



Legislation Text

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File #: 18-2054, Version: 2

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**PLANNING AND HOUSING COMMISSION  
STAFF REPORT**

DATE: 10/8/2018

TO: Honorable Chair and Commissioners

FROM: Community Development Department

**APPLICATION REQUEST:**

**SMRP2018-0001:** 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, 400 East Sixth Street, Corona, CA).

**RECOMMENDED ACTION:**

That the Planning and Housing Commission adopt Resolution No. 2519 **APPROVING SMRP2018-0001**, based on the findings contained in the staff report and conditions of approval.

**PROJECT SITE SUMMARY**

Area of Property: 263.2 acres within SMP boundary

Existing Zoning: M-3/MR overlay (Heavy Manufacturing with Mineral Resources overlay)

Existing General Plan: GI (General Industrial)

Existing Land Use: Quarry and Asphalt Batch Plant

Proposed Land Use: Same as existing land use

Surrounding Land Use:

N: M-3 zone (existing knoll as a natural buffer) with residential beyond in Home Gardens (unincorporated county area)

E: M-3/MR zone (undeveloped)

S: M-3/MR zone (existing Vulcan Quarry)

W: M-3 zone (Temescal Wash)

**BACKGROUND**

Mining on the property originated sometime in the 1930s; however, the permit history on the property started in 1979. The property and mining operation originated in the unincorporated area of Riverside County and in 1991 the property was annexed to the City of Corona. The city inherited the mining operation upon annexation and issued a city mining permit to replace the mining permit that

was previously issued by Riverside County. All American Asphalt currently operates under an existing surface mine permit, SMP95-01, that was last amended in 2002. Site topography ranges from an elevation of 1150 feet above mean sea level (amsl) along the eastern most area of the site down to an elevation of 665 feet amsl along the western portion of the site near the quarry's entrance. Over the past several decades historical mining operations have altered the natural topography of the site.

SMRP2018-0001 is partnered with Surface Mine Permit (SMP) 2017-0101, an amendment to existing surface mine permit SMP95-01 for All American Asphalt. 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 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.

## **PROJECT DESCRIPTION**

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 (Exhibits C). 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. Exhibits E1 & E2 show a cross section analysis of the bench slope design. 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 (Exhibit D). Per SMP2017-0101, the quarry pit will involve excavating to a depth of 400 feet amsl. Therefore, 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 Riversidean 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 REQUIREMENTS**

The Surface Mining and Reclamation Act (SMARA) is enforced by the Department of Conservation, Office of Mining and Reclamation. 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 proposed by AAA demonstrates compliance with the state's standards, which are summarized in the following table.

Table 1  
Reclamation Standards

Financial Assurances (§3702)	Financial assurances are reviewed annually by the city during the site's yearly inspection. This practice will continue until the quarry is closed and entirely reclaimed.
Wildlife Habitat (§3703)	As required mitigation for the surface mine permit amendment, AAA is required to initiate consultation with the regulatory agencies within 6 months of approval of the permit and prior to disturbing the easterly portion of the property with mining operations. AAA will be required to adhere to mitigation imposed by the applicable regulatory agencies for biological resources.
Backfilling, Regrading, Slope Stability, and Recontouring (§3704)	Cut and fill slopes within or near the perimeters of the extraction site shall have minimum slope stability factor of safety that is suitable for the property's end use. A slope stability investigation was prepared by a licensed geologist for the benched slopes being created after the excavation of resources. The calculation presented in the study indicated static and pseudo static factors of safety of 2.53 and 1.87, respectively. This is well above the minimum design criteria for factors of safety of 1.5 and 1.15. Non-irrigated hydroseed mix will be applied to slopes, except in areas with solid rock cut slopes.
Revegetation (§3705)	A hydroseed mix vegetative cover will be applied to slopes and cut slopes with a final gradient of 1.5:1 or shallower. The backfilled pad area will also have a vegetative cover to control erosion. Native plant species that are self regenerating will be used for the hydroseed mix.
Drainage, Diversion Structures, Waterways and Erosion Control (§3706)	Controlled erosion and sedimentation will be done per the operators Storm Water Pollution Prevention Plan (SWPPP).
Prime Agricultural Land Reclamation (§3707)	Not applicable.
Other Agricultural Land (§3708)	Not applicable.
Building, Structure and Equipment Removal (§3709)	Phase 5 of the mining operation will remove all equipment from the site to prepare for the final reclamation of the site.

Stream Protection, Including Surface and Groundwater (§3710)	Storm water protection will occur through regulatory permits under the Federal Clean Water Act, Porter-Cologne Act, and the California Regional Water Quality Control Board. The revegetation plan identified the use of self-regenerating plant species mix to control erosion and sedimentation.
Topsoil Salvage, Maintenance and Redistribution (§3711)	Topsoil will be salvaged as the pit advances eastward. Operations will combine stripped topsoil with process fines to produce a soil media that will be used as topdressing for areas to be revegetated.
Trailing and Extraction Waste Management (§3712)	No mine wastes are associated with this quarry.
Closure of surface openings (§3713)	No surface openings for underground operations exist at this quarry.

Title 19 of the Corona Municipal Code (CMC) governs surface mines in the City and their reclamation for the protection of public health, safety and welfare in accordance with SMARA. Title 19 of the CMC establishes the purpose and general provisions for surface mining, permit processing and reclamation plan procedures, minimum site performance standards, annual inspections and financial security to be borne by the operator, and findings for permit approval. The All American Asphalt Quarry is inspected annually by staff in addition to AAA preparing an annual inspection report for the quarry. The annual inspection report and financial assurance is submitted annually to the Department of Conservation. AAA complies with both state regulations and local ordinances concerning the operation of the quarry.

## ENVIRONMENTAL ANALYSIS

A mitigated negative declaration was approved by the Corona City Council in March 1991 when SMP90-1 was approved. A subsequent mitigated negative declaration was approved by the City Council in 1995 for a modification to the existing surface mining permit (SMP95-01) allowing an inert debris engineered landfill in conjunction with the mining operation and mining to a depth of 614 feet amsl. The permit was modified later in 2002 allowing mining to a depth of 500 feet amsl. The 2002 modification was exempt from CEQA review because the modification did not result in additional environmental impacts from the evaluation in the subsequent mitigated negative declaration that was approved

Once the environmental review process is complete for a project, the California Environmental Quality Act (CEQA) does not require further environmental review of a project unless changes that require additional discretionary approval are proposed for the project. If a proposed project change triggers further CEQA review, the lead agency must determine whether those changes necessitate a subsequent, supplemental or addendum to the previously approved EIR or negative declaration. A subsequent or supplemental EIR or negative declaration is required only where it is necessary to explore the environmental ramifications of a substantial change not considered in the original environmental document (CEQA § 21166; CEQA Guidelines §§15162 and 15163).

The City of Corona has determined that a subsequent Mitigated Negative Declaration should be prepared for the proposed project (Exhibit G). 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 proposes some variations to the previously approved project that involves mining to a depth of 400 feet amsl from 500 feet amsl. This change in itself required additional mitigation measures to protect 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 and as of the preparation of this staff report, 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.

## **FISCAL IMPACT**

The applicant has paid all required application processing fees.

## **PUBLIC NOTICE AND COMMENTS**

The notice of public hearing was published on September 19, 2018, in the Sentinel Weekly News newspaper, posted on the city's website, and mailers were distributed to properties within a 500-foot radius of the project site. As of the preparation of this staff report, one resident in the nearby neighborhood of Home Gardens inquired about the scope of work and if the boundary of the mining operation was going to be closer to the houses. Staff explained there are no changes to the mining boundary and as the mining operation moves east the buffer expands and moves farther away from the residents.

## **STAFF ANALYSIS**

The surface mine reclamation plan for All American Asphalt has been prepared in accordance with the state's standards under SMARA. The reclamation plan is associated with Surface Mine Permit 2017-0101 and some aspects of the plan will be sequential after the grading process, but the final reclamation of the site will occur after all mineral resources are extracted from the site. The plan makes accommodations for slope stability and will utilize native plant species as part of the revegetation process that are compatible with the surrounding environmental setting. The reclamation process is required for surface mines therefore the approval and implementation of this reclamation plan is necessary for the ongoing surface mine operation associated with SMP2017-0101.

## FINDINGS OF APPROVAL FOR SMRP2018-0001

1. Pursuant to CEQA Guidelines § 15162 (a)(2), the City prepared a subsequent Mitigated Negative Declaration from the 1991 and 1995 Mitigated Negative Declarations approved for All American Asphalt's surface mine permit and permit amendment. SMP2017-0101 proposed variations to the previously approved project that required additional mitigation measures not originally discussed in the previous environmental analysis. The City has determined the subsequent mitigated negative declaration is appropriate for the permit amendment and in compliance with CEQA.
2. The proposed surface mining operations and reclamation plan 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 for the following reasons:
  - a. *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.*
  - b. *The proposal implements General Plan Policy 10.13.2, as the project is required to maintain compliance with SMARA (Surface Mining and Reclamation Act).*
  - c. *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.*
  - d. *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.*
  - e. *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.*
3. The surface mining operations will be located in a zone in which such operations are a permitted use.
  - a. *The subject site is zoned M-3/MR (Heavy Manufacturing w/Mineral Resources overlay). The MR overlay designates properties in the city that contain mineral resources suitable for extraction based on the California Geological Survey published by the Department of Conservation. The AAA quarry is located in the Temescal Valley Production Area for Portland Cement Concrete-Grade Aggregate region and is classified MRZ-2 by the State Geologist, which means significant mineral deposits are present or there is a high likelihood for their presence exists.*
4. The reclamation plan submitted by the applicant 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.
  - a. *The reclamation plan discussed in SMRP2018-001 is done in accordance with the Surface Mining and Reclamation Act and provides for the re-vegetation of the benched slopes with plant species which are native to the region and will thereby mitigate long term impacts of the mining operation. Furthermore, the operator has paid and will be paying the balance of all mitigation fees for the mitigation of the Stephen's Kangaroo Rat Habitat Management and Monitoring Plan for Riverside County Habitat Conservation Agency Lands in the Lake Mathews and Steel Peak Reserves.*
5. The reclamation plan will adequately provide for the protection and subsequent beneficial use of the mined lands because:

- a. The project site will be reclaimed and restored to a condition that is compatible with, and blends with, the surrounding natural environment, topography and other resources as the plan provides for the re-vegetation of the benched slopes with plant species which are native to the region.*
6. The reclamation plan complies with Surface Mining and Reclamation Act and the state regulations because:
  - a. The reclamation plan for the site has been prepared in accordance with the guidelines of the Department of Mining and Reclamation. Annual inspections of the mining operation will continue to be held in accordance with SMARA to ensure that the reclamation plan is being adhered to and reclamation is occurring sequential with the completion of the respective mine phases.*

**PREPARED & SUBMITTED BY:** JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

## **EXHIBITS**

1. Resolution No. 2519.
2. Locational and Zoning Map.
3. Exhibit A - Site plan.
4. Exhibit B - Conditions of Approval.
5. Exhibit C - Mining phasing plan.
6. Exhibit D - Final reclamation plan.
7. Exhibits E1 & 2 - Benched sloped cross section and cross section with haul road.
8. Exhibit F - Reclamation Plan Amendment for All American Asphalt (Prepared by EnviroMine Inc.)
9. Exhibit G - Environmental documentation.