



Project Conditions City of Corona

Project Number: SMRP2018-0001

Description: ALL AMERICAN ASPHALT RECLAMATION PLAN

Applied: 6/5/2018

Approved:

Site Address: 1776 ALL AMERICAN WY CORONA, CA 92879

Closed:

Expired:

Status: RECEIVED

Applicant:

Parent Project:

Details: FEES PAID WITH DEPOST ACCOUNT UNDER SMP2017-0101

LIST OF CONDITIONS

DEPARTMENT

CONTACT

PLANNING

1. To the fullest extent permitted by law, the applicant shall defend, indemnify and hold the City of Corona and its directors, officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, proceedings, costs, expenses, liabilities, losses, damages or injuries of any kind, in law or equity, in any manner arising out of, pertaining to, or incident to any attack against or attempt to challenge, set aside, void or annul any approval, decision or other action of the City of Corona, whether such approval, decision or other action was by its City Council, Planning and Housing Commission or other board, director, official, officer, employee, volunteer or agent. To the extent that Government Code Section 66474.9 applies, the City will promptly notify the applicant of any claim, action or proceeding made known to the City to which Government Code Section 66474.9 applies and the City will fully cooperate in the defense. The Applicant's obligations hereunder shall include, without limitation, the payment of any and all damages, consultant and expert fees, and attorney's fees and other related costs and expenses. The City shall have the right to retain such legal counsel as the City deems necessary and appropriate.
2. Nothing herein shall be construed to require City to defend any attack against or attempt to challenge, set aside, void or annul any such City approval, decision or other action. If at any time Applicant chooses not to defend (or continue to defend) any attack against or attempt to challenge, set aside, void or annul any such City approval, decision or other action, the City may choose, in its sole discretion, to defend or not defend any such action. In the event that the City decides not to defend or continue the defense, Applicant shall be obligated to reimburse City for any and all costs, fees, penalties or damages associated with dismissing the action or proceeding. If at any time both the Applicant and the City choose not to defend (or continue to defend) any action noted herein, all subject City approvals, decisions or other actions shall be null and void. The Applicant shall be required to enter into any reimbursement agreement deemed necessary by the City to effectuate the terms of this condition.
3. The project shall comply with all applicable requirements of the Corona Municipal Code (CMC) and ordinances and the relevant Specific Plan, if any, including the payment of all required fees.
4. SMRP2018-001 is contingent upon the approval of SMP2017-0101 and Development Agreement 2018-002.
5. SMRP2018-0001 shall adhere to the mitigation measures of the Subsequent Mitigated Negative Declaration adopted for the project.
6. The permittee shall comply with the Reclamation Plan Amendment prepared by EnviroMine for the All American Asphalt Quarry submitted for SMRP2018-0001.
7. The permittee shall accept responsibility for reclaiming the mine lands in accordance with the Reclamation Plan Amendment submitted for SMRP2018-0001, including any comments or recommendations the City accepts from the Department of Conservation, Division of Mining and Reclamation.
8. The permittee shall continue to maintain the appropriate financial assurances as required by Public Resources Code Sections 2770 and 2773.1 and CMC Section 19.08.110.



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9. The permittee shall submit a final reclamation completion report prior to the completion of each reclamation phase and prior to expiration of the permit to the Community Development Department for review. The report shall indicate the completion in accordance with the approved plan, including final contours, slope configuration, revegetated areas and erosion control. The report shall be submitted at least 30 days prior to completion of each phase and prior to the expiration of SMP2017-0101.
10. The permittee shall comply with the recommendations of the slope stability report prepared by CHJ Consultants, a Terracon Company, submitted with the Reclamation Plan Amendment.
11. The permittee shall obtain and maintain permits from State, Federal and local regulatory agencies as applicable to the activities authorized in the Reclamation Plan Amendment.
12. Revegetation of disturbed areas shall be sequential after final graded surfaces are achieved, and final reclamation shall occur after mineral extraction is completed.
13. Plant species used on the slopes shall be capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer, and shall include species representative of the Riversidean Sage Scrub vegetation community.
14. Monitoring shall occur annually during the spring months and shall be done by a qualified biologist to determine if there is a need for maintenance. On-site monitoring shall include a qualitative (visual assessment) and quantitative sampling (transect date collection).
15. Prior to the release of financial assurances, the monitoring of the revegetated areas will be done for five years or until the site is determined to be self-sustaining. The monitoring shall document the success of the revegetation process and before on-site monitoring is considered completed, the area must be able to produce an 80% statistical confidence level. When the revegetated areas meet the success criteria for two consecutive years without human intervention, no further monitoring will be required, and the operator may request financial assurances be released.
16. The conditions of approval hereby established with SMRP2018-0001 shall replace the conditions of approval for SMP90-01 for the Reclamation Plan (Conditions 33 through 37 of SMP90-01).
17. If mitigation measures are required by the regulatory agencies for the Water of the U.S. located on the project site, the operator shall provide a copy of the permits and/or agreement to the Community Development Department so that the permit can be an appendage to the reclamation plan and included as part of the administrative record and submitted to the Department of Conservation, Division of Mines and Reclamation.