Best Management Practices and comprehensive Fugitive Dust Management.

When the existing CUP and Reclamation Plan were approved, the Historical Industrial Mineral Inventory had limited commercial markets and was expected to remain on-site until final reclamation. Since that time, substantial new markets have developed for natural pozzolan used in low-carbon concrete, together with industrial absorbents, floor sweep products, and environmental cleanup materials. As a result, these materials are now recognized as valuable industrial mineral resources rather than surplus stockpiles. The proposed amendment updates the County's existing approvals to reflect these changed market conditions by allowing beneficial recovery and utilization of resources already located entirely within the approved operational footprint. This approach promotes resource conservation, reduces long-term stockpiles, improves long-term fugitive dust management through progressive removal of exposed fines, and preserves the existing reclamation objectives and environmental protections established under the current approvals.

Conclusion and Request

Global Pumice, LLC respectfully requests that the Inyo County Planning Commission approve the proposed Minor Amendments to CUP No. 93-5 and Reclamation Plan No. 93-4, the seven-year mine-life extension, recovery of the Historical Industrial Mineral Inventory, the additional industrial mineral products, and the Resource Recovery and Progressive Reclamation Program. The amendment maintains the existing 75-acre operational footprint, continues responsible environmental management, improves long-term Fugitive Dust Management through progressive removal of exposed fines, and allows complete utilization of resources already located within the approved mining area. This amendment represents resource conservation rather than expansion of mining activities. Supporting detail, consistency findings, and formal requested actions follow in the sections below.

3. HISTORY AND EXISTING OPERATION

3.1 History and Existing Approvals

The Global Pumice Industrial Mineral Operation has operated under County approvals for many years, producing industrial mineral products for construction and industrial markets using

conventional open-pit mining methods together with crushing, screening, stockpiling, and shipping. These methods remain substantially unchanged.

The operation currently operates pursuant to Amended Conditional Use Permit No. 93-5 and Amended Reclamation Plan No. 93-4 (Appendix F). Those approvals established the 75-acre operational mining footprint, mining methods, processing activities, reclamation objectives, and Conditions of Approval. Detailed descriptions of the original project, environmental setting, geology, and prior analyses are contained in the Staff Report, Notice of Decision, and supporting documentation previously approved by Inyo County and are incorporated by reference except as modified by this amendment.

3.2 Existing Products, Historical Industrial Mineral Inventory, and Emerging Markets

Historically, the operation has produced screened pumice aggregate for lightweight concrete, concrete masonry, construction materials, horticultural products, and other industrial applications. Production of these products will continue.

The Historical Industrial Mineral Inventory consists of approximately 1,000,000 tons of Historically Stockpiled Pumice Fines within the approximately 54-acre Historical Fines Stockpile Area. These materials accumulated during years of normal operations when commercial markets were limited. The amendment allows recovery and beneficial re-purposing of this inventory into additional approved products while remaining entirely within the approved operational footprint.

3.3 Operational Improvements

Although the operation remains substantially unchanged, Global Pumice, LLC has improved operational efficiency and environmental management, including:

- A recently installed 12,000-gallon water storage tank supplied by an existing off-site production well.
- Two dedicated water trucks for Fugitive Dust Management.
- Application of magnesium chloride where appropriate to stabilize haul roads and disturbed areas.
- Continued implementation of Best Management Practices throughout the operation.

Due to the naturally high winds common to the Coso Range and upper Centennial Flat area, long-term management of fugitive dust remains one of the operation's highest environmental priorities. While Global Pumice has invested in significant dust-control measures—including two dedicated water trucks, an off-site production well, a 12,000-gallon storage tank, roadway stabilization using magnesium chloride, and ongoing BMP implementation—the most effective permanent dust-control measure is the progressive removal of the exposed Historical Industrial Mineral Inventory itself. As these fine materials are recovered and beneficially utilized, the area of exposed wind-erodible material will be permanently reduced, resulting in a corresponding long-term reduction in fugitive dust emissions.

4. DESCRIPTION OF THE PROPOSED AMENDMENT

The proposed CUP/Reclamation Plan Amendment consists of five principal components:

1. **Seven-year extension of the approved mine life.** The extension provides sufficient time to recover industrial mineral resources already located within the existing approved operational footprint, including the Historical Industrial Mineral Inventory. It does not authorize expansion of mining boundaries or substantially alter the character of the operation.
2. **Continued operation within the existing 75-acre footprint.** No additional mineral resources outside the previously approved operational footprint are sought.
3. **Recovery of the Historical Industrial Mineral Inventory.** Approximately 1,000,000 tons of Historically Stockpiled Pumice Fines will be recovered and re-purposed. This represents responsible utilization of an existing resource already within the approved mining area.
4. **Additional approved industrial mineral products.** Authorization is requested for Natural Pozzolan, Industrial Absorbent Products, Floor Sweep Products, and Environmental Cleanup Absorbents produced from the Historical Industrial Mineral Inventory. Conventional pumice aggregate production will continue.
5. **Minor Amendment to Reclamation Plan No. 93-4.** Reclamation timing and sequencing will be coordinated with resource recovery so that reclamation proceeds in logical phases as commercially recoverable material is removed, rather than waiting until all recovery is complete. Long-term reclamation objectives remain unchanged.

5. BEST MANAGEMENT PRACTICES AND ENVIRONMENTAL STEWARDSHIP

Global Pumice, LLC remains committed to protecting environmental resources. Current Best Management Practices include:

- Fugitive Dust Management using water application to active haul roads and work areas, two dedicated water trucks, water from an existing off-site production well stored in a 12,000-gallon tank, and magnesium chloride application where appropriate to stabilize surfaces.
- Vehicle speed management, stockpile management, and stormwater management.
- Progressive Reclamation and routine operational monitoring.

One of the most effective long-term improvements to Fugitive Dust Management is expected from progressive recovery and removal of the Historical Industrial Mineral Inventory. As these materials are removed, the amount of exposed fine material susceptible to wind erosion will progressively decrease.

5.1 Environmental Studies

Global Pumice, LLC will retain qualified consultants to prepare:

- Biological Resources Assessment.
- Air Quality / Fugitive Dust Evaluation.

These studies are anticipated to be submitted within approximately ninety (90) days following acceptance of this application, or in accordance with a schedule approved by the Inyo County Planning Department. Recommendations will be incorporated into Best Management Practices where appropriate.

5.2 Environmental Benefits

The amendment supports responsible resource stewardship by allowing recovery of commercially recoverable material already within the approved footprint rather than permanently reclaiming it. Benefits include:

- More complete utilization of existing industrial mineral resources.
- Progressive reduction of exposed fines, improving long-term Fugitive Dust Management.
- Coordination of Progressive Reclamation with resource recovery, satisfying the County's long-term reclamation objectives while recovery proceeds.

6. MINOR AMENDMENT TO RECLAMATION PLAN NO. 93-4

The existing Reclamation Plan established reclamation objectives for the Historical Fines Stockpile Area following completion of mining. At the time of approval, stockpiled fines had limited commercial markets. Current markets have changed those circumstances. The proposed amendment updates the timing and sequencing of reclamation so activities may proceed in coordination with responsible recovery of the Historical Industrial Mineral Inventory, while preserving the County's previously approved long-term reclamation objectives.

6.1 Resource Recovery and Progressive Reclamation Program

Under the Resource Recovery and Progressive Reclamation Program for the approximately 54-acre Historical Fines Stockpile Area, commercially recoverable resources will be removed before individual portions of the stockpile area are reclaimed. As recovery progresses, reclamation will proceed in logical phases. The purpose is not to delay reclamation, but to coordinate it with recovery of resources that remain within the approved operational footprint.

As individual portions are substantially depleted of commercially recoverable material, reclamation activities are anticipated to include final grading, surface stabilization, erosion control, preparation of growth media where appropriate, revegetation consistent with the amended Reclamation Plan, and monitoring of reclaimed areas.

6.2 Conceptual Progressive Reclamation Schedule

Because recovery rates will depend upon market demand, production schedules, weather, operational considerations, and recommendations from environmental studies, reclamation will

be implemented through a flexible phasing program rather than fixed annual acreage commitments. The following conceptual schedule illustrates the anticipated relationship between recovery and reclamation:

Year	Conceptual Resource Recovery	Conceptual Progressive Reclamation
1	Initiate recovery of the Historical Industrial Mineral Inventory.	Begin reclamation of areas where recoverable material has been substantially exhausted.
2–6	Continue recovery and production of approved products in response to market demand.	Continue Progressive Reclamation of completed recovery areas.
7	Complete recovery of commercially recoverable resources and prepare remaining areas for final reclamation.	Complete final grading, stabilization, revegetation, and remaining reclamation activities.

This schedule is conceptual and may vary depending upon market demand, production requirements, weather, environmental study recommendations, operational considerations, and direction from Inyo County. Its purpose is to demonstrate that reclamation will be coordinated with—not delayed by—resource recovery.

6.3 Environmental Management Program

The following practices will continue throughout implementation of the amendment:

- **Fugitive Dust Management:** Comprehensive program including water application, two dedicated water trucks, off-site well and 12,000-gallon storage tank, and magnesium chloride stabilization where appropriate.
- **Vehicle Speed & Stockpile Management:** Continued management to reduce dust generation and exposed fines.
- **Stormwater Management:** Continued existing practices.
- **Biological Resources Assessment & Air Quality/Fugitive Dust Evaluation:** To be completed and submitted per County schedule; recommendations incorporated where appropriate.
- **Progressive Reclamation:** Coordinated with recovery of the Historical Industrial Mineral Inventory.

7. CONSISTENCY WITH EXISTING COUNTY APPROVALS

The proposed amendment remains consistent with the previously approved Conditional Use Permit, Reclamation Plan, and long-term planning objectives. Specifically, the amendment:

- Does not expand the approved operational footprint.
- Does not establish a new mining operation or substantially change approved mining methods, processing facilities, or site access.
- Maintains the overall character of the existing Industrial Mineral Operation.
- Continues implementation of Best Management Practices and Fugitive Dust Management.
- Coordinates Progressive Reclamation with resource recovery while maintaining the County's long-term reclamation objectives.

The seven-year extension provides time to recover resources already within the approved footprint; it does not authorize expansion. Recovery of the Historical Industrial Mineral

Inventory utilizes resources that previously had limited commercial markets and remains fully consistent with continued operation of the existing mine.

9. PROJECT BENEFITS

- No expansion of the approved 75-acre operational footprint.
- Beneficial utilization of approximately 1,000,000 tons of Historical Industrial Mineral Inventory.
- Reduced long-term fugitive dust through progressive removal of exposed fines.
- Increased production of natural pozzolan supporting lower-carbon concrete and sustainable construction.
- Continued progressive reclamation and environmental stewardship.
- Preservation of existing permit conditions and reclamation objectives.

9. REQUESTED ACTION AND CONCLUSION

Based upon the information in this application, together with the previously approved Staff Report, Notice of Decision, supporting technical documentation, and the Biological Resources Assessment, Air Quality/Fugitive Dust Evaluation, Financial Assurance documents, maps, and other exhibits to be submitted, Global Pumice, LLC respectfully requests that the Inyo County Planning Commission:

1. Approve the proposed Minor Amendment to Amended Conditional Use Permit No. 93-5.
2. Approve the proposed Minor Amendment to Reclamation Plan No. 93-4.
3. Approve the requested seven-year extension of the approved mine life.
4. Approve recovery of the Historical Industrial Mineral Inventory within the existing approved operational footprint.
5. Approve the additional industrial mineral products described in this application.
6. Approve the proposed Resource Recovery and Progressive Reclamation Program.

Public Benefits

Approval will continue operation of an existing lawfully permitted Industrial Mineral Operation within the approved footprint; allow recovery of approximately 1,000,000 tons of Historical Industrial Mineral Inventory; support production of additional approved products; reduce long-term stockpiles; improve long-term Fugitive Dust Management through progressive removal of exposed fines; coordinate Progressive Reclamation with resource recovery; and promote complete utilization of resources already located within the approved operational footprint.

Conclusion

The proposed CUP/Reclamation Plan Amendment does not expand the existing approved operational footprint or fundamentally change the character of the Industrial Mineral Operation. It updates the County's existing approvals to recognize changes in industrial mineral markets while continuing responsible operation of a long-established mine. Global Pumice, LLC appreciates the opportunity to present this application and looks forward to continuing to work cooperatively with the Inyo County Planning Department and Planning Commission.

APPENDIX INDEX

The following appendices support the proposed Minor Amendment:

Appendix A – Existing Approved Site Maps
Existing CUP Boundary Map, Reclamation Plan Boundary Map, Site Plan, Mining Area Map, Processing Area Map, Stockpile Area Map, Access Road Map, Aerial Photograph, Topographic Map, and Assessor's Parcel Map (as appropriate).

Appendix B – Proposed Minor Amendment Maps
Proposed Minor Amendment Site Plan, Historical Industrial Mineral Inventory Map, 54-acre Historical Fines Stockpile Area, Resource Recovery Areas, Conceptual Progressive Reclamation Areas, and related maps demonstrating that no expansion of the approved operational footprint is proposed (as appropriate).

Appendix C – Biological Resources Assessment
To be prepared by a qualified biological consultant (existing conditions, vegetation, wildlife habitat, sensitive species, recommended protection measures and BMPs).

Appendix D – Air Quality / Fugitive Dust Evaluation
To be prepared by a qualified air quality consultant (existing conditions, dust sources, evaluation of existing BMPs, wind conditions, recommended additional measures).

Appendix E – Financial Assurance Documentation
Updated Financial Assurance Cost Estimate, calculation worksheets, and required forms.

Appendix F – Existing Approvals
Copy of Approval Decision for Amended Conditional Use Permit No. 93-5 and Amended Reclamation Plan No. 93-4 (approved July 22, 1998) and Planning Staff Report (July 1998).

State of California
DEPARTMENT OF CONSERVATION
OIVISION OF MINE RECLAMATION
FACE-1 (06/18) Page 1 of 11

Attachment D

APPENDIX E

FINANCIAL ASSURANCE COST ESTIMATE

FOR

GLOBAL PUMICE

(Mine Name)

CA Mine ID # 91- 14-0003

Reclamation Plan #/Name Olancha Mine - RP # 93-4

Prepared by: (Name & Affiliation):

Global Pumice, LLC
PO Box. 174
AppleValley, CA. 92307

Date: August 3, 2026

This financial assurance cost estimate prepared and submitted pursuant to *(choose one)*:

- ○ A new or amended reclamation plan approved on (Date): _____
- ◉ An annual mine inspection performed on (Date): _____
- ○ Other: Please Specify: _____

Most Recent Approved Financial Assurance Cost Estimate

Date: August 3, 2026

Amount: $ 63,631

Amount of existing Financial Assurance Mechanism(s)

Date: 11-9-2014

Amount: $ 35,174.00

Attachment D

I. SUPPORTING DOCUMENTS

This estimate represents the cost of conducting and completing reclamation in accordance with the Surface Mining and Reclamation Act (SMARA) and the following supporting documents:

Reclamation Plan Approval Date and Number

Olancha Mine Site - RP # 93-4 and CUP # 93-5

Permits and/or Environmental Documents Approved as, or Conditioned upon, the Reclamation Plan

N/A

Other Agency Financial Assurances Securing Reclamation of Disturbed Lands

N/A

Wage Rates used in Cost Estimate* *(cost estimates are required to use current 'General prevailing wage determinations made by the director of industrial relations' where applicable (http://www.dir.ca.gov/OPRL/PWD/index.htm) with employer labor surcharge added, or greater)*

California Prevailing Wage Rates

Equipment Rates used in Cost Estimate* *(Use current 'Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)' equipment rates published by Caltrans (http://www.dot.ca.gov/hq/construc/equipmnt.html) or other publicly available and verifiable local rates)*

Caltrans Labor Surcharge & Equipment Rental Rates

Equipment Production Rates used in Cost Estimate *(Use of current Caterpillar Performance Handbook or equivalent published production rates is required)*

Caterpillar Performance Handbook

* *Many mine sites are remote projects that require hours of travel (to and from) and sometimes require additional time to prepare for even the simplest of tasks. In accordance with Labor Code Sections 1773.1 and 1773.9, contractors are required to make travel and/or subsistence (per diem) payments to each worker to execute the work. These arrangements can be quite variable and site specific.*

Attachments:

Attachment D

II. Description of Current Site Conditions

(i.e., disturbed acres, slope conditions, excavation depths, topsoil and overburden stockpiles, equipment and facilities, reclamation in progress, erosion control status, required corrective actions, etc.)

Approximately 75 acres disturbed presently in Olancha Mine Site with overall slope angles - 45°, excavation depths - up to 70 feet.
Overburden stockpiles - up to 40', max lengths - 800', max width - 80', No surface ponds.
Reclamation grading activity has been continuous as part of our mining operation keeping wall slopes contoured 3:1 or better, thereby reducing significantly the amount of cut/fill at cessation of mining operations.

We have not yet seeded the reclaimed area amounting to approximately 54 acres which is in violation of the current CUP and REC plans. The 54 acres currently consists of fine pumice waste material that is being re-purposed for use in other concrete product technolotgies. Global Pumice is currently in process of submitting a minor amendment to the current CUP and REC plans to:

1. obtain a 7 year extension to continue to mine and extract these re-purposed fines "waste" materials within the current approved CUP/REC plan footprint.
2. reclaim the 54 acres of old waste pumice and additional 21 acres of disturbance with a phased

III. Description of Anticipated Site Conditions (12 months from date of estimate)

(i.e., increase of disturbed acres, increase of depth, increases in amount of equipment and/or facilities, required corrective actions, etc.)

IV. Description/Justification of Cost Increase/Decrease

California prevailing wage rates use and Caltrans Labor Surcharge & Equipment Rental Rates

(add additional pages as needed)

Attachment D

V. PLANT STRUCTURES AND EQUIPMENT REMOVAL *(use multiple sheets as needed)*

Provide documentation showing that rates, prices, and wages are available locally to all persons, including the lead agency and/or the Department.

Current Site Condition:

The current plant, conveyors systems, crushers and screening systems are all located on level ground. The removal of this equipment would require dismantling and removal of the crushing plant, screening plant and conveyor systems. It would require the use of 1 -60 ton crane, 2 - flatbed haul trucks and 1 - Cat 966K loader. The labor associated with this task was would require 1 crane operator, 3 general laborers, 2 truck drivers and 1 loader operator.

Reclamation Plan Performance Standard (End Use):

The disturbed mine site area will be subject to required reclamation guidelines bringing the site into consistency with the surrounding land uses, but not limited to open space uses for recreation and wildlife habitat. Upon removal of all plant and equipment, the land area would be prepared for re-seeding per approved reclamation standard quidelines.

Describe tasks:

Our mining operating procedures call for continuous on-going reclamation grading to maintain slope requirements at 3:1 or better slope conditions, thereby eliminating much of the end use grading requirements. Our on-going reclamation of mine site has substantially decreased the amount to grading work. Upon cessation of mining activity, we will remove all plant and equipment from the mine site.

Equipment on site wholly owned by operator?: (•) YES ( ) NO

(If no, please provide the name/s and contact information for any lien holder)

(add additional pages as needed)

Attachment D

V. PLANT STRUCTURES AND EQUIPMENT REMOVAL *(use multiple sheets as needed)*

Methods to be used:

A. Equipment – List equipment required to complete identified task. For large reclamation projects, separate mine areas.

Equipment	Unit of Measure	$/Unit	# of Units	Cost ($)
1 - 60 ton crane - HTC1060 - Code 4555	tons	190.56	8	1524.48
2 - flatbed haul trucks - 8 rd trips each x 3 hrs				
per trip = 48 hrs - Code 5AXL	hrs	115.18	48	5528.64
1 - Cat 966K loader - Code 2362K	hrs	228.25	8	1826.00

Total Equipment Cost for this Task = $ 8879 12

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

Labor Category	$/Hour (prevailing wage)	Labor Surcharge/Hr (where applicable) (enter % of wage)	# of Hours	Cost ($)
1 - crane operator - Group 10	103.10		8	824.80
1 - loader operator - Group 25	103.43		8	827.44
3 - gen. laborers - Teamster Group X - 24 ea	80.07		72	5765.04
2 - truck drivers x hrs/rd trip = 6 hrs x 8 trips	80.07		48	3843.36
Teamster Group X				

Total Labor Cost for this Task = $ 11269 64

C. Demolition – List all structures and equipment to be dismantled or demolished and removed from site

Structure/Equipment to be Removed	Type of Material	Volume/ Quantity	Unit Cost Basis	Disposal Cost	Cost ($)
Crushing Plant	steel	1		1500	1500
Screening Plant	steel	1		1500	1500
Conveyor System	steel	1		1500	1500
Scalee House & Scales	wood/	1		1500	1500

Total Materials Cost for this Task = $ 6000 00

D. Total Direct Cost of Structure and Equipment Removal (Total A+B+C)

Equipment Costs + Labor Cost + Demolition Cost = $ 26139.7

E. Net Salvage Value* (Supported by properly prepared third party estimate, bid, or cost calculation.)

See Attached Bid

Net Salvage Value = $ 22500.0

F. Total Cost of Structure and Equipment Removal (Subtract Line D from Line E)

Total Cost of Structure and Equipment Removal = $ 0

*NOTE: Salvage value may only be used to offset the direct cost of removing the single item for which salvage value is being claimed. Salvage value shall not be used to offset any other demolition, general cleanup, or reclamation costs.

Attachment D

VOYTILLA EQUIPMENT SALES

18159 MOON SONG COURT
SAN DIEGO, CALIFORNIA, 92127-3105
UNITED STATES OF AMERICA
Phone 858-673-4594
Fax 858-673-8885
Email: richard@voytillaequipment.com

March 2, 2026

Mr. Thomas Hrubik
Global Pumice, LLC
P.O. Box 174
Apple Valley, CA 92307

SUBJECT: Disposal Cost of Mine Site Plant Structures and Equipment and Related Salvage Value

We have prepared a cost estimate for the disposal of various plant structures and equipment at both the Global Pumice – Olancha Mine Site and Southwest Pumice – Makayla 1 Mine Site, located in Olancha, California. We have previously examined the plant structures and equipment and can adequately express our opinion of value. We have also included our estimate of Salvage Value for each plant site.

GLOBAL PUMICE – Olancha Mine Site
Crushing Plant
Screening Plant
Conveyor Systems
Scale House & Scales

Total Disposal Cost: not to exceed $ 5,000 **
Total Salvage Value: $ 22,500.00

SOUTHWEST PUMICE – Makayla 1 Mine Site
Crushing Plant
Screening Plant
Conveyor Systems
Scale House & Scales

Total Disposal Cost: not to exceed $ 5,000 **
Total Salvage Value: $ 22,500.00

** This type of plant and equipment usually would be scrapped out to someone who would pay the cost to take the equipment away as part of the salvage operation.

If you have any questions, please call me at 858-673-4594

Sincerely,

Richard "Dick" Voytilla
Voytilla Equipment Sales

Attachment D

VI. PRIMARY RECLAMATION ACTIVITY

Use multiple sheets as necessary to estimate the cost of each activity required. Provide documentation showing that rates, prices, and wages are available locally to the lead agency and/or the Department if necessary.

Current Site Conditions:

Grading of disturbed land areas has approximately 70 acres of disturbed land area, however, due to our on-going reclamation during operations to maintain slopes and walls to a 3:1 or better slope, the remaining grading reclamation upon cessation of operating will be minimal, if any. Of the 70 acres of disturbed land area, the entire area will need to be re-seeded based upon planned phasing as this disturbed area presently contains a huge volume of fines considered waste material from mining activities. Global Pumice is repurposing this waste materials into a saleable product to be used in the concrete industry based upon new technology advances

Reclamation Plan Performance Standard (End Use):

All land areas will be contoured with a finished 3:1 slope index and leveled to match the existing topography where possible and maintain the topographic features of the surrounding land area.

Describe tasks, methods, equipment, etc.:
Decompaction, cut, fill, haul, slope reduction, compaction, grading, topsoil placement, drainage work, soil amendments, special requirements, etc. Separate sheets may be used for each task if necessary.

All disturbed areas will have been mined out leaving open pits that are being filled on a continuous on-going basis during the current mining operations and at the cessation of mining activities, all land area that were disturbed will be properly seeded as noted above, and monitored and maintained for a period of 5 years following completion of reclamation re-seeding. All natural drainage flow patterns will be monitored and maintained to their original flow patterns.

Provide quantities:
Overburden and topsoil, cut and fill, import or export (cubic yards), area (acres), haul distances (feet), equipment production rates (cubic yards/hour, or as applicable), etc.

We anticipate production rates if any remaining cut/fill is required at 1850 CY/HR can be achieved
using the D9 Dozer to complete any regrading and moving fill into the pit areas and contoured to the desired 3:1 slope index.

(add additional pages as needed)

Attachment D

VI. PRIMARY RECLAMATION ACTIVITY (regard mine site, if needed)

(use multiple sheets as needed)

(Describe Reclamation Activity Being Estimated)

Acres:	75	Overburden (cy):	50,000
Haul Distance (ft):	5000'	Topsoil (cy):	10,000
Production Rate (cy/hr):	1850 CY/HR		

Methods to be used:

A. Equipment – List equipment required to complete identified task. For large reclamation projects, separate mine areas.

Equipment	Unit of Measure	$/Unit	# of Units	Cost ($)
1 - D9 Dozer - Code 5175	hrs	307.87	8	2462.96
1 - Water Truck - Code 60	hrs	101.56	8	812.48

Total Equipment Cost for this Task = $ 3275.44

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

Labor Category	$/Hour (prevailing wage)	Labor Surcharge/Hr (where applicable) (enter % of wage)	# of Hours	Cost ($)
1 - Dozer Operator - Group 25	103.43		8	827.44
1 - Water Truck Operator - Teamster - Group X	80.07		8	640.56

Total Labor Cost for this Task = $ 1468.00

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

Item	$/Unit	Sales tax (enter local rate in %)	Quantity	Cost ($)
Diesel Fuel for Dozer & Water Truck - Gallons	6.00		300	1800.00

Total Materials Cost for this Task = $ 1800.00

D. Total Direct Cost for this Task

Equipment Costs + Labor Cost + Materials Cost = $ 6543.44

Attachment D

VII. REVEGETATION *(use multiple sheets as needed)*

Provide documentation showing that rates, prices, and wages are available locally to all persons, including the lead agency and/or the Department.

Current Site Condition:

The 75 acre Olancha disturbed mine site area will be re-seeded per a phasing schedule that is outlined in a proposed minor amendment to the current CUP/REC plan being submitted by Global Pumice for Inyo County Planning Commission review and approval. Approximately 54 acres of the 75 acres are covered and stockpiled with pumice fines or "waste material" produced as part of the crushing and screeing mining operations. This waste material has accumulated over the past 25-40 years and is now being repurposed into a saleabe product that can be sold and used in the concrete industry due to new technolgical advances in that industry. As this repurposed waste material is removed off-site in phases per the proposed minor amendment to the existing REC plan, Global Pumice will begin to re-seed and revegetate the disturbed areas, up and until all 75 acres have been properly re-seeded, monitored and maintained for a 5 year period following the cessation of mining activities.

Reclamation Plan Performance Standard (End Use):

Broadcast seeding via the use of a hydro-seed machine will be utilized to meet the successful percentage of required growth as determined by ongoing monitoring. An approved seed mix native to the Owens Valley area will be used and would expect to achieve a natural growth rate and normalization of land habitat within a 5 year period.

Describe tasks:

The disturbed area will be decompacted and scarified in phases as outlined above using a Case 550 tractor and a broadcast hydro-seeder machine until the entire 75 acres of disturbed area has been propertly remediated.

(add additional pages as needed)

Attachment D

VII. REVEGETATION *(use multiple sheets as needed)*

Methods to be used:

A. Equipment – List equipment required to complete identified task. For large reclamation projects, separate mine areas.

Equipment	Unit of Measure	$/Unit	# of Units	Cost ($)
1 - Hydro-seed machine rental	5 days	600	1	3000.00
1 - Case 550 tractor - decompactor/scarify	5 days	43.38	40	1735.20
Code 2000				

Total Equipment Cost for this Task = $ 4735.20

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

Labor Category	$/Hour (prevailing wage)	Labor Surcharge/Hr (where applicable) (enter % of wage)	# of Hours	Cost ($)
1 - landscape - hydro-seed laborer	74.21		40	2968.40
Caltrans rate schedule-SC-102-X-14-2026-1A				
1 Case Tractor Operator - Group 8	101.64		40	4065.60
1 - general laborer per Teamster - Group X	80.07		40	3202.80

Total Labor Cost for this Task = $ 10236.10

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

Item/Plant Species	Unit of measure	$/Unit	Sales tax (enter local rate in %)	Quantity	Cost ($)
Diesel Fuel - Case Tractor	gal	6.00		250	1,500.00
Seed Mix - Owens Valley Species					11,940.18
per attached quote - 1-26-2026					
75 acres					

Total Materials Cost for this Task = $ 13440.18

D. Total Direct Cost for this Task

Equipment Costs + Labor Cost + Materials Cost = $ 28413.48

granite™ SEED
and erosion control
a NativeSeed Group company

QUOTE

Attachment D

Quote Date: 28-Jan-26

Quote Number: **838099**

(please show this number on all payments)

Project: Global Pumice

Sold To:
Cash A-G
917 Highway 88
Gardnerville, NV 89460

Will Call:
Cash A-G

Terms:	Customer P.O.	Ordered By:	Phone Number:	Customer Number:
Cash				CS88763
Shipper:	**Freight: Prepaid/Collect**	**FOB:**	**Sales Rep:**	**Date Shipped:**
Will Call			Eric Kleiner	

Pricing	Quantity Shipped PLS	Bulk	Description	Variety	Price	Total
*** MIX # 322273 Area 1 ***						
Bulk #	8.75	8.75	Sporobolus airoides Alkali sacaton	VNS		
Bulk #	25.00	25.00	Ambrosia dumosa White bursage	VNS		
Bulk #	50.00	50.00	Eriogonum fasciculatum California buckwheat	VNS		
Bulk #	50.00	50.00	Atriplex canescens Fourwing saltbush	VNS		
Bulk #	50.00	50.00	Atriplex polycarpa cattle saltbush	VNS		
Bulk #	25.00	25.00	Atriplex confertifolia Shadscale saltbush	VNS		
Bulk #	12.50	12.50	Encelia farinosa Brittlebush	VNS		
Bulk #	6.25	6.25	Sphaeralcea ambigua Desert globemallow	VNS		

MIX SUBTOTAL (25 Acre @ $ 159.2024 Per Acre): $ 3,980.06

79.65ac
= $12577

Please read the reverse side of this form carefully. The terms and conditions of sale set forth on both sides of this form constitute the entire agreement between Seller and Buyer. All purchases of products by Buyer shall be governed and subject to the terms and conditions of sale set forth on the reverse side hereof, as in effect from time to time, and nothing contained in any product order of buyer shall in any way modify such terms and conditions of sale or add any additional terms and conditions unless agreed upon in writing by a corporate officer of NativeSeed Holdings and it's subsidiaries. Any additional or inconsistent terms and conditions of any product order of Buyer shall be deemed stricken from such order and each product order shall be deemed to incorporate all of these terms and conditions of sale. Acceptance by Buyer of these terms and conditions is acknowledged by either (1) Buyer's signature set forth herein, or (2) receipt by Buyer of delivery of the products described here in and failure by Buyer to return such products within five (5) days following such delivery.

granite™ SEED
and erosion control
a NativeSeed Group company

QUOTE Attachment D

Quote Date:
26-Jan-26

Quote Number: 838099

(please show this number on all payments)

Project: Global Pumice

Notes:

Amount Due: $3,980.06

SEND PAYMENT TO ADDRESS:

ENVIRONMENTAL SEEDS WEST LLC
P.O. Box 104715
Pasadena, CA 91189-4715

Effective March 1, 2025, Section 5 of our Terms and Conditions will be enforced, applying a 1.5% monthly late fee on all overdue payments.

Subtotal:	**3,980.06**
Freight:	**0.00**
Sales Tax:	**pending**
GRAND TOTAL:	**$ 3,980.06**

PLEASE PAY PER INVOICE. NO STATEMENT WILL BE SENT.

for 25 acres

for 79 acres
= 12572.00

Please read the reverse side of this form carefully. The terms and conditions of sale set forth on both sides of this form constitute the entire agreement between Seller and Buyer. All purchases of products by Buyer shall be governed and subject to the terms and conditions of sale set forth on the reverse side hereof, as in effect from time to time, and nothing contained in any product order of buyer shall in any way modify such terms and conditions of sale or add any additional terms and conditions unless agreed upon in writing by a corporate officer of NativeSeed Holdings and it's subsidiaries. Any additional or inconsistent terms and conditions of any product order of Buyer shall be deemed stricken from such order and each product order shall be deemed to incorporate all of these terms and conditions of sale. Acceptance by Buyer of these terms and conditions is acknowledged by either (1) Buyer's signature set forth herein, or (2) receipt by Buyer of delivery of the products described here in and failure by Buyer to return such products within five (5) days following such delivery.

Attachment D

VIII. MISCELLANEOUS COSTS *(use multiple sheets as needed)*

Provide documentation showing that rates, prices, and wages are available locally to all persons, including the lead agency and/or the Department.

Examples of this type of cost may include temporary storage of equipment and materials off site, special one-time permits (i.e. transportation permits for extra wide overweight loads, etc.), decommissioning a process mill (I.e decontamination of equipment), disposal of warehouse inventories, well abandonment, remediation of fueling and waste oil storage sites, septic system removal, costs to prepare closure and monitoring reports, site security, preserving potable water and maintaining utilities, etc.

Item / Task	Quantity	$/Unit	Cost ($)
2 - Transport flatbed trucks to move in/ut dozer/loader	16	87.68	1402.88
(8 hrs per truck) - Teamster - Group 8	16	101.64	1626.24

3029.12

Total Miscellaneous Costs = $ _____

IX. MONITORING COSTS

Monitoring Task	$/Visit	# of Visits/Year	# of Monitoring Years	Cost ($)
SMARA - Monitoring Inspections - Olancha	500	2	1	1000
	500	1	4	2000

Total Monitoring Costs = $ 3000.00

Attachment D

X. SUMMARY OF COSTS

This section shall be used to summarize all the cost sheets in one place.

(V) Total of all Plant Structures & Equipment Removal Costs	$	00
(VI) Total of all Primary Reclamation Activities Costs	$	6543.44
(VII) Total of all Revegetation Costs	$	28413.48
(VIII)Total of all Miscellaneous Costs	$	3029.12
(IX) Total of all Monitoring Costs	$	3000.00
Total of Direct Costs	$	40986.04

XI. Supervision / Profit & Overhead / Contingencies / Mobilization

(A) Supervision (10 %)	$	4098.60
(B) Profit/Overhead (10 %)	$	4098.60
(C) Contingencies (10 %)	$	4098.60
(D) Mobilization (5 %)	$	2049.30
Total of Indirect Costs	$	14345.10
Total of Direct and Indirect Costs	$	55331.14
(E)Lead Agency and/or Dept. of Conservation Administrative Costs	$	8299.67
Total Estimated Cost of Reclamation	$	63630.81

STIPULATION AGREEMENT

STIPULATED ORDER TO COMPLY AND SCHEDULE FOR SUBMISSION OF SUPPLEMENTAL APPLICATION MATERIALS

Minor Amendment to Amended Conditional Use Permit No. 93-5
Minor Amendment to Reclamation Plan No. 93-4
Global Pumice, LLC - Industrial Mineral Operation
Olancha, Inyo County, California
Mine ID No. 91-14-0003

This Stipulation Agreement ("Stipulation") is entered into by and between Global Pumice, LLC ("Applicant") and the Inyo County Planning Department ("County") regarding the Applicant's Minor Amendment Application for Amended Conditional Use Permit No. 93-5 and Minor Amendment to Reclamation Plan No. 93-4, submitted to the County on August 6, 2026.

For purposes of the County's proposed revisions, this document is intended to serve as a Stipulated Order to Comply ("Stipulated Order") between Global Pumice, LLC ("Operator") and the County of Inyo ("County"), as Lead Agency under the Surface Mining and Reclamation Act ("SMARA"), pursuant to Public Resources Code section 2774.1(a)(2). This Stipulated Order is subject to approval by the Inyo County Planning Commission.

RECITALS

WHEREAS, Applicant has submitted the above-referenced applications to initiate the County's review of the proposed Minor Amendments; and

WHEREAS, the County previously notified the Operator of violations associated with the surface mining operation and directed the Operator to take corrective action; and

WHEREAS, the Operator submitted applications on August 6, 2026, seeking amendments to CUP 93-5 and Reclamation Plan 93-4, including an extension of the operating period, recovery and removal of existing historic stockpiled fines, and authorization of additional industrial mineral products; and

WHEREAS, additional information and materials are required before the County can determine that the Reclamation Plan amendment application is complete; and

WHEREAS, the County has determined that correction of the noticed violation(s) is expected to require more than 30 days because completion of the necessary application materials and applicable County, environmental, SMARA, financial assurance, and public hearing processes cannot reasonably be completed within 30 days; and

WHEREAS, Public Resources Code section 2774.1(a)(2) authorizes a lead agency and operator to enter into a stipulated order to comply when correction of a noticed violation will exceed 30 days and requires the stipulated order to include a schedule and time for compliance that the lead agency determines is reasonable after considering the actions and legal processes required to correct the violation;

NOW, THEREFORE, subject to approval by the Inyo County Planning Commission, the parties stipulate as follows:

1. Property Owner Authorization

Applicant shall obtain the required written authorization and signatures from the owner(s) of the subject property for the Minor Amendment Applications within thirty (30) calendar days following the effective date of this Stipulated Order. The Operator shall also provide required documentation concerning property ownership and mineral rights ownership, as applicable.

2. Biological Resources Assessment and Air Quality / Fugitive Dust Evaluation

Applicant shall retain qualified consultants to prepare and submit the following technical studies:
- Biological Resources Assessment.
- Air Quality / Fugitive Dust Evaluation.

Applicant shall submit these studies within ninety (90) calendar days following the effective date of this Stipulated Order.

If circumstances outside the Operator's reasonable control prevent completion within the required period, the Operator shall submit a written request for an extension before expiration of the deadline. The request shall identify the outstanding

work, work completed to date, the reason additional time is necessary, and a proposed date certain for completion. Any extension shall require written approval by the County.

3. Revisions to Maps

Within thirty (30) calendar days following the effective date of this Stipulated Order, the Operator shall submit updated Mine Plan and Reclamation Plan maps meeting applicable County and SMARA requirements. The maps shall incorporate the activities proposed by the pending amendments and contain the information required by the County's applicable reclamation plan submittal requirements.

4. Additional Information Requested by the County

Applicant agrees to provide any additional information, documents, or supporting materials reasonably (or materially) related to the application requested by the County in writing within thirty (30) calendar days following such request unless the County establishes a different reasonable deadline based upon the nature or complexity of the requested information. Any request for additional time shall be submitted in writing before expiration of the applicable deadline and shall be subject to written County approval. The Operator shall additionally submit revised Reclamation Plan text incorporating the proposed amendments and an indexed contents chart identifying where applicable SMARA requirements are addressed**5.**

Processing of Applications

The County may receive, review, and comment upon application materials while the Operator completes the requirements of this Stipulated Order. Such review does not constitute a determination that either application is complete or an agreement by the County to commence formal processing of an incomplete Reclamation Plan amendment.

For administrative purposes, the County acknowledges that the applications were submitted on **August 6, 2026**, and that the supplemental materials identified in this Stipulation shall become part of the administrative record upon their submission. Acknowledgment of the August 6, 2026 submittal date shall not constitute a determination that the applications were complete on that date.

The parties acknowledge that this Stipulation is intended to establish a schedule for correction of the violations previously identified by the County while the Operator pursues the approvals necessary to bring the operation into compliance. Nothing contained herein constitutes approval of the pending applications, approval of environmental review, approval of a Financial Assurance Cost Estimate, certification of compliance with SMARA, or authorization for surface mining activities not otherwise lawfully authorized.

Applicant agrees to diligently pursue completion of all supplemental materials identified herein, The Operator acknowledges that submission or processing of the amendment applications does not, by itself, correct the underlying violations, extend an expired authorization, or authorize continued surface mining.

6. Good Faith Cooperation

The parties agree to continue working cooperatively and in good faith throughout the review process to complete the administrative record and facilitate timely consideration of the requested Minor Amendments. Nothing in this section alters the deadlines or compliance obligations established by this Stipulated Order.

7. Surface Mining During Compliance Period

Nothing in this Stipulated Order authorizes surface mining activities that are not otherwise authorized under a valid County permit or other applicable approval. Neither this Stipulated Order nor the County's receipt or review of the pending applications constitutes authorization for the proposed extension of mining operations, recovery or removal of historic fines, production of additional industrial mineral products, or other activities requiring approval of the pending amendments.

8. Financial Assurance

The Operator shall maintain financial assurances as required by SMARA and shall submit a Financial Assurance Cost Estimate that accurately reflects the reclamation obligations associated with the operation and proposed amended Reclamation Plan. Nothing in this Stipulated Order constitutes approval of the submitted FACE.

9. Final Compliance

Submission of the amendment applications or supplemental materials shall not, by itself, constitute correction of the violations addressed by this Stipulated Order. Compliance shall require either: (a) obtaining all required approvals necessary to lawfully continue the surface mining operation and thereafter operating in accordance with those approvals;

or (b) if the required approvals are denied, withdrawn, abandoned, or not diligently pursued, ceasing unauthorized surface mining activities and commencing reclamation in accordance with the approved Reclamation Plan and applicable County requirements.

10. Failure to Comply

Failure to comply with a deadline or other requirement established by this Stipulated Order, absent a written extension authorized by the County, may result in further enforcement pursuant to SMARA and other applicable law.

11. Entire Agreement and Modification

This Stipulation constitutes the entire agreement between the parties concerning the compliance matters addressed herein. Any material amendment or modification shall be in writing and shall be subject to the approval required by applicable County procedures.

12. Effective Date

This Stipulation shall become effective upon approval by the Inyo County Planning Commission and execution by the authorized representatives of the County and Operator and shall remain in effect until the County determines that the corrective actions required by this Stipulated Order have been completed or until the Stipulated Order is otherwise modified, superseded, or terminated in accordance with applicable law.

Following approval and execution, the County shall transmit the Stipulated Order to the Division of Mine Reclamation as required by SMARA.

IN WITNESS WHEREOF, the parties have executed this Stipulation Agreement as of the dates set forth below.

GLOBAL PUMICE, LLC

By: _____
Thomas A. Hrubik
President

Date: _____

APPROVED BY THE INYO COUNTY PLANNING COMMISSION

Date of Approval: _____
Resolution No.: _____

COUNTY OF INYO

By: _____
Name/Title: _____

Date: _____

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