ANALISE Mello

SEPULVEDA BUILDING

MATERIALS LOMPOC, INC.

MINING RECLAMATION PLAN

90-RP-001
JUNE 10, 1998

RECLAMATION PLAN

for

SEPULVEDA BUILDING MATERIALS LOMPOC, INC.

ACIN SITE #1
SITES 1A AND 1B

LOMPOC AREA
SANTA BARBARA COUNTY

COUNTY CASE NO. 90-RP-001
CALIFORNIA MINE ID # 91-42-0011

4/3/98
AS MODIFIED BY SANTA BARBARA COUNTY PLANNING COMMISSION ON 6/10/98

PREPARED BY:
SID GOLDSTIEN - CIVIL ENGINEER
650 Alamo Pintado Road, Suite 302
Solvang, CA 93463 805-688-1526

APPROVALS PAGE
FOR OFFICIAL USE ONLY

STATE OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF MINES AND GEOLOGY

See State of California Department of Conservation letter dated May 20, 1998, attached as Exhibit No. 14

COUNTY OF SANTA BARBARA

See action letter of Planning Commission dated July 27, 1998, attached as Exhibit No. 13

FOREWORD

This document has been prepared to satisfy compliance with the Surface Mining and Reclamation Act (SMARA) and Santa Barbara County Zoning Ordinance Article III. This particular mining operation is considered a "vested" operation, and no conditional use permit for mining operations has been required. This plan addresses reclamation activities only.

This Reclamation Plan covers a site for rock and shale removal and for material processing leased by Sepulveda Building Materials Lompoc, Inc., hereinafter designated Site 1A and 1B. Site 1A consists of about 96.5 acres and is strictly for rock/shale removal. Site 1B is an area of approximately 3 acres known as the farm storage and pole barn area and is used to stockpile rock and stones, size, cut and palletize product, park equipment, and as a staging area for material shipment.

SITE 1A: portions of A.P.N. 83-060-09 and 15
SITE 1B: portion of A.P.N. 83-070-18

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EXHIBITS

I. INTRODUCTION

A. PURPOSE

This document has been prepared to satisfy compliance with the Surface Mining and Reclamation Act (SMARA) and Santa Barbara County Zoning Ordinance Article III. This particular mining operation is considered a "vested" operation, and no conditional use permit for mining operations has been required. This Reclamation Plan addresses reclamation of past, present and future mining of the site.

B. OBJECTIVES AND SCOPE OF CONTENT

Section 2712 of SMARA establishes the intent of the legislature as follows:

> It is the intent of the Legislature to create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that:
>
> (a) Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.
>
> (b) The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.
>
> (c) Residual hazards to the public health and safety are eliminated.

The Reclamation Plan, consisting of this written document, exhibits, maps, tables and plan, will provide a description of the manner in which reclamation, adequate for the proposed end use, will be accomplished at the termination of the mining operation.

II. KEY CONTACT PERSONS

A. OWNERSHIP OF PROPERTY, SURFACE ENTRY & MINERAL RIGHTS

SITE 1A AND 1B, A.P.N. 83-060-09 & 15 and A.P.N. 83-070-18, respectively, are owned by:
FRANK S. ACIN
R.F.D. 114
LOMPOC, CA 93436
805-736-1906

B. MINE OPERATOR AND RECLAMATION PLAN APPLICANT

SEPULVEDA BUILDNIG MATERIALS LOMPOC, INC.
2936 SEPULVEDA BLVD.
TORRANCE, CA 90505-2894
ATTN: Hobart Schram or Cheryl Schilling
714-364-3720 (o), 714-364-2126 (fax) OR
John C. Connors, President 310-325-9905
In Lompoc Office, Larry Wise, Manager 805-740-5928 pager
805-934-2093 fax

C. APPLICANT'S AGENT FOR PREPARATION OF THIS PLAN

SID GOLDSTIEN - CIVIL ENGINEER
650 ALAMO PINTADO RD., SUITE 302
SOLVANG, CA 93463
805-688-1526
805-688-6582 fax
Contact: Sid Goldstien -RCE 33042 OR
Michael D. (Mike) Manus

D. LOCAL LEAD AGENCY

COUNTY OF SANTA BARBARA, PLANNING AND DEVELOPMENT
Project Manager:
BARBARA SHELTON
624 WEST FOSTER ROAD
SANTA MARIA, CA 93455
805-934-6262
805-934-6258 fax

E. STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION

Reclamation Manager:
JAMES POMPY
801 K STREET, MS 09-06
SACRAMENTO, CA 95814-3529
916-323-8567

SITE IA

APN 83-060-09
83-060-15

SITE IB

APN 83-070-18

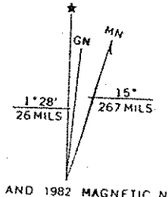
VICINITY MAP

pped, edited, and published by the Geological Survey

ntrol by USGS and NOS/NOAA

ography from aerial photographs by photogrammetric methods
l by planetable surveys 1959. Aerial photographs taken 1956

yconic projection. 1927 North American datum
000-foot grid based on California coordinate system, zone 5
)0-meter Universal Transverse Mercator grid ticks,
e 10, shown in blue
place on the predicted North American Datum 1983
re the projection lines 5 meters north and
meters east as shown by dashed corner ticks



UTM GRID AND 1982 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

LOMPOC, CALIF.

LOMPOC HILLS

SCALE 1:24 000

1 MILE

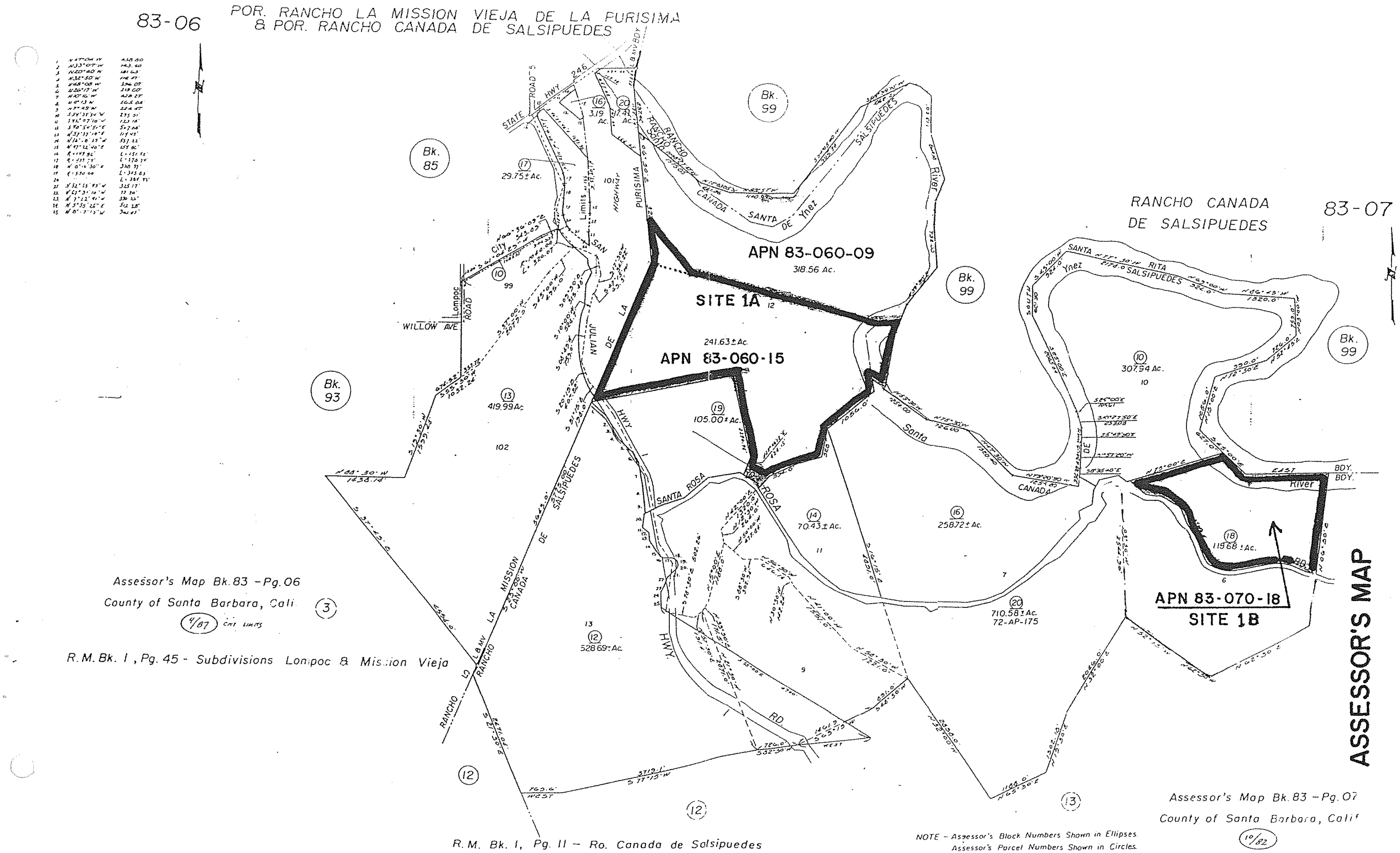
7000 FEET

1 KILOMETER

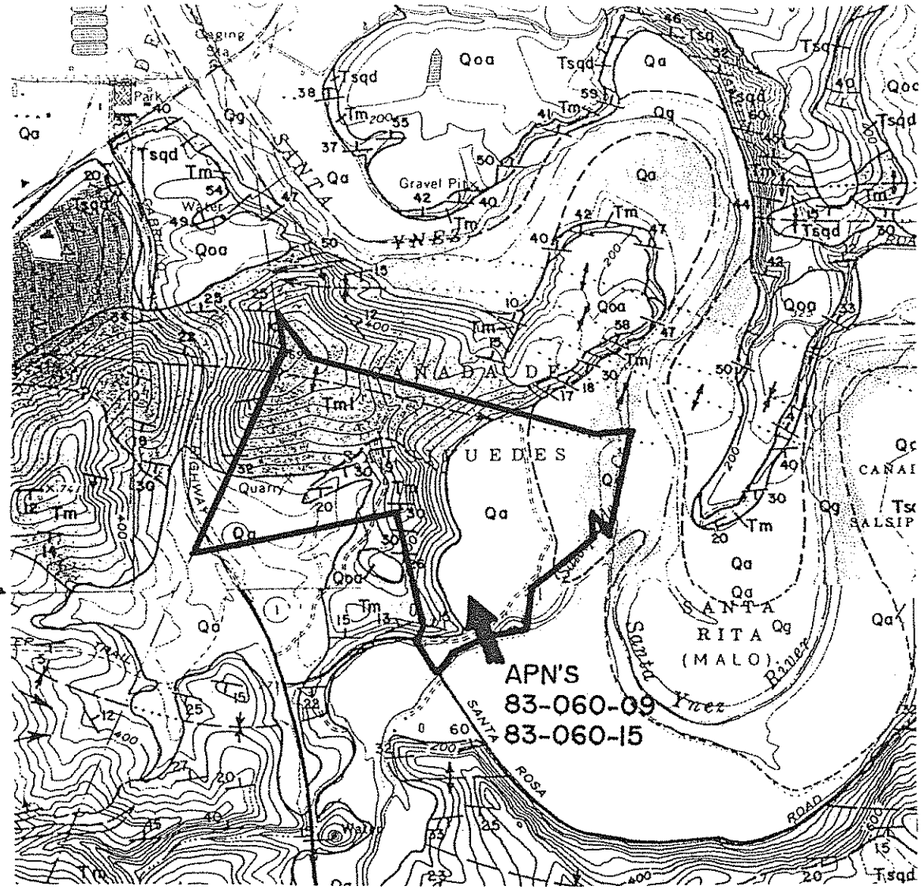
CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 10-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

COMPILED
U.S.G.S.

4



ASSESSOR'S MAP



LOMPOC, CALIF.
34120-F4-TF 024
PHOTOREVISED 1982
DMA 1953 III NW-SERIES V895

LOMPOC HILLS, CALIF. (1959)
(PHOTOINSPECTED 1971; JALAMA ROAD UPDATED
FROM USGS 1980 ORTHOPHOTOQUAD BY H.E. EHRENSPECK)

SCALE 1:24 000

1 MILE
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET
1 KILOMETER

CONTOUR INTERVAL 40 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THE AVERAGE RANGE OF TIDE IS APPROXIMATELY 4 FEET

ROAD CLASSIFICATION

Heavy-duty — 4 LANE 6 LANE — Light-duty
Medium-duty — 4 LANE 6 LANE — Unimproved dirt
U.S. Route — State Route

CALIF
QUADRANGLE LOCATION

SITE 1A

SYMBOLS
(not all present on each map)

FORMATION CONTACT
dashed where inferred or indefinite

MEMBER CONTACT

CONTACT BETWEEN SURFICIAL SEDIMENTS
located approximately in places

U D 70 ? FAULT

dashed where indefinite or inferred, dotted where concealed, queried where existence doubtful. Parallel arrows indicate inferred relative lateral movement. Relative vertical movement shown by U/D (U = upthrown side, D = downthrown side). Short arrow indicates dip of fault plane.

ANTICLINE — SYNCLINE
arrow on axis indicates direction of plunge, dotted where concealed

23 inclined — horizontal — 75 overturned — vertical — 20 inclined (approximate)

STRIKE AND DIP OF BEDS

DIRECTION OF LANDSLIDE MOVEMENT

SANDSTONE BED

CONGLOMERATE BED

ABANDONED EXPLORATORY OIL WELL

LOMPOC HILLS AND POINT CONCEPTION QUADRANGLES

LEGEND

QUATERNARY

Pleistocene ? Holocene

Qg | Qds | Qa — Qls

SURFICIAL SEDIMENTS
Qds *dune sand deposits*
Qg *stream channel deposits of gravel, sand and silt*
Qa *valley and floodplain deposits of silt, sand and gravel*
Qls *landslide debris*

Qoa

OLDER DISSECTED SURFICIAL SEDIMENTS
Qoa *remnants of weakly consolidated stream terrace and alluvial fan deposits of silt, sand and gravel*

UNCONFORMITY

Tsq / Tsqd

SISQUOC SHALE
marine; late Miocene age
Tsq *in coastal area: light gray clay shale or diatomaceous claystone, including some semi-siliceous beds, in northern areas: white, impure diatomite*
Tsqd *white to cream-white, punky laminated diatomite, in places contains few thin ash beds; Delmontian-Mohnian Stage*

Miocene

Tmd / Tm / Tml | Tmls

MONTEREY SHALE
marine; early to late Miocene age
Tmd *punky white laminated diatomite; Mohnian Stage*
Tm *upper shale unit; white-weathering, thin bedded, hard, brittle siliceous shale; very cherty in northern areas; Mohnian Stage*
Tml *lower shale unit; white-weathering, soft, punky, lissile to platy, semi-siliceous shale, containing thin, gray-white calcareous strata; Luisian-Relizian Stages*
Tmls *basal massive light gray carbonate (dolomite) unit; lowest part sandy and locally pebbly*

—

LOMPOC HILLS/POINT CONCEPTION QUADRANGLES
GEOLOGY – LOMPOC/SURF QUADRANGLES
LOMPOC/SURF QUADRANGLES

PORTION OF THE
GEOLOGIC MAP OF THE LOMPOC HILLS AND POINT CONCEPTION QUADRANGLES
SANTA BARBARA COUNTY, CALIFORNIA

&

GEOLOGIC MAP OF THE LOMPOC AND SURF QUADRANGLES
SANTA BARBARA COUNTY, CALIFORNIA

BY THOMAS W. DIBBLEE, JR. 1988
EDITED BY HELMUT E. EHRENSPECK

PUBLISHED IN COOPERATION WITH CALIFORNIA DEPARTMENT OF CONSERVATION, DIVISION OF MINES AND GEOLOGY; AND U.S. GEOLOGICAL SURVEY

GEOLOGIC MAP

AERIAL PHOTO
PROVIDED BY PACIFIC
WESTERN AERIAL
SURVEYS (DATED 8/97)

OVERALL
AERIAL PHOTO

AERIAL PHOTO
PROVIDED BY PACIFIC
WESTERN AERIAL
SURVEYS (DATED 8/97)

SITE IA
AERIAL PHOTO

6

SITE IB
AERIAL PHOTO

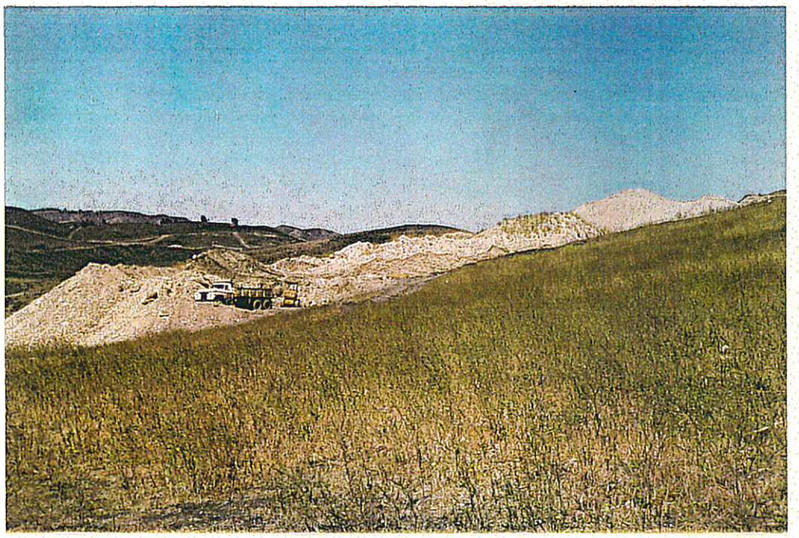


PHOTO NO. 1 REMOVAL AREA

PHOTO NO. 2 D-8 CATERPILLAR

PHOTO NO. 3 EXPOSED ROCK AREA

PHOTO NO. 4 451 CATERPILLAR
FRONT END LOADER

PHOTO NO. 5 HAND SPLITTING SHALE

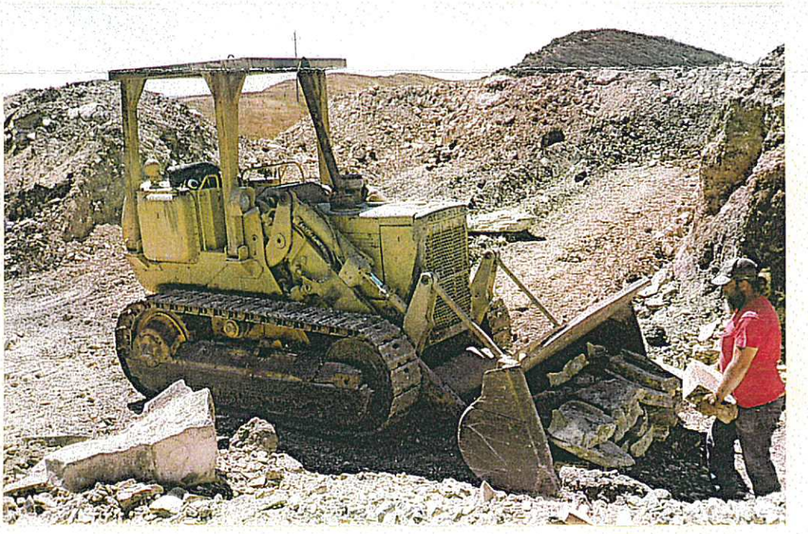


PHOTO NO. 6 LOADING THE
SPLIT ROCK

PHOTO NO. 7 DUMP TRUCK

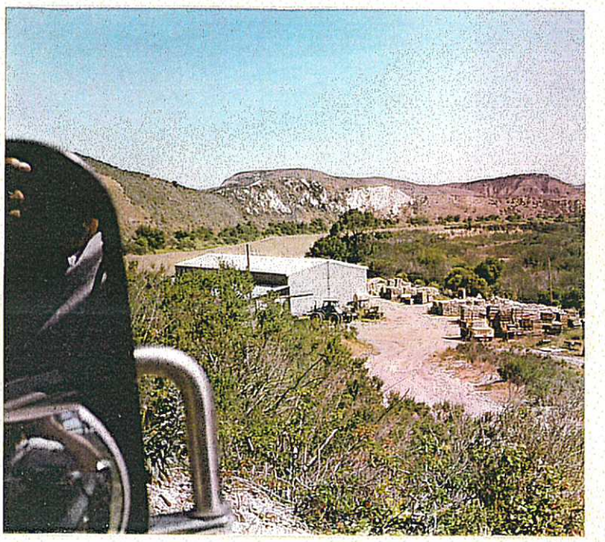


PHOTO NO. 8 ARRIVING AT SITE 1B

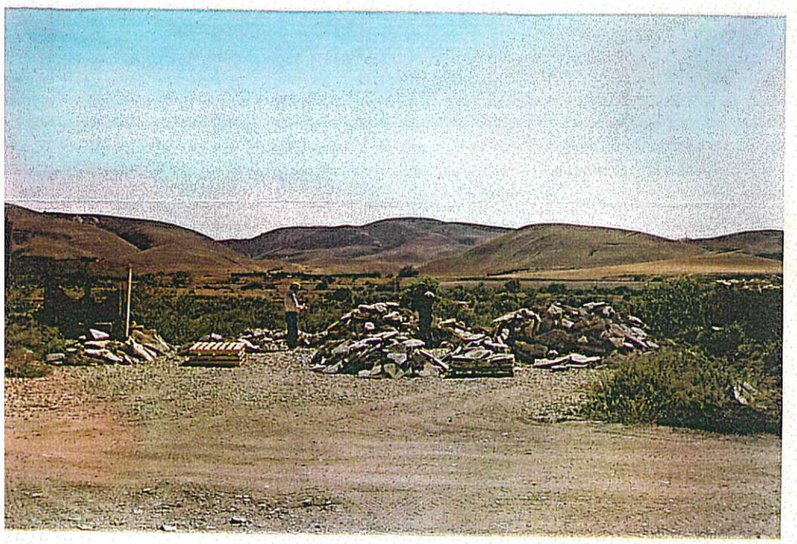


PHOTO NO. 9 AREA FOR SORTING THE VARIOUS ROCK

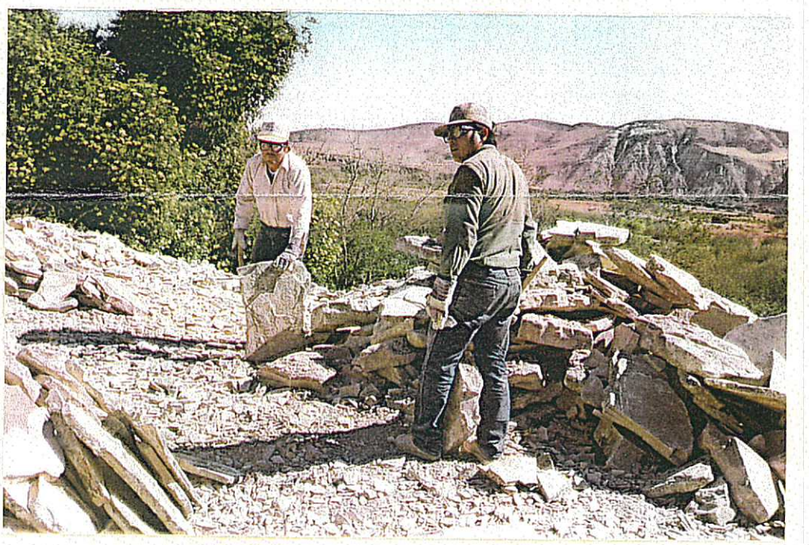


PHOTO NO. 10 SORTING

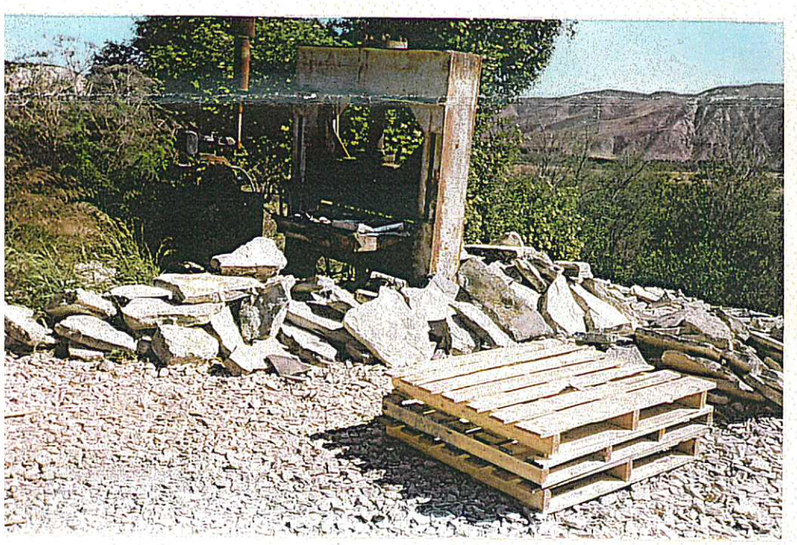


PHOTO NO. 11 "STONE GUILLOTINE" & TYPICAL PALLETS

PHOTO NO. 12 PALLETIZING THE ROCK'

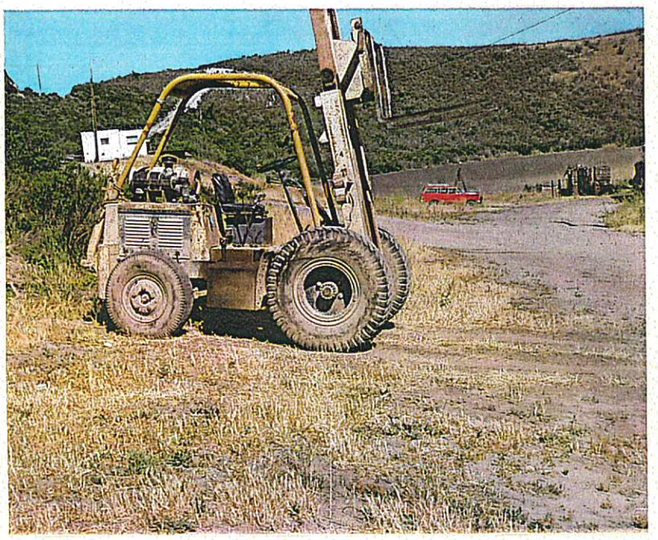


PHOTO NO. 13 FORK LIFT

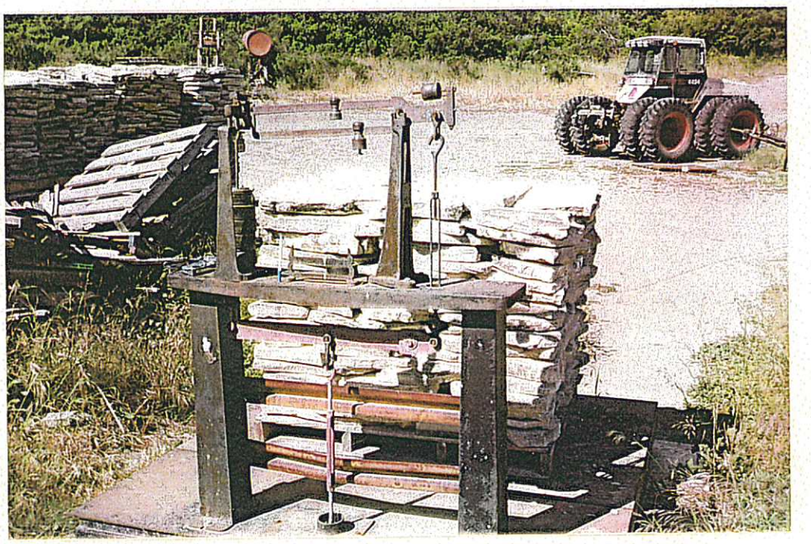


PHOTO NO. 14 SCALE

PHOTO NO. 15 AREA FOR INSTALLING CHICKEN WIRE & STEEL BANDS

PHOTO NO. 16 PALLETS WAITING FOR SHIPMENT

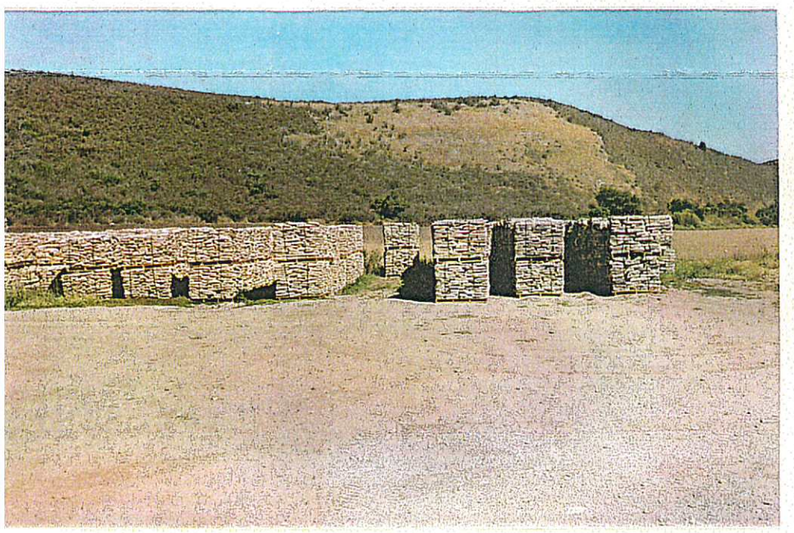


PHOTO NO. 17 PALLETS WAITING FOR SHIPMENT

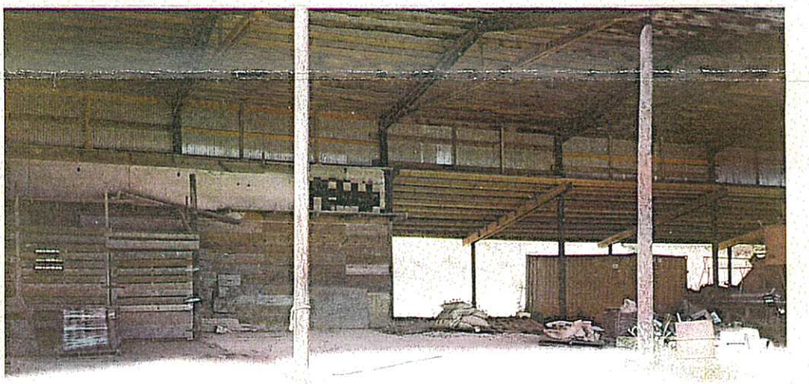


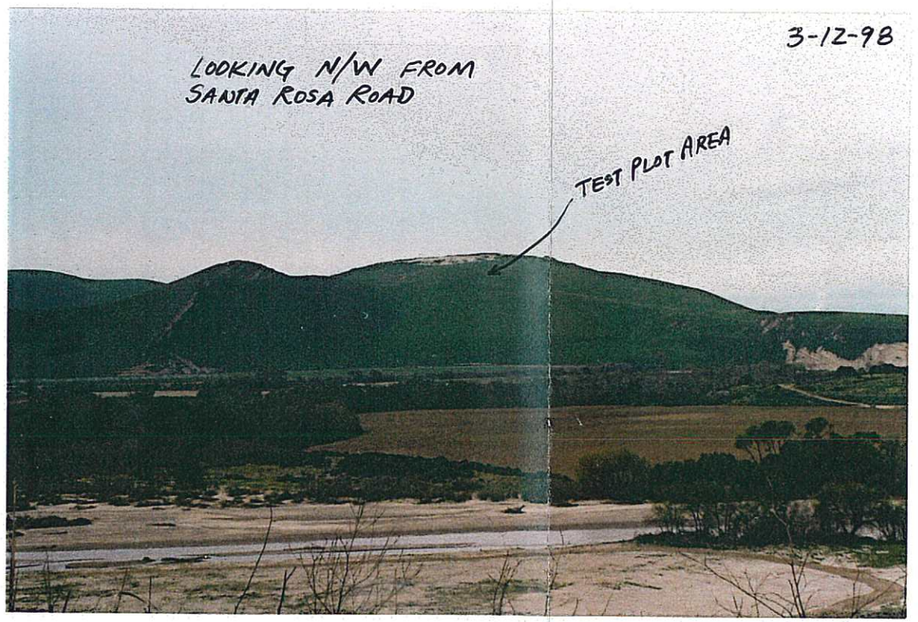
PHOTO NO. 18 STORAGE TRAILER LOCATED UNDER POLE BARN

LOOKING N/W FROM
SANTA ROSA ROAD

3-12-98

LOOKING NORTH FROM
HWY 1 @ SANTA ROSA RD.

3-12-98



LOOKING N/W FROM
SANTA ROSA ROAD

3-12-98

GROUND PHOTOS

X. GENERAL INFORMATION ON THE PROPERTY

A. GENERAL LOCATION

SITE 1A is a portion of A.P.N. 83-060-09 and 15, and lies northerly of Santa Rosa Road and easterly of State Highway Route 1, in the Lompoc area.

SITE 1B is a portion of A.P.N. 83-070-18 and lies north of Santa Rosa Road, 2.25 miles ± east of the intersection of Santa Rosa Road with State Highway Route 1.

See Vicinity Map (Page 3)

B. LEGAL DESCRIPTION

SITE 1A and 1B are portions of land within Rancho Canada Salsipuedes and the Rancho Santa Rita in the County of Santa Barbara, and are more precisely described in Book 2429, Page 1034-1044, inclusive, of Official Records filed in the Office of the County Recorder of said County.

C. PARCEL SIZE

The total Assessor's Parcel sizes are shown below for **SITE 1A and 1B**; however, only a portion of the total parcels is used for mining.

Total Area:

SITE 1A	A.P.N. 83-060-09	318.56 Ac.
	A.P.N. 83-060-15	241.63 Ac.
	Total =	560.19 Ac.
SITE 1B	A.P.N. 83-070-18	118.68 Ac.

See Assessor's Maps (Page 5)

D. MINING LEASE AREA

Although the total parcels contain the above acreage, only a portion is available, per lease agreements, to Sepulveda Building Materials, as follows:

SITE 1A	138.6 ± Acres
SITE 1B	3 ± Acres

See Lease Agreement (Exhibit 7)

E. MAXIMUM POTENTIAL MINING AREA WITHIN MINING LEASE AREA

While **SITE 1A** contains approximately 138.6 acres within the mining lease area, portions will not be mined due to steepness of slope, existing road access or presence of oak trees. The actual area expected to be potentially mined or used for mining operations is as follows:

SITE 1A 96.5 ± Acres

SITE 1B 3 ± Acres (Staging Area Only)

These areas are discussed in greater detail in subsequent sections and are shown graphically on the attached plans. (Exhibit 11)

F. EXISTING LAND USE

SITE 1 A: Existing land uses within the area available for mining consist of mining (excavation of rock product) and cattle grazing. Both of these uses occur under lease arrangements with the owner. Historically, cattle grazing has been present on this and adjoining parcels. The current cattle lease consists of a cow/calf operation with 30 cows year around on 350 acres. The calves are sold yearly. Cattle grazing has occurred on this property for at least 50 years.

SITE 1B: Existing uses within this area consist of rock product storage, sizing, crating, shipping, storage of equipment related to the mining operation and storage of farming equipment associated with the owner's farming operation. The structure used by Sepulveda is a pre-existing barn.

G. GENERAL PLAN/ZONING

Both **SITES 1A and 1B** are designated A-II on the General Plan (General Agriculture) and are zoned 100-AG (General Agriculture with 100 acres/parcel minimum size).

XI HISTORY OF MINING OPERATIONS

SITE 1A: The history of rock/stone removal cannot be verified by written documents (i.e., company records) prior to 1985. However, two individuals who have intimate knowledge of A.P.N. 83-060-09 & 15 have provided written statements (labelled Exhibit 1 and Exhibit 2) for use in this report.

Frank Acin, owner of said property, gives a brief synopsis, in Exhibit 1, of the history of rock removal from the years 1971-1990.

Don Lee, former operations manager of Sepulveda Building Materials Lompoc, Inc. (S.B.M.) also makes an additional statement (labelled Exhibit 2) regarding his knowledge of the site.

It appears, from this information, that the site was most likely mined prior to 1971, and possibly as far back as 1956, although no confirming records have been located. The site, according to Mr. Acin, was in use for rock removal prior to 1976.

It appears, through statements provided by eyewitnesses, that various individuals have run small operations, removing rock and stone from Site 1A.

As a result of discussions between County Staff and this office, further information was reviewed to establish the origins of the quarry site. Ordinance 661 used 1958 as the date for requiring a Conditional Use Permit (CUP). It was found that the "Lompoc USGS Map" used aerial photos taken in 1956. That Map labelled the quarry site in existence in 1956. The County of Santa Barbara concurred that a CUP was not required. (See Exhibits 3 & 4)

Sepulveda Building Materials has mined Site 1A continuously since August, 1985. (See Exhibits 1 & 2)

LEASE AGREEMENT

Sepulveda Building Materials Lompoc, Inc. and Frank Acin have entered into a lease agreement which allows the mining of Site 1A (138.6± acres) and accessory use of Site 1B (3± acres) through June 30, 2045. A copy of the current lease is attached as Exhibit 7.

XII. PHYSICAL/BIOLOGICAL FEATURES OF SITE

A. SITE TOPOGRAPHY/SITE ACCESS

SITE 1A: The geologic map (Page 6) shows the hilly nature of this site. The highest point on the property is at elevation 693 ±. The elevation at State Highway Route 1 and the Santa Rosa Road intersection is elevation 270 ±, and the elevation in the Santa Ynez River is elevation 100 ±. A portion of the western part of the site is visible from State Highway Route 1, and a portion of the eastern part of the site is visible from Santa Rosa Road. Travelling north on Hwy 1, the site comes into view approximately 1 mile south of Santa Rosa Road and continues to be in view .5 mile north of Santa Rosa Road. Travelling west on Santa Rosa Road, the site comes into view approximately 1.5 miles east of Salsipuedes Creek and continues to be in view to the creek. (See photos, Page 13) Within the current and previous rock removal areas, the slope of the terrain ranges from 2% to 2:1. The site where rock removal is currently taking place has a general existing grade sloping approximately 5% - 12% toward State Highway Route 1.

Aerial Photo (Page 7) shows access to the rock removal area from Santa Rosa Road, 1 mile ± along a private dirt farm road, 10 to 12 feet wide. The outside boundary of the property is fenced, and internal fences are located to divide the grazing pastures for cattle. The general public has no vehicular access to the property, since a locked gate is maintained at the property entrance.

SITE 1B: This area is adjacent to Santa Rosa Road and is generally flat, sloping at approximately 0.5%. Access is provided by a private unpaved farm road. (See Aerial Photo, Page 7)

B. GEOLOGY

SITE 1A: The geologic map (Page 6) shows this site having three designations:

QA - "Valley and flood plain deposits of silt, sand and gravel"

TM - Monterey Shale "Upper shale unit; white weathering, thin bedded, hard, brittle siliceous shale; very cherty in northern areas; Mohnian Stage"

TML - Monterey Shale "Lower shale unit; white weathering, soft, punky, fissile to platy, semi-siliceous shale; containing thin, gray-white calcareous strata; Luisian-Relizian Stages"

The current rock removal area for Site 1A is within TML as noted above.

C. FAULT ZONE

SITE 1A: From the available County information of this area, no active or potential faults appear to be present.

D. WATER TABLE

SITE 1A: The water table, in wet years, could be as high as 6 feet to 8 feet under the flowline of the Santa Ynez River. If the elevation in the Santa Ynez River, along the property boundary is 100 ± less the 6 feet, the water table elevation could be at 94 ±. The current rock removal area is at elevation 400 ±, or 306 vertical feet above the water table. The depth to groundwater in the mined area would be from 200 to 690 feet.

E. SITE VEGETATION

SITE 1A: Of the 138.6 acres available for mining, 10 acres ± contain approximately 75 oak trees, 26 acres contain dry brush and steep slopes, 6.1 acres are adjacent to the farm field on steep slopes, and the remaining 96.5 acres have been progressively stripped of most native vegetation, except grasses, due to continuous cattle grazing. The Site area is covered with Black Mustard, Wild Oats and Thistle. Also, per a suggestion made by a local Lompoc agricultural supply house, Sepulveda has introduced Rye grass seed since 1985 as part of its ongoing reclamation effort. As indicated previously, the 42.1 acres of oaks, brush and steep slopes will not be mined or disturbed, leaving 96.5 maximum acres which could potentially be mined.

SITE 1B: The 3 acres used by Sepulveda at Site 1B is clear of any vegetation other than sparse weeds and grasses.

F. BIOLOGICAL REPORT

GENERAL DESCRIPTION SITE 1A

Information in this section was prepared by Greg Donovan (CSL 493789) and D. Fross (Biologist), P.O. Box 1152, Santa Ynez, California 93460. 805-688-1269 with revisions by Santa Barbara County.

The mining site is currently a heavily-grazed annual grassland typical of coastal rangeland with a long history of cattle grazing. The dominant and subordinate species in the community are primarily exotic (non-native) annual grasses and forbs, **Brassica nigra** (black mustard), **Avena fatua** (wild oat) and **Silybum marianum** (milk thistle). Other species of exotic annual grasses such as **Bromus diandrus** (rip gut brome) were found sporadically throughout the mining area.

The site visit was conducted in the fall of 1991 before significant rain, making an exhausive inventory of the flora impossible. A complete inventory of the site would require periodic visits to the site through spring and summer but would probably yield few additional species. The introduced annuals found on this site are now fully integrated dominate members of the plant community and have displaced most or all native species in the immediate area.

The surrounding area exhibits a mosaic of plant communities. To the immediate west and on a ridge to the southeast, relatively undisturbed coastal scrub communities exist. The major components of these communities are **Artemisia californica** (California Sagebrush), **Elymus condensatus** (giant wild rye), **Diplacus sp.** (monkeyflower), **Rhamnus california** (coffeeberry), **Salvia Leuchophylla** (purple sage), **Baccharis pilularis subsp. consanguinea** (coyote brush), **Toxicodendron diversilobum** (poison oak) and **Stipa pulchra** (purple needle grass).

Oak woodland communities exist on the north slopes of many hillsides in the general area. **Quercus agrifolia** (Coast live oak) is the dominate species growing in association wtih subordinate species, such as **Rubus ursinus** (wild blackberry), **Heteromeles arbutifolia** (toyon), **Toxicodendron diversilobum** (poison oak), **Pteridium aquilinum** (Bracken fern), **Polypodium californicum** (polypody fern) and others.

The water courses in the immediate area are bordered by riparian communities. These communities are dominated by various species of **Salix** (willows) and

other typical riparian species, such as **Baccharis Salicifolia** (mule fat), **Rubus spp.** (blackberries), **Sambucus mexicana** (elderberry), and **Carex spp.** (sedges), to name a few.

Due to daytime activities of the Sepulveda Building Material operations, coupled with the ongoing disturbances of cattle grazing onsite, animal movement is not normally noted, with the exception of various birds and raptors. Wildlife values within the site and its immediate surroundings are considered low.

A "night-time" survey was not attempted; however, some assumptions can be drawn:

a. The site is in the vicinity of the Santa Ynez River, although it is 300 feet higher in elevation. The River area should provide a high quality wildlife habitat because of the diversity of assumed communities (i.e., raccoons, fox, deer, bobcat, reptiles, birds, raptors, etc.) that should be present due to its "undisturbed" status and its low level of human activity. It cannot be determined, within the scope of this report, if the specific site of the rock removal area is frequented by these same species.

b. The riparian corridor of the Santa Ynez River, in general, would be assumed to be an important corridor for animal movement/migration, foraging and nesting. Also, migrating birds, including ducks and shorebirds, may use the river when available water is present. The site of the rock removal area, however, is not considered to be used as such due to its location, lack of water and poor habitat value.

During the operational life of the mine, no change is foreseen to the current status of wildlife values onsite. This is due to the historic and ongoing mining operation and cattle grazing.

G. STRUCTURES

SITE 1A: This site's only structure is a mobile home that is used for a farm worker's residence for the farming operation. It is not related to the Sepulveda Building Material operation. (See Aerial Photo - Pages 7 & 8)

SITE 1B: This site contains two structures, a farm worker's mobile home and a pole barn. The mobile home is used only for the farming operation. Sepulveda uses the pole barn in conjunction with the farming operation as a rock and equipment storage and staging area. (See Aerial Photo - Pages 7 & 9)

Sepulveda also uses a storage container, for small equipment and tools, located within the pole barn.

No structures are located within the rock removal areas on SITE 1A.

H. EXISTING MINING EQUIPMENT

The following men and equipment are used on SITE 1A

1. Personnel - 1 manager, who also doubles as equipment operator; 1 equipment operator/laborer; and 3-4 general laborers.

2. Equipment - (1) D8 Caterpillar Tractor
   (1) 951 Caterpillar Tractor Front End Loader
   (2) Dump Trucks

(1) GMC Pickup Truck
(1) Fork Lift
(2) Stone Guillotine's
(1) Scale
(1) Storage Container
- Maintenance Tools
- Sledgehammers
- Palletizing/Banding Equipment
- Pallets
- WASTE OIL STORAGE TANK

I. HAZARDOUS MATERIALS

Per Sepulveda Building Materials Lompoc, Inc., this business does not store, use, or handle any of EPA Extremely Hazardous Materials Chemical Substances (April 22, 1987 Federal Register) as modified by the Fed. Req. of February 25, 1988, or any mixture containing an EPA Extremely Hazardous Substance in any amount. (See Exhibit 9)

The pickup truck noted in Section H. above has a portable 60 gallon diesel tank on the back. Diesel is delivered to the site every other day and any refueling of the tractors is from this pickup.

A portable 60-gallon diesel tank exists onsite near the shed area; however, this is owned by Frank Acin and is part of the agricultural operation and not involved in any way with Sepulveda's operation.

A waste oil tank exists in the area of the pole barn and is used by Sepulveda to hold waste oil generated from servicing the equipment. This waste oil is emptied and transported by a commercial waste disposal company on an "as needed" basis.

J. DRAINAGE

The areas which are mined generally result in temporary sumps where drainage water may collect. Upon completion of mining, however, the mine is filled-in and recontoured to closely match pre-mined conditions and to conform to surrounding grades. The overall drainage patterns should not be altered.

XIII. DESCRIPTION OF THE CURRENT MINING OPERATIONS

A. GENERAL METHOD OF MINING

SITE 1A: A D-8 Cat pushes the topsoil to an area adjacent to the area to be exposed. An additional 1-2 feet of overburden is also moved to expose various loose stone/rock or a shale layer which is near the surface. (See Ground Photos 1-9, Pages 10-12) This area is "worked" and any visible stone/rock is removed and placed onto a dump truck by the front end loader. Next, shale that is usually uncovered is pushed away from its layer. The shale is sometimes further broken apart by its being pushed to a collection area within this working area; however, it normally arrives as large rocks or slabs. The men use a 12± wedge/sledgehammer to break and fracture the shale into smaller slabs. These slabs are loaded into the front end loader and then dumped into the dump truck. The dump truck delivers the rock to Site 1B and dumps the load into the processing area (two employees move with this delivery to SITE 1B).

When Sepulveda has determined that a site has been completely mined, that site will be filled-in and reclaimed. Because the subsurface veins of desirable material are not known, exploration pits are sometimes prepared. If a pit shows no promise of desirable material it is filled-in and reclaimed. Successful pits can reach depths of 50', although the current depth is about 25' to 30'.

When a site is ready to be filled-in, all rock debris is pushed into the pit, followed by subsurface soils. Compaction is by track rolling in layers as the overburden is replaced. Lastly, the topsoil is placed over the site and recontoured to fit the surrounding terrain. The finished surface is then seeded with a seed mix which germinates from rain.

SITE 1B: When raw product is delivered to this area, the employees sort the slabs/rocks into different grades, sizes, qualities, colors, etc. (See Ground Photos, Pages 10-12) Some of the slabs are processed for more precise shapes, edges, or sizes by using a motorized "stone guillotine."

The various slabs are palletized, and a fork lift takes the pallets to be weighed, the weight amount being then stamped on a metal tag and placed on the pallet. A chicken wire cage is then placed over the stone and attached to the pallet, with steel bands then being strapped in both directions to secure the pallet. The pallet is set in a loading or storage area to await shipment, which is typically to the Los Angeles area. This rock is sold for building uses, such as facing on fireplaces, buildings, decorative walls, and flooring.

This generally describes the operations of Sepulveda since 1985. Changes to these methods may be found in the proposed reclamation plan in Section XV.

XIV. QUANTITY OF MINED MATERIALS

A. ANNUAL QUANTITY OF PRODUCT

The following information is based on annual data provided by Sepulveda. These quantities reflect the amount of finished product produced for the given year and are not necessarily indicative of the amount of mined material.

YEAR	TONS FINISHED PRODUCT
1985	0
1986	1,366
1987	918
1988	816
1989	1,341
1990	1,477
1991	1,829
1992	2,189
1993	1,649
1994	657
1995	1,163
1996	956
1997	1,298
Total	15,659
Avg/Year	1,205

B. POTENTIAL REMAINING PRODUCT TO BE MINED

Sepulveda has indicated its desire to achieve an annual production schedule of 1500 tons of finished product. The current average is approximately 1205 tons/year. If the goal is reached, no changes in the operation, equipment or manpower are anticipated.

Since 1956 approximately 26 acres of Site 1A have been disturbed as a result of rock mining. Since 1985, when Sepulveda started, approximately 11 acres of the 26 acres have been mined. Based on this history and information provided by Sepulveda, approximately 1.1 acres can be fully mined per year.

The current Sepulveda/Acin Lease Agreement for Site 1A will expire June 30, 2045, unless it is extended or renegotiated. Based on the above information, the remaining 47 years on the lease should allow Sepulveda to mine approximately 51.7 acres. It is possible that more or less acreage will actually be mined, depending on market conditions and presence of desirable material at the site. At the current average production rate of 1205 tons/year, it is estimated that approximately 56,635 tons of finished material will be produced between 1998 and 2045. At a production rate of 1500 tons/year, approximately 70,500 tons of finished material will be produced between 1998 and 2045.

XV. RECLAMATION PLAN

A. GENERAL CRITERIA

Sepulveda Building Materials shall fill-in and reclaim mining sites when removal of desirable material is exhausted. Upon termination of all mining operations, any open unreclaimed areas will be filled-in and reclaimed in accordance with this plan. Finished ground surface will be contoured to generally match the pre-mined conditions as closely as feasible while blending with the surrounding terrain. The surface will be seeded and allowed to revegetate in a manner suitable for cattle grazing as the end use.

B. END USE

The end use for Site 1A is cattle grazing, which is the historic agricultural use of this and adjoining parcels. In addition, cattle grazing is currently a conjunctive use within the mining area. The end use for Site 1B is agricultural equipment/supplies storage, which was the pre-mining use and is currently a conjunctive use with the Sepulveda mining use.

Not only is the end use consistent with the historic use, but it is also the current conjunctive use at both Sites 1A and 1B.

C. TERMINATION DATE OF MINING OPERATIONS

For purposes of this reclamation plan, the mining termination date of **June 30, 2045** will be used. This date is consistent with the expiration date of the current Sepulveda-Acin lease ageement. If in the future the lease agreement is extended, the mine operator may request an amendment to extend the reclamation plan termination date.

D. TIME FRAME TO COMPLETE RECLAMATION

As mined areas within Site 1A are exhausted of materials, those areas will be identified for reclamation in the annual report. Initial reclamation activities, including recontouring and seeding for revegetation will be accomplished within six months following the annual report. Reclamation of those areas will be successfully completed within 1-2 years from the initiation date. Further details regarding the methods and time frames for recontouring and revegetation are provided below. This ongoing reclamation process will minimize open areas and will also help expedite the final reclamation goals of the entire site.

Upon termination of the entire mining operation, all areas not reclaimed will be reclaimed in accordance with the standards set forth herein. Final reclamation activities by the operator, including recontouring and revegetation shall be initiated immediately and completed within 1 year. Successful revegetation, site cleanup and removal of equipment and materials for Sites 1A and 1B shall be completed within 2 years of termination.

E. ANTICIPATED SITE CHARACTERISTICS AT TIME OF TERMINATION

Since Sepulveda's method of operating consists of on-going reclamation, it is assumed, based on historic data, that approximately 8 acres of active mine may be open in any one year. Thus, at time of termination it will be necessary to reclaim approximately 8 acres at Site 1A. All previously mined areas will have been reclaimed, revegetated and completed or in the process of being completed and monitored.

Area 1B is expected to be much as it is today. Material and equipment will be stored, and product will be readied for shipment.

F. SITE SPECIFIC RECLAMATION PROCEDURE

1. **SITE 1A** Whether it be part of the ongoing reclamation or the final reclamation, the following procedure shall be followed:

a) Stockpiling Top Soil

All topsoil shall be removed from a mining area and stockpiled in close proximity to the mine. If the mining area remains open for a period of 60 days or more, the top soil shall be seeded in early fall prior to the rainy season with Hykon Rose Clover or Red Oats to protect against erosion. An application rate of 15 lbs/acre shall be used.

Topsoil shall be kept separate from other overburden and stockpiled materials, and shall not be compacted. A sign shall be placed at the topsoil stockpile indicating: "Topsoil - Do Not Disturb."

b) In-Mine Grading

All aspects and requirements of safe mining practices shall be adhered to. Any excavations within 20 feet of a property line shall not exceed a slope of 2(horizontal):1(vertical). Other locations may be excavated at 1 1/2:1. When the depth of a cut exceeds 25' in height, and when such a cut is to remain for more than 60 days, an intervening bench drain shall be provided. The bench drain shall provide positive drainage, shall be a minimum 8' wide and shall be placed at 25' vertical intervals. A maximum mining depth of 50' is anticipated. Mining excavations shall conform with Grading Ordinance setback requirements.

Mine excavations of depths exceeding 25 feet within the area between 400 and 600 foot elevation contours in Subareas D, E and F require prior applicant submittal of an engineering geology report for review and approval by Planning and Development. The report will address slope stability pertaining to temporary stockpiling of excavated material.

If the annual SMARA report shows that in any year of operation operator has ten or more acres of open mined land (which exceed the eight acres historically open to date), Planning and Development shall have the authority to reevaluate the reclamation plan to ensure compliance with SMARA. This could include a request for revised geologic studies and plans.

c) Reclamation Grading

Once a mining area is exhausted of material, that area shall be filled-in, recontoured and planted according to the specified planting schedule. Waste rock product and overburden shall be pushed into the pit and track rolled in layers not exceeding 8". The top surface shall be graded to closely simulate pre-mined conditions and to match surrounding terrain. Finished slopes shall not exceed 2:1 with intervening bench drains as described in Section b. above. Finally, the stockpiled topsoil shall be spread over the site and seeded. Any trash or debris shall be removed and properly discarded. The finished ground should have slight undulations similar to the natural terrain in the area.

Reclamation activities shall adhere to SMARA performance standards 3704 (Backfilling, Regrading, Slope Stability, and Recontouring) and 3706 (Drainage, Diversion Structures, Waterways, and Erosion Control), and the application of standard engineering grading procedures and County standards for erosion-control, drainage design, and revegetation. A site-specific geologic and engineering analysis shall be submitted to Planning and Development Grading Division for review and approval as part of the annual reclamation plan report only for finished slopes exceeding 2-1/2:1. This analysis shall demonstrate that proposed final slopes will have a minimum slope stability factor of safety that is suitable for the proposed end use, and that the proposed final slopes can be successfully revegetated. All reclamation which involves grading shall be designed to minimize erosion and shall be conducted in accordance with the Santa Barbara County Grading Ordinance and standard grading practices, including the following measures:

- Final grading shall conform with Grading Ordinance setback requirements.

- Grading/recontouring for reclamation shall be limited to the dry season (April 15 - November 1) unless approved by Planning and Development Grading Division based on approved grading/erosion-control measures.

- Graded areas shall be revegetated with species specified in the approved Reclamation Plan to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

d) Revegetation

Upon completion of finish grading with topsoil and prior to or during the rainy season, the reclaimed area shall be seeded for revegetation suitable to provide erosion control, suitable for grazing forage, and suitable to co-exist beside native vegetation of the area. Seeding shall be by hand broadcasting, using the following mix and rates:

1) Early Fall - first application for erosion control:

Avena sativa (red oats) 10#/Ac.
Bromus carinatus (brome) 15#/Ac.

2) Immediately Prior to or During Rainy Season:

Artemisia californica (California sagebrush) 1#/Ac.
Baccharis pilularis subs. consanguinea (coyote brush) 1#/Ac.
Lotus scoparius (deerweed) 5#/Ac.
Salvia leuchophylla (purple sage) 1/2#/Ac.
Eriogonum fasciculatum (buckwheat) 1#/Ac.
Stipa pulchra (purple needlegrass) 1#/Ac.
Leymus condensatus (giant wild rye) 1#/Ac.

Areas shall be reseeded as needed until success criteria are met.

3) Soil Additives/Amendments:

Based on a soil analysis by Fruit Growers Lab (Exhibit 8), urea fertilizer should be applied at time of planting at a rate of 50#/Ac. Sepulveda has not needed to fertilize, based on past performance. As such, fertilizer will only be used on an as-needed basis, in the event revegetation is not successful, as determined by the County through the annual monitoring process.

Germination is dependent on rainfall. Based on Sepulveda's past practices of grading, seeding and rainfall watering, this method has been highly successful.

e) Drainage

Existing drainage patterns shall be maintained both during mining operations and upon completion of reclamation grading. Drainage within the pit shall be directed inward. Reclamation activities shall adhere to Public Works/Grading and Flood Control requirements, as well as any Federal permitting requirements to ensure that no significant impacts associated with stream channel modification or erosion/siltation would occur. No boulders shall be placed within the stream channel, unless specifically permitted by applicable local and federal agencies.

f) Roadways

Roadways on the site shall be left in a neat and useable condition for ranching purposes.

g) Stockpiled Boulders

All stockpiled boulders and other rock product shall either be buried in the reclaimed mining pits or removed from the site as part of final reclamation activities following the termination of mining activities.

h) Equipment

All mining equipment, supplies and materials shall be removed from the site as part of final reclamation following termination of mining activities and completion and acceptance of successful recontouring and revegetation.

i) Dust Control

Dust generated by reclamation activities shall be kept to a minimum with a goal of retaining dust on the site. The following dust control measures will be adhered to throughout reclamation activities involving grading, earth moving or transportation of cut or fill materials:

- Where access is feasible, water trucks or sprinkler systems shall be used to minimize dust from leaving the site and to create a crust after each day's activities cease.

- Soil stockpiled for more than 60 days shall be treated to prevent dust generation.

- The onsite contact person designated by the applicant to be responsible for dust mitigation is Larry Wise, 805-740-5928.

j) Oak Preservation and Replacement

No oak trees shall be removed during reclamation activities. Any oaks damaged or lost from reclamation activities shall be replaced by the applicant within one year on a 10:1 ratio with 1-gallon seedlings or as specified by Planning and Development Compliance staff, and irrigated and maintained by the applicant during a 3-year establishment period or as specified by Planning and Development Compliance staff.

k) Archaeological Resources

In the event archaeological remains are encountered during earthwork, work shall be stopped immediately or redirected until a Planning and Development Department-qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.

l) Hazardous Materials

The applicant shall obtain a waiver or shall implement an approved Hazardous Materials Business Plan for storage and handling of hazardous materials, in accordance with the provisions of AB 2185/2187 and County regulations. A letter from the Santa Barbara County Fire Department dated November 7, 1997, and attached as Exhibit 12 indicates no permits are required.

2. **SITE 1B**

Within 2 years after termination of mining operations, all mining product, waste, equipment and trash related to the mining operation shall be removed from the site. The site shall be left in a neat and orderly manner for continued use by farming operations.

G. EVALUATING/MONITORING RECLAMATION

1. SITE 1A:

It shall be Sepulveda's responsibility to implement and maintain the reclamation plan until all areas have been successfully completed and accepted. Monitoring shall be performed by Santa Barbara County and paid for by Sepulveda.

a) Test Plots

Areas which have already been reclaimed by Sepulveda demonstrate a very high sucess rate of achieving dense growth on properly recontoured terrain. Active cattle grazing on these areas demonstrates the viability of reclamation methods and the proposed end use. A test plot area of prior successful reclamation, recontouring and revegetation is identified on the Reclamation Plan Map as Area C, Mine 4. This area shall provide an example area of successful reclamation for comparison purposes. (See Exhibit 11)

b) Annual Report

An Annual Reclamation Plan Report shall be submitted with the SMARA MMRC report to Planning and Development compliance staff by July 1 of each year. The annual report shall address mining and reclamation activities for the prior year (July 1 - June 30) and anticipated activities for the upcoming year (July1 - June 30). The following information shall be included in the annual report:

1) Reclamation Plan base map with boundaries marked showing:
   (a) Areas mined during the prior year
   (b) Areas of completed or in-progress reclamation
   (c) Areas proposed for initial and/or follow-up reclamation activities in the coming year
   (d) Areas anticipated to be mined in the coming year.
   (e) Any changes in access roads.

2) Description of reclamation activities accomplished in the prior year, including specifications of in-mining grades, drainage, topsoil stockpiling, reclamation grading, recontouring and revegetation, and percent vegetative cover achieved. Any issues raised in prior year Planning and Development annual site inspection and report should be specifically addressed.

3) If any areas to be regraded and contoured would involve finished slopes exceeding 2:1, provide two copies of a site specific geologic and engineering report and revegetation report by qualified professionals demonstrating that proposed finished slopes will have a minimum slope stability factor of safety suitable for the end use of cattle grazing, and that proposed finished slopes can be successfully revegetated.

4) Updated financial assurance estimates to cover reclamation of all mined areas not yet reclaimed and completed.

5) Updated aerial photos every fifth year.

c) Annual Inspection

Santa Barbara County shall inspect reclamation work at the site at least once per year. The inspection shall note compliance with time frames to complete reclamation, grading methods, drainage, topsoil protection, filling/compacting, recontouring, seeding and revegetation. A report shall be provided to Sepulveda with findings and comments.

d) Vegetation Criteria

Those areas which have been finish graded and seeded shall be inspected to verify that revegetation is successful. Revegetation is considered successful when 90% of the soil is covered with a vegetative mix which provides for erosion control, is suitable for cattle grazing and is compatible with the area native vegetation. No area larger than 200 square feet shall attain less than 40% cover, except for rock outcroppings.

e) Financial Surety

Once an area has been successfully reclaimed and remains so for one year after achieving success, it shall be considered complete and accepted. Santa Barbara County shall notify Sepulveda at that time and shall release any associated surety.

2. **SITE 1B:** Within 6 months prior to termination of mining operations, Sepulveda shall notify Santa Barbara County and provide a schedule to implement final reclamation. Santa Barbara County shall inspect the site within one year of termination and again at 2 years from termination to insure compliance with this plan.

Upon compliance with final reclamation, Santa Barbara County shall notify Sepulveda and release any associated surety.

H. REMEDIAL MEASURES IF RECLAMATION IS NOT SUCCESSFUL

1. STOCKPILING

If stockpiling of topsoil is determined by the County as unsuccessful in preventing wind or water erosion, additional measures may be required. These may include:

- Reseeding or hydroseeding with seed mix containing soil binder
- Provision of temporary erosion control measures such as geotextile blankets
- Watering to promote seed growth

2. RECLAMATION GRADING, RECONTOURING, COMPACTION

If recontouring or slope stability is determined by the County to be unsuccessful, additional measures may be required. These may include:

- Regrading and compaction
- Submittal of geotechnical information

3. **REVEGETATION**

If revegetation of any area is determined by the County to be unsuccessful, additional measures may be required as necessary until revegetation meets the vegetation criteria. Additional measures may include the following:

- Re-seeding for another year or more
- Alteration of seed mix
- Fertilization
- Fencing of reclamation area if cattle grazing is impeding successful revegetation
- Irrigation
- Temporary erosion control measures

I. RE-ESTABLISHMENT OF WILDLIFE HABITAT

This site has been mined in conjunction with cattle grazing since the 1950's. Upon termination and completion of reclamation activities the end use will continue as cattle grazing only. Wildlife will then be unimpeded by the noise and equipment of the mining operation.

XVI. FINANCIAL SURETY

A. CURRENT CONDITION

In accordance with SMARA, surety must be posted to guarantee the reclamation of mined areas. Currently, approximately 10 acres are subject to reclamation. The financial assurance cost estimate (Exhibit 8) has been prepared to address the 10 acres. The amount of surety for Site 1A is $106,482 and for Site 1B is $10,703. Adjustments to surety will be made, as necessary, each year as part of the annual review.

B. MODIFICATIONS

Annual adjustments may be warranted to reflect actual acreage of disturbance. The adjustments will be made as part of the annual report. Each year, the area which is required to be reclaimed and not yet completed and accepted will be calculated, and a new surety amount will be required, if different from the prior year.

XVII. STATEMENT OF RESPONSIBILITY

In accordance with SMARA Section 2772(J), both the current operator and the property owner have provided statements of responsibility for reclamation. See Exhibits 6A & 6B.

At the time of mine closure, reclamation of any areas mined by operators prior to Sepulveda Building Materials (shown on Exhibit 12) which were not reopened by Sepulveda, but subject to reclamation, will be the responsibility of the landowner.

XVIII. ENVIRONMENTAL REVIEW

A. INITIAL STUDY/NEGATIVE DECLARATION

Attached as Exhibit 10 is the environmental document prepared by Santa Barbara County.

B. MITIGATION MEASURES

The nine mitigation measures have been incorporated into the reclamation plan as follow:

1. Grading - grading standards are addressed in Section XV, item F(b and c), in addition to Exhibit 11
2. Boulder disposition is addressed in Section XV, item F(g)
3. Stream protection is addressed in Section XV, item F(e)
4. Topsoil stockpiling is addressed in Section XV, item F(a)
5. Dust control is addressed in Section XV, item F(i)
6. Revegetation is addressed in Section XV, item F(d)
7. Oak tree preservation is addressed in Section XV, item F(j)
8. Archaeological resources is addressed in Section XV, item F(k)
9. Hazardous materials is addressed in Section XV, item F(l)

ANALYSE MERLO

SEPULVEDA BUILDING MATERIALS LOMPOC, INC.

MINING RECLAMATION PLAN

90-RP-001

EXHIBITS

JUNE 10, 1998

DECLARATION OF FRANK ACIN

I, Frank Acin, hereby declare that:

To the best of my knowledge, the history of who has worked Parcel #083-060-15 where the quarry site is located and parcel #083-070-18 where the farm storage area and the pole barn are located is as follows: While I do not know the quantities of rock that were taken, I do know that since 1971 someone was always working the quarry site parcel and sometime there was more than one person working there at a time.

When I purchased the property in early 1971, Tommy Gann was on the site removing landscaping and paving stone. He was there until about August, 1972.

During this same period, 1971-1972, Buster Lee came in and also worked the site. He worked the site until his death in 1974.

Mr. Robb (known as Robbie) moved in to work the site in the fall of 1972 and stayed until approximately June, 1975.

About the same time that Mr. Robb left, Chuck Sturdevant moved in to work the site and was there until approximately December, 1977.

About the fall of 1977, maybe November, Al Green was working the quarry site and he was there until early 1985.

From February, 1985 to August, 1985 the site was worked by Harold Sims. When Sepulveda Building Materials came in about August, 1985, Mr. Sims was resentful of sharing the site and moved on.

Sepulveda Building Materials has been working the site from August, 1985 to present. All of the people that I know before Sepulveda came were individual operators doing small operations.

These small operators came with various kinds of equipment, from tractors to pick-up trucks, to dig some stone, break it up and haul it away.

One can see from the site where Sepulveda Building Materials is working that the surrounding area still shows some evidence of the old mining operations

I declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed this 8 day of Nov., 1990 at Tompkins, California.

Signed: Frank Acin

Printed: FRANK ACIN

Address: Box 114 RFD

City/State/Zip Tompkins Ca. 93456

Phone: 736-1906

DECLARATION OF DON LEE

I, Don Lee, hereby declare as follows:

I am the son of Buster (Henry) Lee who worked the stone quarry located at Highway 1 and Santa Rosa Road which is the same site as Sepulveda Building Materials is working now, with my father until he passed away in 1974.

I was raised in Lompoc and went to school there. I grew up knowing my father's quarry business from the time I was a small boy. I can remember the first rock that I split as a youngster back in 1956 and at 14-15, I remember getting stone out of the quarry that we are now in, loading it by hand onto our pick-up truck. I helped my dad in this rock business until his death.

I started work with Sepulveda Building Materials in June, 1982 and was transferred to run the operations of the Lompoc quarry in approximately November, 1984.

I declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed this 8 day of Nov., 1990 at Lompoc, California.

Signed: Don Lee

Printed: Don LEE

Address: 105 No. X st.

City/State/Zip Lompoc Calif 93436

Phone: (805) 735-5461

EXHIBIT 2

County of Santa Barbara

RESOURCE MANAGEMENT DEPARTMENT

John Patton, Director — North County

June 24, 1991

Mr. Michael Manus
Sid Goldstien - Civil Engineer, Inc.
650 Alamo Pintado Road
Suite 302
Solvang, CA 93463

RE: Sepulveda Building Materials - 90-RP-001
ACIN SITE

Dear Michael:

We have received your letter dated June 18, 1991 in which you documented the vested status of the quarry at the Acin site, APN 83-060-015. We have reviewed the enclosed U.S.G.S. map dated 1959 and concur with your conclusion that no conditional use permit is required for the mine.

As you have also indicated, we will continue to process the Reclamation Plan application, and look forward to receiving the materials needed to deem the project complete.

Sincerely,

Sandra Emery

SANDRA EMERY
Planner II

a:\rp\90rp00121.ltr

cc: Richard Corrall, RMD
Brian Baca, Division of Environmental Review
Sepulveda Building Materials, 2936 Sepulveda Blvd., Torrance, CA 90505-2894
Michael Sandecki, State Division of Mines & Geology, 630 Bercut Drive, Sacramento, CA 95814-0189
Frank Acin, P.O. Box 114, Route 1, Lompoc, CA 93436

ALL CCs TO RECEIVE COPY OF 06/18/91 LETTER AND MAP FROM SID GOLDSTIEN'S OFFICE

624 W. Foster Road, Santa Maria, CA 93455
PHONE (805) 934-6250 FAX (805) 934-6258

EXHIBIT 3

R.C.E. 33042

SID GOLDSTIEN - CIVIL ENGINEER, INC.
planning • design • studies • residential/commercial development
630 ALAMO PINTADO ROAD
SUITE 302
SOLVANG, CA. 93463
(805) 688-1526
FAX (805) 688-6582

June 18, 1991

Ms. Sandra Emery
Santa Barbara County
Resource Management
624 West Foster Road
Santa Maria, CA 93455

Re: Sepulveda Bldg. Materials
Acin Site Reclamation Plan
90-RP-001

Dear Sandra:

As you know, a discussion has taken place between Sepulveda Building Materials and County Counsel regarding the requirement for a conditional use permit for the mining of the above site. It's County Counsel's position that since we cannot "prove" that this site has been mined since 1959, a CUP is required. As you know, eyewitness testimony has been sparse at best, and written records are nonexistent; however, I am happy to say that a most credible witness has stepped forward to present evidence that this quarry was in existence prior to 1959 and therefore is not required to obtain a conditional use permit. The site has been used as a quarry through the present.

I speak of none-other than Edmund G. Brown, Sr., ex-governor of the State of California. If you will review the attached 7.5 minute U.S.G.S. map and note the quarry site (circled), you will also note in the title block that the map was finalized and to market in 1959. In the comments to the left side of the map, you will note that the aerial photo was taken in 1956, thus showing that the quarry was in existence at least in 1956 and probably prior. We reiterate our contention that this is a vested rights operation, from both the standpoint of the State and the County, and therefore no CUP is required.

We will proceed on addressing the Reclamation Plan "only" for this site. Should you have comments or questions, please call Sid.

Sincerely yours,

Michael D. Manus

C.C. John Connors
90-06-104

EXHIBIT 4

FRUIT GROWERS LABORATORY, INC.

ANALYTICAL CHEMISTS

December 12, 1991

LAB No: 47366-1

Native Landscapes
P.O. Box 1152
Santa Yanez , CA 93460

Date Sampled : December 2, 1991
Date Received : December 2, 1991

Property : Santa Rosa Site
Sample Area: Sepulveda
Depth : ---
Sampled by : Greg Donovan

TEST RESULTS RE: SOIL ANALYSIS - REVEGETATION

Test Description	Your Analysis		Optimum Range	Comment
Moisture	10.00	%	1/2 Satn. %	Too Dry
Saturation	65.00	%	---	Clay
Nitrate-Nitrogen	0.10	PPM	10 - 40	Very Low
Phosphorus	61.00	PPM	13 - 40	High
Exch. Potassium	219.00	PPM	81 - 300	Ample
Limestone	3.80	%	---	See Below *
pH	12.40		5.8 - 8.2	Too Alkaline
Soil Salinity	6.40		0.3 - 2.0	Excessive
Lime Requirement	0.00	T/AF	---	OK

* Some crops are sensitive to the presence of free limestone in soils. Be sure to ascertain your crops degree of limestone tolerance before planting.

FRUIT GROWERS LABORATORY, INC.

mlh

Darrell H. Nelson

Corporate Offices & Laboratory
P O Box 272 / 853 Corporation Street
Santa Paula, CA 93061-0272
TEL: (805) 650-2045

Office & Laboratory
2500 Stagecoach Road
Stockton, CA 95215

EXHIBIT 5

April 3, 1998

STATEMENT OF RESPONSIBILITY

In accordance with SMARA Section 2772(J), we hereby accept responsibility for reclamation of the mined lands disturbed by the Sepulveda Building Materials, Lompoc Inc. operations in accordance with the approved Mining Reclamation Plan (90-RP-001).

Signed:

John Connors, President
Sepulveda Building Materials, Lompoc Inc.
2936 Sepulveda Blvd.
Torrance, CA 90505-2894

EXHIBIT 6A

April 3, 1998

STATEMENT OF RESPONSIBILITY

In accordance with SMARA Section 2772(J), I hereby accept responsibility for reclamation of the mined lands disturbed since 1976, other than those mined lands disturbed by Sepulveda Building Materials Lompoc, Inc., in accordance with the approved Mining Reclamation Plan (90-RP-001).

Signed: Frank Acin 4-7-98

Frank Acin, Owner Date

EXHIBIT 6B

ROCK REMOVAL LEASE

THIS LEASE AGREEMENT, made and entered at Lompoc, California, this 12th day of June, 1990, by and between Frank Acin, of Lompoc, California ("Lessor") and Sepulveda Building Materials, Lompoc, Inc., a California corporation ("Lessee").

Lessor and Lessee agree as follows:

1. Lessor, upon the terms and conditions, and subject to the reservations herein set forth, herein grants to the Lessee the right and privilege to remove from the hereinafter described premises (the "Premises") rocks and stones.

2. The term of this Lease shall commence on July 1, 1990, and shall terminate on June 30, 1995.

Frank Acin
Don Lee

2.1 Lessee shall have the option to extend the ~~term of this Lease for~~ such period of years as Lessee may select ~~provided such extension shall not extend not more than ten years~~ ending not later than June 30, 2005. Lessee may exercise this option by giving ~~written notice of its desire to extend and~~ setting forth the number of years it intends to extend. Such notice shall be sent to Lessor not ~~later than~~ March 31, 1995. ~~During the period of such extension the terms of this Lease shall be changed only upon written consent of the parties.~~

2.2 Any holding over by Lessee after the term of this Lease and the term of any option term shall be a month to month tenancy on the same terms and conditions of this Lease.

3. The Premises leased to Lessee is described as Parcel number 030-060-15 comprising 241.63 ± acres and Parcel number 030-070-18 comprising 118.18 acres located in Lompoc, California in Lessor's Ranch. The premises are shown on the Assessor's parcel maps attached hereto as Exhibits A & B respectively.

4. All gates located on the Premises used by Lessee, its employees or agents, must be locked and closed at all times. Lessee shall keep all men and equipment away from the housing areas. Lessee will be responsible for keeping the premises clean and shall not leave any garbage nor debris thereon.

5. Lessee is authorized to use an area of the Premises comprising approximately three acres known as the farm storage and pole barn area in order to stock pile rock and stones and park equipment. Lessor hereby authorizes Lessee to build a shed

MG111
6/11/90

for equipment and tool storage in the working area. Such shed is to be removed by Lessee upon termination of this Lease.

6. [redacted]

6.1 The term "one ton" shall mean a standard ton of 2,000 pounds. All rock shall be weighed by Sepulveda Certified Sales at the sole cost and expense of Lessee. Lessee shall keep full, accurate and complete records of each load of stone or rock shipped from the Premises, which will fully and correctly indicate the number, kind and quality of stone and rock removed from the Premises during each month of the term of this Lease.

6.2 [redacted]

7. All tonnage royalty payments due the Lessor hereunder shall be made to the Lessor on or before the 15th day following the close of each month during the term hereof. Payment shall be mailed to Lessor at Rt. 1, Box/14, Lompoc, California 93436.

Box 114

8. Lessee shall comply with all laws, ordinances and regulations governing and relating to the operations of the Lessee hereunder. Lessee covenants that prior to the commencement of any of its activities hereunder it will obtain all necessary licenses and permits therefor.

8.1 Lessor does not warrant or represent that the conduct of any of the activities contemplated by the terms of this Lease is, or shall continue to be, permitted under the zoning laws, or under any other laws, ordinances or regulations of the County of Santa Barbara, the State of California, the United States of America, or any other governmental agency.

8.2 However, should any necessary permits be denied or should any governmental authority or court order prevent Lessee from quarrying on the Premises or from removing stone therefrom, Lessee shall have the right to terminate this

Lease at any time hereafter on thirty (30) days written notice to Lessor. Following any such termination Lessee shall have no further liability to Lessor under this Lease.

9. Lessee shall pay all taxes on Lessee's equipment, machinery, stockpiles of rock on the Premises.

10. Lessee further agrees to defend, indemnify and save harmless the Lessor from any and all claims, demands and causes of action and all liability arising from and out of any injury or damage to person or property or death of a person or persons proximately caused by or arising out of the acts or negligence of Lessee in the conduct of its operations hereunder during the terms or any extended term of this Lease. Lessee shall carry adequate Workers' Compensation Insurance. Lessee shall also carry public liability insurance with limits of One Million Dollars ($1,000,000.00) per person; One Million Dollars ($1,000,000.00) per occurrence, and One Hundred Thousand Dollars ($100,000.00) per occurrence for property damage, covering the Lessor and Lessee at all times during the term or any extended term of this Lease. Lessee shall deliver to Lessor a certificate of insurance of such public liability and property damage insurance.

11. Lessor reserves all oil, gas and mineral rights other than as set forth herein, in and to the Premises lands and all rights to lease, mine, bore for and explore the same, insofar as the exercise of such rights by the Lessor shall not unduly interfere with the operations of Lessee hereunder. This Lease is also expressly made subject to the terms of any existing or future grazing Lease executed by the Lessor. Lessor herein expressly reserved unto himself all rights to use the surface of the Premises for farming and grazing purposes insofar as such use by the Lessor shall not unduly interfere with the operations of Lessee hereunder.

12. Lessee shall neither assign or sublet this Lease or any interest therein, either by operation of law otherwise, without the prior written consent on the Lessor first had and obtained. Such consent shall not be unreasonably withheld.

13. In removing rock, Lessee shall operate in such a manner only, as is usual and customary in proper operations and so as not to do, cause or permit any unnecessary or unusual permanent injury to the Lessor's property. Lessor does hereby expressly reserve the right by himself, his agents or representatives, or any of them, to go upon any part of the Premises for the inspection or survey of tonnage produced.

14. At the termination hereof, Lessee agrees on behalf of itself, its successors, representatives and assigns, to execute, record and deliver unto the Lessor such documents, as shall be requisite or necessary to terminate of record any interest passing to Lessee by this Lease.

15. No fire arms shall be allowed on the Premises during the terms of this Lease. Lessee shall not suffer nor permit any of its employees, agents, visitors, licensees or assigns to hunt or trespass on the Premises during the term hereof.

16. All additions, improvements or other property of the Lessee attached to, or placed in or on the Premises by the Lessee at Lessee's expense shall be considered as personal property and shall remain the property of the Lessee who shall have the right to remove the same from the Premises, without damage to the property of Lessor, upon the termination of this Lease or any extension thereof for whatever cause, provided only that upon such termination and removal Lessee shall be in full compliance with all terms, covenants and conditions of this Lease on its part to be kept and performed.

17. Any notice or other document provided for in this Lease to be given by Lessee to Lessor shall be deemed sufficiently served if the same shall be deposited in the United States Mail, postage prepaid, addressed to Frank Acin, Rt. 1, Box 14, Lompoc, California 93436.

Any notice or other document provided for in this Lease to be given by Lessor to Lessee shall be the United States Mail, postage prepaid, addressed to Sepulveda Building Materials, Lompoc, Inc., 2936 Sepulveda Boulevard, Torrance, California 90505.

18. In the event that the Lessee shall fail financially or be declared bankrupt, this Lease shall cease and terminate, and shall in no event become an asset of the Lessee in bankruptcy.

19. Lessee shall use its best efforts to keep all unauthorized persons off the Premises where Lessee is conducting operations.

20. In the event of any litigation between the Lessor and the Lessee arising under the terms of this Lease, the prevailing party shall be entitled to attorney's fees in such reasonable amount as may be fixed by the Court, including any attorney's fees in the event of an appeal.

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6/11/90

21. Each and every term and provision hereof shall be fully effective and binding upon the heirs, assigns, and successors in interest of each of the parties hereto. Time is of the essence of this Lease and all of the covenants herein are conditions.

22. This Lease may be signed in counterparts.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and executed this instrument in triplicate as of the 12TH day of June, 1990.

LESSOR:

FRANK ACIN

LESSEE:

SEPULVEDA BUILDING MATERIALS, LOMPOC, INC., A California Corporation

By: JOHN C. CONNORS
President

M4111
6/13/90

STATE OF CALIFORNIA)
) SS.
COUNTY OF Santa Barbara)

OFFICIAL SEAL
JAMES KEELING
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
SANTA BARBARA COUNTY
My Commission Expires April 17

On this 12 day of June, 1990, before me Frank Acin a notary public, personally appeared FRANK ACIN, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.

James Keeling
Notary Public in and for said County and State

STATE OF CALIFORNIA)
) SS.
COUNTY OF Los Angeles)

On this 12 day of June, 1990, before me Sandra Levendusky, a notary public, personally appeared JOHN C. CONNORS, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the President of the corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

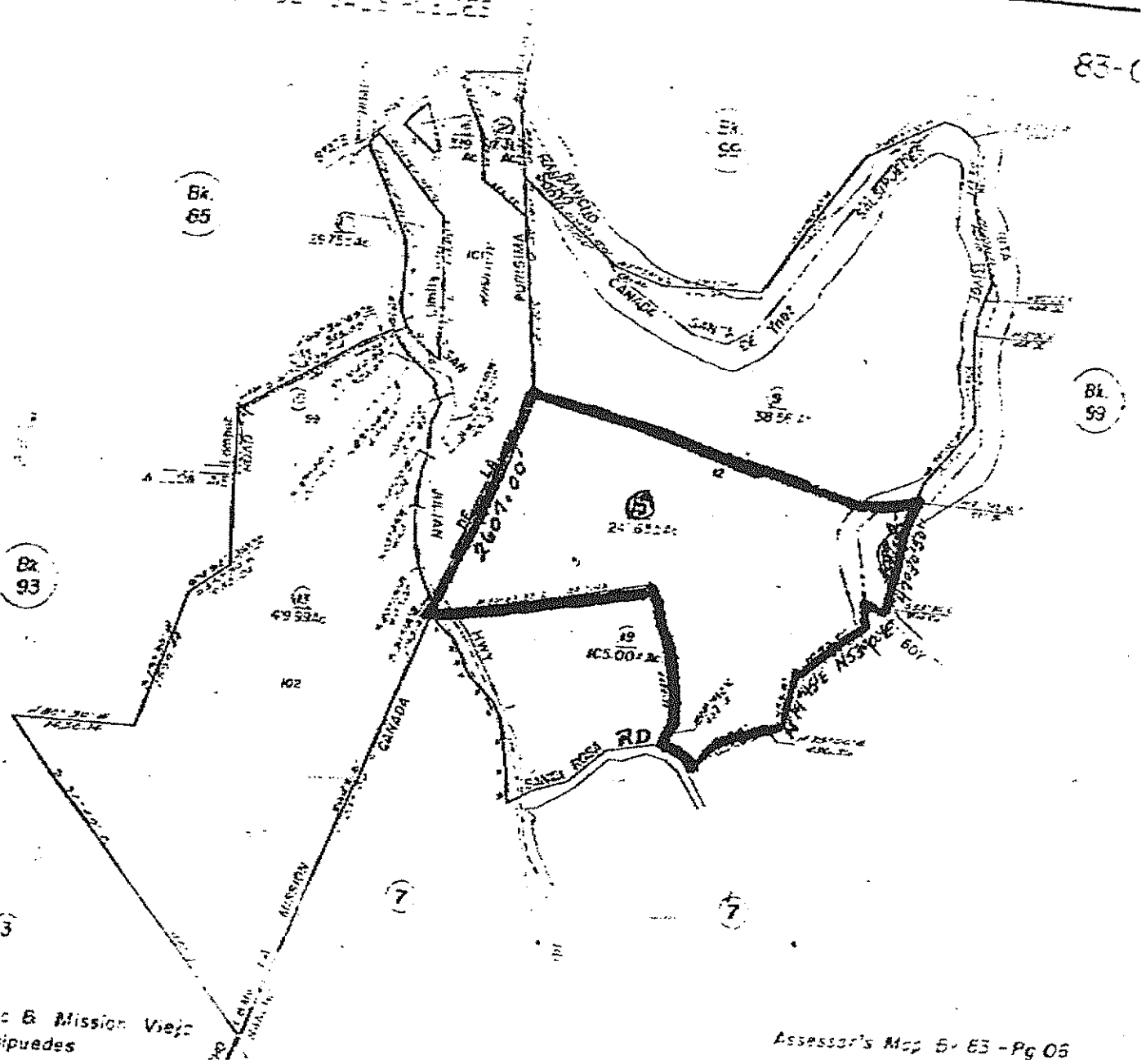
Sandra Levendusky
Notary Public in and for said County and State

M6111
8/11/90

EXHIBIT 7 pg 6

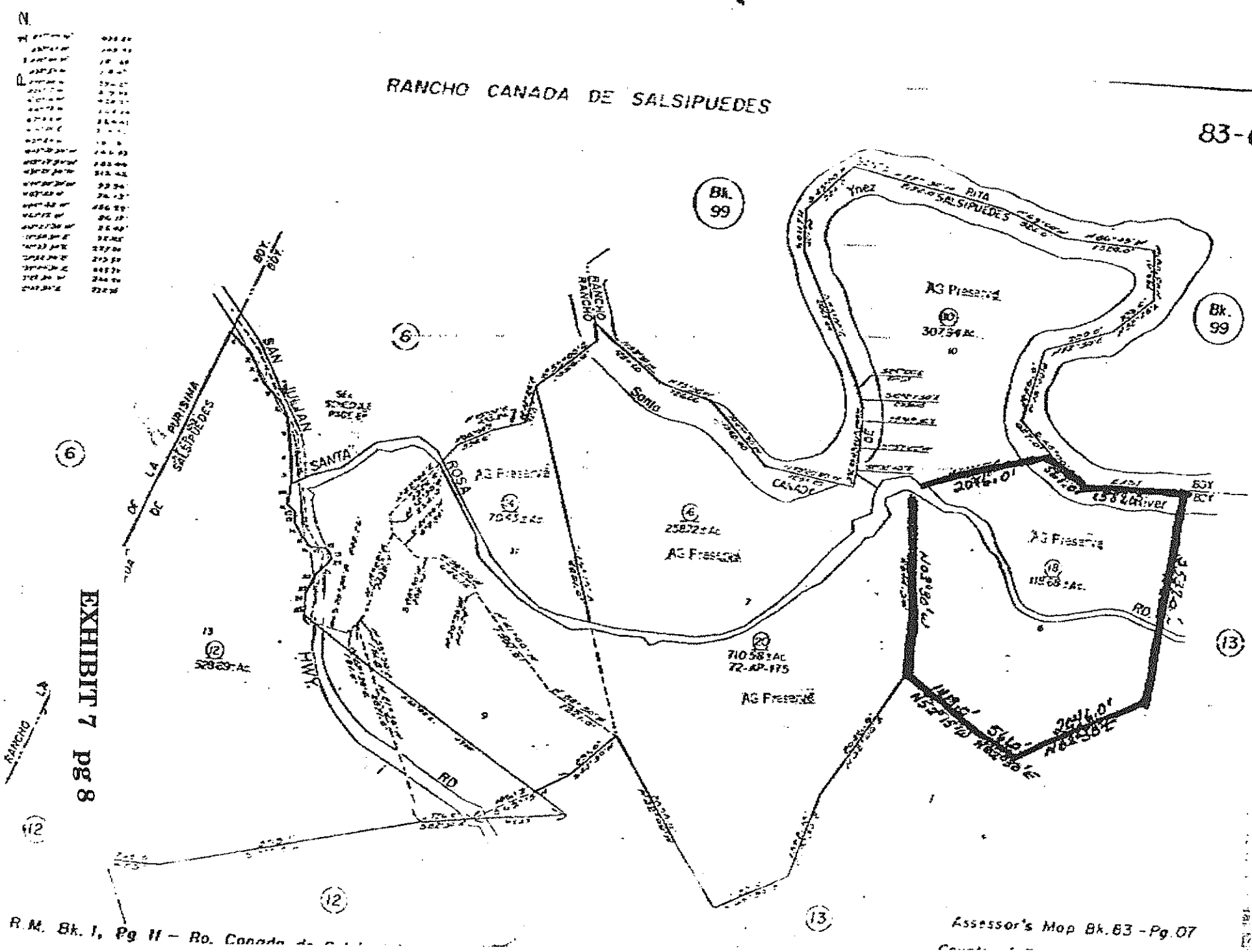
LOS ANGELES COUNTY
My Comm. Exp. April 24, 1992

EXHIBIT 7 PG 7



R.M. Bk. 1, Pg. 45 - Subdivisions Lompoc & Mission Viejo
R[illegible] Bk. 1, Pg. 11 - Rancho Cañada de Salsipuedes

Assessor's Map Bk. 83 - Pg 08


RANCHO CANADA DE SALSIPUEDES
83-07
Bk. 99
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AG Preserve
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710.58± Ac
72-AP-175
328.29± Ac
SAN JUAN
SANTA ROSA
HWY
RANCHO LA PURISIMA
RANCHO CANADA DE SALSIPUEDES
Santa
RD
Ynez
RD
EXHIBIT 7 pg 8
R.M. Bk. I, Pg 11 – Rio. Canada de
Assessor's Map Bk. 83 - Pg. 07

"TONS OF QUALITY"

EST. 1960 Sepulveda BUILDING MATERIALS

March 30, 1995

Frank Acin
RFD Route 1
Box 114
Lompoc, CA 93436

Dear Mr. Acin:

Pleased be advised by copy of this letter that we are exercising our option to extend the terms of our current lease. By signing below both lessor and lessee agree to extend the terms of the current lease to June 30th, 2005.

Sincerely,

John C. Connors, President
Sepulveda Building Materials, Lompoc, Inc.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and executed this instrument in triplicate as of the 30th day of March, 1995.

Lessor:

Frank Acin

Lessee:

John C. Connors
President

Rock Removal Lease Extension Option

THIS LEASE EXTENSION OPTIONS AGREEMENT, made and entered at Lompoc, California, this 10th day of February, 1997, by and between Frank Acin, of Lompoc, California ("Lessor") and Sepulveda Building Materials, Lompoc, Inc. , a California corporation ("Lessee").

Lessor and Lessee agree as follows:

Lessee shall have the options to extend the terms of the existing lease entered into on the 12th day of June 1990 and extended March 30th 1995 for such periods of years as lessee may select, provided each such extension shall not extend past June 30, 2045. Each extension period shall not be less than 5 years. Lessee may exercise these options by giving written notice of its desire to extend and setting forth the number of years it intends to extend each period. Such notice shall be sent to lessor not later than March 31, of any ending year of the pervious Lease extension. During the periods of the lease or any such extension the terms of this lease shall be changed only upon written consent of the parties.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and executed this instrument in triplicate as of the 10th day of February, 1997.

LESSOR:

FRANK ACIN

LESSEE:

SEPULVEDA BUILDING MATERIALS, LOMPOC, INC., A California Corporation

By: JOHN C. CONNORS, President

"TONS OF QUALITY"
EST. 1960 Sepulveda BUILDING MATERIALS

March 2,1998

From the desk of John Connors:
Sepulveda Building Mat., Lompoc, Inc.
2936 Sepulveda Blvd, Torrance, Ca.90505
ph: 310-325-9905 Fax: 310-325-5340
lpleasex.398

Rock Removal Lease Site Amendment

THIS LEASE SITE AMENDMENT, made and entered at Lompoc, California, this 19 F.A. day of March, 1998, by and between Frank Acin, of Lompoc, California ("Lessor") and Sepulveda Building Materials, Lompoc, Inc., a California corporation ("Lessee").

Lessor and Lessee agree as follows:

Lessor, upon the terms and conditions, set forth in the Master Lease, entered into on the 12th day of June 1990, and covered by options, at the Lessee's choice, to extend to the year 2045 hereby grant all or any part of said lease and its options to be extended to include parcel number 83-060-09 comprising of 318.56 acres, in Lompoc California, in lessor's Ranch, therefore granting to the lessee the same rights and privileges to remove from the described premises rocks and stones. These premises are shown on the Assessor's parcel map attached hereto as Exhibit A.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and executed instrument in triplicate as of this 19 F.A. day of March, 1998.

LESSOR:

Frank Acin
FRANK ACIN

LESSEE:

SEPULVEDA BUILDING MATERIALS, LOMPOC, INC.,A CALIFORNIA Corporation

By: J. C. Connors
JOHN C. CONNORS, President

EXHIBIT "A"

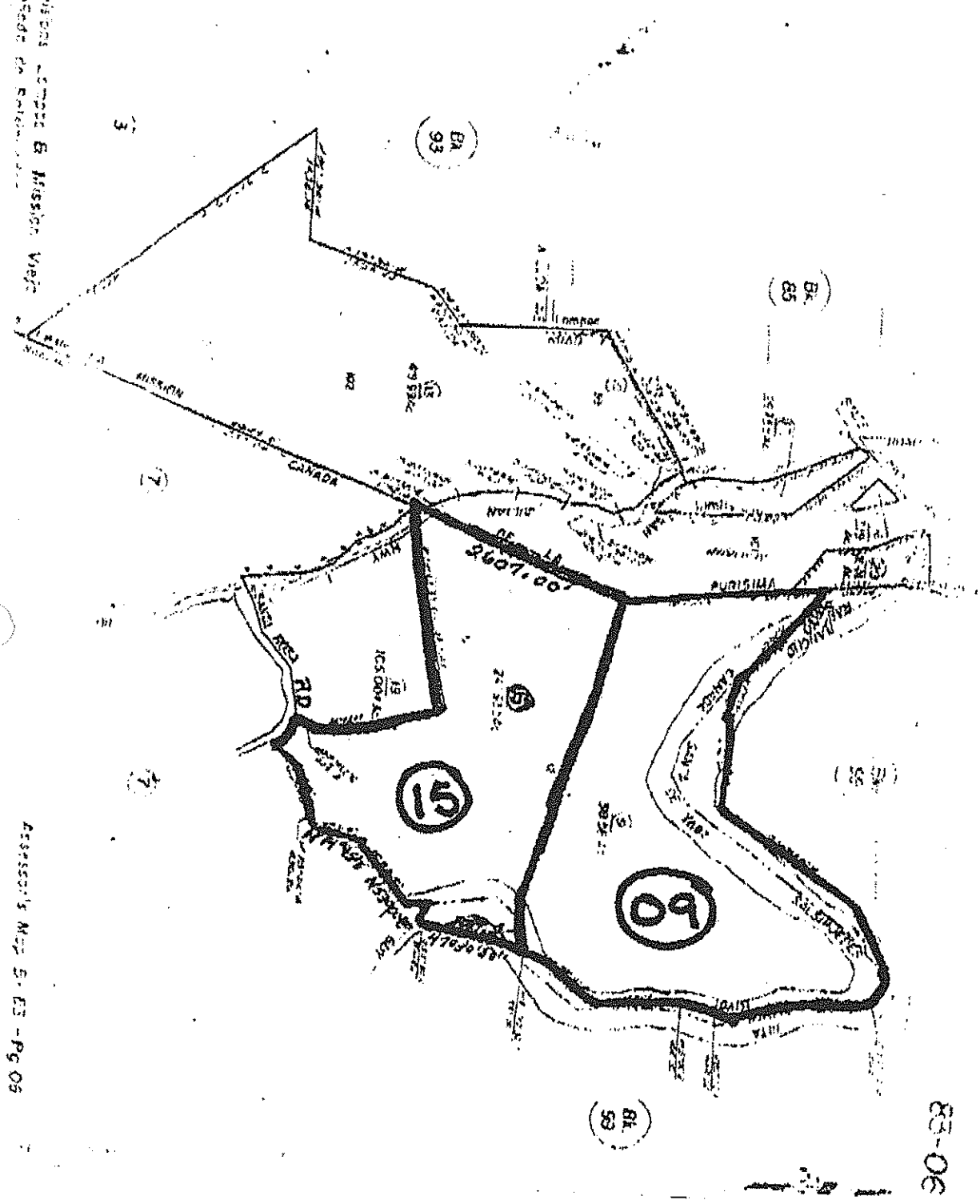


EXHIBIT 7 pg 12

State of California
DEPARTMENT OF CONSERVATION
Financial Assurance Cost Estimate
Form OMR-23 (New 06/96)

FINANCIAL ASSURANCE COST ESTIMATE

FOR

SEPULVEDA BUILDING MATERIALS LOMPOC, INC.

CA MINE ID# 91-42-0011

Prepared by:

Sid Goldstien-Civil Engineer,Inc.
650 Alamo Pintado Rd. #302
Solvang, Ca. 93463

Date: June 9, 1998

Note: This worksheet was developed by the Office of Mine Reclamation to assist lead agencies and operators prepare a reclamation cost estimate and determine an appropriate amount for the financial assurance in conformance with Section 2773.1 of SMARA. It should be used in conjunction with the Financial Assurance Guidelines adopted by the State Mining and Geology Board. Like the guidelines, it is advisory only.

I. PRIMARY RECLAMATION ACTIVITIES

Description of Task: Fill in mining pit, recontour, finish grade, remove boulders from stockpile and dispose in mining pit

Methods to be Used: Labor and equipment to be provided by independent contractor

Miscellaneous Information: No slopes are anticipated to exceed 2.5:1

Overburden (cubic yards): 128,000 Topsoil (cubic yards): 32,000 Acres: 10

Production Rate (cubic yards/hour): 1. 500 2. _____ 3. _____ 4. _____

Haul Distance (feet): 1. at site 2. _____ 3. _____ 4. _____

A. Equipment - List all equipment required to complete identified task. For large reclamation jobs separate mine areas for ease of accounting.

Equipment	Quantity	$/Hour	# of Hours	Cost ($)
1. D8	1	60	320	19,200
2. Water truck	1	20	160	3,200
3. Loader	1	60	24	1,440
4. Compactor	1	60	120	7,200

Total Equipment Cost for this Task $ 31,040

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	$/Hour	# of Hours	Cost ($)
D8 Operator	1	55	320	17,600
Water truck operator	1	55	160	8,800
Loader operator	1	55	24	1,320
Compactor operator	1	55	120	6,600

Total Labor Cost for this Task $ 34,320

C. Materials - List all materials required to complete identified task (include disposal costs).

Item	Quantity	$/Unit	Cost ($)
Fuel			2000

Total Materials Cost for this Task $ 2,000

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost = $ 67,360

II. REVEGETATION

Description of Task: Seed graded area

Methods to be Used: Hand broadcast seed, apply fertilizer

No oak trees are expected to be removed

No steep slopes will require hydroseeding

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	$/Hour	# of Hours	Cost ($)
Pickup truck	1	20	20	400
Hand tools	misc.	15	20	300

Total Equipment Cost for this Task $ 700

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	$/Hour	# of Hours	Cost ($)
Laborer	2	30	20	1,200

Total Labor Cost for this Task $ 1,200

C. Materials - List all materials required to complete identified task.

Item / Plant Species	Unit of Measure	# of Units	$/Unit	Cost ($)
Seed mix	acre	10	$250	2,500
Fertilizer	"	10	25	250

Total Materials Cost for this Task $ 2,750

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost $ 4,650

III. PLANT STRUCTURES AND EQUIPMENT REMOVAL

Description of Task: Remove equipment and product from Site 1B and clean up any trash

Methods to be Used: Ship product by truck as is currently performed since the product has significant value. Pick up trash and dispose at minicipal dump. Cost for dump is included with dump truck

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	$/Hour	# of Hours	Cost ($)
Fork lift	1	40	24	960
Loader	1	60	18	1,080
Dump truck	1	20	18	360

Total Equipment Cost for this Task $ 2,400

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	$/Hour	# of Hours	Cost ($)
Laborer	1	30	26	780
Fork lift operator	1	55	24	1,320
Loader operator	1	55	18	990
Dump truck operator	1	55	18	990

Total Labor Cost for this Task $ 4,080

C. Demolition - List all structures and equipment to be dismantled or demolished.

Structure / Equipment	Type of Material	Volume (cubic feet)	Unit Cost Basis	Disposal Cost	Cost ($)

Total Materials Cost for this Task $ N/A

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Demolition Cost = $ 6,480

E. Surplus / Salvage Value

1.	Total cost to dismantle/demolish plant structures and equipment pursuant to the approved reclamation plan.	$ 0
2.	Net salvage value of the plant structures and equipment.*	$ 0
3.	Subtract Line 2 from Line 1	$ 0

4. If Line 3 is greater than $0, enter this amount on the total plant structures and equipment removal cost line under Section VIII (Summary of Costs). If Line 3 is less than $0, enter $0 on the appropriate line in Section VIII.

*NOTE This is the value of plant structures, buildings and equipment on a salvage basis – eg. after the structures and equipment have been removed for sale or use off-site. In order to include net salvage value in the financial assurance calculation, the operator must provide a letter of agreement, signed contract, bid or quote from an independent company which provides industrial dismantling or equipment salvage services, or is in the business of buying and selling scrap metals or similar products.

IV. MISCELLANEOUS COSTS

Examples of this type of cost could include temporary storage of equipment and materials off site, special one-time permits (i.e. transportation permits for extra wide or overweight loads, etc.), decommissioning a process mill (i.e. decontamination of equipment), or disposal of warehouse inventories.

Item / Task	Quantity	$/Unit	Cost ($)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Total Miscellaneous Costs $ N/A

V. MONITORING

Monitoring Task	$/Visit	# Visits/Year	# of Monitoring Years	Cost ($)
1. Site 1A County staff	312	2	3	1,872
2. Site 1B County staff	312	2	2	1,248
3. Private Biology Consultant incl. reports Site 1A only	1000	1	3	3,000
4.				
5.				

Total Monitoring Costs $ 6,120

VII. SUMMARY OF COST

	Site 1A	Site 1B
Total of all Primary Reclamation Activities Costs	$ 67,360	0
Total of all Revegetation Costs	$ 4,650	0
Total of all Plant Structures & Equipment Removal Costs	$ 0	6,480
Total of all Miscellaneous Costs	$ 0	0
Total of all Monitoring Costs	$ 4,872	1,248
Total of Direct Costs	$ 76,882	7,728
Supervision (6 %)	$ 4,612.92	463.68
Profit/Overhead (12.5 %)	$ 9,610.25	966.00
Contingencies (10 %)	$ 7,688.20	772.80
Mobilization (5 %)	$ 3,844.10	386.40
Total of Indirect Costs	$ 25,755.47	2,588.88
Total of Direct and Indirect Costs	$102,637.47	10,316.88
Lead Agency Administrative Cost* (Determined by the Lead Agency)	$ 3,844.10	386.40
Total Estimated Cost of Reclamation	$106,481.57	10,703.28

used 5% OF DIRECT COST ONLY ?

Grand total for both sites : $117,185.00

*Note The Financial Assurance Guidelines recommend that when reviewing and approving a financial assurance cost estimate, lead agencies should include their administrative cost to draw on the financial assurance and implement the reclamation plan, should it become necessary.

COUNTY OF SANTA BARBARA
Protection Services Division • Hazardous Materials Unit
4410 Cathedral Oaks Road, Santa Barbara, CA 93110 (805) 681-5500 FAX (805) 681-5553

COPY

MEMORANDUM

To: Barbara Shelton
County of Santa Barbara Planning & Development

From: Judy Doyle
County of Santa Barbara Fire -- Protection Services Division

Date: November 7, 1997

Subject: Case # 90-RP-001 -- Env Doc # 97-ND-40
Sepulveda Building Materials, Lompoc

CC: Woody Enos -- SBCO Fire
Hobart A. Schram -- Sepulveda Building Materials

I have reviewed the hazardous material inventory located at the property referenced above and have found that all hazardous materials are below reporting requirements or exempt under local exemption levels. Therefore, the Hazardous Materials Disclaimer filed by Sepulveda Building Materials meets the hazardous materials requirements at this time.

Please feel free to contact me at (805) 686-8167 if you have any questions.

HAZARDOUS MATERIALS UNIFIED PROGRAM

HAZARDOUS MATERIALS DISCLAIMER

for CA Health & Safety Code, Chapter 6.95

ID #

Business Name: Sepulveda Bldg.Materials Lompoc, Inc. Phone: 310-325-9905

Site Address: Acin Ranch, Santa Rosa Rd/Hwy #1 Lompoc, CA Lompoc, CA
Street City/State/Zip Code

Mailing Address: 2936 Sepulveda Blvd. Torrance, CA 90505
Street City/State/Zip Code

COMPLETE SECTIONS A AND B (if submitting a Business Plan, complete only Section B):

A. HAZARDOUS MATERIAL/WASTE [Check appropriate statement(s)]:

- ☐ 1. This business does not store, use, or handle any hazardous material or hazardous waste in any amount.
- ☐ 2. This business does not store, use, or handle any hazardous materials or hazardous waste at any one time during a calendar year in quantities equal to or greater than 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas at standard temperature and pressure.
- ■ 3. This business does not store, use, or handle any hazardous material in any amount above the increased threshold reporting levels as provided by either state or local exemptions. Contact your local fire agency for a list of hazardous materials in this category.
- ☐ 4. This business does not store, use, or handle any hazardous materials in any amount other than quantities packaged solely for direct distribution as a consumer product to the general public.
- ☐ 5. This business does not store, use, or handle any hazardous material in any amount other than quantities contained in a rail car, rail tank car, rail freight container, marine vessel, or marine freight container for no more than 30 days. We will immediately notify the local fire agency of their arrival.
- ☐ 6. This business does not store, use, or handle any hazardous material other than those under shipping orders while in transit and not maintained in a fixed facility for more than 30 days while in the course of transportation.

NOTE: If none of the above apply and you have hazardous material/waste, you must complete and submit a Hazardous Materials Disclosure Business Plan.

B. ACUTELY (EXTREMELY) HAZARDOUS MATERIAL (Check appropriate statement):

- ■ This business does not store, use, or handle any acutely/extremely hazardous materials or any mixture containing an acutely/extremely hazardous materials in any amount.
- ☐ This business ☐ has submitted ☐ will submit an acutely hazardous material registration form.

NOTE: If you have any acutely (extremely) hazardous Material above 55 gallons, 200 cubic feet or 500 pounds, you must complete and submit the Owner/ Operator Identification form and the Chemical Inventory form.

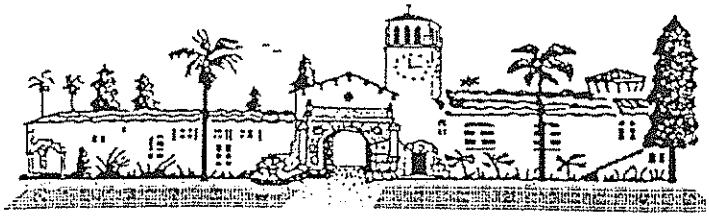
Under penalty of law, I declare that the information is true and correct and understand that Santa Barbara County Hazardous Materials Unit and the local fire agency must be notified if the operations or procedures of this business change in such a way to make the above statement inaccurate.

Signature: Hobart A. Schram Date: 11-7-97

Print or type name: Hobart A. Schram

Title: Vice President Operations Phone: 714-364-2100

H:\..\winword\disclaimer.frm [2/20/97]



County of Santa Barbara
Planning and Development
John Patton, Director

NOTICE OF PROPOSED FINAL NEGATIVE DECLARATION

97-ND-40

March 20, 1998

To Whom It May Concern:

Draft Negative Declaration 97-ND-40 for the Sepulveda Mining Reclamation Plan (Case No. 90-RP-001) was released for public review on October 31, 1997. The public review period closed on February 3, 1998. The project site encompasses portions of Assessor's Parcel Number 083-060-15, 083-060-09, and 083-070-18.

All comments received have been considered in preparing the proposed final Negative Declaration. Based on review of the comments received, the responses to these comments, and associated revisions to the text of the ND, the Planning and Development Department (P&D) believes the document complies with the requirements of the California Environmental Quality Act (CEQA) and the County's CEQA Guidelines. The proposed Final Negative Declaration will be forwarded to the appropriate decisionmaker for their determination that the document is adequate and complete in meeting the requirements of the CEQA. Any meaningful changes in the project description may require additional environmental review by P&D. Actions which might be taken that have not received proper environmental review are vulnerable to legal action.

If a copy is not attached to this notice, you may review a copy of the proposed final ND and all documents referenced in the ND at P&D offices in Santa Barbara (123 E. Anapamu 93101) Santa Maria (624 W. Foster Rd, Suite C 93455) or request a copy from P&D.

Please contact Barbara Shelton at P&D (805-934-6262) if you have any questions regarding the project or the hearing schedule.

Sincerely,

Lawrence W. Appel, Environmental Hearing Officer
Planning and Development Department

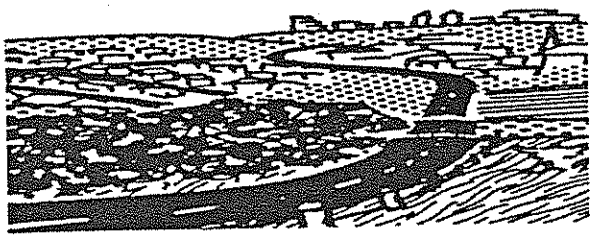
g:\group\dev_rev\wp\rp\sepulveda\finalnd.not

Exhibit 10

624 West Foster Road, Suite C · Santa Maria CA · 93455-3623
Phone: (805) 934-6230 Fax: (805) 934-6258

County of Santa Barbara
PLANNING AND DEVELOPMENT DEPARTMENT

INITIAL STUDY/ ~~DRAFT~~ NEGATIVE DECLARATION 97-ND-40
for Sepulveda Mining Reclamation Plan 90-RP-01
Acin Site No. 1



County of Santa Barbara
Planning and Development Department

INITIAL STUDY/ ~~DRAFT~~ NEGATIVE DECLARATION 97-ND-40 For Sepulveda Building Materials; Actin Site #1; Mining Reclamation Plan 90-RP-001

1.0 REQUEST/PROJECT DESCRIPTION

Applicant/Lessee: Sepulveda Building Materials, Lompoc, Inc., A California Corporation
2936 Sepulveda Boulevard
Torrance, CA 90505-2894
John Conners, Owner; Hobart Schram, Mining Representative
Larry Wise, Foreman (805) 934-7883

Owner: Frank Acin
R.F.D. 114, Route 1
Lompoc, CA 93436

Agent: Sid Goldstien, Civil Engineer, Inc./ Mike Manus
650 Alamo Pintado Road, Suite 302
Solvang, CA 93463
(805) 688-1526

Figure 1 is a site vicinity map. Figures 2 and 3 provide site plans of the project.

The project, Mining Reclamation Plan 90-RP-01 (Acin Site #1), consists of phased reclamation of up to ~~68.5~~ **96.5** acres of land mined for rock, stone and surface shale materials **and a 3+ -acre storage area** under the provisions of the State Surface Mining and Reclamation Act (SMARA). Reclamation is required for ground disturbances to depths of up to ~~20~~ **50** feet below the surface, associated with the continuing operations of vested mining activity. The mining operations, (which are not part of the project) occur on portions of ~~two~~ **three** legal parcels totaling ~~360.31~~ **678.87** acres. The past and projected excavation site (Site 1A), as defined within the operator's lease agreement, encompasses ~~121.63~~ **138.6** acres of a **adjacent** 241.63 and 318.56 acre parcels.~~, a~~ Approximately ~~68.5~~ **96.5** acres of ~~which~~ **the mining lease area** are anticipated to be disturbed by mining activities through the life of the mine (1956 - 2045) and would require reclamation. The materials processing and storage site (Site 1B) encompasses approximately three acres of a 118.68-acre parcel, which would require reclamation following closure of the mine.

According to the landowner statement, six operators have mined the site from approximately 1956± to 1985. (These operations are not verifiable by other written documents). The applicant has mined the site since 1985 on a lease area of 138.63 acres within a 241.63-acre parcel. (An additional 75 acres is used for

agriculture, and approximately 28 acres are within the Santa Ynez River.) Areas previously disturbed during mining activity of prior operators comprise ~~8.5~~ **15** acres; and 11 acres have been disturbed by the applicant's operations, for a total of ~~19.5~~ **26** acres disturbed by mining activities to 1997. The applicant has identified constrained areas of steep slopes with dense brush (~~10~~ **26** acres) and dense oak trees (~~7~~ **10** acres), **and an area adjoining the farm field on steep slopes (6.1 acres)** within which no mining operations will encroach. This leaves about ~~102.13~~ **96.5** ~~undisturbed~~ acres within the lease area ~~for~~ **to be potentially disturbed by past or** future mining activities (138.63 acres minus ~~19.5 acres previously mined, minus 17~~ **42.1** acres constrained areas).

Present mining operations involve an estimated average of 60 tons of material weekly, which equates to 25-26 pallets of flagstone product. for every 40 tons of material removed from the site, approximately 32 tons become finished product and 8 tons of scrap are placed back in the excavated mining area. Within the remaining ~~102.13~~ **96.5** acres, the applicant anticipates disturbance of an average of ~~1.02~~ **1.1** acres per year for the next 48 years remaining on the lease, which amounts to ~~49~~ **51.7** additional acres. The previously disturbed ~~19.5~~ **26** acres combined with the projected ~~49~~ **51.7** acres totals ~~68.5~~ **77.7** acres of mined area to be reclaimed. If the entire area which potentially could be mined was disturbed, it would entail reclamation of ~~121.63~~ **96.5** acres.

Proposed reclamation would occur incrementally. Upon completion of excavation activity in an area, all excavated material other than the desired stone is replaced, recompacted, and recontoured. Stockpiled topsoil is restored to the surface of the reclaimed area. The practice of stockpiling topsoil was initiated at the site in 1992. Reseeding, in accordance with the **procedures and seed mix specified in the reclamation plan and** recommendations of biologist Greg Donovan's report, would then be accomplished within ~~one week~~ **six months prior to the rainy season, and maintained until reclamation plan success criteria are achieved, as determined by County monitoring.**

~~The applicant proposes revegetation of those excavated areas with slopes of 30% or less. Any slopes in excess of 30% are proposed to be benched and left otherwise unreclaimed due to the difficulty of accessing such slopes.~~ The property use after conclusion of mining and completion of reclamation activities would revert to cattle grazing.

Reclamation activities would occur on an ongoing basis such that an estimated 95% of mined areas would be reclaimed at the time mining operations cease, regardless of what year that occurs. Completion of reclamation **recontouring and revegetation activities** would occur within 12 months after mining operations cease, unless extended by the Lead Agency. The property would then revert to ~~agricultural~~ **cattle grazing** use.

The materials processing and storage site (Site 1B) involves sorting and stacking of excavated material onto pallets. A portion of the pole barn is leased by the mining operation for use in storing excavated material to be processed during inclement weather, and for equipment storage. Proposed reclamation of the materials processing and storage site would entail removal of mining equipment and mined materials and recontouring/ revegetating the site as necessary within ~~five~~ **two** years after cessation of **mining** activities, unless extended by the Lead Agency.

Annually, the operator would submit a Reclamation Plan Report to the County. In accordance with SMARA requirements, the County would monitor reclamation efforts and prepare an annual inspection report.

The applicant estimates that continued mining operations at the *current* rate of extraction (1.02 acres per year) would result in a 48 ~~to 100~~ year additional project timeline, based on the current lease~~., depending on whether the current lease expires in the year 2045 or is extended up to another 52 years to the year 2097.~~

~~The applicant has identified the following subareas and phases of mining and reclamation activity, which are depicted on the reclamation site plan:~~

~~Area~~	~~Acreage~~	~~Mining Period~~	~~Reclamation Date~~
~~1~~	~~8.5 acres~~	~~1956+ 1985~~	~~Unknown (By owner)~~
~~2~~	~~8.0 acres~~	~~1985 1991~~	~~Inspected 1992~~
~~3~~	~~1.5 acres~~	~~1991 1992~~	~~Inspected 1993~~
~~4~~	~~7.0 acres~~	~~1993 2003~~	~~Ongoing; 2004 completion~~
~~5~~	~~21.0 acres~~	~~2004 2021~~	~~2022 completion~~
~~6~~	~~9.0 acres~~	~~2022 2033~~	~~2034 completion~~
~~7~~	~~12.0 acres~~	~~2034 2045~~	~~2046 completion~~

Performance Criteria. The Reclamation Plan identifies the following criteria which must be met in order for a determination of adequate reclamation of the site:

Revegetation. Attain ~~80~~ 90% vegetative coverage of the area reclaimed to include no area larger than 200 square feet attaining less than 40% coverage.

Grading. ~~Final grades shall be within 2 feet of natural topography, with stable slopes and N~~no evidence of major slides, and/or well-developed rilling or gullying.

2.0 PROJECT LOCATION

The project sites (Acin Site 1) are located in the Lompoc area of the Third Supervisorial District, Santa Barbara County. Please see Figure 1 - Vicinity Map. The mining and reclamation area is accessed from Santa Rosa Road through a locked gate and a private dirt ranch road of approximate one mile length.

Site 1A: The mining operation and reclamation site is a portion of Assessor's Parcel Number 83-060-15, **and a portion of adjacent Assessor's Parcel 83-060-09,** located north of Santa Rosa Road and easterly of State Route 1, approximately 1/2 mile south of the intersection of SR 1 and SR 246. ~~This~~ **These** parcels ~~is~~ are 241.63 acres **and 318.56** acres in size **respectively**, and the reclamation area involves ~~103~~ **up to 96.5** acres.

Processing and storage of excavated materials and repair and storage of equipment occurs on Assessor's Parcel Number 83-070-18, located on the north side of Santa Rosa Road, approximately 2.25 miles east of the intersection of Santa Rosa Road and SR 1.

2.1 Site Information	
Comprehensive Plan	Agriculture II (A-II)
Zoning District, Ordinance	Agriculture, 100-acre minimum parcel size (100-AG)
Site Size	Mining/ Reclamation area (APN 83-060-15): Parcel size 241.63 acres; **(APN 83-060-09): Parcel size 318.56 acres** **Mining lease area: 138.6 acres** Reclamation area up to ~~68.5 139~~ **96.5** acres Processing/ Storage area (APN 83-070-18): Parcel size 118.68 acres; Reclamation area 3 acres
Present Use & Development	Mining excavation and materials processing; reclamation of mined areas
Surrounding Uses/ Zoning	North: Santa Ynez River, cattle grazing, open space South: Cattle grazing, open space East: Santa Ynez River, cattle grazing, open space West: Celite mining operation
Access	From Santa Rosa Road via unpaved farm road of approximately one mile
Public Services	Water Supply: No water system has been developed at the site. Sewage: No sewage system has been developed. Employees utilize portable facilities. Fire: County Fire Department; Station 51; Lompoc

3.0 ENVIRONMENTAL SETTING

Slope/ Topography. The Site 1A (excavation/ reclamation) terrain is characterized by rolling hills. The elevation in the Santa Ynez River is approximately 100 feet; the elevation at the intersection of State Route 1 with Santa Rosa Road is about 270 feet; and the highest point of elevation on the property is at approximately 693 feet. Within the previous and current rock removal areas, the slope of the terrain ranges from 2% to areas of 2:1 slopes. The current rock removal area has slopes in the range of 5-12% toward SR 1. Site 1B (materials processing/ storage and reclamation) lays adjacent to Santa Rosa Road and has flat terrain with 0.5% slope.

Flora/ Fauna. Of the 139-acre area available by lease for rock removal, approximately ~~seven (7)~~ **ten (10)** acres contain 75 oak trees, ~~10~~ **26**-acres contain dry brush on steep slopes, **6.1 acres adjoin the farm field on steep slopes**, and the remaining ~~122~~ **96.5** acres has been largely stripped of vegetation except non-native grasses due to continuous cattle grazing. Plant communities include coastal sage scrub, oak woodland, and riparian along the river. Limited wildlife activity occurs on areas of the site disturbed by mining operations and cattle grazing, except for various birds and raptors. The riparian corridor of the Santa Ynez River is largely undisturbed with a low level of human activity, and provides a high quality habitat for mammals, reptiles and birds.

Archaeological Sites. Project site is adjacent to the Santa Ynez River in an area known to have been inhabited by the Chumash. A recorded archaeological site is located within one mile of the project site.

Geology/ Soils. No active or potentially active seismic faults appear to be present. The site contains three geologic designations: QA - Valley and flood plain deposits of silt, sand, and gravel; TM - Monterey Shale upper shale unit (white weathering, thin-bedded, hard, brittle, siliceous shale); TML - Monterey Shale lower shale unit (white weathering, soft, punky, fissile to platy, semi-siliceous shale). Approximately a third of the site has prime agricultural soils, however mining operations are not occurring or planned on these areas.

Land Uses. Site 1A: In addition to the rock removal mining operation, the 242-acre site is primarily used for cattle grazing (139 acres) and farming (75 acres) with the remaining 28 acres within the Santa Ynez River. Surrounding uses are as follows: West - Celite mining operation; North/ East - Santa Ynez River, cattle grazing, open space; South - Cattle grazing/ open space.

Existing Structures. Site 1A - A mobile home used for a farm worker's residence is the only structure on the site. No structures are located within mining areas. Site 1B - Two structures are contained on the site: a farm worker's mobile home and a pole barn. Both structures are used for agricultural operations. The mining operation also uses the pole barn as a staging area for storage of excavated material and tool/ equipment storage area.

4.0 POTENTIALLY SIGNIFICANT EFFECTS CHECKLIST

The following checklist indicates the potential level of impact and is abbreviated as follows:

Known Sig.: Known significant environmental impacts.

Unknown Poten. Sig.: Unknown potentially significant impacts which need further review to determine significance level.

Poten. Sig. and Mitig.: Potentially significant impacts which can be mitigated to less than significant levels.

Not Sig.: Impacts which are not considered significant.

Reviewed Under Previous Document: Adequate previous analysis exists regarding the issue; further analysis is not required due to tiering process (§21094 of CEQA and §15152 of the State CEQA Guidelines). Discussion should include reference to the previous documents, a citation of the page or pages where the information is found, and identification of mitigation measures incorporated from those previous documents. NOTE: Where applicable, this box should be checked in addition to one indicating significance of the potential environmental impact.

4.1 GEOLOGIC PROCESSES:

Will the proposal result in:	Known Signif.	Un-known Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?			X		
b. Disruptions, displacements, compaction or overcovering of the soil by cuts, fills, or extensive grading?			X		
c. Permanent changes in topography?			X		
d. The destruction, covering or modification of any unique geologic, paleontologic, or physical features?				X	
e. Any increase in wind or water erosion of soils, either on or off the site?			X		
f. Changes in deposition or erosion of beach sands or dunes, or changes in siltation, deposition or erosion which may modify the channel of a river, or stream, or the bed of the ocean, or any bay, inlet or lake?			X		
g. The placement of septic disposal systems in impermeable soils with severe constraints to disposal of liquid effluent?				X	
h. Extraction of mineral or ore?				X	
i. Excessive grading on slopes of over 20%?			X		
j. Sand or gravel removal or loss of topsoil?			X		
k. Vibrations, from short-term construction or long-term operation, which may affect adjoining areas?				X	
l. Excessive spoils, tailings or over-burden?			X		

Impact Discussion:

Site conditions reflect geologic impacts from mining operations, including excavation, grading, and soil movement, however mining operations are not part of the project description. Reclamation activities would involve replacement, recompaction and contouring of excavated material, revegetation, and reversion to cattle grazing uses.

(a,b,c,i,,l) *Mitigable to less than significant impact (Class II).* There are no confirmed faults in the vicinity of the site; however there are several in the region that could cause ground shaking at the site. The site may also have a slight potential for liquefaction. No other geologic hazards are present.

The mining operation which precedes reclamation involves excavation, grading, compaction, soil movement, and overburden which result in permanent changes in topography. Physical features present at the time of reclamation will have been disturbed prior to reclamation by vested mining activity. In some cases exposed cut slopes may be in excess of 40 feet. Soil removed and replaced over an average mined area of 1.02 acres per year is estimated at 3500 - 4500 cubic yards.

Proper reclamation activities and resumption of subsequent grazing use would not generally be expected to create, or be impacted by, adverse geologic or seismic conditions. Successful reclamation would

mitigate potential geologic hazards created by the mining operations by stabilizing and revegetating slopes.

On 08/25/92, Mike Meissner of the Public Works Department and Steve Wagner of the County Flood Control District conducted a site visit and determined that previous reclamation efforts onsite have been relatively successful. In subsequent years, Analise Merlo of Planning and Development Permit Compliance has conducted annual inspections of the mine and ongoing reclamation efforts. Recontouring efforts have resulted in slopes similar to natural grades. Revegetation has been established on recontoured areas. A few areas have experienced settlement, resulting in less natural looking slopes, and the applicant has been required to regrade, compact and revegetate these areas.

Because reclamation involves grading, recompaction and contouring, there is the potential for creating geologic hazards due to unstable slopes and erosion, however this potential impact could be avoided or mitigated by adherence to SMARA performance standards 3704 (Backfilling, Regrading, Slope Stability, and Recontouring) and 3706 (Drainage, Diversion Structures, Waterways, and Erosion Control), and the application of standard engineering grading procedures and County standards for erosion-control, drainage design, and revegetation (Mitigation Measure 1 below).

(d) *Less than significant impact (Class III).* Unique geological or paleontological resources may be present as indicated by the prevalence of marine fossils excavated from the site. Reclamation activities would involve soil materials already disturbed by mining activity, and would not themselves create an adverse effect on fossil resources. Reclamation would have a beneficial impact by covering those remaining resources left undisturbed by the mining operation. Reversion to cattle grazing would not have a significant effect on disturbance of potential resources.

(e) *Mitigable to less than significant impact (Class II).* Mining activity occurs on steep slopes, resulting in a disruption of natural drainage patterns. Mining activities at the site have also included the practice of sidecasting of large boulders into a canyon at the base of the excavation area. Continuation of such activity, if inadequately reclaimed, could result in potentially significant intensification of water erosion on the project site.

In a letter, dated 09/01/92, the Public Works Department, indicated the need for a detailed plan for the area containing sidecast boulders. The plan would include specific recommendations as to reclamation intentions and the posting of a bond of no less than $10,000 for reclamation activity.

Since that time, the applicant has indicated that the boulders are considered products to be sold. The current location for storage of the boulders is near the center of the parcel undergoing mining, along the access drive at the point it diverges from the farmed area. Boulders were placed for storage in this location because there was insufficient space at the Site 1B storage area. The present stock of boulders is estimated at approximately 366 tons. A requirement for bonding for reclamation of the boulder storage area, and applicant submittal of specified plans for disposal of boulders and reclamation of the storage area prior to final mine reclamation would adequately mitigate any potential impact (Mitigation Measure 2 below).

The reclamation project would create the potential for increased wind erosion onsite. Although completion of proposed reclamation activities would reduce adverse wind erosion impacts associating with mining activity, inadequate implementation of reclamation activities, including soil stockpiling, recontouring, and revegetation, could itself result in potentially significant impacts. Mitigation measures identified in Section 4.4, Air Quality address treating of soil stockpiles and identifying a dust control monitor. Recognizing the difficulty of reaching some areas of the site with a watering truck, the Air Pollution Control District (APCD) requires this dust mitigation measure when feasible (Ron Tan, 10/27/97). Adherance to these dust control measures, in combination with SMARA Performance standards 3704 (Backfilling, Regrading, Slope Stability, and Recontouring) and 3706 (Drainage, Diversion Structures, Waterways, and Erosion Control) would ensure that wind erosion impacts are less than significant.

(f) *Mitigable to a less than significant impact (Class II).* A portion of the project parcel is located within the Santa Ynez River bed; however the lease agreement does not encompass this portion. Drainage of the project site is deposited into Salsipuedes Creek which terminates shortly thereafter at the Santa Ynez River. Adherance to Public Works and Flood Control requirements, as well as federal permitting requirements, would ensure that impacts associated with stream channel modification would be less than significant (Mitigation Measure 3 below).

(j) *Mitigable to a less than significant impact (Class II).* The project site contains limited amounts of topsoil, none of which is removed from the site during excavation activity. Proposed reclamation procedures call for stockpiling of topsoil prior to commencing excavation; upon completion of excavation, topsoil would then be used in reclamation. Adherence to the project description and conformance with SMARA Performance Standard 3711 regarding Topsoil Salvage, Maintenance, and Redistribution, would ensure that impacts are less than significant (Mitigation Measure 4 below).

(g, h, k) *Less than significant impacts (Class III).* No septic system is existing, proposed, or necessary. The project is limited to reclamation activities, and does not entail mining activitiy. The nearest residences located at the entrance to the project site, approximately 3,500 feet from the proposed mining/ reclamation boundaries are sufficiently distant that they would not be affected by vibrations associated with machinery (D-8 Caterpillar) necessary for reclamation.

Mitigation and Residual Impact: With application of the following measures, potential geologic impacts of the project would mitigated to less than significant (Class II):

Grading

1. Reclamation activities shall adhere to SMARA performance standards 3704 (Backfilling, Regrading, Slope Stability, and Recontouring) and 3706 (Drainage, Diversion Structures, Waterways, and Erosion Control), and the application of standard engineering grading procedures and County standards for erosion-control, drainage design, and revegetation. To be consistent with the State Performance Standards, §3704(d), **for any final slopes exceeding 2 1/2 : 1**, a site-specific geologic and engineering analysis shall be submitted to Planning and Development ~~and Public Works~~ for review and approval ~~prior to final approval of the reclamation plan.~~ **as part of the annual reclamation plan report.** This analysis shall demonstrate that all proposed final slopes

will have a minimum slope stability factor of safety that is suitable for the proposed end use, and that the proposed final slopes can be successfully revegetated. All reclamation which involves grading shall be designed to minimize erosion and shall be conducted in accordance with the Santa Barbara County Grading Ordinance and standard grading practices, including the following measures:

a. Grading/ recontouring for reclamation shall be limited to the dry season (April 15 - November 1) unless approved by P&D Grading Division based on approved grading/ erosion-control measures.

b. Graded areas shall be revegetated with ~~native~~ species specified in the approved Reclamation Plan ~~within one week of grading activities~~ **according to the schedule specified in the approved Reclamation Plan** to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

This requirement may be satisfied through a written statement regarding slope stability, grading and revegetation from the County Grading Inspector and the Planning and Development Geologist prior to approval of the final Reclamation Plan.

~~Monitoring: Planning and Development and State Department of Mining and Geology staff shall monitor~~ compliance with approved plan through annual inspections and review of annual reporting plan.

Boulder Disposition

2. ~~Boulder stockpiles shall be disposed of as part of final reclamation in a manner satisfactory to~~ Planning and Development Department and Public Works Department. Prior to final approval of the Reclamation Plan, the applicant shall submit a bond in an amount approved by Planning and Development Department to cover eventual removal and reclamation of boulder stockpile area. **Plan Requirements:** Prior to the completion of mining operations and final reclamation efforts, the applicant shall submit a plan to the satisfaction of Planning and Development Department and Public Works Department to the satisfaction of Planning and Development Department and Public Works Department specifying proposed disposition of boulders and reclamation of boulder storage area.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance with approved plans through annual inspection and review of annual reporting plans.

Stream Protection

3. Reclamation activities shall adhere to Public Works/ Grading and Flood Control requirements, as well as any Federal permitting requirements to ensure that no significant impacts associated with stream channel modification or erosion/ siltation would occur. No boulders shall be placed within the stream channel, unless specifically permitted by applicable local and federal agencies.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and and review of annual reporting plans.

Topsoil Stockpiling

4. Throughout remaining mining activities, all topsoil to a depth of 6 - 8 inches shall be removed and stockpiled on the site for later use with revegetation activities during reclamation. Reclamation activities shall adhere to the project description and conform with SMARA Performance Standard 3711 regarding Topsoil Salvage, Maintenance, and Redistribution, to ensure that impacts associated with loss of topsoil are less than significant.

Monitoring: Planning and Development Department and the State Depatment of Mines and Geology shall monitor compliance through annual inspection and review of annual reporting plans.

4.2 WATER RESOURCES/FLOODING:

Will the proposal result in:	Known Signif.	Unknown. Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?				X	
b. Changes in percolation rates, drainage patterns or the rate and amount of surface water runoff?				X	
c. Change in the amount of surface water in any water body?				X	
d. Discharge into surface waters, or alteration of surface water quality, including but not limited to temperature, dissolved oxygen, turbidity, or thermal water pollution (e.g., eutrophication)?				X	
e. Alterations to the course or flow of flood waters, or need for private or public flood control projects?				X	
f. Exposure of people or property to water related hazards such as flooding (placement of project in 100 year flood plain), accelerated runoff or tsunamis?				X	
g. Alteration of the direction or rate of flow of groundwater?				X	
h. Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or recharge interference?				X	
i. Overdraft or overcommitment of any groundwater basin? Or, a significant increase in the existing overdraft or overcommitment of any groundwater basin?				X	
j. The substantial degradation of groundwater quality including saltwater intrusion?				X	
k. Substantial reduction in the amount of water otherwise available for public water supplies?				X	

Impact Discussion:

(b, c, d, e) *Less than significant impact (Class III).* Mining activities temporarily alter drainage and flooding patterns on the site and the rate of surface runoff to Salsipuedes Creek and the Santa Ynez River. Reclamation activities involving recontouring of mined areas will alter drainage and flooding patterns created by mining operations by returning the site to near its original contour and establishment of drainage patterns in their historic locations. Adherence with SMARA performance standards 3704 and 3706 and County Flood Control requirements for drainage and flood control design would ensure that reclamation activity would not have significant impacts with respect to drainage and flooding (Mitigation Measures 1, 2 and 3 above).

(a, s, f, g, h, i, j, k) *Less than significant impacts (Class III).* The reclamation project would not involve nor have the capability of substantially affecting surface water currents or direction, exposing persons or property to water-related hazards, altering the direction or rate of groundwater, changing the quantity of groundwater, overdrafting a groundwater basin, degrading groundwater quality, or reducing the amount of water otherwise available for public water supplies.

Mitigation and Residual Impact: With application of the Mitigation Measures 1, 2, and 3 above, impacts of reclamation on drainage and water resources would be less than significant (Class II).

4.3 TRANSPORTATION/CIRCULATION:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Generation of substantial additional vehicular movement (daily, peak-hour, etc.) in relation to existing traffic load and capacity of the street system?				X	
b. A need for private or public road maintenance, or need for new road(s)?				X	
c. Effects on existing parking facilities, or demand for new parking?				X	
d. Substantial impact upon existing transit systems (e.g. bus service) or alteration of present patterns of circulation or movement of people and/or goods?				X	
e. Alteration to waterborne, rail or air traffic?				X	
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians (including short-term construction and long-term operational)?				X	
g. Inadequate sight distance?				X	
ingress/egress?				X	
general road capacity?				X	
emergency access?				X	
h. Impacts to Congestion Management Plan system?				X	

Impact Discussion:

(a, h) *Less than significant impact (Class III).* Both sites associated with the operation take access from Santa Rosa Road between State Route (SR) 1 and Avenue of the Flags/U.S. Highway 101. Roadway volumes in the area are considered low. Traffic on Santa Rosa Road~~, south of Avenue of the Flags,~~ was measured at ~~1280~~ 862 Average Daily Trips (ADT) ~~on 5/06/91~~ (Public Works Roadway Traffic Volumes, ~~1995~~ 1997). Santa Rosa Road is a two-lane rural road **with satisfactory operating conditions**~~, with a designated County Policy Capacity of 5,000 ADT.~~ Although Santa rosa road fits the definition of a local road in the County Engineering Design Standards, no County Comprehensive Plan circulation Element Classification has been developed for rural two-lane roads such as Santa Rosa Road. Traffic levels on SR1 are 16,500 ADT at the intersection with SR 246 in Lompoc, and 6,600 ADT at the Las Cruces/US 101 intersection in Gaviota (Cal-Trans 1991).

Traffic generated by the mining operation consists of employee home-work trips, and truck trips associated with delivery of excavated stone. A maximum of 6 employees are present onsite, and an unspecified number of vehicle trips are necessary to remove 2,000 tons of stone per year from the project site. Additional traffic is generated on Santa Rosa Road through the transfer of stone from the excavation site to the storage site. Present employee trip rates during favorable weather are 5 a.m. trips arriving at the site and 5 p.m. trips exiiting the site.

The same employees would perform reclamation activities periodically. As a result, the reclamation project would not generate any additional traffic. It is estimated that trips associated with periodic reclamation activities (employee home-work trips) would average 1 a.m. trip (out of 5 trips) and 1 p.m. trip (out of 5 trips), and would not exceed four trips per day. Traffic impacts would be less than significant, and there would be no effect on the Congestion Management Plan system (less than 500 average daily trips and 50 peak-hour trips).

(c) *No impact (Class III).* No new parking would be required for the reclamation project.

(d,e,f) *No impact (Class III).* The proposed project would have no impact on public transit systems, rail, water, or air transportation systems. No increase in traffic hazards are expected because there will be no increase in traffic volume and the access road is mostly private.

(g) *No impact (Class III).* The road capacity and access are adequate for the project, and the road bed conditions, sight distances, and turning radii of the access road as they intersect with Santa Rosa Road do not exhibit safety hazards.

Mitigation and Residual Impact: No mitigation is required. Project impacts on circulation, traffic, and traffic safety would be less than significant (Class III).

4.4 AIR QUALITY:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. The violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation including, CO hotspots, or exposure of sensitive receptors to substantial pollutant concentrations (emissions from direct, indirect, mobile and stationary sources)?				X	
b. The creation of objectionable smoke, ash or odors?				X	
c. Extensive dust generation?			X		

Impact Discussion:

(a, b) *Less than significant impacts (Class III).* Use of mobile equipment for grading/ recontouring and material transport during reclamation (D8 Caterpillar, 451 Caterpiilar loader, two dump trucks, employee vehicles) would result in generation of ozone precursors (nitrogen oxides and reactive organic compounds), however reclamation activities are periodic and temporary and the scope of the project is too

small to significantly affect area air quality. Reclamation activities would not involve stationary equipment or significant smoke, ash or odors. The long-term use after reclamation, cattle grazing, would not create substantial air emissions.

(c) Mitigable to less than significant impact (Class II). Reclamation activities involving grading/ recontouring and stockpiling and moving soil have the potentially for creating significant dust generation. Due to the remote location, there are not significant numbers of persons in the vicinity that would be impacted by nuisance dust generation. However, reclamation grading activities would be occurring over a period of years.

Dust mitigation measures recommended by the Air Pollution Control District (APCD) involve use of water trucks where feasible to dampen graded areas and treating of stockpiled soil, and establishing an on-site dust monitor. (Mitigation Measure 5 below). In addition, the Reclamation Plan requires revegetation of recontoured areas within a week of grading, which would further mitigate the potential for dust impacts (Mitigation Measure 6 below). These measures would ensure project consistency with the County Air Quality Attainment Plan (AQAP) and would reduce potential dust impacts to a less than significant level.

Mitigation and Residual Impact: With application of the following measure and Biological Resources Mitigation Measure 6 requiring revegetation of recontoured areas, air quality impacts of the reclamation project would be less than significant (Class II).

Dust Control

5. Dust generated by reclamation activities shall be kept to a minimum with a goal of retaining dust on the site. The following dust control measures will be adhered to throughout reclamation activities involving grading, earth moving or transportation of cut or fill materials:

   a. Where feasible, water trucks or sprinkler systems are to be used to minimize dust from leaving the site and to create a crust after each day's activities cease.
   b. Soil stockpiled for more than two days shall be treated to prevent dust generation.
   c. The name and telephone number of an onsite contact person designated by the applicant to be responsible for dust mitigation shall be provided to the Air Pollution Control District prior to final approval of the Reclamation Plan.

   Plan Requirements: All requirements shall be shown on Reclamation Plan maps. **Timing:** Condition shall be adhered to throughout all reclamation periods involving soil movement.

   Monitoring: P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints.

4.5 BIOLOGICAL RESOURCES:

FLORA: Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewe Under Previous Docume
a. A loss or disturbance to a unique, rare or threatened plant community?				X	
b. A reduction in the numbers or restriction in the range of any unique, rare or threatened species of plants?				X	
c. A reduction in the extent, diversity, or quality of native vegetation (including brush removal for fire prevention and flood control improvements)?				X	
d. An impact on non-native vegetation whether naturalized or horticultural if of habitat value?				X	
e. The loss of healthy native specimen trees?			X		
f. Introduction of herbicides, pesticides, animal life, human habitation, non-native plants, or other factors that would change or hamper the existing habitat?			X		
FAUNA:					
g. A reduction in the numbers, a restriction in the range, or an impact to the critical habitat of any unique, rare, threatened, or endangered species of animals?				X	
h. A reduction in the diversity or numbers of animals onsite (including mammals, birds, reptiles, amphibians, fish or invertebrates)?				X	
i. A deterioration of existing fish or wildlife habitat (for foraging, breeding, roosting, nesting, etc.)?				X	
j. Introduction of barriers to movement of any resident or migratory fish or wildlife species?				X	
k. Introduction of any factors (light, fencing, noise, human presence and/or domestic animals) which could hinder the normal activities of wildlife?				X	

Existing Plant and Animal Communities:

Communities: Coast live oak (Quercus agrifolia) woodland; coastal sage scrub chaparral; non-native grassland

Impact Discussion:

The excavation/ reclamation site possibly has the capability to support seaside bird's beak (Cordylanthus rigidus ssp. littoralis) a state-listed endangered species; and shag-bark manzanita (Arctostaphylos rudis), a candidate for state and federal listing, however neither of these species have been observed on-site.

The excavation site is a heavily grazed annual grassland typical of land in coastal rangelands with a long history of cattle grazing. Dominant and subordinate species are exotic annual grasses and forbs, including Black mustard (Brassica nigra), Wild oat (Avena fatua), Milk thistle (Silybum marianum) and Rip gut brome (Bromus diandrus). Introduced annuals are fully integrated dominant members of the plant community and have displaced most or all native species in the immediate area.

Surrounding areas exhibit a mosaic of plant communities: relatively undisturbed coastal scrub communities to the west and southeast; oak woodlands on the northern slopes; and riparian communities along area water courses. A biological survey of the site was conducted in the fall season. The project botanist, Greg Donovan, noted that additional spring or summer surveys would probably yield few additional species. (Site visit: Fall 1991, Greg Donovan and D. Fross).

In a letter dated 01/10/91, the State Division of Mines and Geology (DMG) has indicated that a revegetation method consisting of using cropped material as mulch would be appropriate. Adherence to the Reclamation Plan project description in conformance with SMARA performance standards 3703 (Wildlife Habitat) and 3705 (Revegetation), would ensure that impacts of reclamation activities on biological resources are less than significant (Mitigation Measure 6 below).

Portions of the excavation site consist of oak woodland, and although the County has no permit authority in the pre-1976 vested areas, the applicant's description of the vested mining operations within these areas state that no removal of mature oak trees would occur. Subsequent damage or removal of oak trees during the reclamation process, however, could result in potentially significant adverse impacts. Application of a tree protection and replacement plan would mitigate this potential impact (Mitigation Measure 7 below).

Reclamation of areas disturbed during mining activity would serve to increase opportunities for natural regeneration of native plant species lost during the excavation process. Specified procedures for revegetation of the site with native plant species are established in the Reclamation Plan. However, the success of re-establishing native vegetation would be affected by the proposed end use of the site for grazing activity, which inhibit natural regeneration and promotes grassland vegetation.

Mitigation and Residual Impact: With application of the following mitigation measures, the potential impacts of reclamation on biological resources would be reduced to less than significant levels (Class II).

Revegetation

6. All reclaimed areas shall be revegetated as specified in the approved Sepulveda Reclamation Plan 90-RP-01 for Acin Site 1 and in accordance with SMARA performance standards. Revegetation will occur on an ongoing periodic basis, ~~within one week~~ **in the fall prior to the rainy season** after mining areas are completed and recontoured. Revegetation activities will apply techniques identified by the **Reclamation Plan,** State Department of Mines and Geology and biologist report (Donovon).

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and review of reporting plans.

Oak Preservation and Replacement

7. No oak trees shall be removed during reclamation activities. Any oaks damaged or lost from reclamation activities shall be replaced by the applicant on a 10:1 ratio with 1-gallon seedlings, within one year or as specified by Planning and Development Compliance staff, and shall be irrigated and maintained by the applicant during a 3-year establishment period or as determined by Planning and Development Compliance staff.

Monitoring: Planning and Development Department and Department of Mines and Geology staff shall monitor compliance with approved plan through photo-documentation provided by the applicant, annual inspections, and review of annual reporting plans.

4.6 ARCHAEOLOGICAL RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig	Reviewed Under Previous Document
a. Disruption, alteration, destruction, or adverse effect on a recorded prehistoric or historic archaeological site (note site number below)?				X	
b. Disruption or removal of human remains?				X	
c. Increased potential for trespassing, vandalizing, or sabotaging archaeological resources?				X	
d. Ground disturbances in an area with potential cultural resource sensitivity based on the location of known historic or prehistoric sites?			X		

4.7 ETHNIC RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Disruption of or adverse effects upon a prehistoric or historic archaeological site or property of historic or cultural significance to a community or ethnic group?				X	
b. Increased potential for trespassing, vandalizing, or sabotaging ethnic, sacred, or ceremonial places?				X	
c. The potential to conflict with or restrict existing religious, sacred, or educational uses of the area?				X	

Impact Discussion:

(6 a, b, c; 7a, b, c) *Less than significant impact (Class III).* The project site is located in close proximity to the Santa Ynez River in an area known to have been inhabited by the Chumash; a recorded archaeological site is located within one mile of the project site. No known significant archaeological or ethic resources exist on the site, so the project would have no impact on known resources.

(6 d) *Mitigable to less than significant level (Class II).* Although the site has been disturbed by historical grazing activity and mining activities, site topography and the location by the river indicate that the

potential exists for archaeological resources. It is possible that the vested mining operation could uncover resources. Subsequent reclamation activities involving removal of stored topsoil and grading/ recontouring could adversely impact subsurface archaeological resources. Application of the standard discovery clause, which requires cessation of earthmoving activities in the event a potential archaeological resource is uncovered and assessment/ mitigation as appropriate, would ensure that adverse impacts to archaeological resources are reduced to less than significant levels (Mitigation Measure 8 below).

Mitigation and Residual Impact: With application of the standard discovery clause for all reclamation operations, potential impacts on archaeological resources would mitigated be a less than significant level (Class II).

Archaeological Resources

8. In the event archaeological remains are encountered during earthwork, work shall be stopped immediately or redirected until a Planning and Development Department - qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and review of annual reporting plans, and shall spot check in the field.

4.8 HISTORIC RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Adverse physical or aesthetic impacts on a structure or property at least 50 years old and/or of historic or cultural significance to the community, state or nation?				X	
b. Beneficial impacts to an historic resource by providing rehabilitation, protection in a conservation/open easement, etc.?				X	

Impact Discussion:

(a, b) *No impact (Class III).* No structures of historic significance are present on the excavation site. The pole barn and sheds on the storage site do not meet the criteria for historic significance. The reclamation activities would have no impact on historic resources.

Mitigation and Residual Impact: No mitigation is required. Impacts would be less than significant.

4.9 NOISE:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Long-term exposure of people to noise levels exceeding County thresholds (e.g. locating noise sensitive uses next to an airport, etc.)?				X	
b. Short-term exposure of people to noise levels exceeding County thresholds?				X	
c. Project-generated substantial increase in the ambient noise levels for adjoining areas (either day or night)?				X	

Impact Discussion:

(a, b, c) *Less than significant impact (Class III).* Equipment used to grade/ compact/ recontour the project site during reclamation generates noise in excess of County standards (65 decibels dB(A) CNEL) to a distance of approximately 1600 feet. The nearest noise-sensitive receptors are at a mobile home at the entrance to the project site, approximately 3,500 feet from proposed excavation site. Due to the continuing mining operation, reclamation activities would not increase the present ambient noise levels in the area. Reclamation activities would be temporary, occurring periodically over a period of years. Cattle grazing, the long-term use after cessation of mining and reclamation, would not involve significant noise impacts.

Mitigation and Residual Impact: No mitigation is required. The noise impacts of reclamation activities would be less than significant.

4.10 LAND USE:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Structures and/or land use incompatible with existing land use?				X	
b. The induction of substantial growth or concentration of population?				X	
c. The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?				X	
d. The conversion of prime agricultural land to non-agricultural use, impairment of agricultural land productivity (whether prime or non-prime), or conflict with agricultural preserve programs?				X	
e. An effect upon any unique or other farmland of State or Local Importance?				X	
f. The loss of a substantial amount of open space?				X	
g. An economic or social effect that would result in a physical change? (i.e. Closure of a freeway ramp results in isolation of an area, businesses located in the vicinity close, neighborhood degenerates, and buildings deteriorate. Or, if construction of new freeway divides an existing community, the construction would be the physical change, but the economic/social effect on the community would be the basis for determining that the physical change would be significant.)				X	

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
h. Conflicts with adopted airport safety zones?				X	

Impact Discussion:

(a, d, e) *Less than significant impact (Class III).* The subject property is under Agricultural Preserve contract 72-AP-187. County Agricultural Preserve Uniform Rule No. 4 states that "the mining, extraction, and quarrying of natural resources are compatible to an agricultural preserve when such uses are incidental and will not be disruptive to the primary agricultural use of the land." The State Department of Conservation 1990 Map of Santa Barbara County Important Farmland designates the project parcel as containing Prime Farmland, Unique Farmland, and Grazing Land. None of the prime soils are located within the lease agreement area. The mining operation occurs exclusively on the portion of the parcel identified as a grazing land resource. The farming and cattle grazing operations on the project site have historically co-existed with the excavation operation without conflict. **Under the current cattle lease, a cow/ calf operation with approximately 30 cows operates year-round on 350 acres, with calves sold annually.** Adherence to the project description in conformance with SMARA performance standard 3708 (Non-Prime Agricultural Land) would ensure that impacts to grazing activity are less than significant.

(b, c, f, g) *Less than significant impacts (Class III).* The reclamation project would not involve added population or creation of new jobs or economic stimulation, and would therefore have no growth-inducing effects. No sewer connection is proposed. The reclamation project will not result in the loss of open space. The project is not located within an airport safety zone.

Mitigation and Residual Impact: No mitigation is required. Residual land use impacts are less than significant (Class III).

4.11 PUBLIC FACILITIES:

GENERAL SERVICES - Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. A need for new or altered police protection and/or health care services?				X	
b. Student generation exceeding school capacity?				X	
c. Significant amounts of solid waste or breach any national, state, or local standards or thresholds relating to solid waste disposal and generation (including recycling facilities and existing landfill capacity)?					
d. A need for new or altered sewer system facilities (sewer lines, lift-stations, etc.)?				X	

Impact Discussion:

(a, b, d) *Less than significant impact (Class III).* The reclamation activities would not generate the need for increased police, health care, school or sewer facilities.

(c) *Less than significant impact (Class III).* The mining operation generates unspecified amounts of solid waste, including trash and debris. As part of the Reclamation Plan, the site must be cleared of any trash or other debris, which must be removed and disposed of in a proper manner to an appropriate facility. The reclamation activities of stockpiling topsoil, recontouring topography, and revegetation would themselves generate minimal amounts of solid waste. Adherence to SMARA performance standard 37121` would ensure that proper waste management occurs as part of the reclamation activities, and impacts associated with solid waste disposal would be at less than significant levels.

Mitigation and Residual Impact: No mitigation is required for police, health care, schools, sewer services and solid waste impacts, and impacts would be less than significant (Class III).

4.12 ENERGY:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Substantial increase in demand, especially during peak periods, upon existing sources of energy?				X	
b. Requirement for the development or extension of new sources of energy?				X	

Impact Discussion:

(a, b) *Less than significant impact (Class III).* The scope of the project is too small to substantially affect energy demand or energy resources. Reclamation operations would utilize diesel-fueled equipment. The project energy impacts would be less than significant.
Mitigation and Residual Impact: No mitigation is required. Impact would be less than significant (Class III).

4.13 FIRE PROTECTION:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Introduction of development into an existing high fire hazard area?				X	
b. Project-caused high fire hazard?				X	
c. Introduction of development into an area without adequate water pressure, fire hydrants or adequate access for fire fighting?				X	
d. Introduction of development that will hamper fire prevention techniques such as controlled burns or backfiring in high fire hazard areas?				X	

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten Sig and Mitig	Not Sig.	Revie Under Previous Documen t
e. Development of structures beyond safe Fire Dept. response time?				X	

Impact Discussion:

(a, b, c, d, e) *Less than significant impact (Class III).* The site area is considered a high fire hazard area. Because the project involves only land reclamation activities and not development, it would not involve introduction of development into a high fire hazard area or development in an area without adequate water resources or access or development that would hamper fire prevention or development of structures beyond safe fire department response time.

Project reclamation activities would involve soil stockpiling, earth movement, compaction and recontouring, and revegetation, and eventual reintroduction of a cattle grazing use. None of these activities would create a high fire hazard. The project site is served by the County Fire Department, Station 51 in Lompoc. The site has adequate access for purposes of fire response. The storage site contains diesel fuel and lubricants used in mining equipment, and earthmoving equipment used in reclamation recontouring. Adequate storage and handling procedures in compliance with Fire Department and Environmental Health standard regulations as identified in Section 4.17 would ensure that fire hazard impacts would be less than significant.

Mitigation and Residual Impact: No mitigation measures are required. (See Section 4.17 for measures addressing hazardous materials use.) Project impacts on fire hazard would be less than significant (Class III).

4.14 RECREATION:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Documen t
a. Conflict with established recreational uses of the area?				X	
b. Conflict with biking, equestrian, and hiking trails?				X	
c. Substantial impact on the quality or quantity of existing recreational opportunities (e.g., over use of an area with constraints on numbers of people, vehicles, animals, etc. which might safely use the area)?				X	

Impact Discussion:

(a, b, c) *No impact (Class III).* The project site is located on private property which has no existing or designated public access, recreation use, or trails. Because the project involves only mining reclamation activities, it has no potential to impact other recreational facilities or affect recreational needs of the area. The County Parks Department would have no requirements for the project (letter dated 8/7/92).

Mitigation and Residual Impact: No mitigation is required. Project impact on recreation would be less than significant (Class III).

4.15 AESTHETIC/VISUAL RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. The obstruction of any scenic vista or view open to the public or the creation of an aesthetically offensive site open to public view?				X	
b. Change to the visual character of an area?			X	X	
c. Glare or night lighting which may affect adjoining areas?				X	
d. Visually incompatible structures?				X	

Impact Discussion:

(a, b) *Mitigable to less than significant impact (Class II), Less than significant impact (Class III) and Beneficial impact (Class IV).* State Route 1, a designated State scenic highway, is located to the west of the project site. ~~Excavation activity and disturbed areas are visible to northbound travelers for approximately 45 seconds at a speed of 55 miles per hour.~~ **A portion of the western part of the site is visible from State Highway 1, and a portion of the eastern part of the site is visible from Santa Rosa Road. Travelling north on Highway 1, the site comes into view approximately 1 mile south of Santa Rosa Road and continues to be in view until about 0.5 mile north of Santa Rosa Road. Travelling west on Santa Rosa Road, the site comes into view approximately 1.5 miles east of Salsipuedes Creek and continues to be in view to the creek.**

The project site is located directly east of the large Celite (formerly Manville) mining operation. Mining operations create significant alteration in topography and visual aesthetics of the site. Previously disturbed areas on the Sepulveda site are visible from various locations on public roads in the Lompoc Valley, however, the visual impact is negligible in relation to the Celite site nearby. Likewise the project site is momentarily visible to westbound travelers on Santa Rosa Road, but does not create a substantial visual impact.

Reclamation activities involving grading, soil compaction, recontouring, and replanting of the mined areas would be visible to northbound travelers on State Route 1. These activities would be visually similar to existing mining activities, and would not constitute a substantial change in visual impacts of the site. Reclamation activities and their visibility from Highway 1 would be temporary, occurring periodically over a period of years.

The reclamation project would constitute mitigation for the visual impact of the mining operation, through recontouring the topography to near natural contours, revegetating with native species, and returning the site to a cattle grazing use. The reclamation project's visual effect would be a positive improvement of the site's visual aesthetics, as viewed from the scenic highway. The subsequent use of

the site for cattle grazing would be compatible with the visual nature of the area, and would have no adverse visual effect.

Inadequate or improper future reclamation activities could potentially result in potentially significant visual impacts, e.g., if recontouring or revegetation efforts were not successful or did not comport with the approved reclamation plan or State SMARA requirements. However, mitigation measures identified earlier to address grading, drainage, and revegetation, along with requirements for plan approval and monitoring/ compliance of plan implementation, would ensure that appropriate and successful reclamation occurs, with no significant visual impact.

(c) *No impact (Class III).* The proposed project would not operate at night and no reflective structures would be associated with the reclamation operation. As such, there would be no glare impacts.

Mitigation and Residual Impact: Adherance to mitigation required in the Geologic Hazards, Water Resources and Flooding, and Biological Resources sections above would mitigate potential adverse visual impacts to less than significant levels (Class III).

4.16 HOUSING:

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. Loss of existing affordable dwellings through demolition, conversion, or removal?				X	
b. Displacement of current residents?				X	

Impact Discussion:

(a, b) *No impact (Class III).* No residences are associated with the project. The project would not affect affordable dwellings nor displace residents.

Mitigation and Residual Impact: No mitigation is required. Project impacts on housing would be less than significant (Class III).

4.17 RISK OF UPSET/HAZARDOUS MATERIALS

(note applicant's environmental questionnaire):

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
a. In the known history of this property, have there been any past uses, storage, or discharge of hazardous materials? Examples of hazardous materials include, but are not limited to, fuel or oil stored in underground tanks, pesticides, solvents, or other chemicals.				X	
b. Will the proposed project involve the use, storage, or distribution of hazardous or toxic materials?			X		

Will the proposal result in:	Known Signif.	Unknown Poten. Sig.	Poten Sig and Mitig	Not Sig.	Reviewed Under Previous Document
Will the proposal result in:				X	
c. A risk of an explosion or the release of hazardous substances (including, but not limited to oil, gas, biocides, bacteria, pesticides, chemicals or radiation) in the event of an accident or upset conditions?				X	
d. Possible interference with an emergency response plan or an emergency evacuation plan?				X	
e. The creation of a potential public health hazard?				X	
f. Public safety hazards (e.g., due to development near existing chemical or industrial activity, producing oil wells, toxic disposal sites, etc.)?				X	
g. Exposure to hazards from oil or gas pipelines or oil well facilities?				X	
h. The contamination of a public water supply?				X	

Impact Discussion:

(b) *Impact mitigable to less than significant level (Class II).* . Diesel fuel and lubricants used in plant equipment and mining equipment, as well as by equipment used in reclamation recontouring activities, are present at the site (Site 1B). A waste oil tank exists onsite for use by Sepulveda to hold waste oil generated from servicing the equipment, and is emptied and transported by a commercial waste disposal company on an as-needed basis. All hazardous materials handling, storage, and disposal would be accomplished in accordance with the standard requirements of the Fire Department (Mitigation Measure 9 below). With these measures, potential impacts from contamination would be mitigated to less than significant levels.

(a, c, d, e, f, g, h) *No impact or less than significant impact (Class III).* There is no evidence of past contamination of the site due to hazardous materials use or hazardous waste. The operation does not store, use, or handle any EPA-designated Extremely Hazardous Materials Chemical Substances (Applicant, 6/30/92). A portable 60-gallon diesel tank exists onsite near the shed area, but is owned by the landowner and used for agricultural operations only. Agricultural uses on the site involve some use of pesticides and fertilizers as well. The risk of exposure to the public or contamination of the site or area water supply from hazardous materials is negligible because the public is not allowed on site; the nearest residences are more than 3000 feet away; the amount of material is relatively low; and all storage would be accomplished in accordance with the requirements of the Fire Department (Mitigation Measure 9 below). The project is not expected to interfere with emergency response access because it is located in a rural area, away from residences and public places. No oil exploration or oil extraction activity is known to have occurred on the project site, nor are major pipelines present. The reclamation activities at the site do not involve actions that could significantly impact local groundwater resources that would in turn affect drinking water supplies.

Mitigation and Residual Impact: With application of the following measure, potential impacts of reclamation associated with hazardous materials handing and storage would be mitigated to less than significant levels (Class III).

Hazardous Materials

9. The applicant shall obtain a waiver or shall implement an approved Hazardous Materials Business Plan for storage and handling of hazardous materials, in accordance with the provisions of AB 2185/ 2187 and County regulations. **Plan Requirements and Timing:** Prior to final approval of the Reclamation Plan, the applicant shall obtain a waiver of approval of a Hazardous Materials Business Plan from the Fire Department. The plan shall be updated as required.

Monitoring: The Fire Department shall monitor as specified in the Business Plan.

5.0 INFORMATION SOURCES

5.1 **County Departments Consulted:**
Police, Fire, Public Works, Flood Control, Parks, Environmental Health, Special Districts, Regional Programs, Air Pollution Control District, County Geologist, Grading Division

5.2 **Comprehensive Plan:**

- _x_ Seismic Safety/Safety Element
- _x_ Open Space Element
- ___ Coastal Plan and Maps
- _x_ ERME
- _x_ Conservation Element
- _x_ Noise Element
- _x_ Circulation Element

5.3 **Other Sources:**

- _x_ Field work
- _x_ calculations
- _x_ project plans
- _x_ traffic studies
- _x_ records
- _x_ grading plans
- ___ elevation/architectural renderings
- _x_ published geological maps/reports
- _x_ topographical maps
- _x_ Ag preserve maps
- _x_ flood control maps
- _x_ other technical references (reports, survey, etc.)
- _x_ planning files, maps, reports
- _x_ zoning maps
- _x_ soils maps/reports
- _x_ plant maps
- _x_ archaeological maps and reports

6.0 IMPACT SUMMARY

Class II Project Impacts (Potentially significant but mitigated to less than significant levels):

Geologic Hazards - grading, slope stability, erosion
Flooding - drainage
Air Quality - dust
Biological Resources - loss or damage to native habitat and oaks
Archaeological Resources - damage to unknown buried artifacts
Hazardous Materials - handling of hazardous materials

7.0 MITIGATION MEASURES

The following mitigation measures, shall be required to avoid potentially significant adverse environmental impacts. As required by the Public Resources Code Sec 21081.6 all projects which have mitigation measures addressing potentially significant impacts must be approved with a monitoring plan to ensure implementation of the mitigation measures. The applicant shall be responsible for payment of fees to cover full costs of monitoring.

Grading

1. Reclamation activities shall adhere to SMARA performance standards 3704 (Backfilling, Regrading, Slope Stability, and Recontouring) and 3706 (Drainage, Diversion Structures, Waterways, and Erosion Control), and the application of standard engineering grading procedures and County standards for erosion-control, drainage design, and revegetation. To be consistent with the State Performance Standards, §3704(d), **for any final slopes exceeding 2 1/2 : 1,** a site-specific geologic and engineering analysis shall be submitted to Planning and Development ~~and Public Works~~ for review and approval ~~prior to final approval of the reclamation plan.~~ **as part of the annual reclamation plan report.** This analysis shall demonstrate that all proposed final slopes will have a minimum slope stability factor of safety that is suitable for the proposed end use, and that the proposed final slopes can be successfully revegetated. All reclamation which involves grading shall be designed to minimize erosion and shall be conducted in accordance with the Santa Barbara County Grading Ordinance and standard grading practices, including the following measures:

   a. Grading/ recontouring for reclamation shall be limited to the dry season (April 15 - November 1) unless approved by P&D Grading Division based on approved grading/ erosion-control measures.

   b. Graded areas shall be revegetated with ~~native~~ species specified in the approved Reclamation Plan within ~~one week of grading activities~~ **in the early fall** to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

   This requirement may be satisfied through a written statement regarding slope stability, grading and revegetation from the County Grading Inspector and the Planning and Development Geologist prior to approval of final Reclamation Plan.

   Monitoring: Planning and Development and State Department of Mining and Geology staff shall monitor compliance with approved plan through annual inspections and review of annual reporting plan.

Boulder Disposition

2. Boulder stockpiles shall be disposed of as part of final reclamation in a manner satisfactory to Planning and Development Department and Public Works Department. Prior to final approval of the Reclamation Plan, the applicant shall submit a bond in an amount approved by Planning and Development Department to cover eventual removal and reclamation of boulder stockpile area. **Plan Requirements:** Prior to the completion of mining operations and final reclamation efforts, the applicant shall submit a plan to the satisfaction of Planning and Development Department and Public Works Department to the satisfaction of Planning and Development Department and Public Works Department specifying proposed disposition of boulders and reclamation of boulder storage area.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance with approved plans through annual inspection and review of annual reporting plans.

Stream Protection

3. Reclamation activities shall adhere to Public Works/ Grading and Flood Control requirements, as well as any Federal permitting requirements to ensure that no significant impacts associated with stream channel modification or erosion/ siltation would occur. No boulders shall be placed within the stream channel, unless specifically permitted by applicable local and federal agencies.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and and review of annual reporting plans.

Topsoil Stockpiling

4. Throughout remaining mining activities, all topsoil to a depth of 6 - 8 inches shall be removed and stockpiled on the site for later use with revegetation activities during reclamation. Reclamation activities shall adhere to the project description and conform with SMARA Performance Standard 3711 regarding Topsoil Salvage, Maintenance, and Redistribution, to ensure that impacts associated with loss of topsoil are less than significant.

Monitoring: Planning and Development Department and the State Depatment of Mines and Geology shall monitor compliance through annual inspection and review of annual reporting plans.

Dust Control

5. Dust generated by reclamation activities shall be kept to a minimum with a goal of retaining dust on the site. The following dust control measures will be adhered to throughout reclamation activities involving grading, earth moving or transportation of cut or fill materials:

   a. Where feasible, water trucks or sprinkler systems are to be used to minimize dust from leaving the site and to create a crust after each day's activities cease.
   b. Soil stockpiled for more than ~~two~~ 60 days shall be treated to prevent dust generation.

c. The name and telephone number of an onsite contact person designated by the applicant to be responsible for dust mitigation shall be provided to the Air Pollution Control District prior to final approval of the Reclamation Plan.

Plan Requirements: All requirements shall be shown on grading plans. **Timing:** Condition shall be adhered to throughout all reclamation periods involving soil movement.

Monitoring: P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints.

Revegetation

6. All reclaimed areas shall be revegetated as specified in the approved Sepulveda Reclamation Plan 90-RP-01 for Acin Site 1 and in accordance with SMARA performance standards. Revegetation will occur on an ongoing periodic basis, within ~~one week~~ **in the fall prior to the rainy season** after mining areas are completed and recontoured. Revegetation activities will apply techniques identified by the **Reclamation Plan**, State Department of Mines and Geology and biologist report (Donovon).

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and review of reporting plans.

Oak Preservation and Replacement

7. No oak trees shall be removed during reclamation activities. Any oaks damaged or lost from reclamation activities shall be replaced by the applicant within one year on a 10:1 ratio with 1-gallon seedlings or as specified by Planning and Development Compliance staff, and irrigated and maintained by the applicant during a 3-year establishment period or as specified by Planning and Development Compliance staff.

Monitoring: Planning and Development Department and Department of Mines and Geology staff shall monitor compliance with approved plan through photo-documentation provided by the applicant, annual inspections, and review of annual reporting plans.

Archaeological Resources

8. In the event archaeological remains are encountered during earthwork, work shall be stopped immediately or redirected until a Planning and Development Department - qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and review of annual reporting plans, and shall spot check in the field.

Hazardous Materials

9. The applicant shall obtain a waiver or shall implement an approved Hazardous Materials Business Plan for storage and handling of hazardous materials, in accordance with the provisions of AB 2185/ 2187 and County regulations. **Plan Requirements and Timing:** Prior to final approval of the Reclamation Plan, the applicant shall obtain a waiver of approval of a Hazardous Materials Business Plan from the Fire Department. The plan shall be updated as required.

Monitoring: The Fire Department shall monitor as specified in the Business Plan.

8.0 Mandatory Findings of Significance *(Section 15065)*

	Known Signif.	Unknown Poten. Sig.	Poten. Sig. and Mitig.	Not Sig.	Reviewed Under Previous Document
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?				X	
3. May any aspect of the project either individually or cumulatively cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial?			X		
4. Does the project have environmental effects which can cause substantial adverse effects on human beings, either directly or indirectly?				X	
5. Is there serious public controversy over the project's environmental effects or a disagreement between experts over the significance of an effect which would require investigation of potentially significant adverse impacts in an EIR (Section 15064(h))?				X	
6. Does the project have the potential to result in any of the significant effects outlined in Appendix G of the State CEQA Guidelines?			X		

9.0 PROJECT ALTERNATIVES

If potentially significant, adverse unmitigable impacts would result, identify potential project alternatives to minimize these effects (reduced project, alternative use, alternative site location, etc.):

No significant, adverse unmitigable impacts have been identified, therefore no alternatives are identified.

10.0 INITIAL REVIEW OF PROJECT CONSISTENCY WITH APPLICABLE SUBDIVISION, ZONING AND COMPREHENSIVE PLAN REQUIREMENTS

SANTA BARBARA COUNTY COMPREHENSIVE PLAN:

Land Use Element:
- Hillside & Watershed Protection Policies 4, 5, 6, and 7
- Visual Resources Policy 2
- ERME Policies Category A Mineral Resource Sites

Conservation Element:
- Ecological Communities Recommendations
- Mineral Resources Recommendations

Seismic Safety/Safety Element

Agriculture Element:
- Goal I, Policies 1.C., 1.D., and 1.G.
- Goal III

COUNTY ZONING ORDINANCE, ARTICLE III, SECTION 35-320, RECLAMATION AND SURFACE MINING PERMITS

STATE SURFACE MINING AND RECLAMATION ACT (SMARA)

SMARA Performance Standards:

3703.b.	Wildlife Habitat
3704.c-g.	Backfilling, Regrading, Slope Stability, and Recontouring
3705.a-m.	Revegetation
3706.a-g.	Drainage, Diversion Structures, Waterways, and Erosion Control
3708	Non-Prime Agricultural Land
3709.a-b.	Building, Structure, and Equipment Removal
3711.a-e.	Topsoil Salvage, Maintenance, and Redistribution
3712	Tailing and Mine Waste Management

11.0 RECOMMENDATION BY P&D STAFF

On the basis of the Initial Study, the staff of Planning and Development:

____ Finds that the proposed project WILL NOT have a significant effect on the environment and, therefore, recommends that a Negative Declaration (ND) be prepared.

__X__ Finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of an ND. The ND finding is based on the assumption that mitigation measures will be acceptable to the applicant; if not acceptable a revised Initial Study finding for the preparation of an EIR may result.

____ Finds that the proposed project MAY have a significant effect on the environment, and recommends that an EIR be prepared.

____ Finds that from existing documents (previous EIRs, etc.) that a subsequent document (containing updated and site-specific information, etc.) pursuant to CEQA Sections 15162/15163/15164 should be prepared.

Potentially significant unavoidable adverse impact areas: _____

____ With Public Hearing __X__ Without Public Hearing

PREVIOUS DOCUMENT: N/A

PROJECT EVALUATOR: John Karamitsos, Barbara Shelton **DATE:** October 17, 1997

12.0 DETERMINATION BY P&D ENVIRONMENTAL HEARING OFFICER

____ I agree with staff conclusions. Preparation of the appropriate document may proceed.
____ I DO NOT agree with staff conclusions. The following actions will be taken:
____ I require consultation and further information prior to making my determination.

INITIAL STUDY DATE: 10/ 20/ 97 **SIGNATURE:** Lawrence W. Appel

DRAFT NEGATIVE DECLARATION DATE: 10/30/97 **SIGNATURE:** Lawrence w. Appel
by BR Shelton

FINAL NEGATIVE DECLARATION DATE: 3/20/98

13.0 ATTACHMENTS

Vicinity Map, Site Plans, Typical Grading Detail

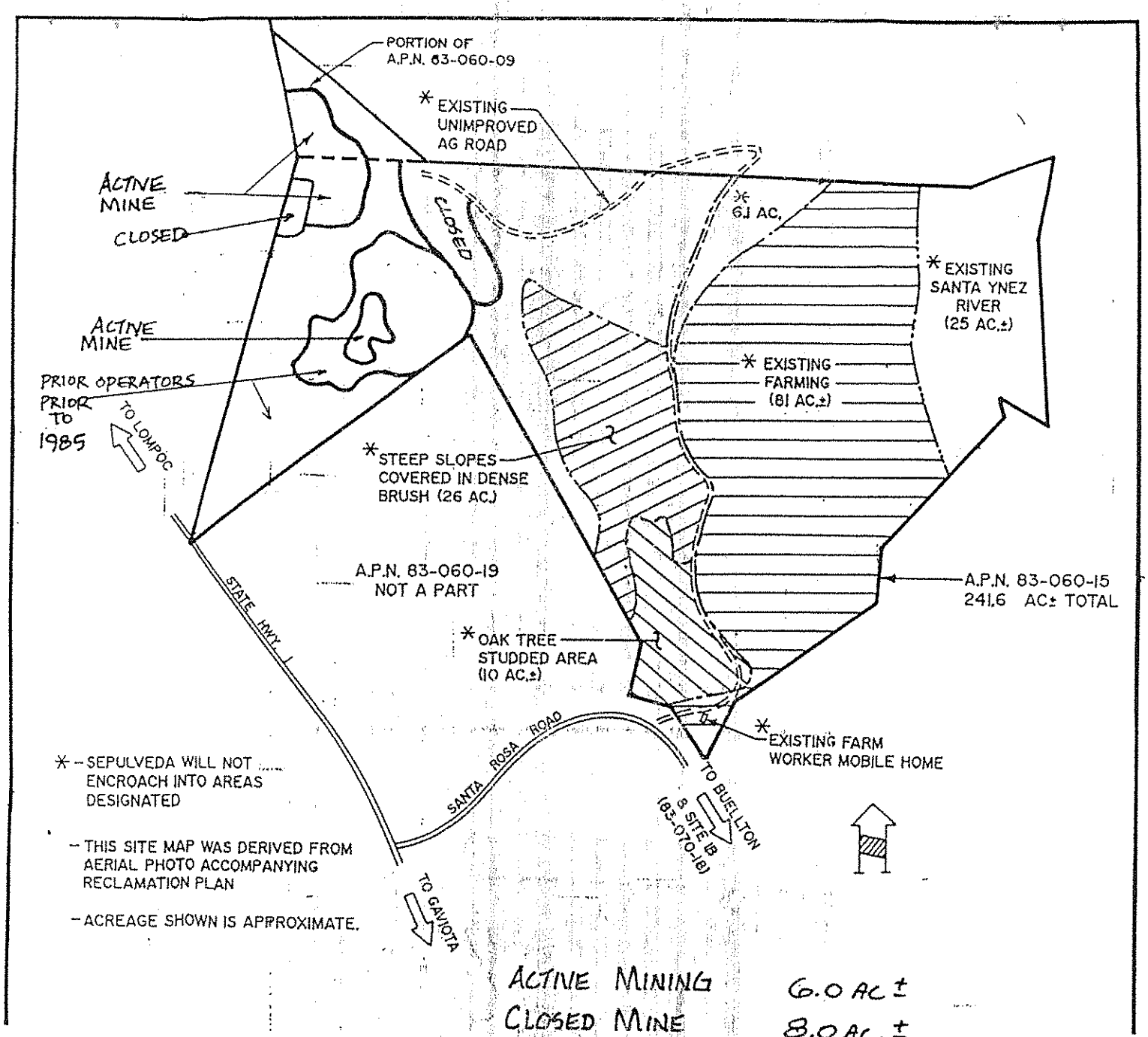
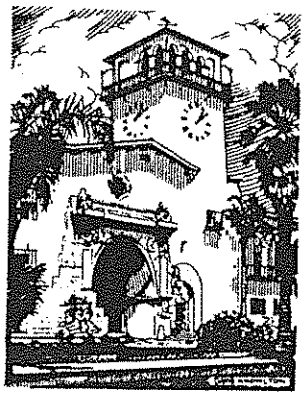

PORTION OF A.P.N. 83-060-09
* EXISTING UNIMPROVED AG ROAD
ACTIVE MINE
CLOSED
CLOSED
ACTIVE MINE
PRIOR OPERATORS PRIOR TO 1985
TO LOMPOC
6.1 AC.
* EXISTING SANTA YNEZ RIVER (25 AC.±)
* EXISTING FARMING (81 AC.±)
* STEEP SLOPES COVERED IN DENSE BRUSH (26 AC.)
A.P.N. 83-060-19 NOT A PART
A.P.N. 83-060-15 241.6 AC± TOTAL
* OAK TREE STUDDED AREA (10 AC.±)
STATE HWY 1
SANTA ROSA ROAD
* EXISTING FARM WORKER MOBILE HOME
TO BUELLTON
& SITE B (83-070-18)
TO GAVIOTA
* - SEPULVEDA WILL NOT ENCROACH INTO AREAS DESIGNATED
- THIS SITE MAP WAS DERIVED FROM AERIAL PHOTO ACCOMPANYING RECLAMATION PLAN
- ACREAGE SHOWN IS APPROXIMATE.
ACTIVE MINING 6.0 AC±
CLOSED MINE 8.0 AC.±
MINED PRIOR TO 1985 2.0 AC±

EXHIBIT 12



COUNTY OF SANTA BARBARA
CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

Date: July 27, 1998

Sid Goldstein
650 Alamo Pintado Road #302
Solvang, CA 93463
Torrance CA 90505

PLANNING COMMISSION
HEARING OF JUNE 10, 1998

RE: *Sepulveda Mining Reclamation Plan, 90-RP-001*

Hearing on the request of Sepulveda Building Materials, Lompoc, Inc., to consider Case No. 90-RP-001 [application filed on January 29, 1990; complete November 30, 1992; updated application materials submitted on March 6, 1997 and October 2, 1997], for approval of a Reclamation Plan for phased reclamation of 68 to 121 acres of land mined for rock, stone and shale over the next 49 years; zoned AG-II-100 (Agriculture, 100-acre minimum) under Article III; and to approve the Negative Declaration (97-ND-40) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, potentially significant but mitigable effects on the environment are anticipated in the following categories: grading/slope stability, erosion/drainage, dust, loss or damage to native habitat, damage to unknown buried artifacts, and hazardous materials handling. The ND and all documents referenced therein may be reviewed at the Planning and Development Department, 624 W. Foster Rd., Santa Maria. The ND is also available for review at the Lompoc Library, 501 E. North Ave., Lompoc. The application involves **AP Nos. 083-060-015 and 083-070-018**, located north of Santa Rosa Road and east of State Route 1, Lompoc area, Third Supervisorial District.

Dear Mr. Goldstien:

At the Planning Commission's regular meeting of June 10, 1998, Commissioner Duncan moved, seconded by Commissioner Jenkins and carried by a vote of 4-0 (Beall abstained), to:

1. Adopt the required findings for the project specified in *Attachment A* of the staff report dated June 1, 1998, including CEQA findings, as modified.

2. Approve Negative Declaration 97-ND-40 (*Attachment C* and *Attachment H* figures) and the mitigation monitoring program contained in the conditions of approval (*Attachment B*) and Reclamation Plan (*Attachment H*), as modified.

3. Approve the Reclamation Plan, dated April 3, 1998 (*Attachment H* including maps), with revised financial assurance dated June 9, 1998, subject to conditions of approval specified in *Attachment B*, as modified.

4. Direct staff to forward a copy of the approved Reclamation Plan with Commission action to the State Department of Conservation/Office of Mine Reclamation.

EXHIBIT 13

The following revisions reflect the Planning Commission's actions at the hearing of June 10, 1998.

◆REVISIONS TO FINDINGS:

Finding 2.1.6 is revised as follows:

"The staff memo dated March 20, 1998 responds to issues raised by the Department of Conservation Office of Mine Reclamation letter of February 3, 1998. The revised reclamation plan, as conditioned, would address State comments and SMARA requirements. A written transmittal, including Planning Commission findings and conceptual action and responses to State comments, ~~will be~~ was sent with the conceptually approved Reclamation Plan and financial assurance to the State Department of Conservation in April 1998 for their approval. The State Department of Conservation determined that the Plan met State legislative and regulatory requirements (letter of May 20, 1998). State Department of Conservation comments on financial assurance estimates will be fully addressed by a revised financial assurance estimate (dated June 9, 1998) incorporated as part of the reclamation plan and provision of a surety meeting state and county guidelines."

◆REVISIONS TO CONDITIONS:

Condition 32 requiring a revised financial assurance estimate is deleted.

◆REVISIONS TO NEGATIVE DECLARATION 97-ND-40

The Final Negative Declaration incorporates updated figures from the approved Reclamation Plan, Attachment H, dated 4/3/98.

◆REVISIONS TO RECLAMATION PLAN 90-RP-001

Exhibit 8, the Reclamation Plan, incorporates the revised Financial Assurance Cost Estimate dated June 9, 1998.

The attached findings and conditions represent the Planning Commission's actions.

Decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or any interested person adversely affected by such decision. Appeal applications may be obtained at the Planning & Development Department or the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing [together with the accompanying applicable fee] must be filed with the Clerk of the Board of Supervisors within ten (10) calendar days of the date of the Planning Commission's decision. **The appeal period for this project ended on June 22, 1998.**

If this decision is appealed a filing fee for non-applicant appeals is $435; for applicant appeals the fee is $2,000 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA.

If this action is appealed, this letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period and to collect the required appeal fee.

Sincerely,

Albert J. McCurdy,
Secretary Planning Commission

xc: Case File: 90-RP-001
Planning Commission File
Richard Corral, Planning Technician
Owner: Frank Acin, P.O. Box 114, Route 1, Lompoc, CA 93436
Applicant: Sepulveda Building Materials, 2936 Sepulveda Boulevard, Torrance, CA 90505
County Chief Appraiser
Fire Department
Flood Control
Park Department
Public Works
Environmental Health Services
APCD
Zoning Compliance
Deputy County Counsel
County Surveyor
Planner: Barbara Shelton, North County

Attachments: **Departmental Letters**
Findings
Revised/Modified Conditions of Approval

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ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 The Planning Commission has considered the Mitigated Negative Declaration, 97-ND-40, together with the comments received and considered during the public review process. The mitigated negative declaration reflects the independent judgment of the Planning Commission, has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 The Planning Commission finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated to a level of insignificance.

1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Santa Barbara County Planning Commission, Mr. Albert J. McCurdy, Planning and Development, located at 123 E. Anapamu Street, Santa Barbara, CA 93101.

1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved reclamation plan, project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 Reclamation Plan Findings

Pursuant to Section 35-320.8.2 of Article III, a reclamation plan shall only be approved or conditionally approved if all of the following findings are made.

2.1.1 That the Reclamation Plan complies with applicable requirements of the state regulations (14 Cal. Code Regs. Section 3500 et seq.) with appropriate provisions of the County's Grading Ordinance (Chapter 14 of the Santa Barbara County Code), and with other appropriate engineering and geologic standards.

The Reclamation Plan dated 4/3/98 complies with all applicable standards and regulations of the Surface Mining and Reclamation Act, and is in compliance with the County's Grading Ordinance, as discussed in the staff reports dated November 26, 1997 and March 20, 1998.

2.1.2 That the Reclamation Plan and potential use of reclaimed land pursuant to the Plan are consistent with the provisions of this Article and the Comprehensive Plan.

Mining reclamation activities and the end uses of cattle grazing (Site 1A), and agricultural equipment/ supplies storage (Site 1B) are allowed in the 100-AG zone district of Ordinance 661, and the A-II land use designation of the Comprehensive Plan. The project is consistent with applicable Comprehensive Plan policies as discussed in Section 6.2 of the staff report dated November 26, 2997 and Section F of the staff memo dated March 20, 1998. The Plan

also complies with the applicable provision of Article III, including reclamation plan requirements, as discussed in section 6.3 of the staff report dated November 26, 1997 and Section F of the staff memo dated March 20, 1998.

2.1.3 That, in approving the Reclamation Plan, the required findings under CEQA can be made.

The mitigated negative declaration for the project, 97-ND-40, identifies mitigation measures that will reduce all potentially significant impacts to a less than significant level. The required findings can be made as noted in Section 1.0 of Attachment A.

2.1.4 That the land and/or resources such as water bodies to be reclaimed will be reclaimed to a condition that is compatible with the surrounding natural environment, topography, and other resources.

The Reclamation Plan provides for recontouring of the site to blend with the natural and surrounding topography, revegetation with native vegetation compatible with nearby grassland, oak woodland and chaparral vegetation, and an end use of cattle that is compatible with the surrounding area uses of cattle grazing, crop production, open space, mining, and the Santa Ynez River.

2.1.5 That the Reclamation Plan will reclaim the mined lands to a usable condition which is readily adaptable for alternative land uses specified by the landowner and consistent with the Comprehensive Plan.

Recontouring and revegetation of the site as provided for in the Reclamation Plan will allow for reversion to the end uses of cattle grazing, which is consistent with the Comprehensive Plan.

2.1.6 That a written response to the Director of the Department of Conservation has been prepared, describing the disposition of major issues raised by the Director of the Department of Conservation. Where the Planning Commission is at variance with the recommendations and objections raised by the Director of the Department of Conservation, said response shall address, in detail, why specific comments and suggestions were not accepted.

The staff memo dated March 20, 1998 responds to issues raised by the Department of Conservation Office of Mine Reclamation letter of February 3, 1998. The revised reclamation plan, as conditioned, would address State comments and SMARA requirements. A written transmittal, including Planning Commission findings and conceptual action and responses to State comments, was sent with the conceptually conditionally approved Reclamation Plan and financial assurance to the State Department of Conservation in April 1998 for their approval. The State Department of Conservation determined that the Plan met State legislative and regulatory requirements (letter of May 20, 1998). State Department of Conservation comments on financial assurance estimates will be fully addressed by Condition 32 requirement for a revised financial assurance estimate and provision of a surety meeting state and county guidelines.

ATTACHMENT B: CONDITIONS OF APPROVAL

Sepulveda Mining Reclamation Plan 90-RP-001

I. Project Description

1. This Reclamation Plan is based upon and limited to compliance with the project description, the Reclamation Plan marked Attachment H dated 4/3/98, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval would constitute a violation of permit approval.

   The project description is as follows:

   The Reclamation Plan 90-RP-001, dated 4/3/98 is hereby incorporated herein by reference and is available for review at Planning and Development, 624 W. Foster Road, Santa Maria, CA 93455. The following is a summary of the Reclamation Plan.

   The project, Mining Reclamation Plan 90-RP-01 (Acin Site #1), consists of phased reclamation of up to 96.5 acres of land mined for rock, stone and surface shale materials and a 3± acre storage area under the provisions of the State Surface Mining and Reclamation Act (SMARA). Reclamation is required for ground disturbances to depths of up to 50 feet below the surface, associated with the continuing operations of vested mining activity. The mining operations, (which are not part of the project) occur on portions of three legal parcels totaling 678.87 acres. The past and projected excavation site (Site 1A), as defined within the operator's lease agreement, encompasses 138.6 acres of adjacent 241.63 acre and 318.56 acre parcels. The reclamation plan area includes approximately 96.5 acres within the lease mine area which could potentially be disturbed by mining activities through the life of the mine (1956 - 2045) under current lease arrangement and would require reclamation. The materials processing and storage site (Site 1B) encompasses approximately three acres of a 118.68-acre parcel, which would require reclamation following closure of the mine.

   Proposed reclamation would occur incrementally. Upon completion of excavation activity in an area, all excavated material other than the desired stone is replaced, recompacted, and recontoured. Stockpiled topsoil is restored to the surface of the reclaimed area. The practice of stockpiling topsoil was initiated at the site in 1992. Reseeding, in accordance with the procedures and seed mix specified in the reclamation plan and recommendations of biologist Greg Donovan's report, would then be accomplished within six months following the annual report and just prior to the rainy season. Revegetation would be maintained until reclamation plan success criteria are achieved, as determined by County monitoring.

   Final slopes too steep for successful revegetation using methods outlined in the reclamation plan would be hydroseeded. The property use after conclusion of mining and completion of reclamation activities would revert to cattle grazing (Site 1A) and agricultural equipment/ supplies storage (Site 1B)

Reclamation activities would occur on an ongoing basis such that an estimated 95% of mined areas would be reclaimed at the time mining operations cease, regardless of what year that occurs. Completion of reclamation recontouring and revegetation activities would occur within 12 months after mining operations cease, unless extended by the Lead Agency. The property would then revert to cattle grazing use

The materials processing and storage site (Site 1B) involves sorting and stacking of excavated material onto pallets. A portion of the pole barn is leased by the mining operation for use in storing excavated material to be processed during inclement weather, and for equipment storage. Proposed reclamation of the materials processing and storage site would entail removal of mining equipment and mined materials and recontouring/ revegetating the site as necessary within two years after cessation of mining activities, unless extended by the Lead Agency.

Annually, the operator would submit a Reclamation Plan Report to the County. In accordance with SMARA requirements, the County would monitor reclamation efforts and prepare an annual inspection report.

Performance Criteria. The Reclamation Plan identifies the following criteria which must be met in order for a determination of adequate reclamation of the site:

Revegetation. Attain 90% vegetative coverage of the area reclaimed to include no area larger than 200 square feet attaining less than 40% coverage, except for rock outcroppings.

Grading. Final grades shall be within 2-5 feet of natural contour, with stable slopes and no evidence of major slides, and/or or well-developed rilling or gullying. Final grading shall conform with Grading Ordinance setback requirements.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

II. Mitigation Measures from Negative Declaration 97-ND-40

Grading

2. Reclamation activities shall adhere to SMARA performance standards 3704 (Backfilling, Regrading, Slope Stability, and Recontouring) and 3706 (Drainage, Diversion Structures, Waterways, and Erosion Control), and the application of standard engineering grading procedures and County standards for erosion-control, drainage design, and revegetation. To be consistent with the State Performance Standards, §3704(d), for any final slopes exceeding 2 1/2: 1, a site-specific geologic and engineering analysis shall be submitted to Planning and Development for review and approval as part of the annual reclamation plan report. This analysis shall demonstrate that all proposed final slopes will have a minimum

slope stability factor of safety that is suitable for the proposed end use, and that the proposed final slopes can be successfully revegetated. All reclamation which involves grading shall be designed to minimize erosion and shall be conducted in accordance with the Santa Barbara County Grading Ordinance (Chapter 14 of the Santa Barbara County Code) and standard grading practices, including the following measures:

a. Grading/ recontouring for reclamation shall be limited to the dry season (April 15 - November 1) unless approved by P&D Grading Division based on approved grading/ erosion-control measures.

b. Graded areas shall be revegetated with species specified in the approved Reclamation Plan in the early fall to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

This requirement may be satisfied through a written statement regarding slope stability, grading and revegetation from the County Grading Inspector and the Planning and Development Geologist prior to approval of final Reclamation Plan.

Monitoring: Planning and Development and State Department of Mining and Geology staff shall monitor compliance with approved plan through annual inspections and review of annual reporting plan. (Mitigation Measure 1, 97-ND-40)

Boulder Disposition

3. Boulder stockpiles shall be disposed of as part of final reclamation in a manner satisfactory to Planning and Development Department and Public Works Department. Prior to final approval of the Reclamation Plan, the applicant shall submit a bond in an amount approved by Planning and Development Department to cover eventual removal and reclamation of boulder stockpile area. **Plan Requirements:** Prior to the completion of mining operations and final reclamation efforts, the applicant shall submit a plan to the satisfaction of Planning and Development Department and Public Works Department to the satisfaction of Planning and Development Department and Public Works Department specifying proposed disposition of boulders and reclamation of boulder storage area.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance with approved plans through annual inspection and review of annual reporting plans. (Mitigation Measure 2, 97-ND-40)

Stream Protection

4. Reclamation activities shall adhere to Public Works/ Grading and Flood Control requirements, as well as any Federal permitting requirements to ensure that no significant impacts associated with stream channel modification or erosion/ siltation would occur. No boulders shall be placed within the stream channel, unless specifically permitted by applicable local and federal agencies.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and review of annual reporting plans. (Mitigation Measure 3, 97-ND-40)

Topsoil Stockpiling

5. Throughout remaining mining activities, all topsoil to a depth of 6 - 8 inches shall be removed and stockpiled on the site for later use with revegetation activities during reclamation. Reclamation activities shall adhere to the project description and conform with SMARA Performance Standard 3711 regarding Topsoil Salvage, Maintenance, and Redistribution, to ensure that impacts associated with loss of topsoil are less than significant.

Monitoring: Planning and Development Department and the State Department of Mines and Geology shall monitor compliance through annual inspection and review of annual reporting plans. (M M 4, 97-ND-40)

Dust Control

6. Dust generated by reclamation activities shall be kept to a minimum with a goal of retaining dust on the site. The following dust control measures will be adhered to throughout reclamation activities involving grading, earth moving or transportation of cut or fill materials:

a. Where feasible, water trucks or sprinkler systems are to be used to minimize dust from leaving the site and to create a crust after each day's activities cease.

b. Soil stockpiled for more than 60 days shall be treated to prevent dust generation.

c. The name and telephone number of an onsite contact person designated by the applicant to be responsible for dust mitigation shall be provided to the Air Pollution Control District prior to final approval of the Reclamation Plan.

Plan Requirements: All requirements shall be shown on grading plans. **Timing:** Condition shall be adhered to throughout all reclamation periods involving soil movement.

Monitoring: P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints. (Mitigation Measure 5, 97-ND-40)

Revegetation

7. All reclaimed areas shall be revegetated as specified in the approved Sepulveda Reclamation Plan 90-RP-01 for Acin Site 1 and in accordance with SMARA performance standards. Revegetation will occur on an ongoing periodic basis in the fall prior to the rainy season according to the schedule specified in the approved reclamation plan. Revegetation activities will apply techniques identified by the State Department of Mines and Geology and biologist report (Donovon).

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and review of reporting plans.

(Mitigation Measure 6, 97-ND-40)

Oak Preservation and Replacement

8. No oak trees shall be removed during reclamation activities. Any oaks damaged or lost from reclamation activities shall be replaced by the applicant within one year on a 10:1 ratio with 1-gallon seedlings or as specified by Planning and Development Compliance staff, and irrigated and maintained by the applicant during a 3-year establishment period or as specified by Planning and Development Compliance staff.

Monitoring: Planning and Development Department and Department of Mines and Geology staff shall monitor compliance with approved plan through photo-documentation provided by the applicant, annual inspections, and review of annual reporting plans. (M M 7, 97-ND-40)

Archaeological Resources

9. In the event archaeological remains are encountered during earthwork, work shall be stopped immediately or redirected until a Planning and Development Department - qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.

Monitoring: Planning and Development Department and State Department of Mines and Geology shall monitor compliance through annual inspections and review of annual reporting plans, and shall spot check in the field. (Mitigation Measure 8, 97-ND-40)

Hazardous Materials

10. The applicant shall obtain a waiver or shall implement an approved Hazardous Materials Business Plan for storage and handling of hazardous materials, in accordance with the provisions of AB 2185/ 2187 and County regulations. **Plan Requirements and Timing:** Prior to final approval of the Reclamation Plan, the applicant shall obtain a waiver of approval of a Hazardous Materials Business Plan from the Fire Department. The plan shall be updated as required.

Monitoring: The Fire Department shall monitor as specified in the Business Plan.

(Mitigation Measure 9, 97-ND-40)

III. Project Specific Conditions

11. All mining shall cease upon expiration of lease arrangements or no later than June 30, 2045, unless extended by lease arrangement. In the event that the applicant anticipates mining operations to continue beyond the year 2045, the applicant shall apply for an extension of the Reclamation Plan. The Reclamation Plan shall be updated as needed as part of an extension. Extensions may be granted by the Planning Commission in annual increments as determined by the Commission.

IV. Conditions Unique to Reclamation Plans

12. The conceptual financial assurance shall be approved by the State Office of Mine Reclamation prior to final approval by the County. Within sixty (60) days of final approval of this plan and financial assurance, the applicant shall post a performance security with Planning and Development for the full amount of the approved financial assurance to ensure that reclamation will proceed in conformance with the approved plan. The type of performance security shall be consistent with Section 2773.1 of SMARA. The security for reclamation shall remain in effect until completion of reclamation with provision for annual renewal and adjustment to reflect changes in security requirements and/or changes in the cost of reclamation. The amount of the performance security shall be based upon the estimate by the applicant's engineer of the costs to complete the reclamation of the site. The form, amount, and duration of security shall be subject to review and approval by Planning and Development and County Counsel staff prior to posting the security. Security shall remain in effect through completion of reclamation.

13. As part of the annual review of the reclamation plan, the form and/or amount of security may be adjusted in accordance with the applicable regional Consumer Price Index, or other appropriate index as determined by Planning and Development, to maintain the same relative value of the security over the life of the reclamation plan and to assure that performance security still reflects the actual cost for completing reclamation on-site. If the Planning Commission determines that additional or new security must be posted, the applicant shall provide the required security within 30 days of Planning Commission review.

14. Planning and Development may declare all or part of the security for reclamation forfeited, pursuant to notice to the applicant and a public hearing, if the Planning Commission determines that the mining operation has been abandoned, the operator is financially incapable of carrying out the reclamation plan, or any provision of the approved reclamation plan is violated as noted in Section 2773.1 (B) of SMARA. No security shall be released until compliance with all applicable conditions of the reclamation plan is verified to the satisfaction of Planning and Development. Upon completion of reclamation, Permit Compliance staff shall perform a final site inspection to verify that all requirements of the reclamation plan have been satisfied. The operator shall be responsible for the costs of conducting and completing reclamation in accordance with the approved reclamation plan which are in excess of the proceeds from the forfeited financial assurances.

15. Site inspections to verify ongoing reclamation in conformance with the approved reclamation plan shall be scheduled annually. The applicant shall pay the cost of any required annual inspections by Planning and Development staff, or designated representative, based upon an hourly rate established by the Board of Supervisors, upon receipt of a bill from Santa Barbara County. Failure to pay the inspection fee within sixty (60) days of the due date shall constitute grounds for revocation of the reclamation plan by the Planning Commission and cessation of mining operations.

16. If, after conducting the inspections required under condition no. 27, Planning and Development finds that the reclamation plan is not being implemented as approved, the mining operation shall be so notified and given a reasonable time to comply with the reclamation plan as specified in Section 2774.1 of the Public Resources Code. If at the

end of this period of time, the reclamation plan is still not being implemented as approved, Planning and Development shall notify the mining operator and the Planning Commission of the continuing failure to comply. Planning and Development shall then set the matter for a public hearing before the Planning Commission. If the Planning Commission (or Board of Supervisors if appealed) determines that the reclamation plan is not being implemented as approved, the Planning Commission (or Board) shall have the authority to revoke the reclamation plan. Once the reclamation plan is revoked all mining onsite shall cease in accordance with State law. If the Planning Commission or Board of Supervisors revoke the plan, Planning and Development shall declare all or part of the performance security for reclamation forfeited in accordance with the security's provisions and state law.

17. Within sixty (60) days of final reclamation plan approval, the applicant shall execute and record an agreement, subject to Planning and Development approval, to complete the work outlined in the reclamation plan within the time limits of said plan and consistent with all requirements of said plan. This agreement shall bind the applicant and any future owners of the mine. This agreement shall be prepared to conform to the requirements of SMARA Section 2772(j) regarding an applicant statement of responsibility for reclamation.

18. All applicable requirements of the Surface Mining and Reclamation Act of 1975, as may be amended from time to time, are made a part of this Reclamation Plan by reference, with the same force and effect as if the provisions therein were specifically and fully set out herein.

19. Within twelve (12) months of the cessation of mining operations, notwithstanding the idle mine provision in SMARA Section 2727, final reclamation recontouring and revegetation activities shall be completed in accordance with the approved reclamation plan. Reclamation and site clean-up shall be completed within two years of the cessation of mining operations, unless extended by the County to ensure successful reclamation.

20. The mine operator shall prepare and forward an annual status report on the mining operation and ongoing reclamation efforts to the State Geologist and Planning and Development on a date established by the State Geologist and upon forms furnished by the State Mining and Geology Board pursuant to Public Resource Code Section 2207.

21. Within ninety (90) days of a surface mining operation becoming idle, as defined in Section 2727.1 of SMARA, the mine operator shall submit an interim management plan to the County for review and approval by the Planning Commission. The interim management plan shall fully comply with the requirements of SMARA, Section 2770 (h) and shall provide measures the operator will implement to maintain the site in compliance with SMARA, including, but not limited to, all conditions of the approved Reclamation Plan. Upon expiration of the interim management plan, the surface mining operation shall commence reclamation in accordance with its approved Reclamation Plan.

V. County Rules and Regulations

22. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit from Planning and Development. The Land Use Permit is required by ordinance and is necessary to ensure implementation of the conditions required by the Planning Commission. Before a Land Use Permit will be issued by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available in Planning and Development.

23. Compliance with Departmental letters:

    Fire Department Letter dated August 7, 1992 (no conditions)

    Environmental Health Services Letter dated August 31, 1997 (no conditions)

    Park Department Letter dated August 7, 1992 (no conditions)

    Air Pollution Control District Letter dated November 24, 1997

    Flood Control District Letter dated November 25, 1997

    Fire Department/ Hazardous Materials Letter dated November 7, 1997

    Planning and Development/ Grading Division Letter dated December 3, 1997

24. Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of the Conditional Use Permit. In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

25. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed.

26. Prior to issuance of Land Use Permits, the applicant shall pay all applicable P&D permit processing fees in full.

27. Mitigation Monitoring required: The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the applicant agrees to:

    a. Contact P&D compliance staff as soon as possible after project approval provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.

    b. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an onsite pre-construction meeting with the owner, compliance staff, other agency personnel, and with key construction personnel.

    c. Pay fees prior to approval of Land Use Permits as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and mange outside consultants, when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.

28. At the time of mine closure, reclamation of any areas mined by operators prior to Sepulveda Building Materials (shown on Exhibit 12) which were not reopened by Sepulveda, but subject to reclamation, will be the responsibility of the landowner.

29. Mine excavations of depths exceeding 25 feet within the area between 400 and 600 foot elevation contours in Subareas D, E, and F require prior applicant submittal of an engineering geology report for review and approval by Planning and Development. The report will address slope stability pertaining to temporary stockpiling of excavated material. Mining excavations shall conform with Grading Ordinance setback requirements.

31. If the annual SMARA report shows that in any year of operation operator has ten or more acres of open mined land (which exceed the eight acres historically open to date), Planning and Development shall have the authority to reevaluate the reclamation plan to ensure compliance with SMARA. This could include a request for revised geologic studies and plans.

32. Within thirty (30) days of final Planning Commission approval of the Reclamation Plan, the applicant shall resubmit a revised Financial Assurance Worksheet which will fully address the State Department of Conservation letter dated June 1, 1998. Upon review of the revised estimate by Planning and Development, the applicant shall be notified by Planning and Development to provide a surety that meets state and county guidelines. The surety shall be submitted within 30 days of notification by Planning and Development.

Albert J. McCurdy
Deputy Director, Development Review Division

For JOHN PATTON, DIRECTOR

7/27/98

xc: Minute Book (original copy)
Case File: 90-RP-001
Permanent File
Fire Department
Flood Control
Park Department
Public Works
Environmental Health Services
APCD
Zoning Compliance
Permit Compliance
County Surveyor
Deputy County Counsel
Owner: Frank Acin, R.F.D. 114, Route 1, Lompoc, CA 93436
Operator: Sepulveda Bldg Materials, Lompoc, Inc., 2936 Sepulveda Boulevard, Torrance, CA 90505-2894
Agent: Sid Goldstien, Civil Engineer, Inc., 650 Alamo Pintado Rd., Ste. 302, Solvang, CA 93463
County Chief Appraiser
Planner: Barbara Shelton

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DEPARTMENT OF CONSERVATION
DIVISION OF ADMINISTRATION
DIVISION OF LAND RESOURCE PROTECTION
DIVISION OF MINES AND GEOLOGY
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES
DIVISION OF RECYCLING

801 K Street
Sacramento, CA 95814-3528
Phone (916) 322-1080
Fax (916) 445-0732
TDD (916) 324-2555

May 20, 1998

Barbara Shelton
County of Santa Barbara
Santa Barbara Resource Management
123 East Anapamu Street
Santa Barbara, CA 93101

Dear Ms. Shelton:

Sepulveda Mining Reclamation Plan 90-ND-40, Acin Site #1
Initial Study/Draft Negative Declaration 97-ND-40
Mine ID # 91-42-0011

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the revised Initial Study/Draft Negative Declaration 97-ND-40 for Sepulveda Mining Reclamation Plan 90-RP-01, Acin #1, the Staff Report for Sepulveda Mining Reclamation Plan and the Sepulveda Building Materials, Lompoc, Inc. "90-RP-001" Reclamation Plan. The project is located east of State Highway 1, and north of Santa Rosa Road, approximately ½ mile south of the town of Lompoc. The project includes the removal of rock, stone, and surface shale materials from 68.5 acres near Lompoc. The site is a vested operation. A site visit was conducted on January 28, 1998 by OMR staff. The OMR has provided comments on this project in a letter dated February 3, 1998. Mr. Andrew Rush of the Policy & Technical Services Unit will contact you regarding their review of the financial assurances.

The Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, Section 3500 et seq., Article 9 Section 3700 et seq.) require that specific items be addressed or included in reclamation plans. The documents submitted satisfactorily addressed these requirements.

EXHIBIT 14

Please send a copy of the approved reclamation plan, and permit issued by you as lead agency under SMARA to the Office of Mine Reclamation, Reclamation Unit at 801 K Street, M.S. 09-06, Sacramento, CA 95814-3529. The approved documents will be placed in the Office of Mine Reclamation files.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 323-8565.

Sincerely,

James S. Pompy, Manager
Reclamation Unit

Andrew Rush, OMR