



Agenda Report

File #: 18-2211

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 11/7/2018

TO: Honorable Mayor and City Council Members

FROM: Community Development Department

SUBJECT:

City Council consideration of Resolution No. 2018-115, approving SMRP2018-0001 a Surface Mine Reclamation Plan for the All American Asphalt Quarry covering 263 acres on a 321-acre site (located at 1776 All American Way, generally south of Magnolia Avenue and east of Interstate 15) in the M3/MR Overlay (Heavy Manufacturing/Mineral Resources Overlay) zone. (Applicant: All American Asphalt)

RECOMMENDED ACTION:

That the City Council adopt Resolution 2018-115 affirming the Planning and Housing Commissions action granting SMRP2018-0001 based on the findings contained in the staff report and conditions of approval.

ANALYSIS:

SMRP2018-0001 is partnered with Surface Mine Permit (SMP) 2017-0101, an amendment to existing surface mine permit SMP95-01 for All American Asphalt. All American Asphalt operates an existing quarry located at 1776 All American Way. The permit amendment would extend the term of the permit for 100 years to allow All American Asphalt (hereafter referred to as AAA) the ability to exhaust the mineral resources available within the project boundary, revise their operational phasing plan from three to five phases and excavate an additional 100 feet from 500 feet above mean sea level. The permit amendment will not expand beyond the existing footprint of the surface mine permit. The total reserves extracted from the quarry will increase from 112 million tons to 177 million tons with the maximum being no more than 4 million tons per year.

Mine reclamation is the process of restoring land that has been mined of natural resources for an economically usable purpose. After mineral resources are depleted and the mining on the property has stopped, the All American Asphalt quarry will consist of a bowl shaped area with benched perimeter slopes along most of the northern, southern and eastern portions of the site. A large flat pad of approximately 148 acres will be located at the base of these slopes and extend westward. The flat pad area will be an engineered fill with inert material and graded to create a stable and gently

sloping surface. Final reclamation includes: 1) removal of all man-made structures that will not be used for post mining land uses, such as the processing plant and conveyor system, storage areas and mining equipment; 2) site grading to final landform; and 3) revegetation and monitoring. Once the reclamation is done, the property could be used for some other purpose. Based on the current zoning of the property, the M-3 zone would allow industrial and manufacturing type uses.

Reclamation Phasing

Excavation within the surface mine permit boundary will be on approximately 229 acres. The permit shows the mining process occurring over five phases until aggregate resources are depleted from the site. AAA anticipates 177 million tons of aggregate being extracted from the site over the life of the permit. Based on the revised phasing plan per SMP2017-0101, AAA is currently operating in Phase 1 and will continue to operate in this phase for another 60 years. Phase 1 involves mining on the site east of the current processing plant. Reclamation of the site will occur, whenever possible, concurrent with mining operations. Reclamation of the benches will commence as final slopes are completed.

Grading and Slope Stability

A slope stability report was prepared by a licensed geologist for the final cut slopes to be created on the property as part of the reclamation process. Reclaimed cut slopes will consist of 80-degree bench faces with 25-foot wide benches every 50 vertical feet which will result in inter-ramp slopes of 50 degrees. The pit area will be backfilled with inert debris with the average elevation across the pit area being 680 feet above mean sea level at final reclamation. The reclamation plan will add approximately 280 feet of vertical fill within the pit area. The benched slopes exposed after the filling of the pit area will be revegetated with a native hydroseed mix.

Revegetation

After final grades surfaces are achieved on site, the disturbed areas will be revegetated with a non-irrigated hydroseed native plant mix. Operations will combine stripped topsoil with process fines to produce a soil media that will be used as topdressing for areas to be revegetated. Revegetation will be sequential after the grading process, but final reclamation of the site will occur after all mineral resources are extracted from the site. The revegetation plan would provide a vegetative cover for all final fill slopes and cut slopes with a slope ratio of 1.5:1 or shallower. The non-irrigated hydroseed mix will include native plant species representative of the Riverside an Sage Scrub community and are capable of self-regeneration without the continued dependence on irrigation or fertilizer. The native species are also representative of the plant communities commonly found in the natural surrounding environment. The flat pad created at the bottom of the slopes will also be covered with an erosion control seed mix similar to the sloped areas. Revegetation efforts will be done within the months of November 15 and January 15 to take advantage of the seasonal precipitation.

Monitoring and Maintenance

Monitoring will be done to document the success of the on-site revegetation. 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 will document the success of the revegetation process and before the on-site monitoring is considered to be 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 that financial assurances be released.

Monitoring will occur annually during the spring months and will be done by a qualified biologist to determine if there is a need for any maintenance. Monitoring includes qualitative (visual assessment) and quantitative sampling (transect data collection)

Special Code Provisions

The Surface Mining and Reclamation Act (SMARA) is enforced by the Department of Conservation, Office of Mining and Reclamation (OMR). SMARA requires reclamation plans to incorporate verifiable standards to assure adequate completion of reclamation plan objectives. The verifiable standards have been adopted by the State Board of Mining and Geology and are known as Reclamation Standards pursuant to Public Resources Code Article 9, Sections 3700 et seq. The Reclamation Plan Amendment was reviewed by the Office of Mining and Reclamation and comments on the plan were submitted to the city. The city provided responses to the comments made by OMR on October 8, 2018, 30 days before the final approval of the reclamation plan by the City Council.

COMMITTEE ACTION:

The Infrastructure Committee at its meeting on November 1, 2017 was given an update on All American's surface mine permit and proposed extension of time.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

The applicant has paid all required application processing fees.

ENVIRONMENTAL ANALYSIS:

The City of Corona has determined that a subsequent Mitigated Negative Declaration from the 1991 Mitigated Negative Declaration for SMP90-1 and 1995 Mitigated Negative Declaration for SMP95-01 should be prepared for the proposed project. CEQA Guidelines § 15162 (a)(2) states that when a negative declaration has been adopted for a project, no subsequent negative declaration shall be prepared for that project unless the lead agency determined, on the basis of substantial evidence in the light of the whole record, substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project proponent proposed some variations to the previously approved project which required additional mitigation measures for groundwater resources. The City of Corona has determined that this subsequent mitigated negative declaration is appropriate and in compliance with CEQA.

The subsequent MND (SCH# 2018081065) was submitted to the State Clearinghouse on August 23, 2018. The 30-day review and comment period for state and regional agencies closed on September 25, 2018. Since the close of the public comment period the city received one comment letter from South Coast AQMD. The comment had to do with the future relocation of the processing plant and analysis according to Rule 1401. The subsequent mitigated negative declaration was revised to include discussion on the application of Rule 1401 in the final document.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of October 8, 2018, the Planning and Housing Commission considered the subject

matter and took the following action:

Motion was made, seconded (Jones/Carrillo) and carried unanimously Chair Norton and Commissioner Dunn absent that the Planning and Housing Commission adopt the subsequent Mitigated Negative Declaration and Mitigation Monitoring Plan, and adopt Resolution No. 2519 granting SMRP2018-0001, based on the findings contained in the staff report and conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

PREPARED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

EXHIBITS

1. Resolution 2018-115 (Reclamation Plan Amendment attached).
2. Locational and Zoning Map.
3. Planning and Housing Commission Staff Report
4. Draft Minutes of the Planning and Housing Commission meeting of October 8, 2018.

APPLICANT INFORMATION

All American Asphalt, 400 East Sixth Street, Corona, CA