

STAFF REPORT TO: AGRICULTURE & NATERUAL RESOURCES COMMITTEE
FOR MEETING OF: JUNE 9, 2021

Review and recommendation to the Board of Supervisors pursuant to Amador County Code Section 7.36.180 – Surface Mining, of a minor amendment requested from Jackson Valley Quarry to adjust the reclamation plan boundary to align with the property boundary. Activities on ±20 acres to be added to the reclamation plan boundary will be used for activities ancillary and accessory to surface mining (e.g., perimeter berms, revegetation plantings, access roads). No mining will occur within the ancillary use area.

Operator: Jackson Valley Quarry
Property Owner: The Reed Leasing Company, LLC
Supervisorial District: 2
Location: 3421 Jackson Valley Road, Ione (APN 005-230-018)

Jackson Valley Quarry has submitted a request to amend the reclamation plan by adding approximately 20 acres reclamation plan boundary to be used for non-mining activities, including construction of perimeter berms, revegetation plantings, and access roads.

The Surface Mining and Reclamation Act (SMARA) requires that an amended reclamation plan be approved by the lead agency (County) prior to the commencement of activities determined to be a substantial deviation from the exiting, approved plan. SMARA defines a substantial deviation as *“a change or expansion to a surface mining operation that substantially affects the completion of the previously approved reclamation plan, or that changes the end use of the approved plan to the extent that the scope of the reclamation required for the surface mining operation is substantially changed.”*

Amador County Code Section 7.36.180 (Surfacing Mining) provides distinct approval processes for substantial deviations versus minor amendments:

“Amendments to an approved reclamation plan may be submitted detailing proposed changes from the original plan. Substantial deviations from the original plan shall not be undertaken until such amendment has been filed and approved, in the same manner as established herein for an original application; provided, minor amendments may be recommended by the Land Use Director after consultation with the board of supervisors agriculture and natural resources committee. Said committee recommendations shall be placed on the consent agenda for approval by the full board of supervisors.”

Pursuant to SMARA, when determining whether an amendment constitutes a substantial deviation, the following facts shall be taken into consideration. Does the proposed amendment involve:

- 1) A substantial increase in the disturbance of the surface area or in the maximum depth of mining;
- 2) A substantial extension of the termination date of mining operation as set out in the approved reclamation plan;
- 3) Changes that would substantially affect the approved end use of the site as established in the reclamation plan;
- 4) Changes to the operation inconsistent with the previously adopted environmental determinations; and/or
- 5) Any other changes that the lead agency deems substantial deviations as defined in the subsection.

If the proposed change is determined not to be a substantial deviation, the current reclamation standards need to apply to the amended portion of the reclamation plan (see proposed Reclamation Plan attached).

Jackson Valley Quarry is seeking a determination from the Committee as to whether or not the reclamation plan amendment for the quarry will cause a substantial deviation from their original reclamation plan, and is further seeking a recommendation to the Board of Supervisors that this request is a minor amendment pursuant to County Code Section 7.36.180.

If this proposal is found to be a minor amendment and not a substantial deviation by the Agriculture and Natural Resources Committee, staff recommends the following findings:

- 1) The proposed project will not cause a substantial increase in the disturbance of the surface area or in the maximum depth of mining due to the limited nature of the proposed uses within the amended reclamation plan boundary;
- 2) The proposed project does not request a substantial extension of the termination date of the mining operation set out in the approved reclamation plan or conditional use permit;
- 3) The proposed project does not cause changes that would substantially affect the approved end use of the site as established in the original reclamation plan (i.e. water storage and pasture land);
- 4) The proposed project does not conflict with any prior environmental determinations; and
- 5) The proposed project does not propose any other changes that the County deems substantial deviations.