



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482

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April 17, 2012

Department of Conservation
Office of Mine Reclamation
Attn: Beth Hendrickson
801 K St, MS 09-06
Sacramento, CA 95814

Re: Lead Agency Notification of Acceptance of Comments
Harris Quarry Expansion Project
Use Permit and Reclamation Plan #UR 19-83/2005
CA MINE ID# 91-23-0015

Dear Beth:

This letter is written as an official response to comments for the above-referenced reclamation plan as recommended by letter from the Department of Conservation Office of Mine Reclamation (OMR) dated April 17, 2012. Attached are responses received from the applicant as well as relevant updated exhibits. Per Section 2774(d)(2) of the California Surface Mining and Reclamation Act (SMARA), the County of Mendocino, as Lead Agency, accepts the comments that were provided in the April 17 letter from OMR. The following responses are intended to satisfy Lead Agency (County) responsibility per the requirements of SMARA.

Comments from OMR include three items with respect to closure standards for the site. The comments requested clarifying revisions to the plan involving the effects of reclamation on future mining at the site (SMARA section 2772(c)(9)), a clearer statement as to what equipment, structures and/or roads are to remain after final reclamation (CCR section 3709(b)), and proper well abandonment procedures should the well remain at the end of the reclamation period (CCR section 3713(a)). A fourth revision to the reclamation plan was recommended by OMR indicating how the haul road between the quarry and the processing site will be reclaimed to open space.

Regarding the effects of reclamation on future mining, the applicant states in a letter dated April 17, 2012 (see attached), the following:

The proposed mining will not affect the ability to mine resources in the future. Access to the site may be redeveloped. However, continued mining is either uncertain or unlikely because the applicant has specifically volunteered a condition of approval to limit the mining to 30 years. Future mining is speculative and the applicant represents that it has no intent to mine beyond the 30 year use permit.

Further amended language to the reclamation plan involving what items are to remain after final reclamation, final uses of the onsite well, and how the haul road between the quarry and the processing site will be reclaimed to open space in accordance with CCR section 3705(d) was also provided in the April 17 letter from the applicant, which reads:

All equipment and structures will be removed except as follows:

1. Onsite Well #1: This well has been completed in accordance with a well permit and will not be abandoned. This well will service the onsite water tank and be used for other functions on the ranch property outside of the mining boundary including dust prevention for ranch road purposes, watering of livestock, but primarily for fire prevention. This well will be secured with a locking well cap.

2. Surfaced roads: Surface roads are to remain as shown on plan sheet P-11 and Q-5. These roads, including the access road from 101 to the quarry floor, the road from Hwy 101 to and through the processing site and the road to the water tank are necessary to access other parts of the ranch and to provide access to the water tank and for fire access in the event of an emergency and are considered compatible to that extent. The primary access to the applicant's property (600 acres in total) for future ranching purposes will be from Highway 101. The access from Black Bart road will remain for emergency purposes only. Both accesses (Black Bart and Highway 101) and the interconnecting roads are necessary to ensure maximum access to the water tank and the property in the event of a fire. The road to the cell tower will also remain in tact. The cell tower is outside of the mine boundary and will remain onsite and functional. Access to this cell tower is critical and will remain. The road to the quarry floor is also a secondary emergency access for the Golden Rule Ranch, who has a ranch road to the south. All other internal haul roads will be obliterated and reseeded in conformance with reclamation plan.

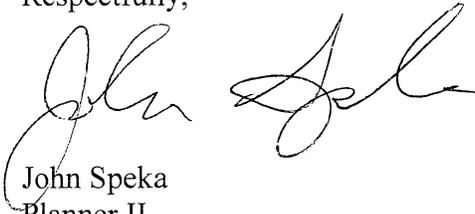
No equipment will remain onsite, all will be dismantled and removed.

The County (Lead Agency) will recommend conditions requiring the noted measures listed above as a means of ensuring compliance with the appropriate sections of SMARA. It should be noted that any of the conditions recommended by the Lead Agency within this response to OMR comments are not final until approved by the Mendocino County Planning Commission, or the Board of Supervisors should the project be appealed to that level. Any changes that are made on the day of the hearing that may impact reclamation of the operation will be noted to OMR upon approval.

Finally, per notification requirements (Section 2774(d)(2)) of the California Surface Mining and Reclamation Act (SMARA), the County of Mendocino, as Lead Agency, intends to hold a public hearing on Thursday, May 17, 2012, at 1:30 p.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California.

If you have any questions feel free to contact me at (707) 463-4281.

Respectfully,



John Speka
Planner II

Cc: File #UR 19-83/2005

GEORGE C. RAU, P.E.
PRESIDENT
JAVIER J. RAU
VICE PRESIDENT
ROGER VINCENT, P.E.
CATHY A. McKEON, P.E.



April 17, 2012

John Speka
Mendocino County Planning and Building Services
860 North Bush Street
Ukiah, CA 95482

Job Number R04056

**RE: HARRIS QUARRY –
RESPONSE TO OMR COMMENTS DATED APRIL 17, 2012.**

Dear Mr. Speka:

We are in receipt of the following comments from Office of Mine and Reclamation, dated April 17, 2012. As discussed with John Wesling with OMR on this date, we have the following response to comments. Comments are in italics followed by the response. Language to be added to the Amended Reclamation plan is underlined.

- A. *SMARA section 2772(c)(9) states that the reclamation plan shall include an assessment of the effect of reclamation on future mining at the site. A short statement assessing the potential for future mining at the site following reclamation should be added to the reclamation plan.*

The reclamation plan will be amended to include the following statement:

The proposed mining will not affect the ability to mine resources in the future. Access to the site may be redeveloped. However, continued mining is either uncertain or unlikely because the applicant has specifically volunteered a condition of approval to limit the mining to 30 years. Future mining is speculative and the applicant represents that it has no intent to mine beyond the 30 year use permit.

- B. *CCR section 3709(b) required that structures and equipment be dismantled and removed prior to final mine closure except those structures or equipment that are deemed necessary for proposed end use. On pages 68 and 71, the amended reclamation plan states that all structures, equipment and hard surfacing will be removed except as indicated on the plan. It is unclear from the map if any equipment or structures will remain or whether the text refers only to the haul road and the road accessing the cell tower. The plan should be revised to specify what equipment, structures, and roads will remain. If any of these developments will remain, justification should be provided on how these are compatible with open space end use for the site.*

The reclamation plan will be amended to clarify that the access from Highway 101 to the haul road and the cell tower road from the haul road will remain for ranch use. The reclamation plan will also be amended to include the following statement:

All equipment and structures will be removed except as follows:

1. Onsite Well #1: This well has been completed in accordance with a well permit and will not be abandoned. This well will service the onsite water tank and be used for other functions on the

ranch property outside of the mining boundary including dust prevention for ranch road purposes, watering of livestock, but primarily for fire prevention. This well will be secured with a locking well cap.

2. Surfaced roads: Surface roads are to remain as shown on plan sheet P-11 and Q-5. These roads, including the access road from 101 to the quarry floor, the road from Hwy 101 to and through the processing site and the road to the water tank are necessary to access other parts of the ranch and to provide access to the water tank and for fire access in the event of an emergency and are considered compatible to that extent. The primary access to the applicant's property (600 acres in total) for future ranching purposes will be from Highway 101. The access from Black Bart road will remain for emergency purposes only. Both accesses (Black Bart and Highway 101) and the interconnecting roads are necessary to ensure maximum access to the water tank and the property in the event of a fire. The road to the cell tower will also remain in tact. The cell tower is outside of the mine boundary and will remain onsite and functional. Access to this cell tower is critical and will remain. The road to the quarry floor is also a secondary emergency access for the Golden Rule Ranch, who has a ranch road to the south. All other internal haul roads will be obliterated and reseeded in conformance with reclamation plan.

No equipment will remain onsite, all will be dismantled and removed.

- C. *CCR section 3713(a) requires that drill holes, water wells, monitoring wells be abandoned in accordance with laws. The amended reclamation plan indicates that water for the mining operation will be obtained from an onsite water well. The plan does not describe the final reclamation of the well. The amended reclamation plan should be revised to state that the well will be abandoned and closed in accordance with applicable State and local laws and regulations.*

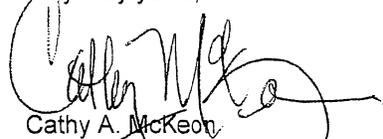
This item was address in Item B.

SMARA section 2772(c)(8) requires a description of the manner in which reclamation adequate for the proposed use or potential uses will be accomplished. The amended reclamation plan indicates the haul road between the quarry and the asphalt plant will remain. Preservation of the haul road is inconsistent with an open space end use. Additionally, a large portion of the haul road parallels Black Bart Drive and does not appear to provide any additional access to the site. The amended reclamation plan should be revised to indicated how the road will be reclaimed to open space in a manner consistent with CCR section 3705(d).

This item was address in Item B.

Please feel to call me at 707 462-6536 if you have questions or would like to discuss any of the submitted items.

Very truly yours,


Cathy A. McKeon
Registered Civil Engineer 51026
Expires 9-30-13

- C: Leonard Charles and Associates
Northern Aggregates, Inc.
Clement, Fitzpatrick & Kenworthy
Christopher Neary, Attorney



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

OFFICE OF MINE RECLAMATION

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April 20, 2012

John Speka
Mendocino County Department of Planning and Building Services
860 North Bush Street
Ukiah, CA 95482

Dear Mr. Speka:

HARRIS QUARRY RESPONSE TO COMMENTS AND NOTICE OF PUBLIC HEARING CA MINE ID# 91-23-0015

The Department of Conservation's Office of Mine Reclamation (OMR) has received your letter, dated April 17, 2012, that included an official response to comments and notice of public hearing to occur on Thursday, May 17, 2012 at 1:30 pm for the Harris Quarry Amended Reclamation Plan. The responses adequately address OMR's comments, and we have no further comments.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 445-6175.

Sincerely,

A handwritten signature in purple ink that reads "Beth Hendrickson (for)".

Beth Hendrickson, Manager
Reclamation Unit

RECEIVED
APR 25 2012

BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482