

**Sutter County Community Services Department
1130 Civic Center Boulevard
Yuba City, California, 95993
(530) 822-7400**

APPLICATION PACKET FOR
SURFACE MINING PERMIT
AND
RECLAMATION PLAN

The attached information includes the necessary filing forms and instructions for submitting applications for surface mining permits and reclamation plans. All forms must be completely filled out and supplemental documents submitted. The information supplied herein will be reviewed by the California State Office of Mining and Geology and the Sutter County Planning Commission pursuant to the State Surface Mining and Reclamation Act and the Sutter County Surface Mining Code. Any omissions may delay the processing of the application.

This packet includes the following application forms and information sheets:

1. Application Form
2. Acceptance of Responsibility Form
3. Supplemental Application Information Form
4. Indemnification Agreement
5. Environmental Impact Analysis Form
6. Sewer/Septic and Water (SAW) Form
7. Exhibit Map Preparation Instructions
8. Greenhouse Gas Emission Screening Tables. Available upon request, or, on the website at:

http://suttercounty.org/doc/government/depts/cs/ps/cs_planning_forms

Upon receipt of the **completed forms, aerial photographs, site photographs, plot plan, exhibit maps, supplemental information, and filing fee**, the Community Services Department will review the application to determine if sufficient information has been submitted. This review will be completed as soon as possible but at most within thirty (30) days of the submittal of the application. It is recommended that the applicant meet with Community Services Department staff prior to the submittal of the application to discuss the project and application requirements.

Upon application submittal, if sufficient information has not been received, you will receive a notice of incomplete application with instructions on how to complete the application. Upon receipt of that additional information or a revised application, the thirty (30) day review process will begin again.

When it is determined that sufficient information has been submitted for complete review of the project, application review will be commenced jointly with the State and by the Community Services Department. When the State's review of the proposed mining permit and/or reclamation plan is

completed and the appropriate environmental review documents have been prepared, the application will be placed on the agenda of the Planning Commission for public hearing and submitted to other local agencies for review and comments.

Prior to the Planning Commission meeting, the Community Services Department will prepare a report to be submitted to the Commission for information. This report will be based on the information contained in your application, comments from other agencies, including those comments received during the mandatory state review process of reclamation plans, and a Community Services Department analysis. The report will contain a recommendation for approval, denial, or modification of the original request. You will receive a copy of this report prior to the Commission meeting.

The information contained in your application determines if the matter can be placed on the Planning Commission agenda. Since this information is also used to evaluate the project and in the preparation of the staff report, it is important that complete and accurate data is supplied. Failure to supply adequate information could significantly delay the processing of your application.

Each section of the application packet should be carefully reviewed prior to submittal and responses to **every** question provided. If while preparing your application, or at anytime during the permit process, you have any questions, please contact our office for assistance. Not providing clear, complete and concise information could result in processing delays and/or denial.

Applicants and/or representatives are encouraged to attend the public hearing.

**CONTACT THE COMMUNITY SERVICES DEPARTMENT IF YOU
HAVE ANY QUESTIONS.**

WE WILL BE HAPPY TO ASSIST YOU IN ANY WAY WE CAN.

COUNTY OF SUTTER

**APPLICATION FOR SURFACE MINING PERMIT
AND/OR RECLAMATION PLAN**

Filing Fee:

Surface Mining Permit/Reclamation Plan At Cost with a \$7,000.00 deposit
 Amendment to Surface Mining Plan At Cost with a \$3,300.00 deposit
 Amendment to Reclamation Plan At Cost with a \$3,300.00 deposit
 Interim Management Plan At Cost with a 1,100.00 deposit
 CEQA Initial Study At Cost with a \$650.00 deposit
 Public Works At Cost with a \$1650.00 deposit

OFFICE USE ONLY	
Application No.:	Date Filed:
Other Related Application(s):	Receipt No.:

Application for: Surface Mining Permit Amendment to
 Reclamation Plan Extension of
 Interim Management Plan Variance to

California Mine ID# (If one has been assigned):
Mine Name (If one has been designated):
Location of Mine (Include address):
Assessor's Parcel No.(s):

Property Owner(s) Name(s):
Company Name:
Contact Person:
Telephone Number:
Address:

Mine Operator Name:
Company Name:
Contact Person:
Telephone Number:
Address:

Application Contact Person:
Company Name:
Telephone Number:
Address:

Mineral Rights Owner(s):
Company Name:
Contact Person:
Telephone Number:
Address:

Attachments

1. Attach ten (10) copies of the plot plan, area map, and cross-section map (and reductions) as required by the attached map information sheets. All maps shall show benchmark locations.
2. Attach aerial photographs of property and surrounding area showing benchmarks. Aerial photographs shall be at a scale of 1 inch equals 100 feet.
3. Attach list of all owners of possessory interest in the subject property and evidence that all owners have been notified of the proposed use or potential uses.
4. Attach a legal description of the property on which the mining site is located.

5. Attach information as required by SUPPLEMENTAL APPLICATION INFORMATION FORM.
6. Attach ground level photographs of the subject property.
7. Attach completed Greenhouse Gas Emission Screening Tables.

OFFICE USE ONLY
DISPOSITION: () Approved () Denied by the Commission on
DISPOSITION: () Approved () Denied by the Board on
Surface mine initiation date (if set by Commission):
Surface mine term period termination date:

**SURFACE MINING PERMIT AND RECLAMATION PLAN
ACCEPTANCE OF RESPONSIBILITY FOR
CORRECTION OF VIOLATIONS STATEMENT***

I, the undersigned, hereby agree to accept full responsibility for the correction of any future violations of the surface mining permit and/or reclamation plan for the herein mined lands in accordance with Section 290-120 of the Sutter County Surface Mining Code.

(Date)

(Signature)

(Name)

(Title)

(Company)

**RECLAMATION PLAN
FINANCIAL ASSURANCE RESPONSIBILITY STATEMENT***

I, the undersigned, hereby agree to accept full responsibility for the reclamation of mined lands as described herein and in conformance with the applicable requirements of Articles 1 and 9 (commencing with Sections 3500 et seq. and 3700 et seq., respectively) of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations, the Surface Mining and Reclamation Act of 1975, as amended, commencing with Section 2710 et seq., the Sutter County Surface Mining Code and with any conditions of approval of said reclamation plan required by the County of Sutter.

(Date)

(Signature)

(Name)

(Title)

(Company)

*Note: The person(s) signing this/these statement(s) will be the party(ies) responsible for the reclamation of the mined lands as herein purposed pursuant to the State of California's Surface Mining and Reclamation Act and the Sutter County Surface Mining Code and responsible for the corrections of any future violations of the surface mining permit and/or reclamation plan pursuant to Section 290-120 of the Sutter County Surface Mining Code.

INDEMNIFICATION AGREEMENT

This Indemnification Agreement ("Agreement") is entered into by the applicant for the project described below ("Applicant") and the owner or owners of the property that is the subject of such application ("Property Owner"). This Agreement is effective as of the date last signed below.

Applicant and Property Owner agree to indemnify, defend, and hold harmless Sutter County ("County"), the Sutter County Planning Commission, the Sutter County Board of Supervisors, and their officers, employees, and agents, including consultants ("Indemnified Parties") from any claim, action, or proceeding against Indemnified Parties to attack, set aside, void, or annul the approval of the Project or adoption of the environmental document that accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys' fees, or expert witness costs that may be asserted by any person or entity, including the Applicant and Property Owner, arising out of or in connection with the approval of the Project, including any claim for private attorney general fees claimed by or awarded to any party against the County.

The County shall promptly notify the Applicant of any claim, action, or proceeding. The County shall control the choice of counsel and defense of any such claim, action, or proceeding.

To the extent that County is required by Applicant to use any of its resources to respond to such claim, action, or proceeding, Applicant will reimburse County upon demand and upon presentation of an invoice describing the work done, the time spent on such work, and the hourly rate for such work by the employee or agent of County.

The person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement and that this Agreement is a valid and legal agreement binding on the Applicant and enforceable in accordance with its terms.

PROJECT:

Project Number: _____
Sutter County APN: _____

APPLICANT:

Signed _____
Name of Person Signing _____
Title _____
Name of Project Applicant _____

PROPERTY OWNER:

Signed _____
Name _____

SURFACE MINING PERMIT AND RECLAMATION PLAN

SUPPLEMENTAL APPLICATION INFORMATION FORM

This document, once completed, will provide necessary factual information about the proposed project. It will also be used to complete the required State Office of Mining and Geology review as well as provide basic information to initiate environmental review. Please be as accurate and complete as possible in answering the questions. Use separate sheets as necessary to provide complete answers to each question.

PLEASE PRINT CLEARLY OR TYPE

- A. Project Mining Description: On a separate sheet entitled, "PROJECT MINING DESCRIPTION", submit a written statement describing the proposed plan of surface mining activities. The project description should contain sufficient detail to describe the proposed mining activity and should contain the following minimum detail information:
1. Describe the mining project site, its size, topography and location. What portion of the mining site will actually be used for surface mining and what other processing, storage, sorting and other activities will occur on-site? Include areas used for overburden and, if proposed for future reclamation use, top soil storage.
 2. Will the mining activity be continual, seasonal or intermittent? If it is seasonal or intermittent, what is its proposed schedule?
 3. Will the project be phased, and, if so, in what manner and how will the phasing occur?
 4. What minerals or materials will be extracted?
 5. What type of mining will occur on-site and what is its maximum anticipated depth?
 6. What is the anticipated volume of material available at the mining site? What are the expected daily and annual production rates for the mining activity? (Provide anticipated production volumes for first five years of operation.)
 7. What is the anticipated life time of on-site mining and production activities?
 8. What are the expected daily and weekly work shifts and hours?
 9. What is the total anticipated employment by shift, if applicable, and what is the anticipated daily traffic?
 10. Describe the water usage of the project, providing specific details on the estimated volume of water used, the amount of water discharged from the project as a by-product of on-site processing and what treatment is proposed for water discharged from the project.

11. What equipment will be used on-site?
12. What improvements will be provided for mining operations?
13. What areas of the property are subject to inundation or flood hazard and what water-courses and wetland areas are on-site or nearby which may be affected by the mining operation and other on-site activities?
14. What is the site's current drainage and what actions will be taken to contain run-off and prevent erosion, sedimentation and deposition of neighboring properties and waterways?
15. What hazardous or potentially hazardous materials, chemicals or contaminants, including but not limited to fuels, will be used and/or stored on the property and how will they be secured, contained and handled? What containment plans are proposed for the accidental spillage or release of these materials?
16. What are the expected materials and volume of waste products that will be created from the mining operation? Describe the manner in which they will be stored on-site and their eventual disposition.
17. What fencing, gates, parking and signs will be used to secure the property?
18. What access points and on-site roads will be used and what proposed surface treatment will be used to limit dust?
19. What access routes will be used between the property and the nearest arterial road and State highway?
20. Describe how the mining site will be screened from view from the public right-of-way and nearby uses. If landscaping is to be used for screening, identify species, location and size at planting.

B. Reclamation Plan: On a separate sheet entitled, "PROJECT RECLAMATION DESCRIPTION", submit a written statement describing the proposed project site reclamation. Unless an alternative end use is to be achieved, the site's rehabilitation should be designated to prevent erosion, protect natural appearance, and restore the mined lands to a condition compatible with the condition of adjacent properties at the time of reclamation.

All reclamation activities will be required to comply with the State Surface Mining and Reclamation Act of 1985, as amended, and Title 14, Division 2, Chapter 8, Subchapter 1 of State of California Code of Regulations and performance standards contained therein. Pursuant thereto, reclamation success will be determined two years after the conclusion of all reclamation activities.

The applicant may wish to use the prototype RECLAMATION PLAN form prepared by the

State Mining and Geology Board as a guideline in preparing the reclamation plan. In any case, the information required in the prototype form and herein shall be provided as part of the application unless otherwise waived by Sutter County prior to application.

In order to determine conformance of the proposed reclamation plan to the required performance standards, at a minimum, the following specific information should be included in the plan:

1. Describe the proposed future goals for the property's end use for which the site will be reclaimed and how the proposed reclamation activities will accomplish these goals. Will reclamation be conducted in phases or at a single point in time? If reclamation is to be done in phasing, at what point will phasing commence for each stage?
2. What effect will the proposed reclamation activities have upon the site's remaining unmined resources and/or upon continued mining on adjacent lands?
3. Describe how the reclamation of the site will affect the public's health, safety and general welfare. Consideration should be given to existing and probable future uses within the surrounding area.
4. Describe the finish slope/grade, compaction and slope stabilization, including slope contouring. Be sure to indicate at what level or point the ground will be left undisturbed.
5. Describe how the mined lands will be revegetated. Include details of planting materials, application rates and/or sizes, irrigation system and rehabilitation schedule coordinated with the quarry operations. Include discussion of any proposed testing to be done to determine adequacy of final revegetation proposal.
6. If mining activities are to be phased, describe how reclamation will occur in relationship to the closing of individual phases and continual mining activities.
7. What is the estimated volume of waste material that will remain at mine closure and what will be the ultimate disposition of that material?
8. If appropriate to future reclamation use, describe plan for topsoil salvage, maintenance and redistribution.
9. Describe proposed actions included in the reclamation plan to protect fish and wildlife species, including habitat, wetland and stream protection measures.
10. Upon closure of the mine, what improvements and/or equipment will remain on-site? What will be the disposition of other improvements and/or equipment?

C. Financial Assurance Plan: On a separate sheet entitled, "FINANCIAL ASSURANCE PLAN", submit a written statement describing the cost estimate of all reclamation activities required

pursuant to the proposed reclamation plan. The cost estimate should examine the surface mine closure from the standpoint of what it would cost Sutter County to close the mining site in conformance with the reclamation plan. The applicant should utilize the "FINANCIAL ASSURANCE GUIDELINES" publication prepared by the State Mining and Geology Board for reference as to the requirements of a financial assurance cost estimate.

D. Environmental Setting: On a separate sheet entitled, "ENVIRONMENTAL SETTING", describe the environmental setting of the site and surrounding area. The project environmental setting description should contain sufficient detail to describe the site and surrounding area and should contain the following minimum detail information:

1. Describe existing structures and land use on the property as well as surrounding properties within 500 feet. Include description of vegetation and topography. Identify any special, unique or sensitive land uses or activities within 1,000 feet of the mining site property.
2. Are there any water bodies, natural or man-made, on- or off-site within 500 feet of the subject property, including lakes, rivers, ponds, creeks, streams, intermittent or perennial water courses, wetlands, drainage/channels, etc.?
3. How will drainage of the area and/or property be affected by the proposal? If it won't be affected, explain why not.
4. Describe the cultural, historical, scenic setting of the site and area.
5. Describe existing and proposed on-site sewage disposal and potable water system.
6. Provide a general description of the geology of the area and a detailed description of the geology of the project site.
7. Explain all YES or NO answers to questions from ENVIRONMENTAL IMPACT ANALYSIS FORM.

E. Other Public Approvals: List any and all other public approvals required for this project. Specify type of permit or approval and issuing agency, telephone number and contact person.

I hereby certify, to the best of my knowledge, that the above statements and those contained in the supplement pages are correct.

Signature of Person Preparing Form

Date

Type or Print Name

Address

City, State, Zip Code

Telephone Number

ENVIRONMENTAL IMPACT ANALYSIS FORM

Filing Fee – At Cost with a \$650.00 Deposit

OFFICE USE ONLY			
File No.:	SUT No.:	Receipt No.:	Date:

_____ Categorically Exempt (no further environmental review required)

The answers to the following questions comprise the applicant's analysis of the environmental impacts expected from the proposed project. Upon review of the project, further environmental information and analysis could be required from the applicant. This could take the form of additional technical, engineering or other information and/or the need to complete an Expanded Environmental Impact Analysis.

ENVIRONMENTAL SETTING:

1. On an attached sheet entitled Environmental Setting, describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots and Polaroid photos will be accepted.

2. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

INSTRUCTIONS:

All "Yes" and "No" answers must be discussed to explain the simple response. Such discussion should incorporate factual, technical and/or engineering information when necessary to support the response. The expanded answers must be supplied on accompanying sheets supplied by the applicant.

- | | | |
|---|-------------------|------------------|
| | <u>YES</u> | <u>NO</u> |
| 3. Change in pattern, scale or character of the general area where the project is proposed. | _____ | _____ |
| | <u>YES</u> | <u>NO</u> |
| 4. Change in demand for public services (roads, polices, fire, water, public sewer, etc.). | _____ | _____ |

- | | | | |
|-----|--|-------|-------|
| 5. | Change in river, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns. | _____ | _____ |
| 6. | Change in existing features of any river frontages, beaches, or hills, or substantial alteration of ground contours. | _____ | _____ |
| 7. | Change in scenic views from existing residential areas or public lands or roads. | _____ | _____ |
| 8. | Generation of significant amounts of solid waste or litter. | _____ | _____ |
| 9. | Change in dust, ash, smoke, fumes or odors in vicinity. | _____ | _____ |
| 10. | Substantial change in existing noise or vibration levels in the vicinity. | _____ | _____ |
| 11. | Site on filled land or on slope of ten (10) percent or more. | _____ | _____ |
| 12. | Use or disposal of potentially hazardous materials, such as toxic substances, flammable or explosives. | _____ | _____ |
| 13. | Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.) | _____ | _____ |
| 14. | Relationship to larger projects or series of projects. | _____ | _____ |

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits are true and correct to the best of my knowledge and belief.

Date

Signature

Phone

Print Name

Address



**SAW FORM
(Sewage and Water Form)**

Applicant _____
 Address _____
 Phone No. _____ AP No(s). _____
 Project Location _____

Engineer _____ Phone No. _____
 Address _____

Applications shall include the following signed statement from the Environmental Health Program verifying they have received sufficient information to fully evaluate the proposed project. The SAW form shall be used for all applications regardless of the type of sewer and water supply and will be required as part of an application packet submitted. Applications will be considered to be **INCOMPLETE** without this form.

The Environmental Health Program will check the appropriate spaces below when they have received wastewater disposal and water supply information which is adequate for their review of the application. **Checks do not in any way indicate approval or denial of a proposal** and a handout provided by the Environmental Health Program will explain what information will be required in order to check the spaces below. If you have any questions regarding this form and/or its purposes in the application packet, feel free to contact the Environmental Health Program at (530) 822-7400.

FOR OFFICE USE ONLY				
Description of the proposed project:				
WASTEWATER DISPOSAL:				
State Permitted Public Sewer:				
N/A	Public Sewer	STEP	On-site	
County Permitted On-Site System:				
Conventional	Pressure Dosed	Mound	Other	
WATER SUPPLY:				
State Permitted Public Water System:				
N/A	Public Water System	Yuba City	Hillcrest	Other
County Permitted Water System:				
State Small Water System	Cal Code Water System			
Private Well				
Other: _____				
Additional Comments: _____				

_____			_____	
Environmental Health Program Signature			Date	

SURFACE MINING PERMIT/RECLAMATION PLAN MAP INFORMATION

The maps as herein required may be combined together into one or more maps provided that all required features can be clearly identified.

A. Map #1 - Area Plan

Provide ten (10) copies of an area plan, not exceeding a sheet size of 24" by 36", drawn at a scale of 1"=100' to 1"=250'. If the map's sheet size exceeds 11 inches by 17 inches, then a reduced map shall also be provided. Reductions sheet size shall not exceed 11 inches by 17 inches.

The area plan shall show all properties within 500 feet of the exterior boundaries of the mining site and include the following:

1. All property lines, including the boundaries of all parcels upon which the surface mine is located.
2. All existing structures and other improvements.
3. All water bodies and/or rivers, streams, canals and drainage swales.
4. Streets, roads, bridges, railroads and utilities.
5. The area of previous, existing and proposed surface mining activities.
6. The general location of existing and proposed improvements and activities, including, but without limitation, offices, screening and grading facilities, water collection ponds, materials washing and processing facilities, stock piles, and other improvements, uses or activities associated with the surface mining activity.
7. Proposed point of ingress and egress from the property including any on- or off-site haul roads, driveways and parking areas.
8. Benchmarks.
9. North arrow, scale and date.

B. Map #2 - Plot Plan

Provide ten (10) copies of a plot plan, not exceeding a sheet size of 24" by 36", drawn at a scale not exceeding 1"=100', showing in detail the location and dimensions of all existing or proposed on-site improvements, mining and processing activities, storage areas, other uses and benchmark locations. The plot plan shall indicate elevation contours both on the property and within 100 feet of the exterior boundaries of the property being mined, both before and after commencement of mining activities.

If the map's sheet size exceeds 11 inches by 17 inches, then a reduced map shall also be provided. Reductions sheet size shall not exceed 11 inches by 17 inches.

C. Map #3 - Control Cross-Section

Provide ten (10) copies of a map showing a sufficient number of cross-sections to clearly depict the proposed mining operation. The cross-section shall identify the natural ground level, the proposed ground level at the conclusion of reclamation and, if appropriate, the ground level which has been excavated prior to the application. Cross sections shall be provided at a maximum interval of 1,000 feet.

The control cross-section plan shall be drawn at a scale not exceeding 1"=100'. If the plan's sheet size exceeds 11 inches by 17 inches, then a reduced plan shall also be provided. Reductions sheet size shall not exceed 11 inches by 17 inches.

D. Map - Phasing Plan

Show the proposed phasing plan on a sheet not exceeding 11 inches by 17 inches.