



Legislation Details (With Text)

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Title: City Council consideration of Resolution No. 2018-114, approving SMP2017-0101 to amend an existing surface mine permit (SMP95-01) 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. The quarry is (located at 1776 All American Way, generally south of Magnolia Avenue and east of Interstate 15) in the M-3/MR (Heavy Manufacturing/Mineral Resources Overlay) zone. (Applicant: All American Asphalt)

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Attachments: 1. Staff Report.pdf, 2. Staff Report with Attachments.pdf

Date	Ver.	Action By	Action	Result
11/7/2018	1	City Council	accepted	Pass

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. 2018-114, approving SMP2017-0101 to amend an existing surface mine permit (SMP95-01) 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. The quarry is (located at 1776 All American Way, generally south of Magnolia Avenue and east of Interstate 15) in the M-3/MR (Heavy Manufacturing/Mineral Resources Overlay) zone. (Applicant: All American Asphalt)

RECOMMENDED ACTION:

That the City Council adopt Resolution No. 2018-114, affirming the Planning and Housing

Commission's action granting SMP2017-0101 subject to the conditions of approval and based on the analysis and findings contained in the staff report.

ANALYSIS:

SMP2017-0101 is an amendment to existing surface mine permit SMP95-01 for All American Asphalt. The quarry operation is located at 1776 All American Way generally located south of Magnolia Avenue and east of Interstate 15. The quarry site was zoned M-3/MR, which means heavy manufacturing with mineral resources overlay. The MR overlay zone in combination with the M-3 zone permits certain uses not otherwise permitted in the underlying zone and restricts certain uses otherwise permitted in the underlying zone. The MR overlay zone provides supplemental development standards for surface mining and related activities. Additionally, the California Geological Survey published by the Department of Conservation shows the quarry located in the *Temescal Valley Production Area for Portland Cement Concrete-Grade Aggregate* region. The State Geologist has classified the site MRZ-2, which means significant mineral deposits are present or there is a high likelihood for their presence exists.

The permit amendment would extend the term of the permit for 100 years to allow All American Asphalt (hereafter referred to AAA) the ability to exhaust the mineral resources available within the project boundary, revise their operational phasing plan from three phases to five phases, and excavate an additional 100 feet from 500 feet above mean sea level (amsl). The permit amendment will not expand beyond the existing footprint of the surface mine permit. The following table summarizes the existing surface mine permit and proposed amendment.

The gross acreage of the property is 321 acres, but only 263.2 acres is within the boundary of the existing surface mine permit. Mining (excavation) is expected to occur on 233 acres within the surface mine permit boundary and approximately 190 acres has been disturbed. AAA produces construction aggregate material for the Southern California region. Materials range from aggregate base to rip-rap. These products are used as the basic ingredient in concrete for the construction of highways, bridges, buildings, roof tiles, large diameter pipes, parking lots and other structures. AAA also has an on-site hot mix asphalt batch plant (HMA) that utilizes materials produced on the property, as well as recycled products. Because AAA uses recycled products as part of their production, the need to excavate organic aggregate from the site has slowed. This is the reason AAA is requesting to extend their surface mine permit 100 years. It is also worth mentioning the adjacent quarry operated by Vulcan Materials was granted an extension of time for 100 years in 2014. Vulcan's surface mine permit will expire on June 4, 2114, or until the exhaustion of permitted reserves, whichever one occurs first.

Existing SMP and SMP Amendment Comparison

Item	Existing SMP	SMP Amendment	Change
Term	May 15, 2021	December 31, 2118	Additional 100 years
SMP Boundary	298 acres	263 acres	Corrected parcel boundaries to be more precise (less 35 acres)
Total Resources Mined	112 million tons	177 million tons	Reserves increased by 65 million tons
Excavation Depth	500' above mean sea level	400' amsl	Increase depth 100 feet

Final Cut Slopes	60-degree bench face with 10' wide bench every 50 vertical feet	80-degree bench face with 25' wide bench every 50 vertical feet	Steeper bench faces and wider, safer benches
Operational Phases	3	5	Revised phasing to include two additional phases for better operation and reclamation
Operating Hours	24 hours	24 hours	No change

The annual rate of production allowed under the existing permit is up to 4 million tons per year. This annual production rate will continue to be carried forward with the permit amendment.

The permit amendment will not change the current operation or hours of operation at the quarry. Quarry operations include drilling, basting, processing of materials, and general maintenance. The quarry is allowed to operate 24 hours of day, but the existing permit limits drilling and processing to the hours between sunrise and sunset if quarry operations are located within 300 feet of the site's outer perimeter. Quarry operations beyond that 300 feet inside the outer perimeter of the site are allowed outside the restricted hours of operation. However, quarry blasting is only allowed to occur between the hours of 12:00 p.m. to 5:00 p.m. and limited to the days Monday through Friday, except on holidays. The permit amendment will continue to carry forward the hours of operation stipulated for the quarry under the existing permit.

The existing phasing plan shows mining activity moving in a west to east direction. The revised phasing plan will now show mining activity along the outer perimeters of the boundary to be all included in Phase One with the pit area expanding east. The revised phasing resembles a top-to-bottom sequence creating a bowl like appearance on the property. The quarry is currently allowed to mine to a depth of 500 feet amsl; however, the permit amendment is requesting to go down an additional 100 feet to a depth of 400 feet. The final cut benches along the perimeters would be established at 25-foot wide benches with 50-foot high walls. Phase 2 will begin to backfill the pit area with inert fill to an elevation of 580 feet amsl. This phase will run concurrently with Phase 1. The backfilled pit area is being prepared to accommodate the relocation of the processing plant currently located at the west end of the quarry. Phase 3 involves relocating the processing plant to the backfilled pit area created in Phase 2 to allow mining in the processing plant's current location, which is part of Phase 4. Phase 5 is the final reclamation phase and involves the backfilling of the pit area to an average elevation of 680 feet amsl across the site.

Planning and Housing Commission Meeting

Letters of support for All American's surface mine permit amendment were submitted to the Commission at the public hearing on October 8, 2018. The letters have been included as part of the record as Exhibit 4.

The Commission also heard public testimony from some of the residents in the La Linda Mobile Home Park located north of the existing quarry. The common concern expressed amongst the residents is the dust in the area. In response to the concern, the applicant responded their equipment is permitted through the Air Quality Management District and their latest air quality report showed the facility operating in compliance with the state's current thresholds. Also, this is the first time AAA and the city had heard of the dust complaint from the residents. Three other surface mines are also located in this area; therefore, the source of the dust is difficult to determine. However, AAA

indicated that they are willing to meet with the residents and hear their concerns to determine if additional measures can be implemented by AAA to mitigate elevated levels of dust from the facility.

Since the Planning and Housing Commission meeting, AAA attempted to meet with the residents, but scheduling conflicts with both parties prevented a meeting prior to the preparation of this staff report. AAA, however, is implementing some dust control measures in the area immediate to the mobile home park. AAA is proposing to:

- Install a dust tamer screen along an existing chain link fence surrounding the on-site storage yard located in the northwest portion of the site closest to the mobile home park.
- Cover with gravel the existing dirt access road within the storage yard.
- Add water trucks to the open fields closest to the mobile home park during weed abatement season.
- Add a seismograph in the northwest area of the site to measure noise and vibration levels during blasting (seismographs are currently located closer to the mining operations in the quarry).
- Add a weather station on the existing silo to log wind direction and speed.

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 associated Development Agreement 2018-002 will establish an annual extraction royalty that will be paid by All American Asphalt to the city. The extraction royalty will remain in effect for as long as active surface mining is being done on the property. The city will be paid a royalty of \$0.05 per ton of Portland cement concrete - grade aggregate material (PCC Material) extracted from the site, and a royalty of \$0.03 per ton of material not suitable for Portland cement concrete use (Non-PCC Material), including without limitation overburden, other waste rock, or topsoil, extracted from the site. The extraction royalty would provide a positive revenue source to the General Fund.

The permit extension also benefits the existing Operating Covenant Agreement (last amended December 2015) between AAA and the City of Corona. The Operating Covenant Agreement allows California sales tax to be shared between AAA and the city as a means of providing an incentive to ensure that AAA maintains and expands its existing asphalt and concrete sales facilities in the City of Corona.

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. 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 final subsequent MND included discussion on the application of Rule 1401.

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 (Ruscigno/Carrillo) and carried unanimously with 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. 2518 granting SMP2017-0101, 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 5.

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 No. 2018-114.
2. Locational and Zoning Map.
3. Site Plan for SMP2017-0101.
4. Letters of Support for SMP2017-0101.
5. Planning and Housing Commission Staff Report.
6. Draft Minutes of the Planning and Housing Commission meeting of October 8, 2018.

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