

# RESOURCE MANAGEMENT AGENCY PLANNING & BUILDING DEPARTMENT

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Norman L. Allinder, AICP  
Director *NLA*

**PLANNING COMMISSION DATE:** February 5, 2013

**AGENDA ITEM:** #3

<b>IMP</b>	<b>#2013-001</b>	<b>Taylor's Pit Interim Management Plan.</b>
<b>APN</b>	<b>051-195-003</b>	<b>Applicant: John Reed</b>
<b>CEQA</b>	<b>Exempt</b>	<b>Owner: Celestial Family Holdings</b>
		<b>PRC 2770(h)(1)</b>

**REQUEST:**

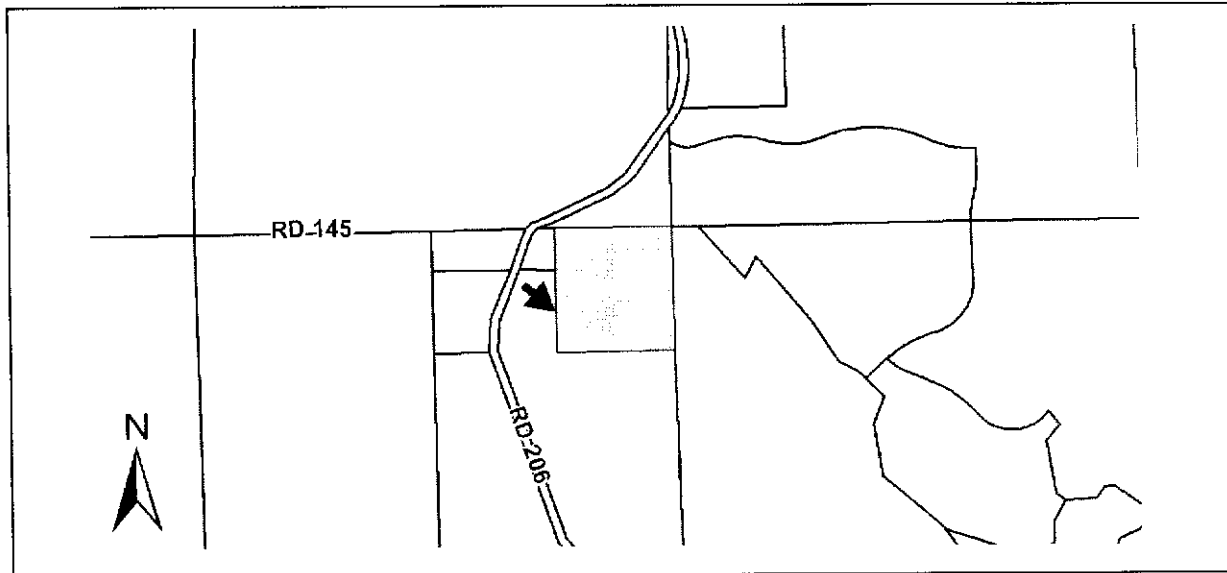
Request to approve an Interim Management Plan (IMP) for Taylor's Pit in accordance with Public Resource Code 2770.

**LOCATION:**

The Project Site is located at the intersection of Road 206 and Road 145 (17999 Road 206) Friant.

**ENVIRONMENTAL ASSESSMENT:**

An Interim Management Plan is not considered a project under the California Environmental Quality Act in accordance with Public Resource Code 2770(h)(1).



**RECOMMENDATION:**

Recommend approval of the Interim Management Plan for Taylor's Pit (CUP 92-17).

**GENERAL PLAN DESIGNATION:**

**SITE:** LI (Light Industrial) Designation.

**SURROUNDING** LI (Light Industrial), OS (Open Space), MDR (Medium Density Residential), LDR (Low Density Residential), NC (Neighborhood Commercial) Designations.

**RIO MESA AREA PLAN DESIGNATION:**

**SITE:** LI (Light Industrial) Designation.

**SURROUNDING** LI (Light Industrial), OS (Open Space), MDR (Medium Density Residential), LDR (Low Density Residential), NC (Neighborhood Commercial) Designations.

**ZONING:**

**SITE:** ARF (Agricultural Rural Foothill) Designation.

**SURROUNDING** ARF (Agricultural Rural Foothill), CRG (Commercial Rural General), IH (Industrial Heavy), ARE-40 (Agricultural Rural Exclusive 40-Acre) Districts.

**LAND USE:**

The project site consists of a concrete batch plant, and a pumice mine.

**SIZE OF PROERTY:** 40.04 acres

**ACCESS:** Access is provided on Road 206 and Road 145.

**ORDINANCES & POLICIES:**

Section 19.01.110 of the Madera County Zoning Ordinance requires the Planning Commission to hold a public hearing and render a decision for approval or denial of a proposed Interim Management Plan.

Public Resources Code Section 2770(h)(1) outlines the requirements and mandates related to a surface mining operations requirements to file an Interim Management Plan.

**PROJECT DESCRIPTION:**

The Proposed Project is an interim management plan in accordance with the Surface Mining and Reclamation Act. Public Resource Code 2770(h)(1) states the following:

“Within 90 days of a surface mining operation becoming idle, as defined in Section 2727.1, the operator shall submit to the lead agency for review and approval, an interim management plan. The review and approval of an interim management plan shall not be considered a project for purposed of Division 13 (commencing with Section 21000). The approved interim management plan shall provide measures the operator will implement to maintain the site in compliance with this chapter, including, but not limited to, all permit conditions.”

An idle mine is defined by Section 2727.1:

“means that an operator of a surface mining operation has curtailed production at the surface mining operation, with the intent to resume the surface mining operation at a future date, for a period of one year or more by more that 90 percent of its maximum annual mineral production within any of the last five years during which an interim management plan has not been approved.”

Mine ID 91-20-0010 is considered an idle mine, no mining or removal of mined material has taken place on site for approximately three years. The operator has filed an interim management plan in accordance with PRC 2770(h)(1). The Madera County Code Section 19.01.110 requires the Planning Commission to hold a public hearing and render a decision for approval or denial of a proposed IMP. The Planning Department has forwarded the attached IMP to the Office of Mine Reclamation (OMR) for their review and concurrence on December 19, 2012, as of the date of this report no correspondence has been received from OMR.

#### **BACKGROUND AND PRIOR ACTIONS:**

Taylor's Pit Mine ID #91-20-0007 was approved for a conditional use permit (CUP90-32) on September 3, 1991. The permit allows for a maximum extraction of 2.5 million tons of pumice material for the life of the mine. The site has historically been mined since the early 1900's. The conditions of approval for CUP 90-32 have been met and authorization to commence mining operations was given by Madera County on October 7, 1991.

Since that time the mine has been extracting pumice from previously stockpiled material. The mine has reduced its production to the extent that an interim management plan is required.

#### **ANALYSIS:**

The proposed IMP is consistent with the requirements of the Madera County Code and State Law. The plan has provided the following measures to ensure the mine site is maintained in a stable condition:

1. The site is fenced with four foot high, ranch fencing consisting of metal T-posts and at least three strands of barbed wire. Access gates to Road 206 are padlocked. Fencing and locked gates will be maintained during the life of the IMP.
2. Drainage patterns are well established on site. Vegetation has naturally colonized the surrounding soils providing erosion control sufficient to prevent sediment runoff. Drainage patterns and vegetation will not be disturbed during the life of the IMP.
3. Financial assurances to ensure reclamation is performed in accordance with the surface mining operation's approved reclamation plan and in accordance with SMARA Sections 2770(h)(3) and 2773.1 are on file with Madera County and the Department of Conservation and shall be maintained during the life of the IMP.
4. Taylor's Pit will continue to file annual reports with OMR and Madera County, with the appropriate recording fees.
5. The mine will be subject to annual inspections by Madera County to ensure the operator is complying with the CUP and IMP requirements.

The IMP will be effective for a period of five years, an extension of the IMP in accordance with PRC 2770(h)(1) can be requested by the operator.

#### **RECOMMENDATION:**

Staff recommends approval of the proposed Interim Management Plan as attached with conditions (Exhibit A).

**CONDITIONS:**

1. The mine operator must submit a detailed surveyed map depicting the reclamation plan boundaries and area of mining disturbance. A detailed topographical map must also be submitted.

**EXHIBITS:**

Exhibit A, Proposed IMP

**John R. Reed**

**Consultant**

Development, Governmental Relations, Asset Preservation

P.O. Box 338, Oakhurst, CA 93644

559.683.7474 Office, 559.683.7393 Fax

[jreed@ccim.net](mailto:jreed@ccim.net)

November 27, 2012

Matt Treber  
Madera County Planning Department  
2037 W. Cleveland Ave., Mail Stop G  
Madera, CA 93637

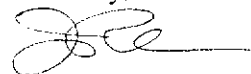
RE: Taylor's Pit Interim Management Plan, CA Mine ID #91-20-0007

Dear Matt,

This is a Notice of Intent by Outback Inc., to enter into an Interim Management Plan (IMP) for CA Mine #91-20-0007 (Taylor's Pit) in accordance with the provisions of PRC Section 2777.5 and SB 108. The mine has curtailed operations, other than the very minimal use of previously stockpiled material, and hereby also give Notice it intends to resume mining operations at a future date. Outback, Inc. is submitting this IMP in good faith and as defined by SMARA Section 2770(h)(1) and in accordance with SMARA Section 2775.5(b). Outback Inc. hereby requests approval of the IMP within 60 days from the date of submission in accordance with SMARA Section 2770(h)(4). Also, per SB108, please consider this a timely request to return the mine to "idle" status if it has been declared abandoned.

I am available to provide additional information or to answer questions as needed. Please give me call at 559-683-7474 or email at [jreed@ccim.net](mailto:jreed@ccim.net).

Sincerely,



John R. Reed  
Agent, Outback Inc.

cc: Curtis Lovett

Attachment: Interim Management Plan ID#91-20-0007

# **INTERIM MANAGEMENT PLAN**

**TAYLOR'S PIT**  
California Mine ID #91-20-0007

Prepared For:  
Outback, Inc.  
P. O. Box 999  
O'Neals, CA 93645

Submitted to:  
Madera County Planning Department  
2037 Cleveland Ave.  
Madera, CA 93637

Prepared November 23, 2012 by:

**John R. Reed**  
**Consultant**  
Development, Governmental Relations, Asset Preservation  
P.O. Box 338, Oakhurst, CA 93644  
559.683.7474 Office, 559.683.7393 Fax  
jreed@ccim.net

## 1.0 Introduction

Outback, Inc.'s surface mining operations at the Taylor's Pit Mine, CA Mine ID#91-20-0007 are located in south central Madera County beginning the intersection of Roads 206 and State Route 145, approximately 2 miles east of State Route 41 (see Location Maps, Appendix A) The operations are currently confined to the storing of previously mined and processed material. There are older previously reclaimed areas, areas with stockpiled material and areas yet to be mined (see attached aerial photo with outlined areas, Appendix B). The property is operated by Outback, Inc. under Madera County Conditional Use Permit #90-32.

Operator: Outback, Inc.  
Contact: Curtis Lovett  
Telephone: 559.868.8888  
Email: [clovett@outbackmaterials.com](mailto:clovett@outbackmaterials.com)  
Address: P. O. Box 999, O'Neals, CA 93645

Designated Agent: John R. Reed  
Contact: John Reed  
Telephone: 559-683-7474  
Email: [jreed@ccim.net](mailto:jreed@ccim.net)  
Address: P. O. Box 338, Oakhurst, CA 93644

Site Owner: Celestial Family Holdings LLC, P.O. Box 999, O'Neals, CA 93645  
Contact: Curtis Lovett  
APN # 051-195-003  
Acres: 40.04  
S-T/R 1-T11S/R20E

## 2.0 Interim Management Plan

Since Celestial Family Holdings LLC acquired the property in 2005, Outback, Inc. has been operating the site. Since that acquisition there has been no new materials mined at the site. There has been only minimal (less than 1 ton last year) use of previously mined and stockpiled material, incidental to the activities allowed under CUP 92-17, which include a concrete batch plant. This Interim Management Plan (IMP) is being submitted to meet the guidelines of PRC 2777.5(b) and (SB108), and to have the mine returned to idle status. This IMP is being submitted in good faith to meet the requirement of the law.

### 2.1 Compliance with the conditions of Conditional Use Permit 90-32

All of the conditions of the CUPs that are in the operator's control (since acquiring title) have been met and will continue to be met by the operator during the time an IMP is in effect. In addition the requirements of CUP 92-17 are being met, which include the application of dust palliatives, maintenance of the roads, erosion control and maintaining of the fencing (see photos Appendix C). The ongoing activity on the site keeps the public off the property and helps keep both the previously mined and the unmined land not being used, in a static state. The presence of onsite personnel also allows for any potential problems to be addressed immediately.

## **2.2 Measures to Maintain the Site in a Stable Condition**

### **2.2.1 Fencing**

The entire site is fenced with maintained with a combination of chain link fencing, 4' tall ranch fencing consisting of 5 strands of barbed wire stretched taut between metal t-posts and hog wire stretched tight between metal t-posts. The access gates on State Route 145 are kept locked (see photos, Appendix C). Those conditions will remain throughout the life of the IMP.

### **2.2.2 Drainage and Erosion Control**

Since there has been no mining activity, other than the minimal processing and sales of stockpiled material, drainage patterns are long established and stabilized. Vegetation covers the entire mined area with sufficient cover to prevent erosion and sediment runoff. Those drainage patterns and conditions will not be disturbed while the IMP is in place and surface mining resumes.

### **2.2.3 Financial Assurances**

Financial Assurances ensuring reclamation is performed in accordance with the surface mining approved reclamation plan and in accordance with SMARA Sections 2770(h)(3) and 2773.1 are on file with Madera County and the Department of Conservation, Office of Mine Reclamation (OMR) and shall be maintained during the life of the IMP.

### **2.4 Annual Report Fee**

Outback, Inc. will file an annual report with the OMR and Madera County, together with the appropriate reporting fee in accordance with SMARA Section 2207.

### **2.5 Annual Inspections**

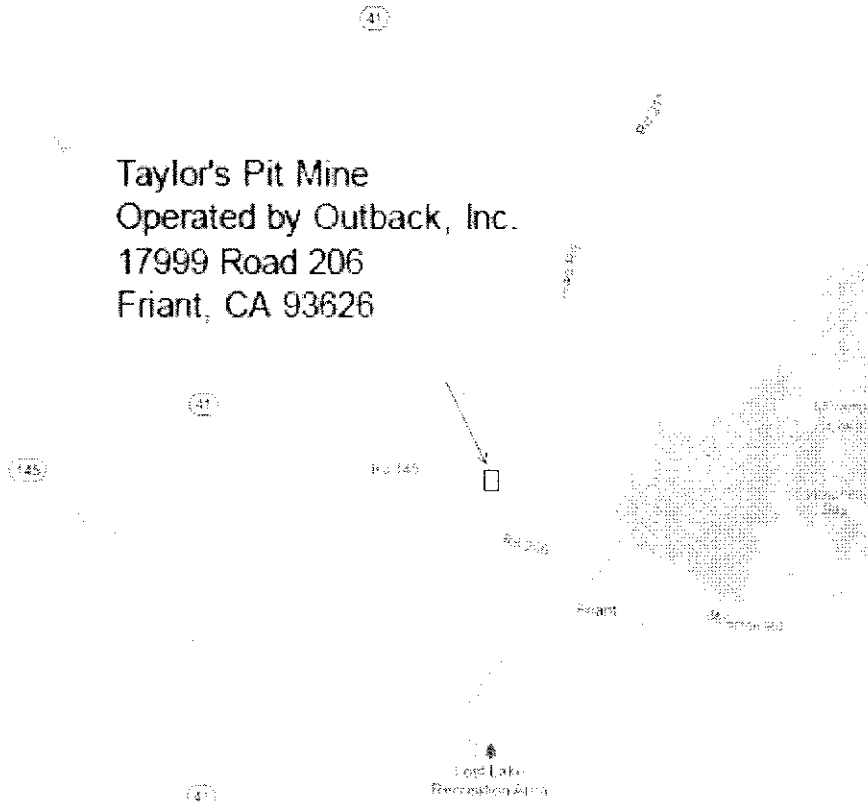
California Mine #90-20-0007 will be available for and subject to annual inspections by Madera County to ensure the operator is complying with the permitting and IMP requirements in accordance with SMARA Section 2774(b).



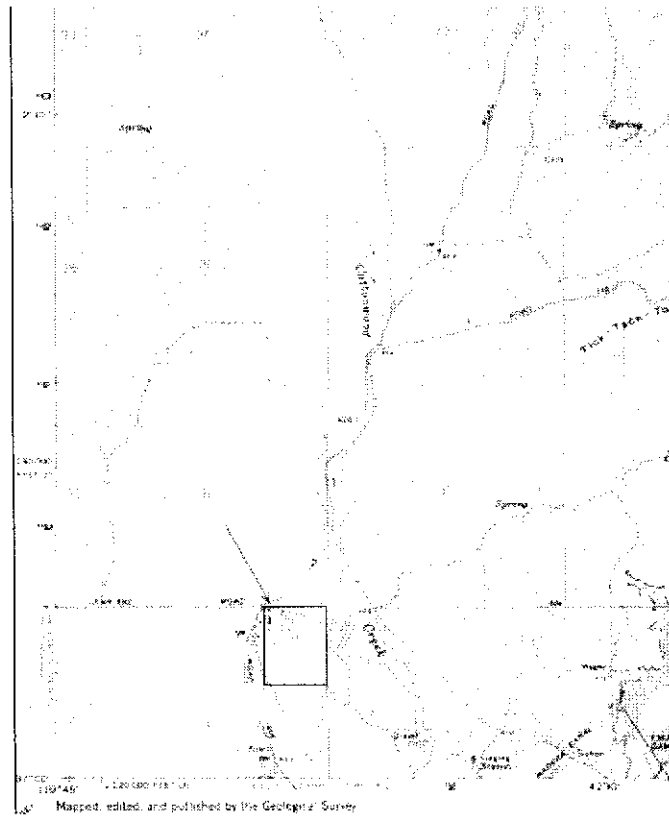
## **Appendix A**

Location Maps

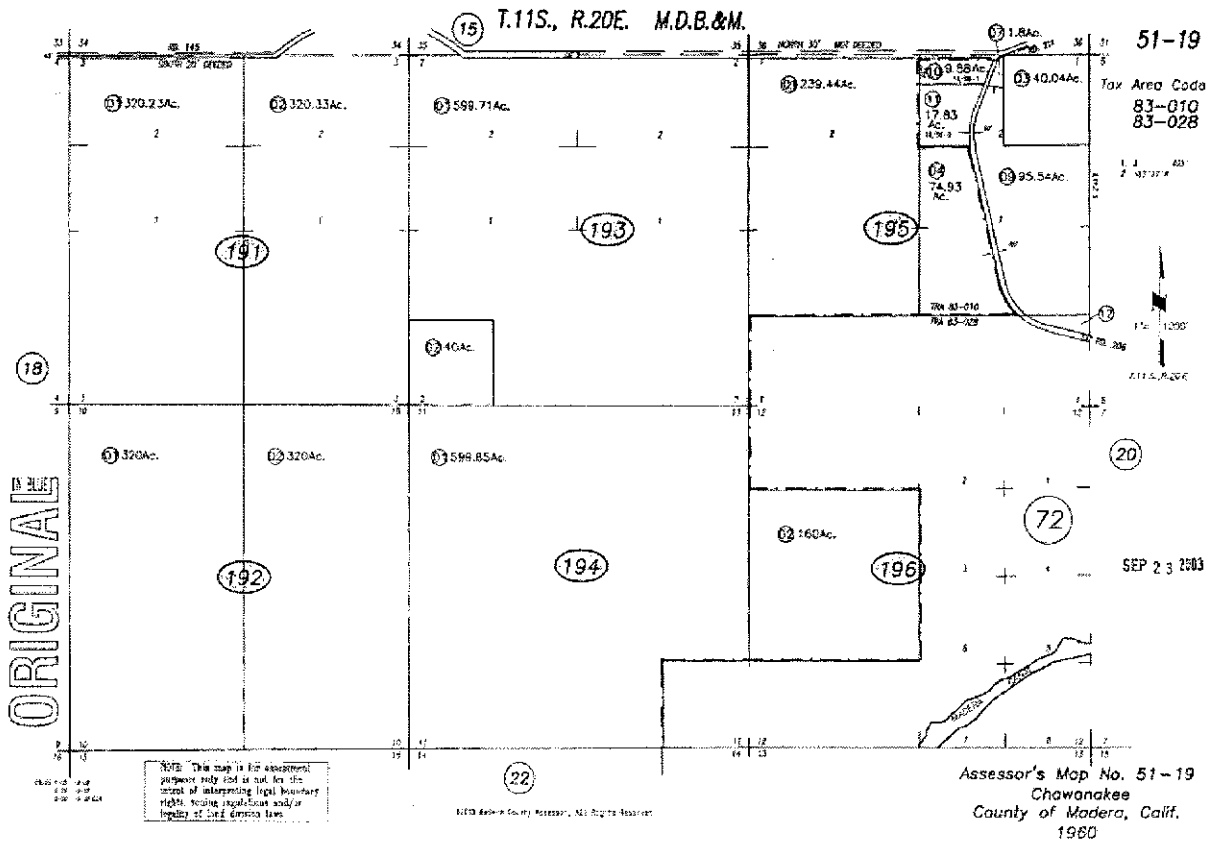
Taylor's Pit Mine  
Operated by Outback, Inc.  
17999 Road 206  
Friant, CA 93626



Vicinity Map



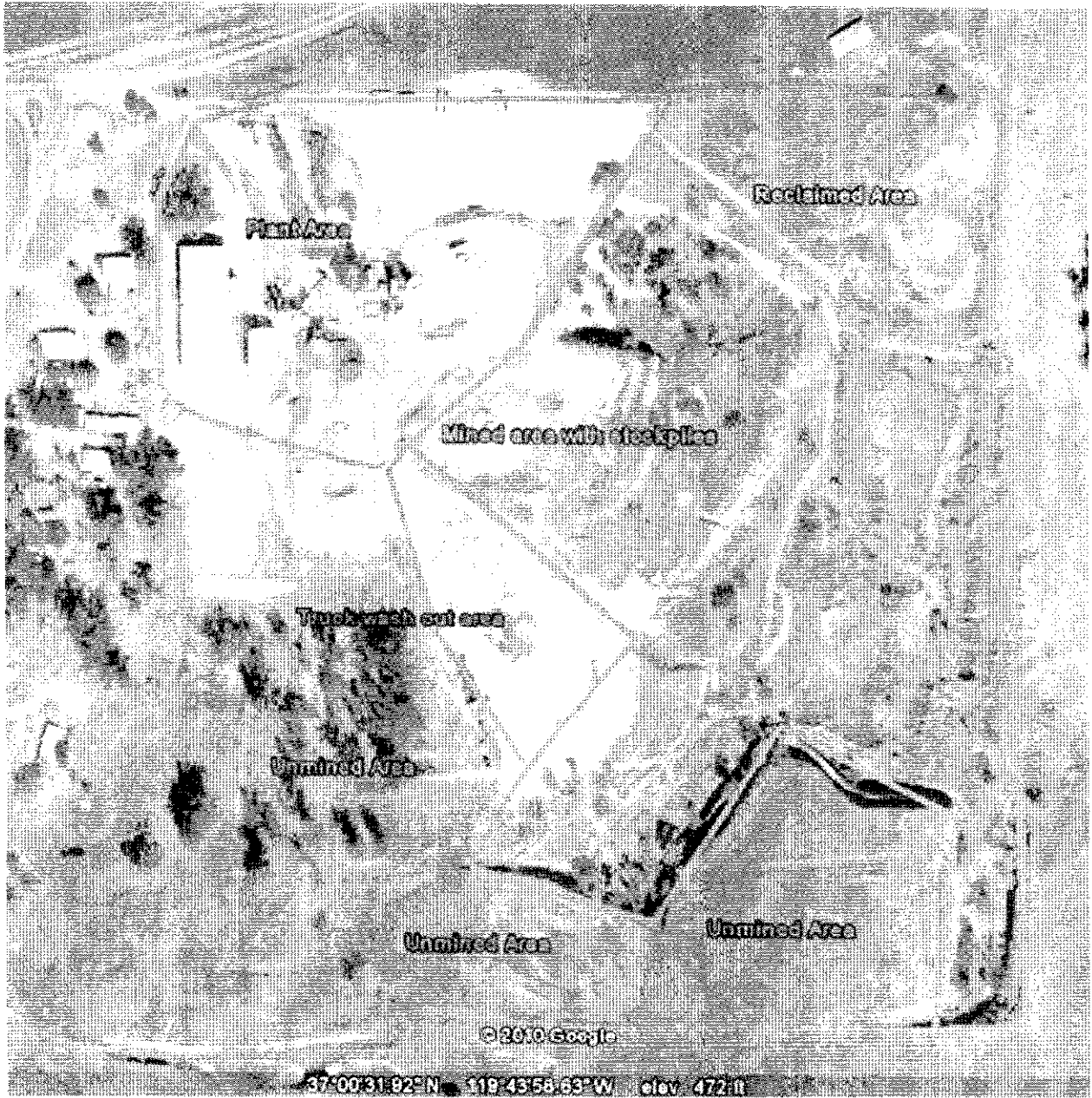
USGS Map



Assessors Parcel Map

## **Appendix B**

Mined and Unmined Areas



Plant Area

Reclaimed Area

Mined area with stockpiles

Truck wash out area

Unmined Area

Unmined Area

Unmined Area

© 2010 Google

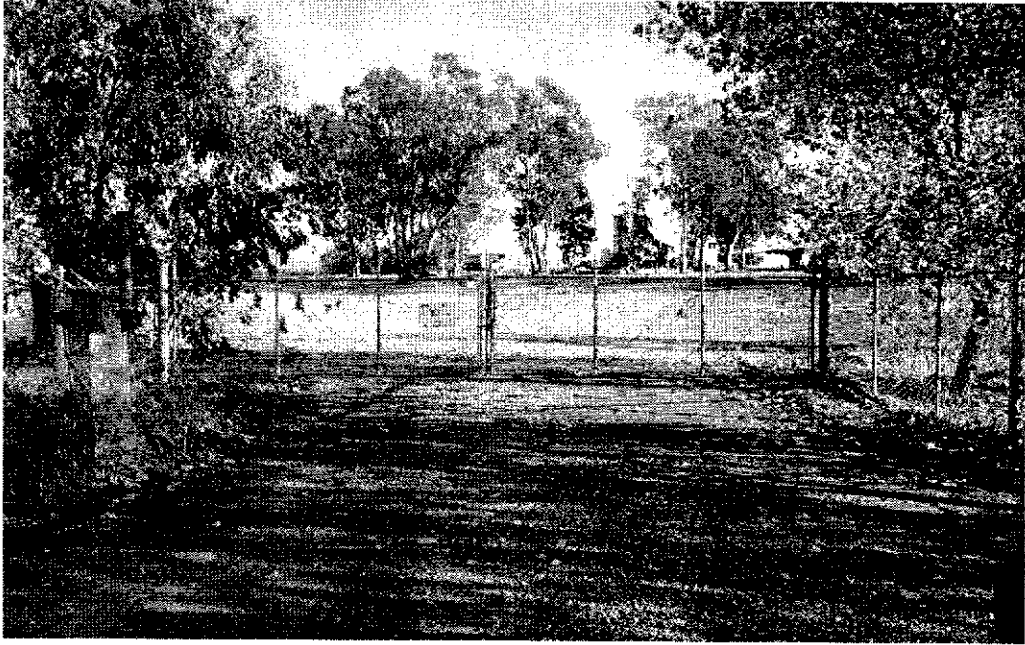
37°00'31.82"N 119°43'56.69"W elev 472ft



Area under continuous activity

## **Appendix C**

Photos

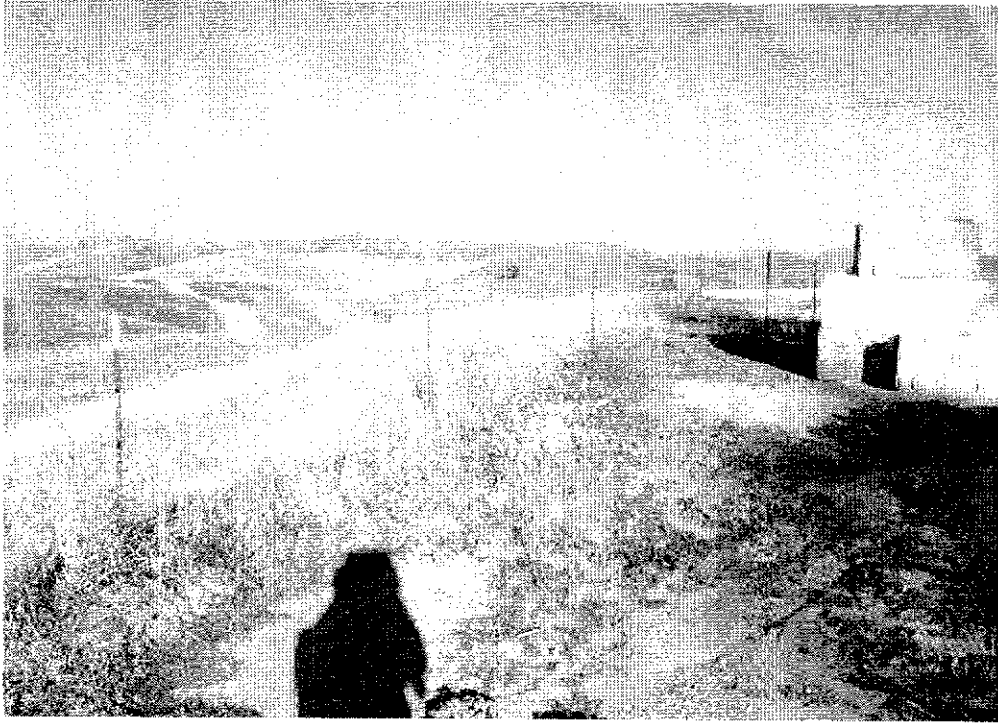


Front Locked Gate



Chain Link to Barbed Wire Transition





Barbed Wire



Dust Palliative Applied to Roadways