



**RESOLUTION NO. 2518  
APPLICATION NUMBER: SMP2017-0101**

**A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, GRANTING AN AMENDMENT TO AN EXISTING SURFACE MINING PERMIT (SMP95-01) FOR ALL AMERICAN ASPHALT QUARRY LOCATED AT 1775 ALL AMERICAN WAY TO: 1) EXTEND THE PERMIT FOR A PERIOD OF 100 YEARS; 2) EXCAVATE TO A DEPTH OF 400 FEET ABOVE MEAN SEA LEVEL (AMSL) FROM 500 FEET ABOVE MEAN SEA LEVEL UNDER THE EXISTING PERMIT; 3) RECONFIGURE THE MINING PHASES OF THE OPERATION FROM THREE TO FIVE PHASES WITHIN THE CURRENT FOOTPRINT ALLOWED BY THE EXISTING SURFACE MINE PERMIT; AND 4) INCREASE TOTAL RESERVES TO 177 MILLION TONS FROM 112 MILLION TONS AND ADOPTING A SUBSEQUENT MITIGATED NEGATIVE DECLARATION.**

WHEREAS, the application to the City of Corona, California, for an amendment to an existing surface mining permit (SMP95-01) under the provisions of Chapter 19.08 of the Corona Municipal Code, made by All American Asphalt ("SMP2017-0101"), has been duly submitted to said City's Planning and Housing Commission for decision after Public Hearing, for which proper notice was given, held on October 8, 2018, as required by law; and

WHEREAS, after close of said hearing, the Planning and Housing Commission by formal action, found that all the conditions necessary for granting SMP2017-0101 as set forth in Corona Municipal Code Section 19.08.100 do exist based on the evidence presented in the staff report to the Commission during said hearing; and

WHEREAS, on the basis of the initial study, which indicated that all potential environmental impacts from SMP2017-0101 were less than significant or could be mitigated to a level of insignificance, a Subsequent Mitigated Negative Declaration ("Subsequent MND") to the mitigated negative declaration for SMP90-01 approved March 1991 and the negative declaration for SMP95-01 approved August 1995, was prepared pursuant to California Environmental Quality

Act (Public Resources Code Section 21000 et seq.) (“CEQA”), the State CEQA Guidelines and the City of Corona Local CEQA Guidelines; and

WHEREAS, the Subsequent MND was made available to the public and to all interested agencies for review and comment between August 23, 2018 and September 25, 2018, pursuant to CEQA, the State CEQA Guidelines and the City of Corona Local CEQA Guidelines; and

WHEREAS, the Planning and Housing Commission based its decision to grant SMP2017-0101 on the findings set forth herein, and the adoption of the Subsequent MND.

NOW, THEREFORE, BE IT RESOLVED THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, DOES AS FOLLOWS:

**SECTION 1. CEQA Findings.** The Planning and Housing Commission has reviewed and considered the information contained in the Subsequent MND and the administrative record for SMP2017-0101, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the whole record before it, including the Subsequent MND, the initial study and the administrative record, including all written and oral evidence presented to the Planning and Housing Commission, the Planning and Housing Commission finds as follows:

A. The Subsequent MND, initial study and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Corona Local CEQA Guidelines.

B. The Subsequent MND and initial study contain a complete and accurate reporting of the environmental impacts associated with SMP2017-0101 and reflects the independent judgment and analysis of the City as the lead agency for SMP2017-0101.

C. There is no substantial evidence in the administrative record supporting a fair argument that SMP2017-0101 may result in significant environmental impacts.

D. All environmental impacts of SMP2017-0101 are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the Subsequent MND, the Mitigation Monitoring and Reporting Program and the initial study.

**SECTION 2. Adoption of the Subsequent MND.** The Planning and Housing Commission hereby adopts the Subsequent MND for SMP2017-0101.

**SECTION 3. Adoption of the Mitigation Monitoring and Reporting Program.** The Planning and Housing Commission hereby approves and adopts the Mitigation Monitoring and Reporting Program prepared for SMP2017-0101 and attached hereto as Exhibit “A” and

incorporated herein by reference.

**SECTION 4. Surface Mining Permit Findings.** Based on the entire administrative record before the Planning and Housing Commission, including all written and oral evidence presented to the Planning and Housing Commission, the Planning and Housing Commission hereby makes and adopts the following findings:

A. The SMP2017-0101 will not be detrimental to the public health, safety or general welfare and will be in harmony with various elements and objects in the City's General Plan because:

(i) The proposal promotes General Plan Goal 10.13 to ensure that the process and manner of locating and extracting mineral resources in the City and Planning Area occurs in a non-impactive manner as the revised plan implements a superior mining and phasing plan that facilitates sequential reclamation.

(ii) The proposal implements General Plan Policy 10.13.2, as the project is required to maintain compliance with SMARA (Surface Mining and Reclamation Act).

(iii) The proposal implements General Plan Goal 10.15 as it honors surface mining permits and reclamation plans that were issued by the Riverside County for sites that are annexed into the City of Corona.

(iv) The proposal promotes General Plan Goal 10.16 to recognize and protect valuable mineral resources in a manner that does not create land use conflicts.

(v) The General Industrial designation accommodates a wide range of manufacturing, construction, transportation, wholesale trade, and related service activities. Mineral resource mining activities are also included in this category.

B. The surface mining operations are located in the M-3/MR (Heavy Manufacturing/Mineral Resources Overlay) zone, which is a zone in which surface mining operations are a permitted use.

C. The site for the surface mining operations, which is approximately 229 acres, is adequate in size and shape to accommodate those operations and the intended reclamation of the mined lands.

D. The site for the surface mining operations relates properly to streets and highways that are designed to carry the type and quality of traffic that will be generated by those operations.

E. The surface mining operations will not pose a threat to the City's groundwater resources or have any adverse impact upon the City's ability to utilize those resources because the conditions of approval for the permit amendment require the operator of the quarry to implement the mitigation measures in the subsequent mitigated negative declaration for groundwater monitoring and sampling in accordance with requirements imposed by the Corona

Department of Water Power General Manager. The mitigation measures for groundwater resources in the subsequent MND indicate the mining operation will not be detrimental to the quality or quantity of the City's groundwater.

F. The reclamation plan submitted by the All American Asphalt is sufficient in all respects to prevent or mitigate any adverse effects on the environment caused by the mining operations and gives adequate consideration to values relating to groundwater supply, recreation, watershed, wildlife, range and forage and aesthetic enjoyment.

G. The reclamation plan will adequately provide for the protection and subsequent beneficial use of the mined lands by:

(i) Ensuring that the land is returned to a usable condition which is readily adaptable for alternative land uses because the pit area will backfilled to an average elevation of 680 feet above mean sea level and will create a flat pad area of approximately 148 acres; and

(ii) The land and/or resources such as water bodies to be reclaimed will be restored to a condition that is compatible with, and blends with, the surrounding natural environment, topography and other resources or suitable off-site development will compensate for related disturbances to resource values because the cut benched slopes will be revegetated with a hydroseed mix containing native plant species that are self-regenerating.

H. The reclamation plan complies with SMARA and the state regulations.

**SECTION 5. Approval of SMP2017-0101.** The Planning and Housing Commission of the City of Corona, California, in a regular session assembled this 8<sup>th</sup> day of October, 2018, hereby grants SMP2017-0101 in accordance with the staff report and exhibits presented and subject to the attached conditions, subject to the City Council's approval of Development Agreement DA2018-002. If the City Council does not approve DA2018-002, the Planning and Housing Commission's approval of SMP2017-0101 shall be deemed null and void.

**SECTION 6. Custodian of Records.** The documents and materials that constitute the record of proceedings on which the findings set forth in this Resolution have been based are located at City of Corona City Hall, 400 S. Vicentia Avenue, Corona, California 92882. The custodian for these records is Joanne Coletta, Community Development Director.

**BE IT FURTHER RESOLVED** that a copy of this resolution be delivered to the City Clerk of said City and a copy thereof be sent to the applicant therefore at the address of said applicant as set forth in the application for said surfacing mining permit amendment.

Adopted this 8<sup>th</sup> day of October, 2018.

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Mitchell Norton, Chair  
Planning and Housing Commission  
City of Corona, California

**ATTEST:**

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Olivia Sanchez  
Secretary, Planning and Housing Commission  
City of Corona, California

I, Olivia Sanchez, Secretary to the Planning and Housing Commission of the City of Corona, California, do hereby certify that the foregoing resolution was regularly introduced and adopted in an adjourned regular session of said Planning and Housing Commission duly called and held on the 8<sup>th</sup> day of October, 2018, and was duly passed and adopted by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

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Olivia Sanchez  
Secretary, Planning and Housing Commission  
City of Corona, California

## **EXHIBIT A**

### **SUBSEQUENT MND MITIGATION MONITORING REPORT**

**Subsequent MND**  
**SMP2017-0101, SMRP 2018-0001 & DA2018-0002**  
**Mitigation Monitoring Report**

Geologic Conditions		
Mitigation Measure		Timing
3-1	Visual inspection of rock excavations and mine slopes/benches should be performed to address the potential for unknown or newly exposed discontinuities/geologic conditions. If raveling or instability is evident due to features in the geologic structure, the bench width should be increased to provide a suitable buffer to daylighted or unstable features and a sufficient area to mitigate rockfall. Geologic mapping of final slopes should be performed during excavation of reclamation slopes. Preparation of the final benched slope faces may include scaling to ensure removal of loose or potentially unstable blocks.	On-going during site operations
3-2	Blasting practices should be adjusted to reduce damage to rock to be left in reclaimed bench faces. This may require transition from production blasts to pit-wall blasts as mining approaches the designed pit wall (Hagan and Bulow, 2000). Several techniques are available to aid in producing design pit walls that meet reclamation needs. These should be considered and tested prior to reaching final design pit walls as it is often expensive or impossible to correct adverse conditions near pit margins. A blasting consultant experienced with design pit blasting techniques may be consulted if final slope and bench conditions become unsatisfactory.	On-going during site operations
3-3	Unstable or rounded boulders/blocks should be removed or stabilized where accessible. Mine areas below loose rock, if left in place during mining, should be restricted from casual access and indicated by means of signage or fencing.	On-going during site operations
3-4	Based on anticipated reclamation conditions, use of steel netting or other structural installations to mitigate toppling or rock fall is not considered necessary if suitable design pit wall benches are produced; however, these measures can be considered if warranted by future observations or conditions.	On-going during site operations
3-5	Geotechnical evaluation and design, management of mine bench geometry based on encountered conditions, or use of mechanical support systems can enhance the safety of or mitigate hazards in mining; however, monitoring of slope conditions for failure warning signs is	On-going during site operations

	the most important means for protecting mine workers (Girard and McHugh, 2000) as it can prevent exposure of personnel to potentially hazardous conditions. As is typical for any surface mining operation, periodic observation of mine benches above working areas for indications of potential instability during mine operations is recommended.	
3-6	Mine slopes should be protected with berms and/or levees as necessary to prevent slope erosion in the areas where natural slopes drain onto the reclaimed slopes.	On-going during site operations
HYDROLOGY & WATER QUALITY		
4-1	Within 6 months of approval of SMP2017-0101 or prior to any excavation below 500 feet amsl, whichever one occurs first, All American Asphalt shall implement a one year start-up monitoring program to characterize the potential for off-site migration of groundwater contaminants. The start-up program should monitor: 1) the sources and volumes of water used on site and disposed of off-site, 2) the quality of these waters, and 3) the quality and response of the known and potential receiving waters. After the first year, a long term monitoring program should be developed and guided by the results of the start-up monitoring program.	Within 6 months of approval of SMP2017-0101
4-2	<p>The start-up monitoring program shall describe a sampling and analysis plan of the waters to be monitored and tested. The sampling and analysis plan shall include the following information:</p> <p>A. Water Samples. Samples shall be taken from:</p> <ol style="list-style-type: none"> <li>1) waters used on-site at the quarry, such as the pit pond and the AAA production wells;</li> <li>2) waters discharged from the site, such as pit pond discharge to the Temescal Creek Pond and stormwater discharge to the Temescal Creek Pond; and</li> <li>3) receiving waters, such as the Temescal Creek Pond (or another downstream location in Temescal Creek) and groundwater from the AAA production wells.</li> </ol> <p>A. Frequency of Water Quality Sampling.</p> <p>B. Chemicals to be Analyzed.</p> <p>C. Other Monitoring. Other monitoring should include: daily water produced from all sources of water used on the site; daily discharge of pit pond water to the Temescal Creek Pond; water levels measured at the production wells; and/or other parameters as determined by the Department of Water and Power General Manager.</p>	Within 6 months of approval of SMP2017-0101



	The contents of the start-up monitoring plan shall be reviewed and approved by the Department of Water and Power General Manager prior to implementation.	
4-3	<p>After one year of monitoring, a comprehensive report describing the findings of the start-up monitoring program shall be prepared and submitted to the Department of Water and Power General Manager. The report shall include:</p> <ol style="list-style-type: none"> <li>1) The monitoring results using maps, tables and time series charts.</li> <li>2) Interpretations that describe the meaning of the monitoring results.</li> <li>3) The implementation of mitigation measures, if necessary; and if not necessary an explanation as to why mitigation measures are not required.</li> <li>4) A proposed long-term monitoring and mitigation plan. The contents of the long-term monitoring program shall be reviewed and approved by the Department of Water and Power General Manager prior to implementation.</li> </ol>	One year after the approval of start-up monitoring program
BIOLOGICAL RESOURCES		
7-1	In accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area, a pre-construction (pre-excavation) clearance survey shall be done no more than 30 days prior to any ground disturbance or vegetation removal activities during the breeding season (February 1 to August 31).	Prior to disturbance within the eastern portion of the site
7-2	If ground disturbing activities in the eastern portion of the site occur during the breeding season (February 1st and August 31st), a preconstruction clearance survey for nesting birds shall be conducted within three (3) days prior to the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a 300-foot buffer around the active nest. For listed and raptor species, this buffer is expanded to 500 feet. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.	Prior to the disturbance within the eastern portion of the site
7-3	Although the mining/quarry operations are existing on the western portion of the site and excavation within the eastern portion of the site has not yet occurred where five on-site jurisdictional drainages exist, the mining operator shall begin consultation with the applicable	Within 6 months of approval of SMP2017-0101

	<p>regulatory agencies (U.S. Army Corps of Engineers, Regional Water Quality Control Board and California Department of Fish and Wildlife) within 6 months of the approval of SMP2017-0101 to determine if regulatory agreements and/or permits with the agencies are required prior to excavation within the eastern portion of the site. The consultation will determine if the mining operator is required to obtain: 1) a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers, 2) a Clean Water Act Section 401 Water Quality Certification from the Regional Water Quality Control Board, and 3) a Section 1602 Streambed Alteration Agreement from the CDFW. At a minimum, the mining operator shall provide mitigation for:</p> <p>0.16 acres of non-wetland Waters of U.S. (WoUS) at a replacement ratio of 1:1 or as otherwise determined by U.S. Army Corps of Engineers via issuance of a Nationwide Permit or Individual Permit and the California Regional Water Quality Control Board via the issuance of Clean Water Act Section 401 Certification through a combination of off-site acquisition and preservation, participation in an approved mitigation bank and/or on or offsite creation, enhancement or reestablishment of WoUS, and</p> <p>0.26 acres of streambed/riparian at a replacement ratio of 1:1 or as otherwise determined by the California Department Fish and Wildlife via the issuance of a Streambed Alteration Agreement, Section 1600 through a combination of off-site acquisition and preservation, participation in an approved mitigation bank and/or on or offsite creation, enhancement or reestablishment of the streambed.</p> <p>The mining operator shall provide the Community Development Department copies of the correspondence with the regulatory agencies and if agreements and/or permits are required, the mining operator shall also provide copies of the agreement/permit at the time the city performs its annual inspection of the surface mine. The mining operator shall implement the mitigation measures in the time specified by the regulatory permit.</p>	
TRIBAL CULTURAL RESOURCES		
17-1	<p>If inadvertent discoveries of cultural resources are encountered at any time during construction, these materials and their context shall be avoided until a qualified archeologist and a representative from the appropriate culturally affiliated Native American tribes or bands have consulted with the City of Corona regarding appropriate avoidance and mitigation measures for the newly discovered resources. Construction personnel shall not collect or retain cultural resources. Prehistoric resources include, but are not limited to: chert or obsidian flakes; projectile points; mortars and pestles; dark, friable soil containing shell and bone; dietary debris; heat-affected rock; or human burials. Historic resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits (glass,</p>	On-going during site operations

	metal, wood, ceramics), often found in old wells and privies. Pursuant to California Public Resources Code §21083.2(b) avoidance is the preferred method of preservation for archeological resources	
17-2	All sacred sites, should they be encountered, shall be avoided and preserved as the preferred mitigation, if feasible.	On-going during site operations
17-3	All discoveries of cultural resources shall be curated at the Western Science Center, a qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation. If more than one Native American group is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center.	On-going during site operations
17-4	Should construction/development activities uncover paleontological resources, work will be moved to other parts of the Project site and a qualified paleontologist shall determine the significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented. Appropriate measures would include that a qualified paleontologist be permitted to recover and evaluate the find(s) in accordance with current standards and guidelines.	On-going during site operations
17-5	Consistent with State CEQA Guidelines §15064.5, subdivision (e), in the event of an accidental discovery or recognition of any human remains, the County Coroner shall be notified and construction activities at the affected work site shall be halted. If the remains are found to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours. The NAHC must immediately notify the Most Likely Descendant(s) under Public Resources Code §5097.98 and the descendants must make recommendations or preference for treatment within 24 hours of being granted access to the site. Guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains in accordance with the provisions of Health and Safety Code §7050.5 and Public Resources Code §5097.98.	On-going during site operations

## **EXHIBIT B**

### **CONDITIONS OF APPROVAL**

**SMP2017-0101**

**SMP90-01**

**SMP95-01**



## Project Conditions City of Corona

**Project Number: SMP2017-0101**

**Description: Modification to SMP90-1**

**Applied: 8/22/2017**

**Approved:**

**Site Address: 1776 ALL AMERICAN WY CORONA, CA 92879**

**Closed:**

**Expired:**

**Status: RECEIVED**

**Applicant: ALL AMERICAN ASPHALT**

**Parent Project:**

**400 E. 6th St. CORONA CA, 92878**

**Details:**

### LIST OF CONDITIONS

DEPARTMENT	CONTACT
PLANNING	
<p>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.</p> <p>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.</p> <p>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.</p> <p>4. The applicant shall implement the mitigation measures in the Subsequent Mitigated Negative Declaration prepared for SMP2017-0101 and SMRP2018-001.</p> <p>5. The applicant shall continue to comply with the conditions of approval for SMP95-01.</p> <p>6. The applicant shall continue to comply with the conditions of approval for SMP90-01, except as modified by the conditions of approval for SMP2017-0101.</p> <p>7. Condition 12 of SMP90-01 is hereby replaced with the following condition:</p> <ul style="list-style-type: none"><li>• The term of this permit shall be in effect for the duration of the term specified in Development Agreement 2018-002. If DA2018-002 becomes void, SMP2017-0101 will automatically expire.</li></ul> <p>8. Condition 20 of SMP90-01 is hereby replaced with the following condition:</p> <ul style="list-style-type: none"><li>• The applicant shall adhere to the recommendations of the slope stability investigation prepared by CHJ Consultants, a Terracon Company (May 15, 2017) for the benched slopes revised by permit SMP2017-0101.</li></ul>	



## Project Conditions City of Corona

### PLANNING

9. Condition 22 of SMP90-01 is hereby revised to add the following to the original condition:
  - As the existing pit widens with continued mining toward the area of Test Hole 3 described by the Hydrogeologic Investigation (Roberts, May 2017), groundwater encountered shall be tested for mineral and inorganic parameters.
  - No excavation of materials should occur below 640 above mean sea level near the Test Hole 3 location to prevent any connection or contact with the alluvium.
10. Condition 23 of SMP90-01 is hereby replaced with the following condition:
  - The applicant shall comply with Mitigation Measures 4-1 through 4-3 in the Subsequent Mitigated Negative Declaration for SMP2017-0101 for ground water monitoring and reporting.
11. Condition 24 of SMP90-01 is hereby replaced with the following condition:
  - The applicant shall pay the balance of the Stephens' Kangaroo Rat (SKR) mitigation fee for the portion of the site not yet disturbed by mining operations. The SKR fee shall be paid per Riverside County Habitat Conservation Agency adopted fee schedule. This fee shall be paid prior to any disturbance on undisturbed land.
  - The applicant shall comply with Mitigation Measures 7-1 through 7-3 in the Subsequent Mitigated Negative Declaration for SMP2017-0101 regarding biological resources.
12. Condition 25 of SMP90-01 is hereby revised to replace the first sentence of the original condition with the following:
  - SMP2017-0101 shall comply with the city's performance standards governed by Corona Municipal Code Chapter 17.84. The remainder of the condition shall continue to be applicable to SMP2017-0101.
13. Condition 29 of SMP90-01 is hereby deleted.
14. Condition 31 of SMP90-01 is hereby replaced with the following condition:
  - Trucking operations shall continue to be allowed to operate 24 hours a day with SMP2017-0101; however, if the 24 hour trucking operation negatively impacts the surrounding residents during nighttime hours, the applicant shall be responsible for mitigating the impacts caused by the operation to acceptable threshold levels.
15. Conditions 33 through 37 of SMP90-01 are hereby removed for SMP2017-0101. The conditions of approval would be applicable to the reclamation plan being reviewed by SMRP2018-001.
16. SMP2017-0101 is dependent upon the approval of Development Agreement 2018-002 (DA2018-002) and shall be valid per the term specified in the agreement.
17. In accordance with Mitigation Measure 7-3 of the subsequent MND, the mining operator shall provide the Community Development Department a status report or copies of the correspondence with the applicable regulatory agencies (Army Corps of Engineers, Regional Water Quality Control Board and California Dept. of Fish and Wildlife). If agreements and/or permits are required, the mining operator shall also provide copies of the agreement/permit at the time the city performs its annual inspection of the surface mine. The mining operator shall implement the mitigation measures in the time specified by the regulatory permit.

CONDITIONS OF APPROVALGENERAL

1. The applicant shall comply with all aspects of all conditions of approval for surface mining permits 115, 151, and 158 that were issued by the County of Riverside, except as modified by the conditions of this permit.
2. In the event any of the operations permitted hereby, by reason of atmospheric, seismic, noise or other conditions, are found by the City of Corona to be a nuisance or detrimental to the welfare of the surrounding residents of the project site, the operation causing such nuisance shall cease and shall not be recommenced until permission <sup>has</sup> been granted by the City.
3. A minimum of one on-site parking space for each two employees on the largest shift, plus one on-site parking space for each vehicle kept in connection with the use shall be provided.
4. The project area delineated by the Mining Plan shall be posted with "No Trespassing" signs no further than 100 feet apart. Said No Trespassing signs shall be of a size, material and message approved by the Planning Director and shall be maintained to the completion of the project.
5. The permittee shall comply with spark arrestor requirements of the Public Resources Code, Section 4442, for equipment used on the premises other than turbo-charged vehicles and vehicles designed and licensed for highway use.
6. There shall be a fence erected along the boundary of the active mining area as identified on the Mining Plan. Said fence shall consist of a chain link fence approximately six (6) feet in height with an angled barbed wire extension and shall be maintained at all times during the operation permitted hereby.
7. The operator or owner shall maintain insurance to the extent of 1,000,000 dollars subject to approval of the City Attorney against liabilities arising from production or activities or operation incident thereto conducted or carried on or under or by virtue of any law or ordinance. The limits and form of insurance is subject to review and modifications by the City Attorney at least once every five years.
8. Operations (including drilling & processing), other than maintenance and emergencies, shall be confined to the hours between sunrise and sunset of any day, except those operations that are located more than 300 feet inside the outer boundary of such property.
9. Mining operations and practices will comply with the requirements of MHSA, OSHA, the State Division of Industrial Safety, and the California Mine Safety Orders.

10. All loaded trucks egressing from the subject property shall be properly trimmed so as to prevent spillage onto the public roadway. In the event that spillage onto the road does occur, said spillage shall be removed immediately from the road right of way.
11. Operations shall be confined to those areas indicated on the approved Mining Plan.
12. This permit shall expire 30 years after final City approval of the permit.

#### BLASTING

13. Compliance with the project Blasting Plan (Goffman, McCormick & Urban, August 20, 1990) shall be required. On approval by the City, this Blasting Plan may be revised by a qualified blasting consultant in order to take advantage of the latest blasting technology.
14. The applicant shall notify the City of Corona Fire Department at least 24 hours in advance of any blasting at the site. All blasting shall conform to Title 19 of the Public Safety Code. In addition, all blasting shall be in compliance to the Fire Department's current regulations regarding blasting.
15. At no time shall there be any blasting, dynamiting or use of explosives of any kind whatsoever on the premises without prior approval by the Division of Industrial Safety and City of Corona Fire Department.
16. All blasting associated with quarry development and operations shall be monitored with portable seismographic and airblast instrumentation by a qualified State registered engineer or engineering geologist. Instrumentation shall provide an immediate digital display of vibratory ground motion particle velocity results. Blast monitoring results shall be maintained in the quarry files for at least two years and shall be available to the City of Corona upon request.
18. Quarry blasting for the area of expansion shall be conducted between the hours of 12:00 noon and 5:00 p.m. Blasting may occur on any day Monday through Friday except on holidays. If an emergency situation related to safety and weather conditions should occur, blasting outside of these hours may take place provided notification is given to the City Fire Department and approval is granted.
19. Vibratory ground motion at the closest residence shall not exceed peak particle velocity of 0.5 inch per second and not exceed a ground displacement of 0.30 inch. If these limits are exceeded, the City Engineer and Fire Chief will be notified within 24 hours and a revised blasting plan shall be developed and approved by the City prior to recommencing of blasting.



GEOLOGY/SLOPE STABILITY

20. SMP-90-1 shall be in compliance with all recommendations/mitigation measures of the Slope Stability Study (Rasmussen, February 12, 1991) that was submitted by the applicant. These conditions include:
- a. The maximum cut reclamation slope shall not exceed 1 horizontal to 1 vertical for all cut slopes.
  - b. All slopes shall be inspected for stability by a registered engineering geologist throughout the life of this surface mining permit on an annual basis and during critical times (as determined by the City Engineer). Inspection of all reclaimed slopes shall be conducted by a registered engineering geologist within 30 days prior to initiation of reclaiming operations to certify stability. The engineering geologist's evaluation shall include, but not be limited to, the fracture frequency and orientation of natural and blast-induced fracturing with respect to bedrock stability evaluation of the slopes. Potentially unstable rock masses will be removed or stabilized. The engineering geologist shall submit a slope stability report regarding all slopes in the surface mining operation on an annual basis (within the "Annual Report") to the City Engineer for review and approval.
  - c. All structures developed at the site will be required to be in compliance with the Uniform Building Code in regard to earthquake safety.
  - d. All fill areas shall be compacted to 90 percent compaction and a soils report shall be prepared by a registered soils engineer.

ANNUAL REPORT

21. Commencing on July 1 of each year, the applicant shall submit an "Annual Report" to the City Engineer. This report shall be subjected to review and approval by the City Engineer and include:
- a. Slope stability certification of all slopes where mining has been and/or being actively worked on and/or being reclaimed.
  - b. A certification by a registered civil engineer that drainage patterns and sedimentation control on-site is in substantial conformance to the approved hydrology study and good engineering practices.
  - c. Blast monitoring results in relation to compliance for the prior year.
  - d. Progress of reclamation and whether it conforms with or deviates from the reclamation plan.
  - e. A ground water quality test with analysis that compares the original water quality to the impacts associated with on-site activities. If any increase in contaminants is found (as determined by the Director of the Utilities Department), an investigation shall be conducted to determine the source of the contaminants and appropriate mitigation shall be implemented, subject to review and approval of the City Engineer.

**HYDROLOGY**

22. SMP-90-1 shall be in compliance with all recommendations/mitigation measures of the Hydrology Study (JF Davidson, 1991) submitted by the applicant that includes:
  - a. No standing water shall be permitted on the site which could create a hazard to the public, except for ponds indicated on the mining plan.
  - b. No stockpiling of material in any natural drainage way shall be allowed.
  - c. The applicant shall be required to insure that all drainage within the expansion area is funneled into the current mining site once mineral extraction occurs within this area.
  - d. No mineral extraction will occur in areas below the water table. This does not include ancillary springs or isolated pockets of water that could be encountered during the mining process.
  - e. In order to ensure that there is no increase in sediment production entering the natural drainage system feeding north into the Home Gardens area, the applicant shall install all drainage facilities in accordance with the project phasing plan.
23. To establish a monitoring program to monitor ground water quality, the applicant shall:
  - a. Submit a report that establishes existing quality of ground water within 90 days of issuance of SMP-90-1.
  - b. On an annual basis, ground water quality tests shall be conducted and findings shall be compared with original water quality to monitor the impacts associated with on-site activities.
  - c. If any increase in contaminants is found, an investigation shall be conducted to determine the source of the contaminants and appropriate mitigation shall be implemented, subject to review and approval of the City Engineer.
  - d. Such water quality reports shall be prepared by an independent certified laboratory.

**BIOLOGY**

24. Due to the presence of signs of Stephens Kangaroo Rats (SKR) existing on the project site, a small mammal trapping survey for this species is required to take place on the site. This survey shall be conducted by a biologist permitted by both the U.S. Fish and Wildlife Service (USF & W), and the California Department of Fish and Game (DFG). Should any SKR be found and trapped, mitigation for the potential "taking" of their habitat shall be accomplished in accordance with USF & W and DFG regulations. The required survey shall take place within 12 months of approval of SMP-90-1 or before any mining activities at the project site occur, whichever takes place first.

NOISE

25. SMP-90-1 shall be in compliance to the State Model Noise Ordinance and the City's Noise Element. Non-compliance to these standards will result in a public hearing for the purpose of revocation of SMP-90-1. Monitoring shall be performed by a qualified independent State-registered engineer. This monitoring shall consist of the permittee submitting noise monitoring data to the and Community Development Director, based on samples taken on four (4) separate days. The monitoring data shall demonstrate that the community noise equivalent level (CNEL) of 65 decibels (dB) at the exterior living space of any and all residences in the site vicinity is not exceeded. If the CNEL is exceeded, the applicant shall submit to the Community Development Director within 60 days additional measures to control project related noise. Upon acceptance by the Community Development Director, these further measures shall be implemented within 60 days or as determined by the Community Development Director. Subsequent results of noise monitoring utilizing the above-referenced sampling procedure and demonstrating compliance with the CNEL value of 65 dB shall be submitted to the Community Development Director with the annual report required by Condition 26.
26. To minimize the effects of blasting, the blasting plan (Goffman and others, 1990) submitted by the applicant shall be implemented as a performance condition. Non-compliance to this blasting plan within the subject project site will result in a public hearing for the purpose of the revocation of the surface mining permit.

AIR QUALITY

27. All roads, driveways and mining areas shall be kept wetted while being used, or shall be treated with oil and other palliative to reduce emission of dust.
28. The applicant shall monitor the water injection system on the rock crusher located on the property directly to the south presently permitted under Riverside SMP-115, in order to maintain noise and dust at minimum operating levels. The system shall be inspected at least once by the Building Division upon payment by the applicant of a one-time inspection fee. Thereafter, the Building Division will review the system on an as-needed basis. This monitoring shall be done in addition to any monitoring which may be performed by the City Police Department and Code Enforcement. Under no conditions shall the rock crushing equipment be moved any closer than at the present to the Corona La Linda Mobile Home Park.

TRAFFIC/ACCESS

29. The applicant shall design and install a traffic signal and associated roadway improvements at the intersection of Magnolia Avenue and All American Asphalt access road within 12 months of issuance of SMP-90-1 at no cost to any government agency.

30. Applicant shall maintain legal access to the site at all times; otherwise all mining operations at the site shall cease until this issue is resolved. In addition, neither Neece Street nor Temescal Street shall be used as legal access for this permit.
31. Trucking operations will be permitted to operate 24 hours a day; however, this condition will be evaluated once every six months for two years by the Community Development Director. The Community Development Director's decision to renew or modify this condition shall be based upon the impacts the trucking operations have upon the surrounding residents and property owners. Any renewal or modification of this condition shall be made by the Community Development Director in a written letter to the applicant stating the reasons why this condition has been renewed or modified.

#### LIGHT/GLARE

32. Light sources shall be limited to those necessary for normal maintenance and security activities, and for nighttime mining operations which are located more than 300 feet inside the outer boundary of the project. Light sources shall be shielded so as not to direct glare off site.

#### RECLAMATION PLAN

33. The applicant shall utilize the re-vegetation methods set forth in the Reclamation Plan, and the portion of the project description relating to reclamation, in regards to spreading of topsoil, seed mixes, plant species, planting and irrigation techniques. The hydroseeding and hydromulching method shall be used to seed the slopes. In addition, the reclamation for the site will include the following upon the completion of each phase on the Mining Plan:
  - a. Removal of all mining equipment, processing plants and stockpiles, and the clearing of debris.
  - b. Contouring of mined terraces to produce more natural topographic faces by means of random rounding of edges and the interruption of ledges.
  - c. Establishment of a permanent, self-perpetuating vegetative ecosystem to closely approximate the natural environment, through re-soiling and re-vegetation, with monitoring and specific assurance mechanisms to guarantee successful completion to be provided by the applicant. The applicant shall prepare a monitoring plan for the reclamation plan, that details assurances and timing of the reclamation process. The monitoring plan shall be prepared to the satisfaction of the City Engineer.
34. Re-vegetation shall be initiated within one year of completion of mining on any slope, except where such re-vegetation would interfere with subsequent mining. However, reclamation for each phase shall be completed within one year of conclusion of that mining phase.

35. Upon completion of each phase of the operation, slopes and general premise shall be stabilized, graded and smoothed so as to control erosion, prevent the creation of potentially dangerous areas and present neat and orderly appearance. No cut slope shall remain steeper than one (1) foot horizontal to one (1) vertical. All grades and slopes shall be oriented to control drainage. Fill slopes shall be made no steeper than 2:1, and shall be compacted to avoid excessive settlement in accordance with Chapter 70 of the UBC.
36. Sufficient topsoil shall be provided for landscaping during reclamation, as determined by the City Engineer. Fertilizer and other materials shall be added to the soil at the time of planting, as determined to be necessary by the project landscape architect.

#### MITIGATION MONITORING PLAN

37. Pursuant to the provisions of AB3180, the applicant shall prepare and submit a Mitigation Monitoring Plan that outlines a monitoring program for the mitigation measures and conditions of approval for the project. This plan shall be submitted within 3 months from the approval date of SMP-90-1 and shall contain the format and detail as prescribed by the Community Development Director. The applicant will pay all costs associated with the development and implementation of this plan.

\*\*\*\*\*

CITY CLERK (714) 736-2201

22 May 1991

Mr. Daniel D. Sisemore  
ALL AMERICAN ASPHALT  
Post Office Box 2229  
14274 Magnolia Avenue  
Corona CA 91718-2229

RE: SMP-90-1  
APPEAL OF PLANNING COMMISSION'S DENIAL

Dear Mr. Sisemore:

At the regular City Council meeting held 15 May 1991, the Council held a public hearing regarding your appeal of the Planning Commission's denial of your application for SMP-90-1.

The Council reversed the Planning Commission's denial and approved your application with the following changes to the recommended conditions:

**REVISED CONDITIONS:**

14. Add: "Applicant will when feasible group blasting to minimize the number and duration of blasting disturbance."
16. Add: "Blasting seismic monitoring services shall be contracted with the City of Corona. Applicant shall pay for all associated costs."

**NEW CONDITIONS:**

38. Applicant shall install landscaped buffering, inclusive of trees, along the northern perimeter of the expanded quarry site. Landscape plans shall be prepared by a licensed landscape architect, subject to the review and approval of the Community Development Director.

All America Asphalt  
Re: Appeal of SMP-90-1  
22 May 1991  
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39. An advisory committee shall be established by the City Fire Marshal for the purpose of monitoring any complaints of the quarry operations. Committee shall be comprised of representatives of the quarry operator, area residents, and City staff.
40. Commencing with the annual report due on July 1, 1992, applicant shall submit to the Community Development Director for approval by the City Council a proposal to preserve the ridgelines as viewed from the Four Seasons community to the north.

If you submitted any renderings on this project, they may be picked up in the Planning Department. If they are not picked up within thirty (30) days, the Planning Department will dispose of them.

If you have any questions regarding this action, please contact the Planning Department at (714) 736-2262.

Sincerely,

CITY OF CORONA



Judy A. Nelson, Deputy Clerk II  
Office of City Clerk

jn

cc: Ron Running, Senior Planner  
Community Development

City of Corona  
Conditions  
of Approval

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Activity No: SMP95001 Situs Address: 1776 ALL AMERICAN WY

Title: ALL AMERICAN ASPHALT LANDFILL  
Description: AT 1776 ALL AMERICAN WAY

Applicant: ALL AMERICAN ASPHALT  
P O BOX 2229  
CORONA CA 91719

PLANNING DIVISION CONDITIONS

- 1700 - SMP-95-01 shall be in compliance to all the conditions of approval for SMP-90-01.
- 1701 - Approval of SMP-95-01 is contingent the approval of the proposed All American Landfill by the County of Riverside or the State of California. Should either the County of Riverside or the State of California fail to approve the subject landfill within two years of approval by the City of Corona, SMP-95-01 shall become null and void.
- 1702 - The proposed landfill will be required to be in compliance to the County of Riverside's "Solid Waste Management Plan" as to inspecting and reviewing the material entering the subject landfill. This shall include, but not limited to the following:
- a. Only inert, non-water soluble, non-decomposable, non-toxic, and non-hazardous materials will be permitted in the proposed landfill.
  - b. All incoming truck loads of landfill materials shall be inspected by trained personnel for non-inert material.
  - c. If any suspicious materials are discovered in trucks delivering landfill material or within the landfill, the operator shall then follow strictly the protocol procedures outlined in the Riverside Solid Waste Management Plan.
  - d. All materials placed into the subject landfill shall again be immediately inspected for suspicious materials that are non-Class III.
  - e. Tank trucks will not be permitted within the project site's boundaries in addition to being prohibited from dumping at the site. However, this does not apply to water trucks for dust control or fuel trucks for refueling earthmoving equipment utilized in the mining/landfill operations.
  - f. The current fencing required for SMP-90-01 surrounding the All American Asphalt project site shall be maintained at all times.
  - g. The applicant shall kept detailed records of all materials brought to the proposed landfill. These records shall include:



Conditions of Approval (Con't)

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Activity No: SMP95001

- o The source, material type, and location where the landfill materials were derived.
- o The location where the materials are placed in the subject landfill. This requirement shall be fulfilled by maintaining a detailed map that references both elevation and horizontal grid measurements.
- o The name, address and phone number of the person/company/agency that is requesting to place materials in the subject landfill.
- o The license plate number of the vehicle hauling the the landfill material.

The City of Corona and the Local Enforcement Agency shall be given a copy of these records and maps each year (or upon request) during the Annual Inspection of the All American Surface Mine.

- 1703 - The County of Riverside Local Enforcement Agency shall inspect and evaluate all solid waste entering the facilities on a monthly basis or greater. This inspection shall evaluate the materials placed into the landfill, procedures, and compliance to State and County codes in addition to the conditions of approval for the subject landfill. Should any hazardous or non-inert materials be found at the site, the applicant shall be required to immediately removed these materials from the landfill. Disposal of these materials shall be by procedures setforth by the Riverside County Local Enforcement Agency. Documentation of these inspections shall be submitted to the City of Corona as part of the Annual Inspection for the surface mine.
- 1704 - The vehicle traffic for the proposed landfill shall not exceed five (5) percent of the vehicle traffic proposed by SMP-90-01. The applicant shall provide monthly records to the Riverside County Local Enforcement Agency during their monthly inspections in addition to the City of Corona during their Annual Inspection of SMP-90-01/SMP-95-01.
- 1705 - All asphalt waste proposed as landfill material for the subject landfill shall not be placed below the 645 foot elevation.