



Applicant Appeal:  
Lompoc Stone Mining Area Expansion  
Vesting Determination and Reclamation  
Plan Revision Project

18APL-00000-00006

16DET-00000-00004

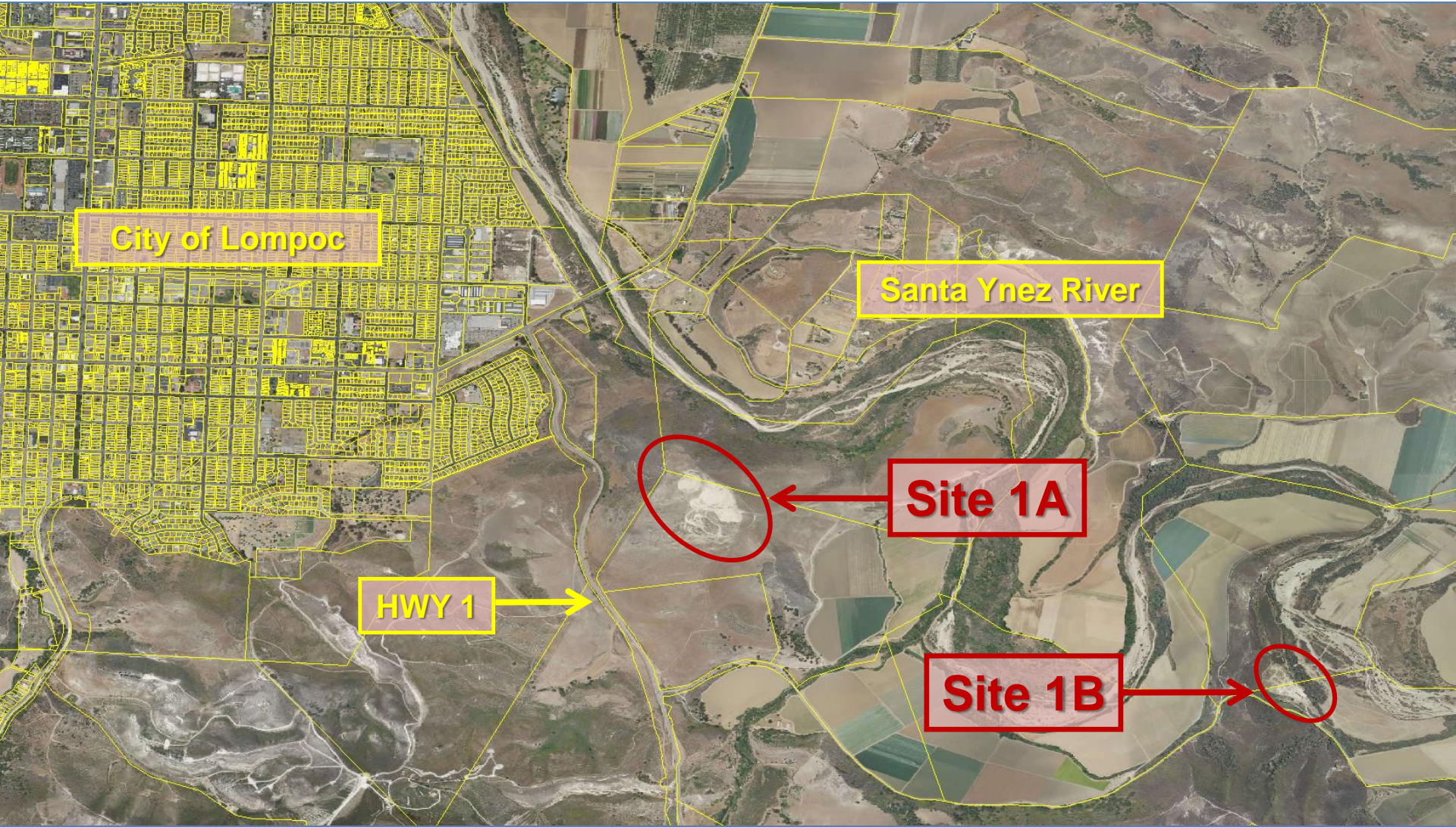
10RVP-00000-00048

May 8, 2018

Board of Supervisors



# Site Vicinity Map







# Background

- ❑ Original Planning Commission hearing 1/11/17
- ❑ Commission requested preparation of findings for approval of vesting request and updated CEQA
- ❑ Project returned to Planning Commission 2/28/18; motion to approve failed to pass, deemed denial
- ❑ Applicant timely appealed to Board of Supervisors



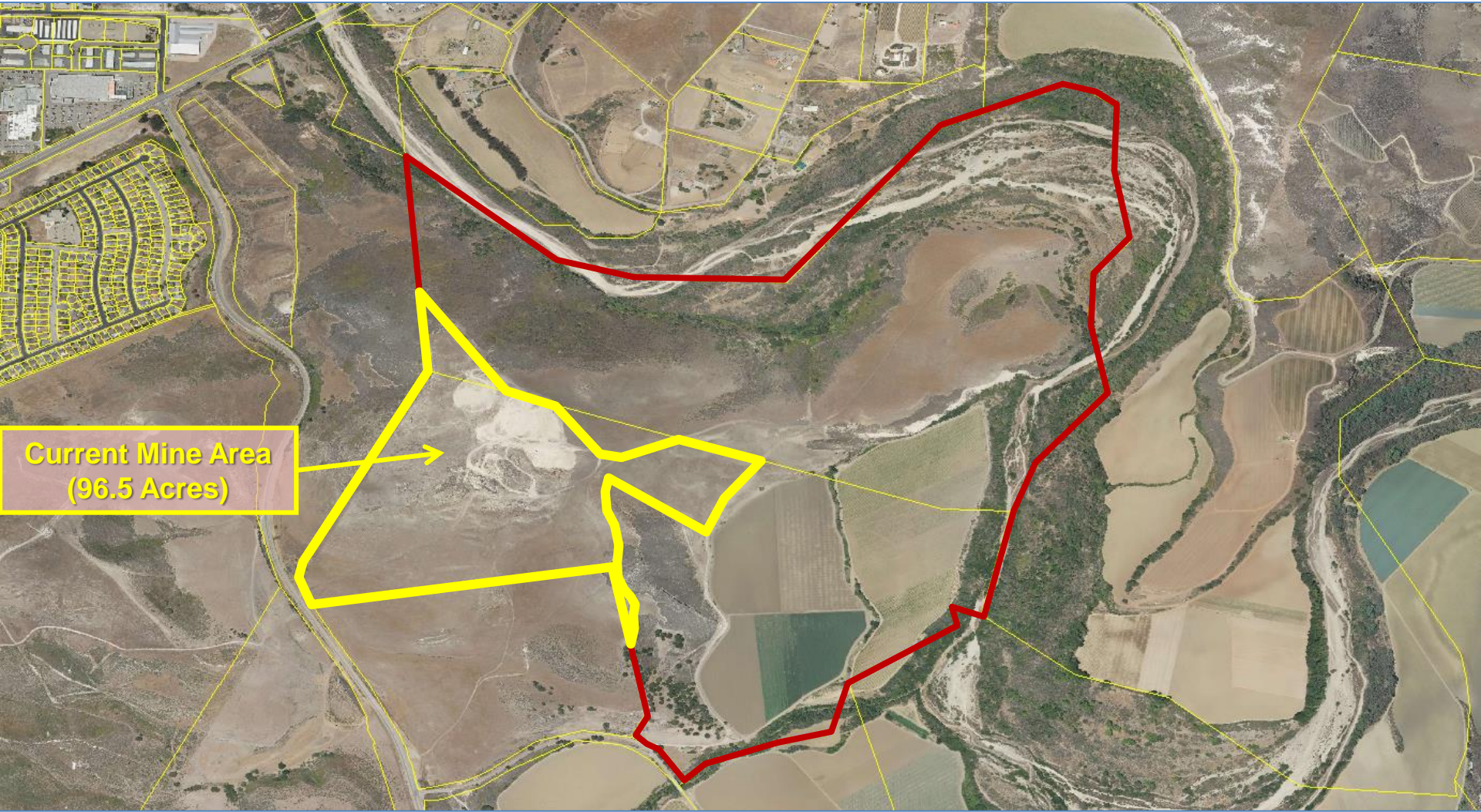
# Mining Area: Site 1A







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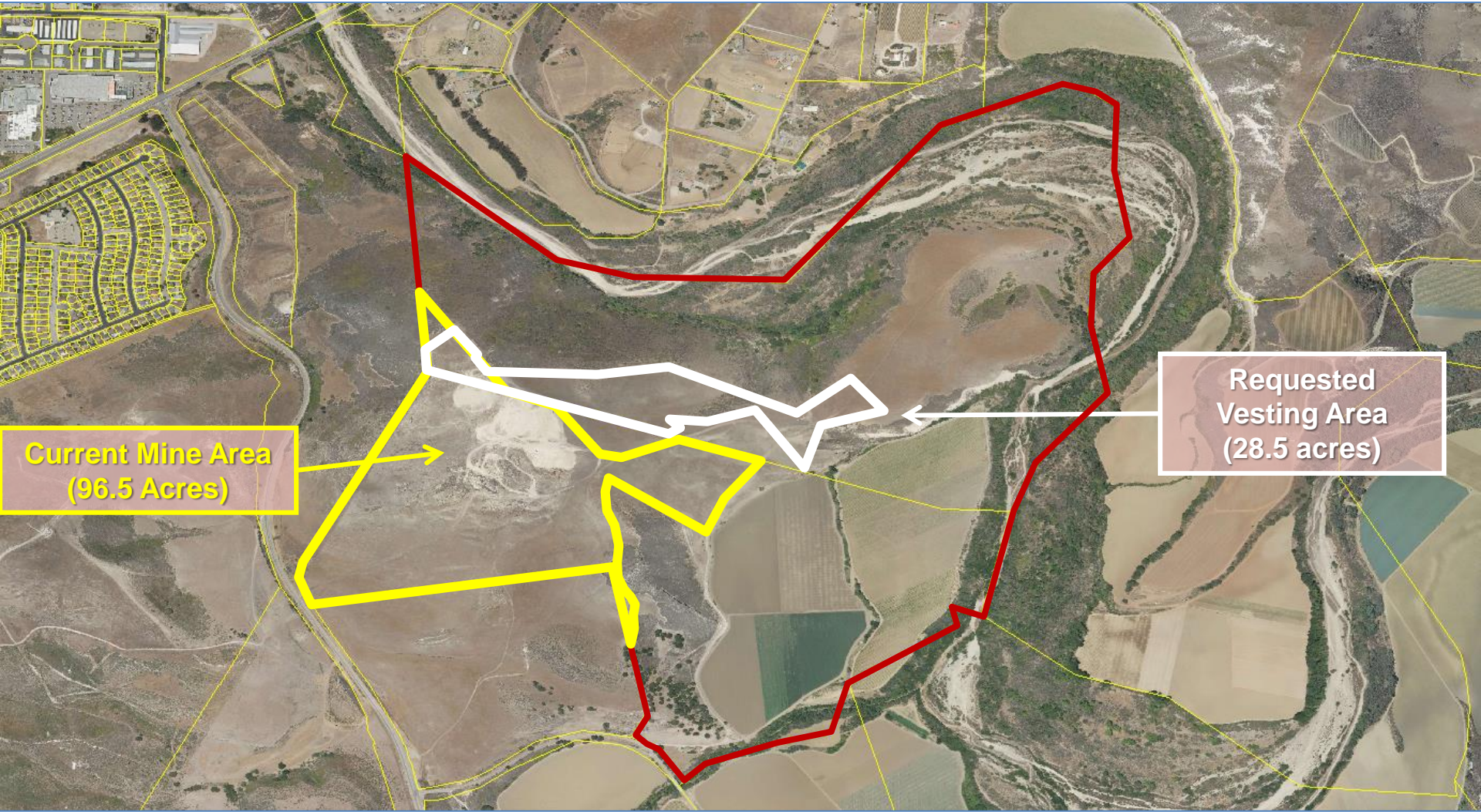


**Current Mine Area  
(96.5 Acres)**





# Mining Area: Site 1A



**Current Mine Area  
(96.5 Acres)**

**Requested Vesting Area  
(28.5 acres)**



# Project Description

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- Vesting Determination
  - ▣ Request for 28.5 acres on APN 083-060-009
  - ▣ Would allow mining expansion without a CUP
  
- Reclamation Plan Revision
  - ▣ Would incorporate requested 28.5 acres into Reclamation Plan
  - ▣ Previous 3.5-acre expansion of Site 1 B requires inclusion in the Reclamation Plan



# Environmental Review

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- Circulation:
  - ▣ Draft MND circulated: Mar 12 – Apr 11, 2017
  - ▣ Revised Draft MND re-circulated: Nov 1 – Dec 4, 2017
  
- Potentially significant impacts in the areas of aesthetics/visual resources, air quality, biological resources, cultural resources, geologic resources, and hazardous materials/risk of upset
  
- Twelve mitigation measures incorporated





# Aesthetics – Existing Setting

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# Aesthetics – Proposed Phasing

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# Policy & LUDC Consistency

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- Consistent with Comprehensive Plan policies
- Compliant with LUDC
  - ▣ Reclamation Plan Performance Standards
- Conforms to State SMARA requirements
- Vesting Determination is key



# Vesting Findings

- Three findings required for Vesting Determination
  - Vested rights continue with no substantial changes
  - Operations commenced and incurred substantial liabilities prior to 1/1/1976
  - Desired excavation area clearly intended to be excavated prior to 1958 Zoning Ordinance 971





# Applicant Evidence

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- Vesting evidence provided by the Applicant:
  - Aerial photographs
  - 1958 USGS Map denoting mining site
  - Signed declarations of intent to mine expansion area
  - 1950 Geologic Map showing geologic formation on site



# Staff Recommendations - Approval

- ❑ Conceptually grant the appeal, Case No.18APL-00000-00006;
- ❑ Conceptually make the required findings for approval of the project, including CEQA findings;
- ❑ Conceptually adopt the MND, Case No. 12NGD-00000-00022, and conceptually adopt the mitigation monitoring program contained in the conditions of approval;
- ❑ Conceptually grant *de novo* approval of the project, Case Nos. 16DET-00000-00004 and 10RVP-00000-00048, subject to the conditions of approval; and
- ❑ Direct staff to refer the revised Reclamation Plan to the Division of Mine Reclamation (DMR) for review and approval and then return to the Board for final action after receiving direction from DMR.





# County and State Review Process

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- Step 1: County takes Conceptual Action
  
- Step 2: State Department of Conservation, Division of Mining & Reclamation (DMR) review period
  - ▣ DMR provides comments to County for consideration
  
- Step 3: County takes Final Action



# Staff Recommendations - Denial

Alternatively, in order to deny the appeal and project:

- Make the required findings for denial of the appeal and project, Case Nos. 18APL-00000-00006, 16DET-00000-00004 and 10RVP-00000-00048;
- Determine that denial of the appeal and project is exempt from CEQA pursuant to CEQA Guideline Section 15270(a); and
- Deny the appeal and project, Case Nos. 18APL-00000-00006, 16DET-00000-00004 and 10RVP-00000-00048.



End of Presentation