CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT

DATE: November 9, 2016

TO: Members of the Planning Commission

FROM: Lucille T. Breese, AICP, Planning Manager
Sara Farrell, Assistant Planner

RE: V & J Sand Mine
Minor Mod - Interim Management Plan Amendment to DR 00-18

AGENDA ITEM NO 1.

A request by Linda Donelson, representing V & J Sand Mine Inc., for Planning Commission consideration of an Interim Management Plan (IMP) /Minor Modification (Amendment) to the Reclamation Plan of V & J Sand Mine (DR 00-18). This IMP amendment provides measures the mine operator will implement to maintain the mine site in compliance with the Surface Mining and Reclamation Act (SMARA), allowing the mine to become idle for a period of up to five (5) years. The site is located north and west of the Lompoc Airport (APN: 093-040-020 and 093-450-012).

This Minor Modification of Reclamation Plan DR 00-18 is statutorily exempt from CEQA, (not considered a project) pursuant to the SMARA Public Resource Code Section 2770(h)(1).

SCOPE OF REVIEW:

The Planning Commission is being asked to consider:

- If the proposed Interim Management Plan is adequate to ensure continued public health and safety; and

- If the required Findings of Fact can be made.

Planning Commission Action:

1) Adopt Resolution No. 846(16) approving the Interim Mine Management Plan based upon the Findings of Fact in the Resolution.

2) Provide alternative direction

Site Data:

1. Property Owner ..... City of Lompoc

2. Site Location ..... Northwest of Lompoc Airport

3. Assessor Parcel Numbers..... 093-040-020 and 093-450-012

4. Site Zoning ..... Public Facilities (PF)

5. General Plan Designation ..... Community Facility (CF)

6. Site Use..... Vacant/Mine office

7. Surrounding Uses/Zoning..... North: Federal Prison Property/ Public Facilities
   South: Solid Waste Yard/ Public Facilities and Business Park
   East: Santa Ynez River and Agriculture /Public Facilities
   West: Santa Ynez River, Federal Prison Property and Waste Water/ Public Facilities

8. Project Area ..... Access road, upland office and stockpile, mine site

Background:

On May 13, 2002 Planning Commission approved Reclamation Plan DR 00-18 and Mitigated Negative Declaration ER 00-04 for V& J Sand Mine. This allowed for the surface mining of sand out of the Santa Ynez River at the north-west side of Lompoc. The Reclamation Plan ensured that in 2030, when the mine ceases operation, the mine site will be returned to a natural state that blends in with the surrounding environment.

Proposal:

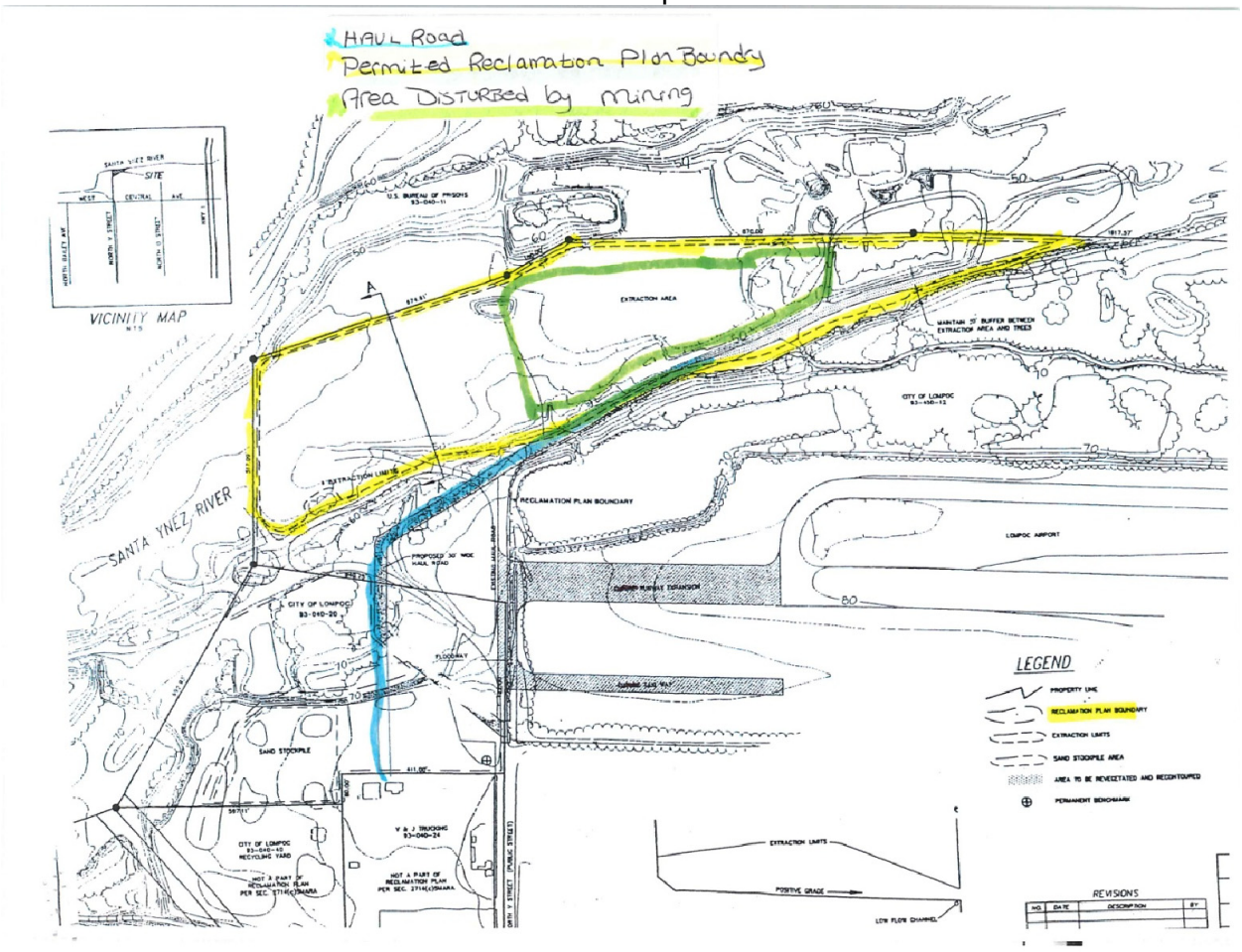
The Minor Modification to the V & J Sand Mine's Reclamation Plan would allow the mine to be classified as "idle" in accordance with state law. Because the mine is dependent on rain to bring sediment from upstream, the recent years of drought have depleted V & J Sand Mine's ability to extract sand by more than 90 percent of previous maximum annual production. To comply with state law the mine has applied for an Interim Management Plan. An Interim Management Plan (IMP) is a temporary plan to maintain stable site conditions (addressing public health, safety, and environmental issues) until mining activities can be resumed. Financial Assurance meeting state requirements is a part of the IMP.

The IMP may remain in effect for a period not to exceed five years. At the end of five years, if the mine has not resumed operations, then the City of Lompoc shall:

a. Extend the IMP for a period, not to exceed five years, if it can be found that the mine operator complied fully with the IMP.

b. Require the surface mine to begin reclamation in accordance with the approved Reclamation Plan (DR 00-18).

Site Map



Conformance with State Law:

Interim Management Plans must comply fully with the requirements of the Surface Mining and Reclamation Act (SMARA). As proposed, the IMP is in compliance with State Law and has been reviewed by the Environmental Services Unit of the California State Office of Mine Reclamation. Comments received by the State (attachment 3) have been incorporated into the IMP.

Staff Review:

Staff has reviewed the application and deemed it complete according to the regulations of SMARA. This includes a description of measures the operator will implement to maintain the site in compliance with the Act and measures to assure continued public health and safety.

Staff recommends that the Planning Commission adopt Resolution No. 846(16), approving the Interim Management Plan for V & J Sand Mine, based upon the Findings of Fact in the Resolution.

Environmental Review

The Minor Modification of Reclamation Plan DR 00-18 is statutorily exempt, pursuant to the SMARA Public Resource Code Section 2770(h)(1):

> *The review and approval of an interim management plan shall not be considered a project for the purpose of Division 13 (commencing with Public Resources Code Section 21000 (CEQA)).*

As such, no environmental review is required.

Noticing:

On October 30, 2016:

1. Notice of the Public Hearing was published in the Lompoc Record;

On October 28, 2016

2. Notices were mailed to property owners within 300 feet by US mail;
3. Notice was posted on the City website; and
4. Notice board was posted on the project site by City staff.

Appeal Rights:

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form; the fee is $257.80.

Attachments:

1) Draft Resolution No. 846(16)
2) Site Map
3) State Comments
   (Planning Commission only. Documents available for review in Planning Division)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Teresa Gallavan **Economic Development Director / Assistant City Manager**	**Date**	**Lucille T. Breese, AICP** **Planning Manager**	**Date**

RESOLUTION NO. 846 (16)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A INTERIM MANAGEMENT PLAN, MINOR MODIFICATION (AMENDMENT) TO RECLAMATION PLAN (DR 00-18) FOR THE V&J SAND MINE

WHEREAS, a request was received by Linda Donelson, representing V & J Sand Mine Inc., for Planning Commission consideration of an Interim Management Plan (IMP) /Minor Modification (Amendment) to the Reclamation Plan of V & J Sand Mine (DR 00-18). This IMP amendment provides measures the mine operator will implement to maintain the mine site in compliance with the Surface Mining and Reclamation Act (SMARA), allowing the mine to become idle for a period of up to five (5) years. The site is located north and west of the Lompoc Airport (APN: 093-040-020 and 093-450-012).

WHEREAS, the Environmental Services Unit of the California State Office of Mine Reclamation has reviewed the proposed IMP and made comments; and

WHEREAS, the applicant has duly amended the proposed IMP (Exhibit A) to address the Office of Mine Reclamation's comments; and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on November 9, 2016; and

WHEREAS, at the meeting of November 9, 2016, _____ was available to answer Planning Commissioner's questions; and

WHEREAS, at the meeting of November 9, 2016, _____ spoke in favor of, and _____ spoke in opposition to the minor modification of the reclamation plan; and

WHEREAS, the review and approval of an Interim Management Plan is not considered a project pursuant to SMARA Public Resource Code Section 2770(h)(1), and as such, is Statutorily Exempt from the provisions of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds the proposed Minor Modification to the Reclamation Plan meets the requirements of Lompoc's City Code and Surface Mining Ordinance, therefore it can be found that:

A. The IMP complies with SMARA Section 2770(h), and any other applicable provisions;

B. The IMP and its amendment to the Reclamation Plan is consistent with the City's General Plan, Zoning Ordinance and Surface Mining Ordinance;

C. Financial assurances are held by the City of Lompoc and are to remain in effect during the period the mine is idle;

D. The IMP provides the operator will maintain the site in compliance with SMARA, preserving the public health, safety, and welfare;

E. The land to be reclaimed will be restored to a condition that is compatible with, and blends in with, the surrounding natural environment, topography and other resources;

F. The IMP will prevent adverse environmental impacts;

G. The Reclamation Plan will restore the mined lands to a usable condition that is readily adaptable for open space use, consistent with the City's General Plan and Zoning Ordinance and the Lompoc Airport Master Plan;

SECTION 3. Based upon the foregoing, Minor Modification to DR 00-18 is approved as proposed on November 9, 2016, subject to the conditions attached as Exhibit A, incorporated by reference as if fully set forth herein.

The foregoing Resolution, on motion by Commissioner ____, seconded by Commissioner _____ was adopted at the regular Planning Commission meeting of November 9, 2016 by the following vote:

AYES:

NOES:

_____ _____

Lucille T. Breese, AICP, Secretary Ron Fink, Chair

Exhibit A – Draft Interim Management Plan

INTERIM MANAGEMENT PLAN

V & J SAND MINE

ID # 42-0026V&J

9. MANAGEMENT PLAN:

a. SITE DESCRIPTION:

The mine has been in operation for over 50 years. We received permits from Santa Barbara County Public Works, Santa Barbara Flood Control, and the State of California Fish and Game in 1981. Before 1981 this was an unpermitted sand and gravel mine used by V & J Rock Transport, City of Lompoc, Santa Barbara County and numerous local contractors. The total acreage of the operation is 15.57 acres, but only 6 acres have been mined recently. The average annual production before the drought was 60,000 cubic yards.

The type of material removed is mostly sand with a small amount of gravel. Extraction of material is accomplished by bar skimming. A bulldozer pushes material into piles. A loader then moves the aggregate from the pile to a dump truck. The dump truck than transports the material off the site.

The mine is located at 1655 North V Street, Lompoc, in the County of Santa Barbara, State of California. Assessor's parcels numbers 093-0140-20 and 093-450-12. The extraction site is north and northwest of the Lompoc Airport. The closest point of the extraction area to the runways of the Lompoc Airport is 150 feet. Mining is kept away from river banks. The entrance to the mine is a pre-1981 ramp located at the North end of V Street. The top part of the road was modified and moved to the west in November 2003 due the Lompoc Airport Expansion. There is only one haul road from the mining area. The haul road is a gravel roadway that leaves the streambed at about the middle of the extraction area. From the streambed the road heads south and ends at V & J Rock Transport yard at 1655 North V Street. The haul road is marked on the attached map.

Due to the drought we are requesting an idle status. Because of the lack of rain for the past several years, no sand and gravel material has washed into this reach of the river. We are hoping to resume our mine activity when the drought ends. We are currently trucking sand from a mine that is approximately 30 miles from Lompoc, this is a 60-mile round trip which adds a cost increase to our customers of about 70%.

There is no equipment onsite. There are no facilities onsite. Even when we are active, the equipment is removed on a daily basis. All stockpiles are removed before the end of the season. The extraction area is graded to remove any bumps or depressions. The gate is locked to deny entry to the area. The haul road is checked periodically so any erosion can be detected and mitigated. The North end of V Street ramp has a berm at the top to keep storm water from entering the river.

There will be no production activity while the mine is idle.

b. EROSION CONTROL PLAN:

There is a berm at the top end of the North V Street ramp to keep storm water from entering the river. The river banks are not disturbed. The haul road has been in existence for 50 years, with the exception of a small area that was changed due to the Lompoc Airport Expansion in November 2003. At the conclusion of the sand mining operation in 2030, the haul road will be abandoned and revegetated to control erosion per our approved reclamation plan.

c. REVEGETATION PLAN

There will be no revegetation needed while the mine is idle. The revegetation site is located along the Santa Ynez River between O and V Streets within the city limits of Lompoc. There will be no activity in this area. The river bed is primarily a sandy, sparsely vegetated wash through which he Santa Ynez River flows. The haul road will also be abandoned and revegetated. The mine operation is scheduled to end in December 2030. Revegetation will start at that time or when the sand mining ceases per our approved reclamation plan

d. PUBLIC SAFETY

The mining operation is located in a riverbed. The haul road is fenced and has a locked gate. The haul roads locked gate is inside of V & J Rock Transport's yard which is also fenced with a locked gate. The river bed is not open to the public. It is periodically checked by the Santa Barbara County Sheriffs.

e. MAINTENANCE AND MONITORING

The haul road and river bed are checked regularly for any trash deposited or vandalism. The haul road is checked for erosion. No revegetation is required until 2030.

f. SITE MAP

Attached is a map showing the current topography. Permit reclamation plan boundary and the areas disturbed by surface mining are marked.

There are NO stockpiles, sedimentation ponds, structures, utilities, site drainage or erosion control structures.

g. MANAGEMENT OF NOXOUS WEEDS

The mine Operator shall annually (each spring) retain a qualified biologist to survey the area of current and past work and the mine access roadway for invasive non-native and noxious weeds. If found, noxious weeds shall be removed from the reclamation area and disposed of in a manner and at a location which prevents their re-establishment. Weeds to be removed shall include, but not limited to, Arundo Donax, Pampas Grass, Castor Bean and Tree Tobacco.

If one or more noxious weeds are identified within the mine's current or past operational area, the biologist shall direct the method of removal. Removal may be by hand, or by use of Rodeo, or other water compatible herbicide, in combination with hand removal or other method directed by the biologist, as appropriate. Efforts shall be made to contain and dispose of any seeds or plant parts in a manner that will preclude re-establishment.

10. ATTACHMENTS

The following items are attached:

a. Approved Financial Assurance with cost estimates and a copy of the financial assurance mechanism. *(The amount of the Financial Assurance will remain the same while the mine is idle.)*
b. Copy of the Reclamation plan
c. Copy of the EA (NEPA documents and CEQA equivalent documents).
d. Current photos of the river bed with descriptions.

CITY OF
LOMPOC

Documentation of Lead Agency Approval of Financial Assurance
Please return via fax to (916) 322-4862

I, Teresa Gallavan, an authorized representative, declare the City of Lompoc on November 6, 2015, approved the Financial Assurance Cost Estimate submitted on November 6, 2015, in the amount of $19,789.00, by V&J Sand Mine (California Mine Identification Number 91-42-0026).

The City of Lompoc has a copy of the Certificate of Deposit for $20,000.00 and the associated Encashment Letter on file. These documents were reviewed and approved on September 23, 2010.

As the Cost Estimate submitted for the Financial Assurances (attached) is less than the amount of the Certificate of Deposit on file, it has been determined the Certificate of Deposit and Encashment Letter currently on file are adequate to provide the required Financial Assurances.

All of the following checked items are true:

X The Financial Assurances estimate, Certificate of Deposit and Encashment Letter meet the requirements of the Surface Mining and Reclamation Act.

X The City of Lompoc's Surface Mining Ordinance was certified by the State Mining and Geology Board, prior to the approval of the Financial Assurances.

X A copy of the Lead Agency Approved Financial Assurances Estimate is attached for your review.

I am informed and believe the foregoing is true and correct.

Nov 9 2015
Date

for Teresa Gallavan
Economic & Community Development Director
City of Lompoc

CITY HALL, 100 CIVIC CENTER PLAZA, P.O. BOX 8001, LOMPOC, CA 93438-8001
PHONE (805) 736-1261 FAX: (805) 736-5347

State of California
DEPARTMENT OF CONSERVATION
Financial Assurance Cost Estimate Form OMR-23

FINANCIAL ASSURANCE COST ESTIMATE

FOR

V & J Sand Mine

CA MINE ID # 91-42-0026V&J

Prepared by: Linda Donelson

Date: November 6. 2015

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.

I. PRELIMINARY BIOLOGICAL SURVEY

Task - General mine area survey for sensitive species, to be undertaken prior to the commencement of reclamation activities to confirm the presence / absence of sensitive species.

Field Survey for Sensitive species	1 biologist	$100.00 / hour	3 hours	$300.00
Written report preparation documenting field survey	1 biologist	$100.00/ hour	2 hours	$200.00
Total Sensitive Species Survey Cost				**$500.00**

II. EARTHWORK / RECONTOURING

Task 1 - Dozer to move silt/sand from the bottom of the access road to the top.
Area 1 – River Access Regrading
Area of work – 2,400 square feet.
Amount: 20 cubic yards
Haul Distance: 60 feet maximum.

A.Equipment & Labor	Quantity	$/Hour	# of Hours	Cost ($)
1. D-6 Dozer /Ripper with Operator* *Operator is job foreman	1	$125.00	1	$125.00

There is no materials cost as topsoil will not be used. The silt/sand is present on-site and topsoil would only retard growth of natives designed to flourish in sandy bottom areas.

Task 2- Ripping of earth to reduce compaction and encourage revegetation.

Area 1 – River Access Soil Preparation
Area of work – 2,400 square feet.

A.Equipment & Labor	Quantity	$/Hour	# of Hours	Cost ($)
1. D-6 Dozer /Ripper with Operator * *Operator is job foreman	1	$125.00	.5	$62.00

There is no materials cost as this activity only involves machine disturbance of existing soils.

Area 2 – South Bank Soil Preparation
Area of work – 2,000 square feet.

A.Equipment & Labor	Quantity	$/Hour	# of Hours	Cost ($)
1. D-6 Dozer /Ripper with Operator* *Operator is job foreman	1	$125.00	.5	$62.00

There is no materials cost as this activity only involves machine disturbance of existing soils.

Area 3 – Upland Stockpile Soil Preparation
Area of work – 62,500 square feet.
Activity – Removal and disposal of Stockpiles, ripping to reduce compaction.

A.Equipment & Labor	Quantity	$/Hour	# of Hours	Cost ($)
1. D-6 Dozer /Ripper with Operator * *Operator is job foreman	1	$125.00	3	$375.00

There is no materials cost as this activity only involves machine disturbance of existing soils.

Total Cost for Recontouring / Ripping	**$624.00**

III. REVEGETATION/STABILIZATION

Task: Revegetation of three areas totaling approximately 66,900 square feet or 1.5 acres.

A. **Equipment** - List all equipment required to complete identified task.
Activity: Tractor to be used to scarify ground for seed planting and auger holes for container planting.

	Equipment Quantity	$/Hour/sample	# of Hours/samples	Cost
Tractor & Operator* *Operator is job foreman	1	$95.00/hr	3	$285.00
Soil Sampling *The Revegetation Specialist who is supervising the planting, will conduct the sampling included as a part of the estimate given below.	12 samples	$54.00/ per Sample	12 samples	$648.00
Soil Amendments	8	$18.90	30 lb bags	$151.20
Total Equipment Cost for this Task				$1,084.20

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

Labor Category	Quantity	$/Hour	# of Hours	Cost ($)
Supervision of Planting	1 revegetation specialist	$85.00	4	$340.00
Reseeding	1 laborer	$35.00	2	$70.00
Planting container plants	1 laborer	$35.00	3	$105.00
Installing wire baskets	2 laborers	$35.00	5	$350.00
Obtaining Willow Cuttings 50 red, 25 arroyo, 25 narrow leaf	1 laborer	$35.00	2	$70.00
Planting 100 Willow Cuttings	1 laborer	$35.00	2	$70.00
Total Labor Cost for this Task				$1,005.00

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

Item / Plant Species	**Unit of Measure**	**# of Units**	**$/Unit**	**Cost ($)**
Mugwort Seed	lb.	1	$90.00	$90.00
Wild Rye Seed	lb.	1	$13.00	$13.00
Black Cottonwoods	No. of 1 gal. plants	5	$3.09	$15.45
Coyote Brush Plants	No. of 1 gal. plants	25	$4.25	$106.00
Mule Fat Plants	No. of 1 gal. plants	25	$4.25	$106.00
Wire baskets for protection from animals	1 basket	55	$2.50	$137.50
Total Materials Cost				$467.95

Total Cost for Revegetation / Stabilization **$2,557.15**

* rounded to the nearest dollar

IV. MAINTENANCE AND MONITORING

Task	Duration	Number/Year	Hours	Labor	Unit Cost	Total Cost
1. Maintenance - weeding and replacement of failed plantings.	3 years	Six times per year	4 hours	1 laborer	$35.00	$2,520.00
2. Maintenance – irrigation	2 years	12 times per year (24 total)	2 hours	1 laborer	$35.00	1,680.00
3. Success Criteria Assessment	Year 1	8 assessments	2 hours	1 biologist	$100.	$1600.00
	Year 2	6 assessments	2 hours	1 biologist	$100.	$1,200.00
	Year 3	4 assessments	2 hours	1 biologist	$100 /hr.	$800.0
4. Annual Report	Year 1	1 annual report	4 hours	1 biologist	$1000 /hr.	$400.00
	Year 2	1 annual report	4 hours	1 biologist	$100 /hr.	$400.00
	Year 3	1 final project report	6 hours	1 biologist	$100 /hr.	$600.00
5. Equipment – Water Hose	1				$0.25/ foot	$250.00
Total Maintenance and Monitoring Costs						**$9,450.00**

V. SUPERVISION/PROFIT & OVERHEAD/CONTINGENCIES/MOBILIZATION

VII. SUMMARY OF COST

Preliminary Biological Survey	$500.00
Total of all Primary Reclamation Activities Costs	$624.00
Total of all Revegetation Costs	$2557.00
Total of all Maintenance and Monitoring Costs	$9,450.00
Total of Direct Costs	***13,131.00***
Supervision (7 %)	919.00
Profit/Overhead (15 %)	$1970.00
Contingencies (10%)	$1,313.00
Mobilization (5%)	657.00
Total of Indirect Costs	***$4,859.00***
Total of Direct and Indirect Costs	**17,990.00**
Lead Agency Administrative Cost* *10% - Determined by the Lead Agency	$1,799.00
Total Estimated Cost of Reclamation	**$19,789.00**

Lompoc Community Bank

September 20, 2010

City of Lompoc
Stacy Lawson
Environmental Coordinator
100 Civic Center Plaza
P O Box 8001
Lompoc, Ca 93438

Department of Conservation
Office of Mine Reclamation
801 K Street, MS 09-06
Sacramento, CA 95814

RE: Certificate of Deposit No. 2030734
CA Mine ID # 91-42-0026
V & J

Dear Sir and Madam,

Lompoc Community Bank, a division of Community Bank of Santa Maria has issued this *Certificate of Deposit No.* 2030734(copy enclosed) for V & J Mine in the amount of *$20,000.00* to serve as a financial assurance mechanism for *the VJ Mine (California Mine ID # 91-42-0026). Certificate of Deposit No.* 2030734 will be automatically renewed annually on the date of issuance unless it is determined, pursuant to the terms of the California Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., that the financial assurance should be adjusted. Should this occur, *V & J Mine* will be required to make the necessary adjustment and submit a new certificate of deposit. *Certificate of Deposit No.* 2030734 bears on its face a notation evidencing automatic renewal and irrevocably assigns both the City of Lompoc and the Department of Conservation as payees. Interest earned on this CD will be paid directly to V & J Rock Transport, Inc.

The Lompoc Community Bank shall be authorized to encash the CD at any time at the request of the *Authorized Agent for the City of Lompoc* and the Authorized Agent for the Department of Conservation, and to deliver such funds to the *City of Lompoc* and the Department of Conservation upon written certification from the *Authorized Agent for the City of Lompoc* and the Authorized Agent for the Department of Conservation that the *V & J Mine* has failed to perform any applicable reclamation requirements at the *V & J* Mine, pursuant to the approved Reclamation Plan, DR00-18 / ER 0004 issued on May

13,2002, and relating to mining activities on Assessor's Parcel No. 93-040-20 and 93-450-12.

Encashment of *Certificate of Deposit No.*2030734 by the *City of Lompoc* and the Department of Conservation is predicated upon the *City of Lompoc* or the State Mining and Geology Board following the noticing and hearing procedures set forth in SMARA Section 2773.1, and upon its written certification that such procedures have been followed.

The Lompoc Community Bank shall be authorized to encash *Certificate of Deposit No.* 2030734 at the instance and request of *V & J Rock Transport, Inc.*, and to deliver such funds to *V & J Rock Transport, Inc.*, only upon receipt of a written release from the *Authorized Agent for the City of Lompoc* and the authorized Agent for the Department of Conservation relinquishing their claim to the *Certificate of Deposit No.* 2030734.

ASSIGNOR OF CERTIFICATE OF DEPOSIT

V & J Mine
Californian Mine Ed # 91-42-0026

Signature of Assignor's Authorized Agent

Linda Donelson

Printed Name of Assignors' Authorized Agent

CFO

Title

1655 North V Street
P O Box 429
Lompoc, Ca 93438

Assignor's Mailing Address

September 20, 2010
Date

ISSUER OF CERTFICIATE OF DEPOSIT

Lompoc Community Bank

Signature of Authorized Agent

Raymond F. Down

Printed Name of Authorized Agent

President

Title

705 West Central Ave.
Lompoc, Ca 93436

Issuer's Mailing Address

September 20, 2010
Date

MINING RECLAMATION PLAN REVIEW APPLICATION

PLEASE REFER TO APPLICATION CHECK LIST TO DETERMINE APPLICATION COMPLETENESS

All documentation shall be submitted at one time.

A reclamation plan shall be applicable to a specific piece of property or properties, shall be based upon the character of the surrounding area and such characteristics of the property, as type of overburden, soil stability, topography, geology, climate, stream characteristics, and principal mineral commodities and shall establish site specific criteria for evaluating compliance with the approved reclamation plan, including topography, revegetation and sediment, and erosion control details and standards.

MINE NAME V AND J SAND MINE

MINE LOCATION The mine is in the City of Lompoc, California. The site is north and west of the Lompoc Airport.

CALIFORNIA MINE IDENTIFICATION NUMBER 91-42-0026

RECEIVED
NOV 19 2001
CITY OF LOMPOC
PARTMENT OF COMMUNITY SERVICES

APPLICANT INFORMATION

Name V & J Rock Transport, Inc.
Address P.O. Box 429, Lompoc, CA 93438
Daytime Telephone (805) 736-2317 Fax (805) 736-7725
E-mail Address

Name
Address
Daytime Telephone Fax
E-mail Address

PROPERTY OWNER/INTEREST INFORMATION (Please attach additional sheets, as necessary.)

Name(s) City of Lompoc
Address(es) 100 Civic Center Plaza, P.O. Box 8001, Lompoc, CA 93438-8001
Daytime Phone(s) (805) 875-8247 Fax(es) (805) 736-5688
E-mail Address a_pelster@ci.lompoc.ca.us

Name(s)
Address(es)
Daytime Phone(s) Fax(es)
E-mail Address

Name(s)
Address(es)
Daytime Phone(s) Fax(es)
E-mail Address

SITE INFORMATION

Site Address(es) / Location(s) No site address. North and west of the Lompoc Airport.

Assessor's Parcel No.(s) 093-040-20 and 093-450-12

General Plan Designation Community Facility and Open Space

Zoning District Open Space, Public Facility, Airport Clear Zone Overlay.

Site Address(es) / Location(s) No street address. Property is north and west of the Lompoc Airport.

Assessor's Parcel No.(s) 93-04-20 and 93-450-12

General Plan Designation 93-040-20 is Community Facility. 93-450-12 is Community Facility and Open Space.

Zoning District 93-040-20 is zoned Public Facility & Open Space with an Airport Clear Zone overlay.
93-450-12 is zoned Public Facility and Open Space with the Airport Clear Zone overlay in the western corner.

PROJECT DESCRIPTION - (Please use separate sheet to provide sufficient detail to give a "word picture" of the proposal). Details should include a description of all phases of reclamation and specifics regarding the type, manner and location of reclamation activity. The description should include the expected timing of reclamation activity.
Description of Project is in Appendix "A" of the Reclamation Plan.

INTERIM MANAGEMENT PLAN - (IMP) If the mining operation is to be idle for 60 days or more, a IMP shall be submitted. Not required since site does not meet criteria as "idle" per State Surface Mining and Reclamation Act or City Ordinance No. 1447 (99)

FINANCIAL ASSURANCES - A Reclamation Cost Estimate Worksheet for Determining Financial Assurances shall be submitted, along with financial assurances acceptable to the Planning Division, once the Reclamation Cost Estimate has been approved by the Planning Division and the State Mining and Geology Board.

PROPERTY OWNER'S CONSENT

I (We) consent to the submission of this application. Signatures of all owners of record holding title to the property are provided below.

Owner of Record	Date	APNs of Property Owned
_____	_____	93-04-20 and 93-45-12
Owner of Record	Date	APNs of Property Owned
_____	_____	_____
Owner of Record	Date	APNs of Property Owned
_____	_____	_____

APPLICANT'S VERIFICATION

I (We) hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct. I (We) agree to pay all deposits, fees, and installments in accordance with the Master Fee Schedule (Resolution No. 4084(91), the Payment Policies issued by the Management Services / Finance Director, and upon presentation of the City's invoice. I (We) understand the $500.00 deposit will be applied by the City to the balance on the closing statement and any excess deposit will be refunded.

SIGNATURES

Steve Johnson 11-19-01

Applicant Date

Property Owner Date

Property Owner Date

Property Owner Date

PAGE TO BE PROVIDED BY THE CITY OF LOMPOC

MINING RECLAMATION PLAN REVIEW APPLICATION CHECKLIST

A deposit of $500. 00 is required in order to initiate application processing. You will be billed for additional time.
Deposit Paid $ _____ *Acct.* _____ ***(Mining Reclamation Plan)*** *5/00*
Distribution. Planning, Environmental, Treasurer, Applicant, Property Owners.

MINING RECLAMATION PLAN REVIEW APPLICATION CHECKLIST
(Please attach additional sheets to address each item in detail)
Applicant (Individual or entity which owns, leases, or otherwise controls or operates on all, or any portion of any mined lands, and who plans to conduct surface mining operations on the lands).

Applicant: V & J Rock Transport, Inc.

Name of surface mining operator: V & J Sand Mine

Address of surface mining operator: P.O. Box 429, Lompoc, CA 93438

Phone & Fax: (805) 875-8247 (805) 736-5688 (fax)

Name of agents designated by surface mining operator for service of process:

Agent Name: Keith Hamblin

Agent Process: The Land Designers, 1244 California Street, Redding, CA 96001

Agent Phone & Fax: (530) 244-0506 (530) 245-0357 (fax)

Lead Agency: City of Lompoc

Staff Contacts: Stacy Lawson, Environmental Coordinator and Arleen Pelster, City Planner

Telephone Numbers: (805) 875-8275 and (805) 875-8274

Mailing Address: P. 0. Box 8001, Lompoc, CA 93438-8001

Conditional Use Permit Number (if applicable): Vested Operation

Date permit to operate was approved and/or amended: N/A

Agencies issuing original approval and any amendments: N/A

Permit Expiration date: N/A:

Assessor Parcel Numbers, size and legal description of each property affected by the mining operation. Please include ownership information for each affected property (surface and mineral interests) and provide evidence of the basis for right to mine each property. Provide evidence that all owners of a

possessory interest in the land have been notified of the proposed use or potential uses. The mine is located on assessor's parcels numbers 093-040-20 and 093-450-12. The total acreage of the property is 99 acres. The acreage within the reclamation plan is 24.12 acres. The legal description of the parcels is found in document No. 91-052489, Official Records, Santa Barbara County, dated July 16, 1991. The City of Lompoc is the owner of the subject property and has been notified of the operator of the mining operation.

Quantity and type of materials mined: Sand and gravel is mined. Average annual production is 60,000 cubic yards.

Mined mineral commodities: Sand and gravel.

Estimated annual production: Average annual production is 60,000 cubic yards.

Total number of acres disturbed by surface mining operation: The total acreage disturbed by the operation is 15.57 acres. This is broken down into 13.32 acres of extraction acreage, 0.82 acres for the haul road, and 1.43 acres for the upland stockpile area.
A portion of the haul road will be relocated at a future date when the Lompoc Airport runway is extended. The total acreage disturbed by the new haul road route is 1.42 acres.

Total number of acres to be reclaimed: The 13.32 acres in the extraction area, 0.25 acres of haul road and 1.43 acres of upland stockpile area will be reclaimed.

Maximum anticipated depth of mining during whole of operation's life: 6 Feet 46 Elevation msl (Mean Sea Level). The mine is a bar skimming operation and the amount of sand and gravel removed is dependent upon the yearly recruitment of material deposited at the site. The extraction depth does not go below the thalweg of the river. The average depth of extraction is 3 feet. For additional information refer to the Description of Project in Appendix "A". The maximum extraction depth could go to 6 feet if there happened to be a high sand bar in the extraction area. Based on the 42 years of operation a 6-foot depth is a rare occurrence.

Start-up date of mining operation: 1958

Proposed termination date of surface mining operation: The termination date is December 31, 2031. The mining operation will cease at that date unless the applicant applies to extend the reclamation plan beyond that time period.

Is this operation a lift and carry operation or is it a low flow channel created by moving sand? Please detail the method of operation. Extraction of material is accomplished by bar skimming. Bar skimming removes material from sand bars in the riverbed that have accumulated from the previous winter. The bar skimming operation does not go below the thalweg of the river. The method of extraction is quite simple. A bulldozer pushes material from the sandbars into piles. A loader then moves the aggregate from the piles to a dump truck. The dump truck then transports the material off site. The extraction area is sloped so there is positive drainage to a single low flow channel. The low flow channel will only be created on assessors parcel 093-450-12 and as close to the northern property line as is possible.

Describe the environmental setting of the mine site, including the following: provide a general description of vegetation and a list of plants currently found on the site that may be suitable for reclamation. The environmental setting of the mine site is described in the attached Biological Resources Report. The four main vegetation types/wildlife habitats occurring onsite are summarized below and described in more detail in Section 4.1 of the Biological Resources Report. A list of plants identified onsite comprise Table 1 of the attached report. Also attached to this application is the Revegetation Plan (See Appendix B) for the mine site. Table 1 of the revegetation plan includes the plant species proposed for use in revegetation.

Sandy Wash

Other than the active low flow channel and side channels, most of the rest of the riverbed between the south bank and the middle of the river (northernmost extent of the study area) is sandy wash habitat that is vegetated to different degrees. The width of this habitat varies from approximately 180 to 300 feet. The vegetation in this portion of the riverbed is primarily early successional herbaceous, with small pockets of willow scrub. The latter occurs at the edges of a few side channels and at locations along the low flow channel. The herbaceous vegetation will be described in this section. Willow scrub habitat is described below.

The herbaceous vegetation in the sandy wash habitat is influenced by periodic high rainfall years. High river flows during those years scour the sandy wash, setting back succession to a nearly unvegetated state. The dominant plant species in the sandy wash are white sweet-clover (Melilotus albus), yellow sweet-clover *(Melilotus indicus)*, cocklebur (Xanthium strumarium), rabbitsfoot grass *(Polypogon monspeftensis)*, brome grasses *(Bromus* spp.), curley dock *(Rumex crispus)*, and giant creek nettle *(Urtica dioica ssp. holosericea)*.

Willow Scrub

This vegetation type occurs in pockets in the riverbed. In addition, it is mixed with riparian woodland on the south bank of the Santa Ynez River. The dominant shrub species are narrowleaf willow (Salix exigua), arroyo willow (Salix lasiolepis), and mule fat (Baccharis salicifolia). At the outer margins of this vegetation type, other species adapted to drier areas are found such as coyote brush *(Baccharis pilularis* var. *consanguinea)* and tree tobacco *(Nicotiana glauca)*. Understory species include species such as giant creek nettle and mugwort *(Artemisia douglasiana)*.

Riparian Woodland

This vegetation type occurs on the south bank of the Santa Ynez River. The plant species composition is similar as that found in willow scrub, but with a tree component added. The most frequently occurring tree is red willow (Salix laevigata), with scattered black cottonwood *(Populus trichocarpa)* and box elder *(Acer negundo)*.

Ruderal

The access road into the riverbed represents ruderal habitat. These are mostly unvegetated areas. The edges of the road are also considered to be ruderal habitat; these areas are dominated by non-native plants, such as milk thistle (*Silybum marinarum*), tree tobacco, mustard (*Brassica* spp.), and wild radish (*Raphanus* sativa).

Describe the type of mining used or to be used (e.g. quarry/truck and shovel operation, lift and carry). The mining procedure involves a bulldozer pushing sand and gravel from the sandbars into a pile. A loader then moves the aggregate from the pile to a dump truck. The dump truck transports the material off site

Is the Operation 1. Continuous? 2. Seasonal? or 3. Intermittent? Bar skimming is essentially a seasonal operation which occurs 5-7 months each year after river flows diminish. However, depending on hydrologic conditions, operations sometime occur during the rainy season when flows are present. No operations are conducted within 20 feet of flowing water. During certain years, a water rights release from Bradbury Dam is made during the dry season. This causes water to flow in the low flow channel down the river and across the site. V and J cooperates with the Santa Ynez River Water Conservation District to facilitate both groundwater recharge and continued bar skimming operations.

If the operation is seasonal or intermittent, and it will be inactive for a period of 60 days or more, an Interim Management Plan must be submitted for review and approval. The Interim Management Plan functions as an amendment to the Reclamation Plan. Application forms for the Interim Management Plan are available from the Planning Division.
An Interim Management Plan is not required since the mining site does not meet the definition of an "idle" mining operation as defined in Section 2727.1 of the Surface Mining and Reclamation Act of 1975.

Will/does processing of ore or minerals occur on or adjacent to the mining site? If yes, describe the nature of the processing and explain disposal method of the tailings or waste from processing. There is no processing of minerals on the mining site. 75% of the sand removed from the river is hauled directly by truck to a job site. The other 25% is transported to the V & J Transport yard on "V" Street or to the upland stockpile area. This material that is taken to the V & J transport yard is either stockpiled for future use or screened and then sold. The V & J Transport yard is on the west side of "V" Street where the street terminates and becomes the haul road for the mining operation. The V & J facility is 660 feet from the extraction area.

Is the mining operation conducted in a waterway? Yes (X) or No ( ) If yes, which waterway or waterways are affected by the proposed or existing mining operation? The extraction of material is from the streambed of the Santa Ynez River. Bar skimming is essentially a seasonal operation which occurs 5-7 months each year after rivers flows diminish. However, depending on hydrologic conditions, operations sometimes occur during the rainy season when flows are present. No operations are conducted within 20 feet of flowing water. During certain years, a water rights release from Bradbury Dam is made during the dry season. This causes water to flow in the low flow channel down the river and across the site. V and J cooperates with the Santa Ynez River Water Conservation District to facilitate both groundwater recharge and continued bar skimming operations.

RECLAMATION

1. Describe the proposed use or the potential uses of the mined lands and mining site, once mining ceases and reclamation is completed. The extraction area is shown as Open Space and Community Facility land uses on the City General Plan. The zoning at this locale is Open Space and Public Facility. One potential use of the extraction area is as a buffer for the airport. We foresee minor activity occurring in this location since there is noise and flights from the airport. This area will be left as streambed (open space).

The existing haul road, proposed haul road, and upland stockpile area are shown as Community Facility on the City General Plan. The City zoning shows these areas as Public Facility (PF) and Open space (OS). In addition, there is the Airport Clear Zone, at the end of the runways. The Airport Clear Zone is an overlay zone that is combined with the underlying (PF) and (OS) zoning districts. The Zoning Code defines "clear zone" as: *"Area at ground level that begins at the end of each runway clear zone and extends under the path of landing or departing air craft as defined in Federal Aviation Regulations"*. There is a height limitation for structures, building or vegetation in the clear zone. These items cannot exceed a height of 15 above the elevation of the airport take-off and landing area which has been established at 88.04 feet above mean sea level.

The Lompoc Airport Master Plan (Dated March 10, 1998) shows on their Airport Layout Plan a future runway extension covering part of the existing haul road with fill. For this reason a new haul road is proposed that avoids the runway extension and fill area.

The future uses of the haul roads and upland stockpile area are as undeveloped land and as a clear area for airline landings and takeoffs.

2. Provide a time schedule for the reclamation of each area disturbed by mining. If applicable, indicate reclamation phases on your site map. The beginning and ending dates for each phase shall be identified, as well as all reclamation activities to be undertaken in each phase and the estimated costs for each phase of the reclamation. The City of Lompoc will eliminate a portion of the existing haul road when the airport runway is lengthened. There is presently no set date for the expansion project but engineering drawings are being prepared. The haul road under the airport runway will need to be scarified and compacted during runway construction. The City will be constructing the new access road from V Street around the flight clearance zone. This road will be used by the airport and V & J transport.

Reclamation of the sand mine will begin on January 1, 2031 and end by December 31, 2031. The extraction area will be graded to eliminate any bumps or depressions. Final grading will slope the site so there is positive drainage to a single low flow channel. The haul road down the riverbank and the upland stockpile area will be rehabilitated per the Revegetation Plan prepared by Garcia and Associates (see Appendix B).

The cost of reclamation is $ 14,540.00. The financial assurance for the reclamation will be in the form of a trust fund.

At the end of each extraction season there are interim reclamation measures taken. The extraction area is graded to remove any bumps or depressions. The grading of the extraction area slopes the site so there is positive drainage to a single low flow channel. The gate at the end of "V' Street is locked to deny entry

to the area. The haul road and stockpile area is checked periodically so any erosion can be detected and mitigated. Gravel armoring is applied to any road or storage area surface that is eroding.

3. Describe the manner in which reclamation, adequate for the proposed use or potential uses, will be accomplished, including:

A) The manner in which contaminants will be controlled and mining, waste will be disposed of (e.g. fuel storage). Note: If cyanide is used for on-site processing, PRC Section 21151.7 requires the preparation of an environmental impact report under the California Environmental Quality Act. There is no processing and no mine waste is produced. There is no fueling or maintenance of any equipment in the Reclamation Plan area. All these activities occur off site at the V&J Transport property. None of the equipment is left in the streambed area. At the end of the workday all equipment is kept at the V & J Transport yard on "V" Street in Lompoc. All equipment is regularly inspected and any problems fixed. Potential dust from the extraction area and haul road is controlled by use of a water truck. Erosion and sediment are controlled by the following measures. The haul road is gated and locked when the site is not in use and yearly interim reclamation measures of grading the extraction area implemented. V & J employs good housekeeping measures such as refuse removal, winter inspection of the site, and clean up of any oil leaks from equipment.

B) The manner in which affected streambed channels and stream banks will be rehabilitated to a condition which minimizes erosion and sedimentation. Streambed channels are rehabilitated to reduce erosion by the following measures. At the time of final reclamation the area will then be graded to remove any bumps or depressions. The grading will slope the site so there is positive drainage to a single low flow channel. Any trash, debris and equipment will be removed. There is no mining of the stream banks. A 20-foot buffer is between the extraction area and the streambanks. The only part of the stream bank that is disturbed by the operation is the haul road. Final reclamation involves demolition of the road up the stream bank and replanting with native vegetation. The road will be ripped and regraded to match the slope of the existing stream bank as close as possible. The Revegetation Plan prepared by Garcia and Associates for this project describes in detail how this location will be rehabilitated. The Revegetation Plan is found in Appendix B of the Reclamation Plan.

There are interim reclamation measures that are applied to both of these locations. These interim measures have been described previously in this plan.

C. By restoring the land or resources, such as water bodies, to be reclaimed to a condition that is compatible with, and blends in with, the surrounding natural environment, topography, and other resources, or that suitable off-site development will compensate for related disturbance to resource values.
The proposed final uses and Revegetation Plan (see Appendix B) will restore the site to a condition so it is compatible with and blends in with the area.

4, Describe the type of surface mining to be employed, and a time schedule that will provide for the completion of surface mining on each segment of the mined lands so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operations.

The mining is solely a bar skimming operation. The operation mines the same location each year so final reclamation of the extraction area cannot start until the operation ceases. Reclaiming the haul road cannot start until the operation ceases since there is only one route into and out of the mine. The upland stockpile area is used yearly.

5. How will the implementation of the proposed reclamation plan affect future mining in the area, or the area which has and/or will be mined? Reclamation will not affect future mining of the area. The proposed end uses allow the site to be mined at a future date.

6. Describe how the proposed reclamation of the mine site will affect public health and safety, giving consideration to the degree and type of existing and probable future public exposure to the site. The proposed reclamation will not have an adverse effect on public health and safety. Airport personnel can use the haul road to maintain airport facilities and patrol the area.

7. Please give a detailed description of reclamation activities to be undertaken. The reclamation activities involve three locations. These are the streambed, sand and gravel stockpile area, and the haul road going up the stream bank. At the time of final reclamation the streambed area will be graded to remove any bumps or depressions. The grading will slope the site so there is positive drainage to a single low flow channel. Any trash, debris and equipment will be removed.

Final reclamation involves demolition of the portion of the haul road going up the stream bank. The haul road will be ripped and graded so the new slope conforms to the surrounding topography. The former road will be replanted with native vegetation. The Revegetation Plan prepared by Garcia and Associates for this project describes in detail how this location will be rehabilitated. The Revegetation Plan is found in Appendix B of the Reclamation Plan.

The upland sand and gravel stockpile area will have all remaining stockpiles removed. Gravel in the traffic areas will also be removed. Any compacted soils will be disked and then the site will be revegetated. Revegetation involves soil testing and the planting of native grasses in the same manner as the haul road reclamation.

8. Will the end use preclude revegetation or the cultivation of disturbed lands? Yes ( ) or No (X) Areas disturbed by mining include the river wash portion of the channel, the haul road, and the upland stockpile area.. When the mine is no longer in use the portion of the haul road up the riverbank and the upland stockpile area will be revegetated with plant species similar to those that occur in the vicinity (see Revegetation Plan, Appendix B). Revegetation of the river wash area is not proposed. This area revegetates naturally and is kept in early stage successional herbaceous plants because it is subject to periodic scouring runoff flows during high precipitation years. The upland haul road will not be revegetated since the airport can use it.

9. Is revegetation consistent with the proposed end use? Yes (X) or No ( ) Please explain. The revegetation areas will be allowed to revert to a naturalized state. The river wash area in the channel will alternately revegetate naturally with pioneer plants, then become scoured during high precipitation years. The decommissioned portion of the haul road will revert back as part of the upper riparian vegetation area on the riverbank. If allowed to revegetate naturally it would likely go back to riparian habitat with the source plants being the adjacent areas. However, it is likely both native and weedy, naturalized plant species would establish. The attached Revegetation Plan describes an implementation plan for

accelerating the re-establishment of native species (Section2). Section 3 includes maintenance activities, including weeding, to preclude weedy species from becoming established. The haul roads demolition and blocking also prevents non-authorized vehicles from having access to the runways which is a safety issue. Revegetation of the upland stockpile area meets its objective as a portion of the clear zone at the end of the airport runways.

10. The reclamation plan shall include measures to mitigate any potential indirect or direct adverse physical impact on the environment which are consistent with planned or actual subsequent uses of the mining site. The measures previously proposed in this plan achieve this goal.

11. The reclamation plan shall show how rare, threatened or endangered species, as listed by the California Department of Fish and Game, or the U.S. Fish and Wildlife Service or species of Special Concern and their respective habitat, shall be conserved as prescribed by the federal Endangered Species Act of 1973 and the California Endangered Species Act. Describe situations in which avoidance cannot be achieved through the available alternatives, and described mitigation proposed to reduce impacts below the level of significance. The attached Biological Resources Report describes the following: (a) the known and potential occurrences of sensitive species (which includes state- and federal-listed species, as well as Species of Special Concern) in Section 4.2; (b) potential impacts to sensitive species caused by those activities than cannot completely avoid such species (Section5); and (c) recommended mitigation measures to reduce the likelihood and magnitude of the potential impacts to sensitive species (Section 6). Note that specific mitigation measures were considered necessary only for the southern steelhead. These measures have been incorporated in this plan.

12. Provide details regarding the condition of wildlife habitat, prior to disturbance by the mining operation and describe how wildlife habitat will be established through reclamation, which is at least as good as that which existed before the beginning of mining operations. The attached Biological Resources Report describes vegetation types/wildlife habitats at and in the vicinity of the reclamation site (Section 4.1). The actual site to be reclaimed was not surveyed prior to first usage in the 1950s. However, it can be assumed that it was similar to the adjacent areas described in the report. The attached Revegetation Plan explains the implementation and monitoring of the reclamation site. The best method of re-establishing wildlife habitat is to focus on re-creating good quality vegetation types that are representative of undisturbed vegetation in the vicinity. The revegetated area will be monitored for 3 years to evaluate whether the site is recovering to a condition similar to adjacent areas. Re-establishment of similar vegetation types will provide habitats that attract wildlife that likely used the area prior to mining use.

13. A determination of the limits of any wetland habitat shall be submitted, and any impact to wetlands shall be mitigated at a minimum of a one to one ratio for wetland habitat acreage and wetland habitat value. No wetland habitat is present in the project area.

14. Where pavement is to be located in development of the end use (airport runway extension), any fill material shall be compacted in accordance with Section 7010 Chapter 70 of the Uniform Building Code, published by the International Conference of Building Officials (199 1), the local grading ordinance, or other methods approved by the lead agency as appropriate for the approved end use. If there is pavement it is assumed the City will adhere to the appropriate requirements.

15. If backfilling is required for resource conservation purposes, fill material shall be backfilled to the standards required for the planned resource conservation use. The operator is in agreement with this statement (See Revegetation Plan).

16. Mining waste shall be stockpiled so as to facilitate phased reclamation. It shall be segregated from topsoil and topsoil substitutes or growth media salvaged for use in reclamation. There is no mining waste from the operation. All extracted material is exported.

17. All final reclaimed slopes shall not exceed 2: 1, except when site-specific geologic and engineering analysis demonstrates that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the proposed end use, and when the proposed final slope can be successfully revegetated. All fill slopes at closure shall conform to the surrounding topography and /or approved end use. Final reclamation slopes do not exceed 2:1 anywhere in the Reclamation Plan. The steepest slope will be 5:1. This location is for the reclaimed haul road up the stream bank. The final slope at this location will match the non-disturbed streambank slope which is 5:1.

18. Permanent placement of piles or dumps of mining waste and overburden shall not occur within wetlands, unless mitigation acceptable to the lead agency has been proposed to offset wetland impacts and/or losses. There is no mining waste overburden so this is not relevant.

19. All equipment supplies and other materials shall be stored in designated areas (as shown on the approved reclamation plan). All waste shall be disposed of in accordance with state and local health safety ordinances. No equipment, supplies, or other materials are stored in the Reclamation Plan area. These items are kept at the V & J Transport facility on "V" Street. As mentioned previously all equipment is kept at V & J Transport at night. Employees use the restrooms at V & J Transport and any trash or refuse is hauled to this locale for disposal.

20. Please identify disposition of all equipment. Buildings, structures, and equipment shall be dismantled and removed prior to final mine closure. There are no buildings or structures used in the mining operation. Equipment consists of a dozer, dump truck and water truck which will be removed prior to final mine closure.

21. Surface and groundwater shall be protected from siltation and pollutants which may diminish water quality as required by the Federal Clean Water Act, the Porter-Cologne Act, the Regional Water Quality Control Board or the State Regional Water Resources Control Board. This requirement is met. There is no fueling or maintenance in the reclamation plan area. The operator maintains his equipment to minimize oil leaks and immediately repairs any leaks of equipment if detected. All equipment is stored off site at the V & J Transport yard. Good housekeeping measures such as trash pick up are enforced. The site is closed during the winter months and non-extraction times. The haul road gate is locked during these periods to deny vehicle entry. Equipment is not operated in the active channel or near flowing water. Interim reclamation measures are implemented at the end of the extraction season. These include grading the extraction area to eliminate any bumps or depressions and sloping the site so there is positive drainage to a single low flow channel. The haul road and upland stockpile area is checked periodically in the winter season to detect and mitigate erosion. Any locations showing erosion have gravel armoring placed on them.

22. In-stream surface mining operations shall be conducted in compliance with Section 1600 et seq. of the California Fish and Game Code, Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. The applicant will meet the requirements of the various agencies. The 1603 permit issued for the operation by the Department of Fish and Game is in the process of being renewed. A 404 permit has been applied for. The only portion of the Santa Ynez River subject to Section 10 of the Rivers and Harbors Act of 1899 is the area under tidal influences. Since this portion of the river is not subject to tidal influence it is not subject to this act.

23. Extraction of sand and gravel from river channels shall be regulated to control channel degradation in order to prevent undermining of bridge supports, exposure of pipelines or other structures buried within the channel, loss of spawning habitat, lowering of ground water levels, destruction of riparian vegetation, and increased stream bank erosion (exceptions may be specified in the approved reclamation plan). Changes in channel elevations and bank erosion shall be evaluated annually using records of annual extraction quantities and benchmarked annual cross sections and/or sequential aerial photographs to determine appropriate extraction locations and rates.

This site has been mined by bar skimming for the last 42 years. The operation does not go below the thalweg of the river and the amount of extraction is limited to the winter recruitment of material. There are no visible indications at the site that there is channel degradation or other possible impacts listed. There is only one other SMARA approved gravel operation on the Santa Ynez River. This mining operation is 24 miles upstream of the V & J Sand Mine. This gives V & J Sand a 224 square mile drainage shed to recruit sand and gravel from between the two operations. Based on the physical evidence and lack of other mining operations the project does not have the possible impacts.

There are no pipeline crossings within one mile upstream of the operation. The H Street Bridge is 3,800 feet upstream. There is no evidence that this bar skimming operation, which only removes excess sand accumulated each year, has affected deposition rates near the H Street Bridge. The Santa Ynez Water Conservation District has determined that this operation does not affect groundwater levels or impair its recharge operations [1].

Bar skimming does not affect river flow in winter or spring and has no effect on potential migratory movement of steelhead. There is no steelhead spawning or rearing habitat on the site.

The 20-foot buffer between the riverbank and extraction area prevents any destruction of riparian vegetation and bank erosion.

A benchmark will be established in the reclamation plan area. The location of the benchmark is shown on the Reclamation Plan map. The operator will have yearly cross sections taken of the extraction area to determine the quantities of material to be removed.

24. In accordance with requirements of the California Fish and Game Code, Section 1500 et seq., in-stream mining activities shall not cause fish to become entrapped in pools or in off-channel pits, nor shall they restrict spawning or migratory activities. The mining practices employed achieve these goals and have been described in this plan.

[1] Pers Comm Bruce Wales SYWCD.

25. Estimate the quantity and quality in gallons per day of water required for the proposed reclamation operation. Specify the proposed sources of this water, or method of its conveyance to this property and the quality and quantity and method of disposal of used and/or surplus water. Water could be used in two locations during the reclamation operation. The first area is the streambed. Water will be applied if there is grading during the dry season and there is the potential for fugitive dust. A water truck would be used in this instance. The other location is the portion of the haul road that will be reclaimed and revegetated. Irrigation would be provided the first dry season the vegetation is planted. Water could be delivered by a temporary irrigation system or by a temporary hose from a water truck or off site water source. The estimated number of gallons used per day is 3,600. The water could be recycled water from the Lompoc sewage treatment plant which is near the site.

26. Describe any changes in current, or the course or direction of water movement which will take place as a result of the reclamation plan. Provide information and substantiation, including a hydrology study, to show that these changes will not result in an adverse environmental effect, and that the rate or flow of groundwater's direction will not be altered and that groundwater quality will not be impacted. Please provide evidence that the amount of groundwater available for public water and downstream users will not be reduced by the implementation of the Reclamation Plan. Please refer to the U.S Geological Survey report "Evaluation of Ground-water Flow and Solute Transport in the Lompoc Area, Santa Barbara County , California"(Water-Resources Investigations Report 97-4056) for the characteristics of ground-water in the Lompoc Plain. Implementation of the reclamation plan will not have any adverse impacts on either the surface or subsurface movement of or its quality. There are three activity areas that could impact surface and subsurface groundwater. These are the extraction area, haul road, and upland stockpile area.

The extraction area is in the streambed of the Santa Ynez River. Final reclamation leaves this location the same as it was before mining, a streambed composed of sand and gravel. The streambed is composed of river channel deposits which are a permeable unconsolidated material. One of the primary sources of recharge to subsurface groundwater is seepage loss from the Santa Ynez River.[2] Reclamation will not change subsurface recharge since the finished ground surface will still be sand and gravel. There are no impermeable surfaces placed at this location that influence the course of the river or block the movement of subsurface water.

The other sites are the haul road and upland stockpile area. The road surface and stockpile ground are compacted so there is a greater runoff coefficient from this surface than undisturbed terrain. This impact is negligible since runoff from the road and stockpile area is sheet flow and is absorbed by the surrounding vegetated terrain. The soils under and surrounding the haul road and stockpile area are excessively drained loamy soils with rapid permeability.[3] Due to this permeability there is minimal change in runoff to either surface waters or to subsurface waters. Final reclamation of the stockpile area involves ripping and revegetating this site. This work basically brings the stockpile area back to hydrologic conditions that existing previous to its use. The only location there is concentrated runoff is where the haul road goes down the side of the stream bank. Runoff could follow the road and increase sediment in the streambed area. Final reclamation eliminates this impact since this location will be reclaimed back to stream bank. This area will be ripped, recontoured and revegetated.

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[2] Page 10 " Evaluation of Ground-Water Flow and Solute Transport in the Lompoc Area, Santa Barbara County, California. USGS. Water-Resources Investigations Report 97-4056

[3] Page 51 Soil Survey of Northern Santa Barbara Area, California. July 1972.

27. Provide documentation showing that endangered, threatened or rare species (species of concern) or their habitats (including but not limited to plants, fish, insects, animals and birds) will not be impacted by reclamation activity. Document the potential impacts of the reclamation plan on riparian habitat and on wildlife dispersal or migration corridors. Garcia and Associates have prepared a "Biological Resources Report" for the V & J Sand Mine which addresses these issues. Currently, the only endangered, threatened, or rare species (species of concern) likely to occur in the reclamation area is the southern steelhead. The river channel provides a migration corridor for this species, but does not provide spawning or rearing habitat. As described previously, an open channel in the river will be maintained, allowing steelhead to migrate upstream and downstream when there is sufficient surface flow of water. Revegetation of the haul road will assist in the re-establishment of riparian habitat. Such habitat re-establishment will not negatively impact any endangered, threatened, or rare wildlife, but could have positive benefits for some, such as least Bell's vireo and southwestern willow flycatcher. Currently, these two species are not expected to occur onsite except as infrequent visitors during migration. However, both have been known to nest elsewhere along the Santa Ynez River where the riparian vegetation is better developed. Revegetation efforts such as this one proposed at the V & J Sand Mine may assist in expanding the distribution of suitable habitat for least Bell's vireos and willow flycatchers.

28. Provide information showing where refueling and maintenance of vehicles during reclamation activities will occur and identify spill prevention and clean-up procedures to be implemented. There will be no refueling or maintenance of vehicles in the reclamation plan area. These activities occur at the V & J Transport property, a gas station or repair shop. Any spills are from leakage or rupture of hoses on the equipment doing the reclamation work. Any contaminated soil is immediately picked up and stored in an impermeable container until a certified hazardous waste hauler picks it up.

TOPSOIL SALVAGE, MAINTENANCE AND REDISTRIBUTION

1. All salvageable topsoil suitable for revegetation shall be removed as a separate layer from areas to be disturbed by mining operations. Topsoil resources shall be mapped, prior to stripping and the location of topsoil stockpiles shall be shown on a map in the reclamation plan. If the amount of topsoil needed to cover all surfaces to be revegetated is not available on-site, other suitable material capable of sustaining vegetation (such as subsoil) shall be removed as a separate layer for use as a suitable growth media. Topsoil and suitable growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation. There is no topsoil salvage. The extraction area does not contain topsoil since it is riverbed. Access roads are existing or will be created by the City of Lompoc with their airport expansion. The upland stockpile area is in use and no new stockpile areas are proposed.

2. Soil salvage operations and phases of reclamation shall be carried out in accordance with a schedule that is set forth in the approved reclamation plan and minimizes the area of disturbance. The schedule shall be designed to achieve maximum revegetation success allowable under the mining plan. There is no topsoil salvage. See #1 above.

3. Topsoil and suitable growth media shall be redistributed in a manner that results in a stable, uniform thickness consistent with the approved end use, site configuration and drainage patterns. The Revegetation Plan in Appendix B of the Reclamation Plan assures the above criteria are met.

4.Topsoil and suitable growth media shall be used to phase reclamation as soon as can be accomplished by the mining schedule presented in the approved reclamation plan following the mining of an area. Topsoil and suitable growth media that cannot be utilized immediately for reclamation shall be stockpiled in an areas where it will not be disturbed until needed for reclamation. Topsoil and suitable growth media stockpiles shall be clearly identified to distinguish them from mine waste dumps. Topsoil and suitable growth media stockpiles shall be planted with a vegetative cover or shall be protected by other equally effective measures to prevent water and wind erosion and to discourage weeds. Relocation of topsoil or suitable growth media stockpiles for a purpose other than reclamation shall require prior written approval of the City of Lompoc. There is no topsoil salvage.

5. Provide information on the designed steepness and proposed treatment of the mined lands' final slopes, taking into consideration the physical properties of the slope material, its probable maximum water content, landscaping requirements, and other factors. In all cases, reclamation plans shall specify slope angles flatter than the critical gradient for the type of material involved. Special emphasis on slope stability and design shall be necessary when public safety or adjacent property may be affected. The final slopes for the various areas are as follows. The extraction area will have a slope of 2% or less. The haul road up the side of the stream bank will be reclaimed to match the existing slope of the bank. The undisturbed slope is 5:1. The haul road has a slope of less than 4%. The upland stockpile area is less than 4% in slope.

TAILING AND MINE WASTE MANAGEMENT

1. Mine and waste tailings and mine waste disposal units shall be reclaimed in conformance with the mine waste disposal regulations in Article 7 of Chapter 15 of Title 23 of the California Code of Regulations. There are and will not be any in this operation.

2. Please identify any areas where vehicle fueling, major or minor maintenance took place, whether in the river bed, access area or on the V&J processing area. Please provide a Phase I evaluation of these areas and provide proof of remediation of residual contaminants identified. If there are any areas where known spills took place, please provide a description of the extent and type of the spill, as well as proof of remediation. The results of independent testing of these areas to ensure proper clean-up must be submitted.
This section is not relevant. The V & J Transport facility is not a part of this reclamation plan and not subject to reclamation requirements. As stated previously there is no fueling or maintenance in the reclamation plan area so there is no need for this evaluation. The area has had the same use (a bar skimming operation) for the last 42 years which makes a records search irrelevant.

PERFORMANCE STANDARDS FOR CLOSURE OF SURFACE OPENINGS

1. All drill holes, water wells, and monitoring wells shall be completed or abandoned in accordance with the applicable sections of the Water Code, any local ordinance adopted pursuant to the Water Code, the applicable Department of Water Resources report issued pursuant to Water Code Section 13800 and Subdivisions 1and 2 of section 2511(g) of Chapter 15 of Title 23 regarding discharge of waste to land. None present or proposed.

REQUIRED PLANS AND ATTACHMENTS

Please submit the following in a separate format, including written description, if required and plans.

SENSITIVE SPECIES AND HABITATS

1. Address the presence/absence of sensitive species, sensitive habitats, address species, habitats that are considered sensitive within the lead agency's jurisdiction (e.g. Oak Woodland, Pine Forest). Include any surveys for sensitive species or habitat conducted. Garcia and Associates have prepared a "Biological Resources Report, V & J Sand Mine" which addresses these items. This report is submitted with the Reclamation Plan.

REVEGETATION PLAN
The revegetation plan and narrative shall incorporate and address each of the following issues and items.

1. Revegetation shall be a part of the approved reclamation plan, but the following restrictions on height of vegetation shall be applied.

2. In the area which is identified as the runout area for the Lompoc Municipal Airport Runway Extension, which measures 100 feet wide and 300 feet long, only grasses shall be planted. In the area extending for 250 feet out from the runout area on each side, plants shall comply with the height restriction of 34: 1, which corresponds to the fact that the height of vegetation at 34 feet from the runout area can be I foot, and 68 feet from the runout area can be 2 feet, etc. No plants capable of tall growth form will be planted or seeded in that portion of the revegetation site closest to the runout area. See Reclamation Plan Map for location of the revegetation site.

3. Vegetation shall be sufficient to stabilize the surface against the effects of long term erosion and shall be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover and species richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of mining activities. However, for areas where baseline studies are not available, the use of data from adjacent reference areas in lieu of baseline site data is permissible. The revegetation plan includes a species mix that will control erosion. The species mix was proposed based on results of a biological resources study. The Biological Resources Report was submitted with the Reclamation Plan.

4. Where soils are compacted, ripping, discing or other means shall be used in areas to be revegetated to eliminate compaction and to establish a suitable root zone in preparation for planting. Addressed in Appendix B which contains the "Revegetation Plan."

5. Prior to closure, all access roads, haul roads, and other traffic routes to be reclaimed shall be stripped of any remaining road base materials, prepared in accordance with subsection 3795(g), covered with suitable growth media or topsoil, and revegetated. Addressed in Appendix B which contains the "Revegetation Plan."

6. Was road base or any chemical applied to the access roads to control dust during the life of the mining operation? If yes, a soil analysis to determine the presence or absence of elements essential for plant

growth and to determine those soluble elements that may be toxic to plants, if the soil has been chemically altered or if the growth media consists of other than the native topsoil. If soil analysis suggests that fertility levels or soil constituents are inadequate to successfully implement the revegetative program, fertilizer or other soil amendment may be incorporated into the soil. When native plant materials are used, preference shall be given to slow-release fertilizers, including mineral and organic materials that mimic natural source, and shall be added in amounts similar to those found in reference to soils under natural vegetation of the type being reclaimed. Water is the only dust palliative used. The revegetated area is a class III soil so no fertilization is anticipated. There is plentiful evidence from existing site vegetation that revegetation will be successful. The Revegetation Plan (Appendix B) proposes a mix of seed, plants, and cutting of species found in adjacent areas. The combination of revegetating with local species and the use of site-specific cutting will increase the likelihood of success of revegetation re-establishment.

7. Barriers shall be installed when necessary to prevent unauthorized vehicular traffic from interfering with the reclamation of temporary access routes. The anticipated people using roads in the reclamation area when revegetation is in progress are airport personnel and those monitoring the revegetation. The airport personnel can be informed not to disturb the revegetating area. The revegetation site will be protected from off-road vehicles (ORV). Traditional fencing such as post and rails or effective barriers such as large rocks will be employed. If the area is damaged by ORV use, the slope will be regraded to its original condition before the area was planted.

8. Native plant species shall be used for revegetation, except when introduced species are necessary to meet the end uses specified in the approved reclamation plan. Addressed in Appendix B which is the "Revegetation Plan." The revegetation plan proposes only native species. No introduced plant species will be used.

9. Planting shall be conducted during the most favorable period of the year for plant establishment. Planting will occur between mid-October to mid-November of 2031, unless a different time is approved by the City Planner or his/her designee. That will be followed by irrigation through the first dry season to maximize the success rate of the reseeding effort.

Soil stabilizing measures shall be used where necessary to control erosion and to allow successful plant establishment. Straw mulch will be applied at a rate of 2 tons per acre if there is evidence of soil erosion.

10. If irrigation is used, the operator shall demonstrate that the vegetation has been self sustaining without irrigation for a minimum of two years, prior to release of the financial assurances. Per the Revegetation Plan in Appendix B irrigation will only be used during the first dry season. The Revegetation Plan states the site will be monitored for three years or until success criteria in plan are met. Based on results of the revegetation monitoring, remedial actions will be implemented, if necessary.

11. Noxious weeds shall be managed when they threaten the success of the proposed revegetation, or to prevent their spreading into nearby areas, or to eliminate fire hazards. The operator is agreeable to this and it is included Appendix B "Revegetation Plan."

12. Protection measures such as fencing of revegetated areas and /or the placement of cages over individual plants shall be used in areas where grazing, trampling, herbivory or other causes threaten the success of the proposed revegetation. Fencing shall be maintained until revegetation efforts are

successfully completed. There will be no grazing of domesticated animals at this site since it is immediately adjacent the Lompoc Airport runways and would present a hazard to airplanes. Some container plants and cuttings could be damaged by grazing and herbivory of wildlife such as deer and rabbits. For that reason container plants and cuttings will be installed within grazing protection forms.

13. Revegetation Plan, including written description and plans and having the following components. A. Proposed Revegetation Plan. B. Proposed Revegetation Mix. C. Vegetation Success Rate. Addressed in Appendix B which contains the "Revegetation Plan."

These components shall include the following:

Density -Number of individual perennial plants rooted per 100 square feet Cover - Vertical projection of perennial plants onto ground expressed as % (e.g. if the sun was directly over a specified area, what percentage of that area would be shaded by the trees, plants, etc. Species - Unless non-native species, such as forage grasses or ornamentals will be used, specify at least four native species that occur on-site or in the vicinity of the project and they will be used for revegetation. Richness - Number of perennial species per 100 square feet.

Reclamation success will be judged on the following performance standard:

Productivity Baseline Performance Standard

Note: Performance standard should be based on productivity (e.g. bushels per acre, tons per acre). Will the mining operation be conducted on non-prime agricultural land, when the site's end use will not be agriculture? Yes [X] or No [ ]. Valid sampling techniques for measuring success shall be specified in the approved reclamation plan. Sample sizes must be sufficient to produce at least an 80 percent confidence level.

DRAINAGE, DIVERSION, STRUCTURES, WATERWAYS AND EROSION CONTROL

1, Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act, Water Code Section 13000, et. seq. and the Federal Clean Water Act, 33 U.S.C. Section 1251. The applicant is complying with these acts. There is no washing of material so Waste Discharge Requirements from the Regional Water Quality Control Board is not applicable. To ensure the quality of water on site and downstream are protected the operator removes temporary in-stream stockpiles before the winter season, provides a buffer area between stream side vegetation and the extraction area, gravel's the haul road down the stream bank, stores vehicles and equipment at the V&J yard when not in use, does not fuel on site, properly maintains equipment, and employs interim erosion control measures during the winter months. The interim erosion control measures taken are as follows. Grading the extraction area to remove any bumps or depressions. Grading the extraction area so there is positive drainage to a single low flow channel. Inspecting the haul road and maintaining the gravel surface. Locking the gate at the end of "V' Street denying unauthorized entry to the area. Locating sand and gravel stockpiles on flat ground and away from any drainage ditches. The stockpile area is inspected by the operator periodically during the winter season to determine if there is any erosion occurring to the piles or traffic areas. If there is erosion from the stockpiles, a silt fence or straw bale barrier will be employed to trap any

sediment. If there is sediment produced in the traffic area, a gravel surface will be applied to the area of erosion.

2. Show how the quality of water, recharge potential and storage capacity of ground water aquifers which are the source of water for domestic, agricultural, or other uses dependent on the water, will not be diminished with the implementation of the reclamation plan. The Reclamation Plan returns the site back to the state it was before mining occurred in the area. The extraction area will be a sand and gravel surface, which provides a permeable surface not hampering recharge potential. Final grading removes any mounds that could contribute sediment to the system.

The haul road up the stream bank and the upland stockpile area will be ripped, recontoured, and revegetated. All three of these procedures enhance permeability of the soil and filter sediment.

3.Stockpiles of overburden and minerals shall be managed to minimize erosion and sedimentation. An Erosion Control Plan shall be submitted showing how erosion and sedimentation will be controlled during all phases of the reclamation of the mining operation, to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board or the State Water Resources Control Board. In addition, this will be a consideration for the National Marine Fisheries Service in evaluating potential impacts to Steelhead and designated Critical Steelhead Habitat. There are no existing or proposed overburden stockpiles. There are stockpiles of sand and gravel stored on the upland area. Measures to control erosion and sedimentation have been described throughout this Reclamation Plan. The Erosion Control Plan for the site is as follows.

During the mining of the streambed area the following erosion control measures will be taken. The extraction area will have water applied to it if there is the potential of fugitive dust. A clearance distance of 20 feet will be maintained to eliminate the potential of equipment entering a live stream or accidentally moving material into flowing water.

At the end of each extraction season the following erosion control measures are taken in the streambed area. The extraction area will be graded to remove any bumps or depressions. Grading will slope the site so there is positive drainage to a single low flow channel. All temporary stockpiles will be removed. All vehicles and equipment will be kept out of the area.

The following erosion control measures will be implemented in the upland areas including the haul road and upland stockpiles. The gate at the end of "V' Street will be locked during the winter months when the mining area is not in operation. This will keep people from using the gravel haul roads during inclement weather except for authorized personnel. The haul road will also be locked during lull periods in the operation. The haul road will maintain a gravel surface to prevent erosion and reduce dust. The stockpile area and haul road will have water applied to them if there is the potential of fugitive dust. The operator will periodically check the haul road for erosion. Any areas with the potential for erosion or sediment will be stabilized. Sand and gravel stockpiles will be located on flat ground and away from any drainage ditches. The stockpile area will be inspected by the operator periodically during the winter season to determine if there is any erosion occurring to the piles or traffic areas. If there is erosion from the stockpiles, a silt fence or straw bale barrier will be employed to trap any sediment. If there is sediment produced in the traffic area, a gravel surface will be applied to the area of erosion.

4. Where natural drainages are impacted by surface mining activities, including rerouting or restriction, show the mitigation measures to be implemented to ensure that runoff will not cause increased erosion or sedimentation. The method of mining does not increase erosion or sedimentation. First, the operation is exclusively a bar skimming operation that does not go below the thalweg of the stream. Using this method prevents any abrupt channel elevation changes which could cause erosion. Bar skimming and limiting extraction to above the thalweg also creates a situation where the amount of material removed equals the amount of material deposited during the previous winter runoff. The extraction area also has a positive slope to a single low flow channel at years end which helps maintain the river to a single channel. All depressions are filled in so winter runoff will not be diverted to these areas. The low flow channel on the site has gradual side slopes, which reduces side bank erosion and does not restrict the channel. Any mounds in the extraction area are smoothed to match the surrounding surface so they are not eroded in the winter season.

5. Approved California Department of Fish and Game Streambed Alteration Agreements shall be in place and submitted to the City of Lompoc for any alteration of the riverbed. Proof of compliance with the Federal Clean Water Act, Section 301 and Section 404 and / or Section 10 of the Rivers and Harbors Act should be submitted whenever a stream diversion is required. All alterations of streambeds shall comply with all applicable requirements of the California Department of Fish and Game, the National Marine Fisheries Service, the Army Corps of Engineers and the U.S. Fish and Wildlife Service. Projects taking place within 1 mile of a California Department of Transportation bridge shall comply with requirements of this agency as well. Proof of compliance with these requirements shall be submitted to the City of Lompoc Planning Division. Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act, Water Code Section 13000, et. seq. and the Federal Clean Water Act, 33 U.S.C. Section 1251. The 1603 permit issued by the Department of Fish and Game is in the process of being renewed. The Army Corps of Engineers is the agency that issues 404 permits. A 404 permit has been applied for. The only portion of the Santa Ynez River subject to Section 10 of the Rivers and Harbors Act of 1899 is that portion under tidal influences. This segment of the river is upstream of any tidal influence and not subject to the act. The mitigation's outlined in the reclamation plan and "Biological Resources Report" by Garcia and Associates address sensitive species and how the plan will not to impact them.

401 Water Quality Certification by the Regional Water Quality Control Board (RWQCB) is required as part of the 404 permit. A Waste Discharge Requirement by the RWQCB is not needed since there is no material washing. The practices employed by the operator including year-end grading of the extraction area, buffer areas, and interim erosion control measures ensure the quality of water on the site and to downstream users is protected. California is a state in which the EPA has delegated many permitting, administrative and enforcement aspects of the Clean Water Act (CWA). In states with the authority to implement CWA programs, EPA still retains oversight responsibilities

Section 2770.5 of the Surface Mining and Reclamation Act requires the lead agency to notify the Department of Transportation that an application for a reclamation plan has been received. The Department of Transportation has a period of not more than 45 days to review and comment on the proposed surface mining operation with respect to any potential damage to the state highway bridge from the proposal. The lead agency can not issue or renew the permit until the Department of Transportation has submitted its comments or until 45 days from the date the application for the permit was submitted, whichever occurs first.

6. All temporary stream channel diversions shall be removed and the affected land reclaimed, when no longer needed to achieve the purpose for which they were authorized. None existing or proposed.

7. Describe dust control measures proposed to be used to ensure that dust is controlled during reclamation activity. A water truck will be used.

GEOLOGY AND REGRADING

1. Please attach a description of the general geology of the area, as well as a detailed description of the geology of the area in which surface mining is conducted. The general local is the Lompoc Plain in Santa Barbara County. This site consists of unconsolidated material of river-channel deposits and alluvium (Holocene). The Holocene alluvial deposits range in thickness from very shallow to a maximum of 200 feet in the Lompoc Plain[4]. The river-channel deposits are 30 to 40 feet thick and consist of sand and gravel and are present beneath the channel of the Santa Ynez River[5].

2. Please submit a site-specific geologic and engineering analysis that demonstrates that the proposed final slope 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. None of the proposed slopes even approach a steepness that produce a slope stability concern. The extraction area will have a slope of 2% or less. The haul road up the side of the stream bank will be reclaimed to match the existing slope of the bank. The undisturbed bank slope is 5:1. The remaining haul road has a slope of less than 4%. The upland stockpile area is on flat terrain (less than 4% slope).

3. Please provide a geologic cross section of cut and fill slopes at locations of maximum slope height. Please identify cross section locations on the site map. Cross section provided with Reclamation Plan map.

4. Will final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, not exceed 2:1 (Horizontal/Vertical)? What will the maximum slope ratio be? Will it change depending on the area of reclamation? If yes, please show the different areas on the site plan and explain. The extraction area will have a slope of 2% or less. The haul road up the side of the stream bank will be reclaimed to match the existing slope of the bank. The undisturbed stream bank slope is 5:1. The remaining haul road has a slope of less than 4%. The upland stockpile area is on flat terrain (less than 4% slope).

5. For mining in stream and riverbeds, please attach cross sections and/or aerial photos identifying baseline streamed elevations at the time that the operation began and at the current time. We know of no cross sections or aerials of the site 42 years ago. The Reclamation Plan Map shows a cross section of the site at the current time. The applicant proposes to take yearly cross sections of the extraction area so amount of material removed can be determined as well as any changes in streambed form.

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[4] Page 6 "Evaluation of Ground-Water Flow and Solute Transport in the Lompoc Area, Santa Barbara County, California. USGS Water-Resources Investigations Report 97-4056.
[5] Ibid. Page

6. Please provide detailed descriptive and mapping information showing the area of regrading and material redistribution in the riverbed. Please show the location of the low flow channel to be recreated during each interim management period and at the time of final reclamation. Identify where material to be redistributed will be obtained and what method will be used to accomplish this redistribution. Identify any temporary stream or watershed diversions necessary to implement the reclamation plan. Shown on Reclamation Plan map and cross-section.

SITE PLAN A Site Plan shall be submitted which:

1. Complies with the City of Lompoc Development Plan and Architectural Review site plan submittal requirements.

2. Identifies all drainage diversion structures, waterways, and erosion control facilities.

3. Identifies the location where all equipment, supplies and other materials will be stored.

4. Identifies which buildings, structures and equipment will be (1) dismantled and removed off-site, and /or (2) remain on site as consistent with the end use.

5. Identifies any and all surface openings. If there are no surface openings, a statement to this effect shall be made.

6. Identifies the location of all streams, roads, railroads, and utility facilities within, or adjacent to, the lands, the location of all existing and proposed access roads to be used in the mining operation and indicate location and limits of each separate ownership of surface or mineral rights.

7. Identifies existing site conditions, mining operation features, final site configuration.

8. Any phases of reclamation should be shown with distinct limits.

9. Please identify cross section locations identified in Geology and Regrading, Item 3, above, on the site map.

10. Please show the varying proposed slope ratios in the areas for which they are planned.

11. Areas mined to produce additional materials for back filling and grading, as well as settlement of filled areas, shall be shown on the site plan.

ANNUAL REPORTS

1. An annual report shall be submitted at the end of each mining season. The report shall include extraction quantities and annual cross sections and/or aerial photographs should be submitted as required by PRC Section 2207. In addition, a revised Reclamation Cost Estimate Worksheet shall be submitted with the annual report, reflecting current costs for reclamation.

TOPOGRAPHIC MAPPING

1. Please include a map which clearly identifies the boundaries, location and topographic details of each property affected by the surface mining operation. Refer to Reclamation Plan map.

2. Attach a topographic map showing the configuration of the site, once reclaimed. Refer to Reclamation Plan map.

MONITORING

1. Pursuant to CCR Section2773 (q), the success of reclamation will be monitored for three years or until performance standards are met, provided that, during the last two years, there has been no human intervention including, for example, irrigation, fertilization or weeding. Remedial measures must be implemented as necessary to achieve the performance standards.

APPLICANT STATEMENTS OF COMPLIANCE AND CORROBORATING INFORMATION

1. All drainage, diversion structures, waterways, and erosion control facilities will conform to CCR Section 3795. Yes [X] or No [ ]. Explain the reclamation procedures you will use to meet the standard cited above. The Section referred to is 3706. These have been discussed and met in the previous sections of the Reclamation Plan.

2. I will reclaim any buildings structures, and equipment areas in conformance with CCR Section 3709. Yes [X] or No [ ]. Explain the reclamation procedures you will use to meet the standard cited above. There are no buildings on the site. Any equipment, junk and refuse will be removed at final reclamation.

3. I will close all surface openings in accordance with CCR Section 3 3712? Yes (X) or No ( ) Explain the reclamation procedures you will use to meet the standard cited above. There are no surface openings.

4. I will protect all streams and rivers, including surface and groundwater in accordance with CCR section3710. Yes [X] or No [ ]. Explain the reclamation procedures you will use to meet the standard cited above. This has been explained at length in the previous portions of the Reclamation Plan and this requirement is met.

5. Pursuant to SMARA Section 2773, my reclamation activities will comply with the following standards provided in the California Code of regulations (CCR) Title 14, Article 9, Sections 3700-37 10. Yes (X) or No ( ).

6. As the reclamation plan will call for revegetation of disturbed lands, I agree to conduct topsoil salvage, maintenance and redistribution activities in conformance with CCR Section 3711. Yes (X) or No ( ) Explain the procedures you will use to meet the standard cited above.

7. Revegetation will be a part of my approved reclamation plan. I agree to conduct my revegetation activities in conformance with CCR Section 3705. Yes (X) or No ( ).

8. If all or part of the mining operation will be conducted on prime agricultural lands, will the end use of that prime agricultural land be agricultural? Yes [ ] or No [X].

A. If not, please describe the end use and the reasons why the land will not be used as agricultural land. If not, will the land be precluded from future agricultural use by the land use planned after the close of the mining operation? Yes [X] or No [ ]. The portion on prime agricultural land has been designated and approved for airport use.

B. If yes, will you agree to reclaim prime agricultural lands in conformance with CCR Section 3707. Yes [ ]orNo (X). Explain the reclamation procedures you will use to meet the standard cited above.

9. Is the property non-prime agricultural land where the site's end use will be agricultural. Yes ( ) or No (X). If yes, do you agree to reclaim non-prime agricultural land in conformance with CCR Section 37089 Yes [ ] or No [ ]. Explain the reclamation procedures you will use to meet the standard cited above.

10. Do you agree that all wildlife and wildlife habitat will be protected in accordance with CCR Section 3703. Yes[X]or No[ ]. Please provide a description of how the above protection will be accomplished. This has been explained in previous sections of the Reclamation Plan and in the "Biological Resources Report V & J Sand Mine" which is on file with the Lompoc Planning Department.

11. If the reclamation plan involves backfilling, regrading, slope stability, and recontouring, I agree that all backfilling, regrading, slope stability and recontouring will conform with CCR Section 3704. Yes (X) or No ( ).Explain the reclamation procedures you will use to meet the standard cited above. This has been explained in detail in the previous sections of the Reclamation Plan.

12. I, as applicant for the approval of this reclamation plan, accept responsibility for reclaiming the mined lands in accordance with the reclamation plan. (Upon sale or transfer of the operation, the new operator shall submit a signed statement of responsibility to the Planning Division for placement in the project file.)

Steve Johnson _____ 11 19 '01 _____

Applicant's Signature Date

LEAD AGENCY CERTIFICATION

Lead Agency to attach a copy of the proposed and approved financial assurance before forwarding to State Department of Conservation.

I, the undersigned, hereby certify that this reclamation plan complies with the applicable requirements of Articles I and 9 (commencing with Sections 3500 et. seq. and 3700 et seq., respectively) of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations, and with the requirements of the Surface Mining and Reclamation Act, Sections 27 10 et seq.

Signed this_____day of _____ 2000

Arleen Pelster, City Planner

STATEMENT OF RESPONSIBILITIES

I, the undersigned, hereby agree to accept full responsibility for reclamation of all mined lands as described and submitted herein and in conformance with the applicable requirements of Articles I and 9 (commencing with Sections 3500 et seq., respectively) of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations, the Surface Mining and Reclamation Act commencing with Section 2710 et seq., and with any modifications requested by the administering agency as conditions of approval.

Signed this _____ day of _____ 2001

Mine Operator or Operator's Agent _____

Approved _____

Lead Agency Representatives Date

1) _____ _____

2) _____ _____

APPENDIX A
DESCRIPTION OF PROJECT

The project description addresses the history of the mining operation, site location and characteristics, extraction methods and parameters, material transport, V & J Transport truck facility, and yearly reclamation practices.

History:

The project is a vested mining operation. V & J Transport started mining the site in 1958. V & J Transport incorporated in 1963. Mining of the site has occurred yearly since 1958.

Site Description:

There are three use areas in the mining operation. These areas are the sand extraction site, upland sand and gravel stockpile area, and the haul road for off site transport. All three of these areas are described in the following text. Referring to the Reclamation Plan Map at the end of this report will aid in locating the mining operation and uses.

The sand mining extraction area is located in the streambed of the Santa Ynez River in the City of Lompoc California. The extraction site is north and northwest of the Lompoc Airport. The closest point of the extraction area to the runways of the Lompoc Airport is 150 feet. The extraction area is 13 acres in size. Material is removed from an area that is 2,200 in length along the Santa Ynez River. The maximum width of the extraction area is 410 feet. The type of material removed is mostly sand with a small amount of gravel. A sieve analysis of the material from the site performed in 1996 had 97% of the aggregate passing through a 3/8 " sieve.

The haul road goes from the extraction area to "V" Street (a public street). There is only one haul road from the mining area. The haul road is a gravel roadway that leaves the streambed at about the middle of extraction area. From the streambed the road must go up the riverbank to a flat bench area. This road then heads south in a direct line to "V" Street. The length of the haul road is 950 feet. "V' Street is a paved public street. There is a gate where the haul road meets "V" Street. This gate is locked every night and those days there is no extraction. A water truck waters the haul road for dust suppression. The average number of trips per year on the haul road is 3,000.

The third use area is the sand and gravel storage site. Sand and gravel storage is on the upland portion of the reclamation plan area. The stockpile area is 392 feet west the end of V Street. This area is used for the temporary storage of sand and gravel until it is shipped to a job site.

It should be noted that 75% of the sand removed from the river is haul directly by truck to a job location. The other 25% is either transported to the V & J Transport yard on "V" Street or is stored in the reclamation plan area. The material taken to the V&J Transport yard is either stockpiled for future use or screened and then sold

The V & J Transport yard is on the west side of "V" Street where the street terminates and becomes the haul road. The V & J facility is 660 feet from the extraction area. The V & J Transport yard is not part of the reclamation plan since it meets the criteria for exclusion as stated in Section 2717 (c) of the Surface Mining and Reclamation Act (SMARA) of 1975. The exclusion criteria the site meets are that

the City General Plan designates this location for industrial or commercial uses, the site is zoned for industrial or commercial uses, none of the mineral being processed is extracted onsite, and mineral extraction has never occurred on this site. Fueling and maintenance of vehicles used in the mine operation takes place on the mineral processing plant site at V & J Transport.

The existing haul road will be relocated at a future date when the runway for the Lompoc Airport is extended. The haul road will leave the streambed at the same location. It will however have to be moved to go around the new flight zone and connect at the existing end V Street. The new route is slightly longer but begins and terminates at the same locations as the exiting haul road.

Method of Extraction:

Extraction of material is accomplished by bar skimming. Bar skimming removes material from sand bars in the riverbed that have accumulated from the previous winter. The bar skimming operation does not go below the thalweg of the river. The average amount of material extracted per year is 60,000 cubic yards. The average depth of extraction is three feet. The amount extracted varies yearly based on recruitment of sand at the site.

Bar skimming is essentially a seasonal operation which occurs 5-7 months each year after river flows diminish. The Santa Ynez River usually ceases flowing at this local in June and sufficient winter rains to start the flow typically do not happen until January. However, depending on hydrologic conditions, operations sometimes occur during the rainy season when flows are present. No operations are conducted within 20 feet of flowing water. During certain years, a water rights release from Bradbury Dam is made during the dry season. This transpires usually in August or September. This causes water to flow in the low flow channel down the river and across the site. V and J cooperates with the Santa Ynez River Water Conservation District to facilitate both groundwater recharge and continued bar skimming operations.

The method of extraction is quite simple. A bulldozer pushes material from the sandbars into a pile. A loader then moves the aggregate from the pile to a dump truck. The dump truck then transports the material off site.

The dozer and loader usually operate in the extraction area 320 hours per year. All fueling and maintenance of any equipment takes place at the V&J Transport yard. The only other equipment used at the site is a water truck for dust suppression. None of the equipment is left in the streambed area. At the end of the workday all the equipment is parked at the V & J Transport yard on "V" Street in Lompoc.

Year End Reclamation Activities:

At the end of each extraction season there are interim reclamation measures taken. Any stockpiles in the streambed are removed and taken either to the V & J Transport yard or to a customer. The extraction area is graded to remove any bumps or depressions. The grading slopes the site so there is positive drainage to a single low flow channel. The gate at the end of "V' Street is locked to deny entry to the area. The haul road is checked periodically so any erosion can be detected and mitigated. The upland stockpile area is inspected and any erodible surfaces have gravel applied to them. Good housekeeping measures such as trash removal are effected year round.

APPENDIX B
REVEGETATION PLAN

REVEGETATION PLAN
V&J SAND MINE
LOMPOC, CALIFORNIA

Prepared for:

V&J Transport, Inc.
P.O. Box 429
Lompoc, CA 93436

Prepared by:

Garcia and Associates (GANDA)
104 South C Street
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Lompoc, CA 93436

August 2, 2000

1.0 INTRODUCTION

Garcia and Associates (GANDA) was contracted by V&J Transport, Inc. (V&J) for assistance in preparing environmental documents in support of compliance requirements for the Surface Mining and Reclamation Act (SMARA). V&J operates a sand mine in a portion of the Santa Ynez River bed that is owned by the City of Lompoc. In order to comply with SMARA requirements, V&J needs to submit a biological resources report and a reclamation plan, along with a completed Mining Reclamation Review Application, to the City of Lompoc. The biological resources report has been prepared under separate cover (GANDA. 2000. Biological Resources Report. V&J Sand Mine. Lompoc, CA.). This revegetation plan is part of the reclamation plan. It addresses the revegetation of the main access road into the riverbed, and includes site preparation guidelines, planting plans, and maintenance and monitoring guidelines.

1.1 PROJECT DESCRIPTION

The revegetation site is located along the Santa Ynez River between O and V Streets within the city limits of Lompoc. Sand is mined from the riverbed between the south bank and the middle of the river. The river bed is primarily a sandy, sparsely vegetated wash through which the Santa Ynez River flows.

The upper north and south banks contain relatively narrow, but dense bands of riparian woodland vegetation. Dominant species are arroyo willow (*Salix lasiolepis*), narrowleaf willow (*S. exigua*), and red willow (*S. laevigata*). The revegetation site is on the south bank, while the north bank is on U.S. Penitentiary property, outside of the project area.

The revegetation site will be revegetated with willow scrub plant species identical to those growing immediately adjacent to the disturbed area. Those plants will be planted in similar densities and planting patterns in order to match the existing undisturbed habitat. Plant materials will be obtained from the site in order to ensure that the plants are from the local genetic stock.

1.2 PURPOSE OF REVEGETATION PLAN

The California Surface Mine and Reclamation Act (SMARA) of 1976 requires surface mines to reclaim all post-act disturbance to an appearance similar to the nearby natural environment. The State Division of Mines and Geology further requires that post-mining use be identified and performance goals be specified with a time frame for achievement of revegetation density and diversity targets. This revegetation plan will be used to implement the revegetation portion of the reclamation efforts following the completion of mining operations.

1.3 GOALS AND OBJECTIVES OF REVEGETATION PLAN

The goal of the revegetation plan is to re-create willow scrub habitat in the disturbed access areas located along the top of the south bank following completion of mining activities. The

revegetation program has been designed to successfully replace the habitat removed for access to the stream bed with a similar, healthy habitat using the same diversity and genetic stock of plant species.

The revegetation program has been designed to incorporate the requirements of the Mining Reclamation requirements of the City of Lompoc. In addition, the revegetation program has been designed to achieve the following goals:

- Replace the willow scrub habitat removed by mining activities.
- Re-create high-quality wildlife habitat with wildlife values equal to or greater than the removed habitat.
- Provide a diverse, healthy, self-sustaining habitat.

2.0 IMPLEMENTATION PLAN

2.1 REVEGETATION SITE DESCRIPTION

The revegetation site is located along the south bank of the Santa Ynez River, between O and V Streets. The site has been serving as an access road to the river bottom from the top of the bank, with the edge of the bank graded down to provide easier access. Vehicle usage has caused the site to be compacted and barren of vegetation. Existing bank-top vegetation, through which the access road has been cleared, consists of a narrow band of willow scrub dominated by several willow species, mule fat, and coyote brush.

The area to be revegetated include the top of the bank and a narrow strip along the south bank, both cleared for the access road. The bank-top clearing is approximately 60 feet wide by 40 feet deep, then extends upstream approximately 250 feet along the south bank, where a narrow strip of willow woodland was removed along the side of the access road. Tho total area requiring revegetation is estimated to be approximately one-quarter acre.

The disturbed areas will be disked to alleviate compaction, regraded to contours matching those upstream and downstream of the area, and replanted with willow scrub plant species identical to those growing immediately adjacent to the disturbed areas.

2.2 SITE PREPARATION

The revegetation planting area will be modified prior to planting, as required, to provide the physical conditions necessary for the establishment of the appropriate habitat type. Site preparation will include clearing of existing non-native vegetation, minor grading to create appropriate site conditions, and disking where soil compaction is present. Any waste materials or excessive weedy species will be removed and disposed of offsite. Prior to planting, soil tests will be performed to fully determine existing soil conditions; any required amendments will be recommended at that time.

2.3 CLEARING AND GRADING

A minimal amount of grading will be necessary to provide suitable planting conditions, primarily to remove the road and re-create a stream bank, similar to the existing bank. This regrading will match the contours of the undisturbed banks upstream and downstream of the disturbed area. The bank will be regraded along the entire length of the disturbed area (approximately 250 upstream from the access road clearing) , and will be tied into the banks at both ends of the disturbed site.

Prior to planting and following regrading, the planting area, where required, will be disked to a

depth of 12 inches to reduce soil compaction.

2.4 PLANTING PLANS

All planting will be supervised by a revegetation specialist experienced in native plant revegetation. Planting will be performed during the late fall or winter, preferably following a recent rainfall. If seasonal rainfall is low or does not coincide with the desired planting schedule, both the plant materials and the planting locations will be irrigated prior to planting.

Seed, rooted cuttings, and container plants specified in the plans will be obtained from suppliers or contract growers of native plants, with special consideration given to obtaining plants from the local genetic stock. Advanced notice of 9 to 12 months will be required by the supplier/grower to ensure that the required species are available at the time of planting.

Planting data, including species and numbers of plants, are shown in Table 1. Plants will be planted in a random pattern, similar to the undisturbed areas adjacent to the reclamation site. Willows and cottonwoods will be planted in scattered locations on the bank top closest to the river bed, with coyote brush and mule fat planted behind the willows (on the upland side), similar to the existing habitats. Following container planting, two native species (mugwort, *Artemisia douglasiana* and creeping wild-rye, *Leymus triticoides*) will be hand-seeded throughout the reclamation area in order to provide both soil stabilization during the establishment period as well as an understory planting.

Table 1. Planting Data

Species	Size	Density	Comments
Red willow *Salix laevigata*	Cuttings or 1 gallon container	50	Planted in natural pattern on bank top
Arroyo willow *Salix lasiolepis*	Cuttings or 1 gallon container	25	Planted in natural pattern on bank top
Narrowleaf willow *Salix exigua*	Cuttings or 1 gallon container	25	Planted in natural pattern on bank top
Black cottonwood *Populus trichocarpa*	1 gallon container	5	Scattered in willow plantings
Coyote brush *Baccharis pilularis* var. *consanguinea*	1 gallon container	25	Planted upland from willow plantings
Mule fat *Baccharis salicifolia*	1 gallon container	25	Planted upland from willow plantings

Mugwort *Artemisia douglasiana*	Seed	1 lb 2	Scatter throughout reclamation site
Creeping wild rye *Leymus triticoides*	Seed	1 lb 4	Scatter throughout reclamation site

2.5 IRRIGATION PLAN

Temporary irrigation will be provided to the revegetation planting during the first dry season in order to ensure the successful establishment of the plants. Irrigation will be sufficient to encourage development of deep roots; scheduling and amounts of irrigation will be determined by the biological monitor. Water will be delivered by a temporary irrigation system, or by a temporary hose from a water truck or off-site water source.

3.0 MAINTENANCE PLAN

Throughout the duration of the revegetation program, it is likely that continuing maintenance of the newly established willow woodland habitat will be necessary. Routine maintenance will include inspection of plantings, replacement of dead plants, weeding of non-target species, temporary irrigation until establishment, and other treatments necessary to improve the overall success of the revegetation effort.

Maintenance procedures are identified below:

Weeding. Maintenance personnel will control weeds within the revegetation areas, as directed by the biological monitor. Before initiating any weed control measures, the maintenance contractor will meet onsite with the biological monitor to determine the extent and methods of weed control.

Hand removal of weed species will be the preferred method of control. Use of herbicides will be utilized only when hand removal is not adequate. To prevent removal of desirable species, maintenance personnel will be trained to differentiate between mitigation plants (including seedlings) and weed species.

Clearing and Trash Removal. Clearing or removal of any revegetation plantings will be prohibited, except under the direction of the biological monitor. Trash will be removed from the reclamation site by hand on a regular basis. Trash consists of any and all man-made materials, equipment, or debris dumped, thrown, or left within the revegetation area.

Irrigation. Periodic temporary irrigation of the revegetation plantings will be required during the first 1 to 2 dry seasons following planting to facilitate success of the revegetation effort. The need for supplemental irrigation beyond the first growing season will be assessed as part of the monitoring program. Additional supplemental irrigation will be provided if required to achieve the specified success criteria.

Responsible Parties. V&J will be responsible for implementation of the revegetation program, including site preparation, planting, maintenance, and monitoring. The contact person for V&J is Steve Johnson.

4.0 MONITORING PLAN

4.1 ANNUAL PERFORMANCE CRITERIA

The annual performance criteria that will be achieved within the planted areas by the end of each year following planting are identified below (percentage is based on initial installation).

Year 1 Performance Criteria
- 25 percent coverage of seeded/planted areas by native species
- 85 percent survival of tree species

Year 2 Performance Criteria
- 50 percent coverage of seeded/planted
- 80 percent survival of tree species

Year 3 Performance Criteria
- 60 percent coverage of seeded/planted areas by native species
- 75 percent survival of tree species

4.2 MONITORING METHODOLOGY

Monitoring will begin immediately upon implementation of the planting. The revegetation planting areas will be monitored for three years following planting or until the success criteria described in Section 4.1 are met, whichever is greater. Additionally, continued success of the mitigation effort, without human intervention, must be demonstrated for three consecutive years once the success criteria have been met. Monitoring will be accomplished by a qualified biologist or revegetation specialist with appropriate credentials and experience in native habitat revegetation. Data collected during the monitoring visits will be used to determine surviving species numbers (density), success rates, species height and DBH, species coverage, pest problems, additional maintenance requirements, and general health of the revegetation plantings. This information will be summarized in annual reports and submitted to the appropriate resource agencies.

Monitoring will be conducted at the following intervals:

- Immediately following planting;
- Year 1 - once every 3 months;
- Years 2 and 3 - once per year;
- Annually, if required, during remedial activities;
- Annually for 3 consecutive years following achievement of success criteria.

4.2.1 Recording of Initial Planting

Monitoring will commence with implementation of the revegetation planting. During implementation (site preparation and planting installation), accurate records will be made of the site conditions, species, quantities, and locations of plantings installed, and planting methods used. Any significant problems encountered, such as site conditions unsuitable for planting, will be recorded. The actual plantings will be compared to the planting plans. Minor changes in the original planting plan will be noted, and the plans will be updated to reflect the actual plantings. Any major changes that might be required will be approved by the biologist supervising the installation; these changes will be justified by the biologist and presented to the regulatory agencies for approval.

4.2.2 Quantitative Monitoring

Immediately following planting, permanent sampling locations will be established throughout the revegetation area. The sampling locations will be used to precisely determine the percentage cover, species mortality, species height and DBH, pest problems, and species composition. Consistent sampling techniques will be used throughout the monitoring process to ensure accurate sampling results.

Photodocumentation stations will be established at each vegetation sampling location to photographically record the progress of the revegetation site over the monitoring period. Photodocumentation will be used in the yearly reports to be submitted to the resource agencies.

4.2.3 Qualitative Monitoring

Qualitative monitoring surveys will consist of general site walkovers and characterization of the revegetation site. These surveys will take place during the first year quarterly monitoring visits. General observations, such as fitness and health of the mitigation species and signs of disease or stress, will be noted during these visits. Plant species will be examined throughout the site for cover, species mortality, species composition, and soil, weed, and pest problems. Wildlife species, wildlife activity, nesting sites, roosting sites, animal burrows, and other signs of wildlife use of the newly created habitat will be noted.

Maintenance needs will be recorded and sent to the maintenance contractor and V&J. This information will be important for early identification of and rapid response to potential problems.

4.3 ANNUAL REPORTS

Annual reports will be submitted to the resource agencies annually for the three-year monitoring period, and for each additional year, if needed, due to remedial activities at the revegetation site. The initial report will be due within one year of the completion of the revegetation planting. Subsequent reports will be due annually following the initial report and will specify the number in

the series (Year 1, Year 2, etc.) of the report being submitted. Copies will be submitted to the City of Lompoc and other appropriate agencies. A final report will be submitted three years following achievement of the success criteria, demonstrating continued success of the program without human intervention.

Annual reports will include:

- Names, titles, and companies of all persons who prepared the report and participated in the monitoring activities for the year.
- A copy of the reclamation permit (including any special conditions and amendments).
- Analysis of all quantitative data (surviving species number [density], success rate, species height and DBH, and species coverage), in graph and table format.
- Summary of wildlife species and activity.
- Degree to which performance criteria were met.
- Photographs from each photodocumentation station.
- Maps identifying monitoring areas, transects, planting zones, etc., as appropriate.
- Results of qualitative monitoring (including pest problems, additional maintenance requirements, and general health of the plantings).
- Recommendations for corrective measures (including changes in monitoring, maintenance, and remedial activities) should it be determined that any part of the revegetation planting has failed to meet the performance standards of that year, so that the revegetation effort can be brought into compliance as quickly as possible.

Copies of all field data sheets will be available for review by the City of Lompoc and other appropriate agencies, if requested.

4.4 COMPLETION OF MONITORING

If at the end of Year 3, approximately 60 percent coverage of planted areas, 75 percent survival of tree plantings, and maintenance or improvement of wildlife activity is not achieved within the mitigation area, V&J will consult with the resource agencies. This consultation will take place to determine whether the revegetation effort is acceptable because it is healthy and represents the broad range of normality for these types of habitat, or if further measures (and additional

monitoring) are necessary to comply with specified standards. V&J recognizes that failure of any portion of the revegetation planting may result in a requirement to replace that portion of the planting, and may require additional monitoring. Following determination that the revegetation effort is acceptable, resource agencies require that the revegetation demonstrate continued success without human intervention for 3 consecutive years.

APPENDIX C
RECLAMATION COSTS

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RECLAMATION COSTS

Appendix C

RECLAMATION COST ESTIMATE WORKSHEET FOR DETERMING FINANCIAL ASSURANCES

Section 2773.1 of the Surface Mining and Reclamation Act (SMARA) requires ail surface mining operations to have lead agency approved financial assurances to ensure reclamation is perform ed in accordance with the operation's approved reclamation plan. The assurance is to be reviewed on an annual basis and revised accordingly to account for new lands disturbed, inflation, and reclamation of lands completed in accordance with the approved reclamation plan.

This worksheet can be used to provide an estimate of the actual cost of reclamation of your operation based on existing and/or anticipated disturbances resulting from your operation. This estimate should show a breakdown of cost to include, but not be limited to, the following items.

A. Earthwork/Recontouring

	Labor	Equipment	Materials
1. Roads recontour	$ 140.00	$ 260.00	$ 00.00
2. Slopes	$ 420.00	$ 780.00	$ 00.00
3. Other tasks required by the lead agency	$ 100.00	$ 140.00	$ 00.00
Subtotal	$ 660.00	$ 1,180.00	$ 00.00

B. Revegetation/Stabilization

	Labor	Equipment	Materials
1. Topsoil management	$ 00.00	$ 00.00	$ 00.00
2. Re-seeding	$ 1,200.00	$ 1,500.00	$ 1,000.00
3. Monitoring	$ 2,400.00	$ 360.00	$ 300.00
4. Other tasks required by the lead agency Incl. replanting, scarifying & irrigation	$ 1,450.00	$ 700.00	$ 00.00
Subtotal	$ 5,200.00	$ 2,560.00	$ 1,300.00

C. Detoxification/Disposal of Waste

	Labor	Equipment	Materials
1. Tailings	$ 00.00	$ 00.00	$ 00.00
2. Dumps	$ 00.00	$ 00.00	$ 00.00
3. Heaps	$ 00.00	$ 00.00	$ 00.00
4. Process Ponds	$ 00.00	$ 00.00	$ 00.00
5. Drainage	$ 00.00	$ 00.00	$ 00.00
6. Monitoring	$ 00.00	$ 00.00	$ 00.00
7. Other tasks required by the lead agency	$ 00.00	$ 00.00	$ 00.00
Subtotal	$ 00.00	$ 00.00	$ 00.00

D. Other reclamation activities required by the lead agency [specify task; use additional sheets if necessary].

	Labor	Equipment	Materials
1. Barrier installation & maintenance	$ 160.00	$ 0	$ 300.00
2.	$ 0	$ 0	$ 0
3.	$ 0	$ 0	$ 0
4.	$ 0	$ 0	$ 0
Subtotal	$ 160.00	$ 0	$ 300.00

E. Insurance (on site liability - 1.5%)		$ 170.00
F. Contract Administration (15%)		$ 1,704.00
G Bond (performance and payment—1.5%)		$ 170.00
H. Profit (10%)		$ 1,136.00
I. Subtotal		$ 3,180.00
J. Total of Subsections	$ 11,360.00	

GRAND TOTAL	$ 14,540.00

Note: The Board adopted Financial Assurance Guidelines in 1993 to assist mining operators and lead agency in complying with SMARA's financial assurance requirements. Please contact the State Mining and Geology Board at 801 K Street, MS 24-05, Sacramento, CA 95814 to receive a copy of the guidelines.

This document constitutes my Environmental Assessment, Statement of Findings, and review and compliance determination according to the 404(b)(1) guidelines for the proposed work (applicant's preferred alternative) described in the attached public notice:

I. **Proposed Project:** The location and description of work are described in the attached public notice.

A. **Changes to the proposed project since circulation of the public notice:** None

1. **Why a new public notice was not necessary:** No changes.

B. **Specific activity that requires a Dept. of Army permit:** The proposed permit is for the continuation of sand mining in a vested operation along the Santa Ynez River in Lompoc, Santa Barbara County, CA. V & J Rock Transport, Inc. has operated the sand mining operation since 1958. The general term used for this type of sand mining is "bar skimming." A more detailed description of the sand removal process follows in the next paragraph. Excess sand that has accumulated naturally from further upstream by deposition from previous high flows is mined. The amount removed each year is dependent on the recruitment of material. The amount tends to be greater during certain high precipitation/runoff years, and reduced following relatively dry winters. The average annual production of sand is 60,000 cubic yards. The total area included in the operation is 30 acres, including the sand extraction area within the Santa Ynez Riverbed and the haul road across the south bank of the river. The areas included in the operation are on the following parcels: APN 093-040-20, 093-450-12, and 93-040-11.

Consistent with a practice recommended by NMFS geomorphologist Brian Cluer, sand extraction would be conducted using a "horseshoe" methodology. Sand would be removed from sandbars by extracting from the downstream end. The entire bar would not be removed. Rather, the upstream head of the bar, plus the two sides would be left intact. The sides left intact would include the one adjacent to the flowing channel and the side farthest from the channel (adjacent to the riverbank). Sand extraction would be accomplished in the middle portion of the bar working from the downstream side toward the upstream side. The remains of the sandbar left in place would form a horseshoe shape that would continue to deflect river flows away from the bank and toward the channel. This would prevent the channel from widening within the reach of the river being mined. In turn, the depth of the flowing water in that reach would remain relatively deeper, resulting in a more suitable passage corridor for migrating steelhead. This type of sand extraction methodology has worked effectively in other river systems that include migrating steelhead (Brian Cluer, NMFS, personal communication, 2002).

C. **Scope of Analysis under NEPA:** In addition to 30 acres of sand extraction area in the Santa Ynez Riverbed (jurisdictional waters), the U.S. Army Corps of Engineers' (USACE) scope of analysis under NEPA includes 0.25 acre of existing haul road in the riparian zone above the jurisdictional waters.

II. **Environmental and Public Interest Factors Considered:**

A. **Purpose and Need - for the Public Interest determination:** The V & J sand mining operation is an existing, vested operation which has been in operation for 42 years. About 60,000 cubic yards of sand is mined annually. The sand is mined by skimming from sandbars that build up as a result of runoff from rainfall. The mined sand is replenished each year. The purpose of the V & J sand mining operation is to

~~b.~~ **Other project designs or methods:** The only other project designs would include either larger or smaller mined areas in the same location. Either scenario is unlikely because sand mining by bar skimming is confined only to those areas where sand bars form.

Mining the sand by methods other than bar skimming would result in more potential impacts. The current operation employed by V & J is to skim the sandbars accumulated from the previous winter. Extraction does not go below the thalweg. Extracting down several feet below the thalweg could result in changes to the flow of the river in the channel that could negatively impact riparian vegetation on the banks, or could affect the viability of a low-flow channel that could be used by migrating steelhead. The V & J sand mining operation will include the maintenance of a low flow channel to facilitate passage of migrating steelhead.

E. **Anticipated changes to the physical/chemical characteristics of the aquatic environment:**

(x) **substrate:** The bar skimming operation removes sand that has accumulated in sandbars deposited by prior stream flows. Substrate is removed, but not altered in form or type. The same composition of substrate will be transported from upstream areas and deposited during the next runoff season. Overall, the amount of substrate in the riverbed will not change. Only that which was deposited during previous storms is removed. The amount of substrate and the elevation of the river channel remain relatively constant because sand extraction does not go below the thalweg.

(x) **currents, circulation or drainage patterns:** The sand mining operation does not substantially alter river flow or the existing drainage pattern of the site and vicinity. Sand extraction takes place during the dry season when there is little or no surface water in that reach of the riverbed. The sand will be mined in a "horseshoe" methodology. That is, sand will be removed from sandbars by extracting from the downstream end. The entire bar will not be removed. Rather, the upstream head of the bar, plus the two sides would be left intact. The sides left intact would include the one adjacent to the flowing channel and the side farthest from the channel (adjacent to the riverbank). Sand extraction would be accomplished in the middle portion of the bar working from the downstream side toward the upstream side. The remains of the sandbar left in place would form a horseshoe shape that would continue to deflect river flows away from the bank and toward the channel. This would prevent the channel from widening within the reach of the river being mined. In turn, the depth of the flowing water in that reach would remain relatively deeper. No equipment will be driven into flowing surface water. V & J maintains a low-flow channel to facilitate passage of water and migrating steelhead during the winter when adequate flows are present. A reclamation plan has been prepared and will be implemented when the sand mining operation ceases operation in 2030.

( ) **suspended particulates; turbidity:** Turbidity is influenced by sedimentation and erosion, either upstream or at the project site. Any erosion and sedimentation upstream are caused by factors that V & J cannot control. At

the project site, the V & J sand mining operation will not increase surface runoff. Without an increase in runoff, the sand mining operation is not expected to increase the amount of suspended particulates or the turbidity level of the water in this portion of the Santa Ynez River.

( ) **water quality (temperature, salinity patterns and other parameters):** The continuation of sand mining by V & J is not expected to violate any water quality standards or waste discharge requirements. Sand mining takes place during the dry season when surface water is generally absent. As such, the mining does not affect water temperatures. Because the project site is nine miles east of the river mouth at the Pacific Ocean, salinity patterns are not an issue. Equipment and vehicles are not allowed to enter, work in, or cross over surface water. All mined sand is transported out of the riverbed, either directly to a job site, or to an offsite stockpile area. Equipment and vehicles are not operated in wetland vegetation, riparian vegetation, or where aquatic organisms could be harmed. The only access to the sand extraction areas is via the existing haul road. Equipment and vehicles will not be serviced in or near the riverbed where petro-chemical fluids could accidentally be discharged into the water. Offsite restrooms or portable toilets will be used. When the sand mining operation ceases in 2030, the haul road will be recontoured and revegetated.

( ) **flood control functions:** The sand mining operation does not negatively affect flood control functions of the Santa Ynez River. (The mined sand may be temporarily stored in the riverbed or trucked directly to a job site, but in any event, is removed at the end of the dry season So that there are no obstructions in the riverbed at the start of the rainy season. Low berms and a low-flow channel are maintained to direct minor flows around the mined area during other times of the year.

( ) **storm, wave and erosion buffers:** The sand mining operation is not expected to impact storm, wave, and erosion buffers because the project site is nine miles inland from the Pacific Ocean. The riparian vegetation on the river banks does act somewhat as a buffer for river flows. The sand mining operation does not impact the bank vegetation. Vehicles and equipment do not drive through areas of riparian vegetation, but rather are restricted to entering the sand extraction area via an existing haul road. When sand mining ceases in 2030, the haul road will be abandoned and revegetated to reduce the risk of erosion.

( ) **erosion and accretion patterns:** An increase in erosion at the project site is not expected. Only one access route is used by vehicles. That access is a haul road that has been in existence for 42 years. Riparian vegetation along other parts of the river banks is not disturbed by the sand mining operation. Sand extraction is done only from sandbars that have accumulated during previous stream flows. Such areas are already subjected to natural fluvial processes of erosion and deposition. At the conclusion of the sand mining operation in 2030, the haul road will be abandoned and revegetated to control erosion.

( ) **aquifer recharge:** The project does not deplete groundwater supplies or interfere with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses for which permits have been granted). V & J cooperates with the Santa Ynez River Water Conservation District to facilitate groundwater recharge and continued bar skimming operations during years when water rights releases are made. The mining of sand does not require use of substantial amounts of water. The only possible use of water would be the application of water on the haul road to control dust. That would be necessary only on a limited basis and would be done with a water truck.

( ) **baseflow:** The sand mining operation uses little water. The only use of water is to control dust on the haul road. The water is applied by a water truck; the amount used is insignificant. Sand extraction is done during the dry season of the year when surface water is completely or mostly absent from this reach of the Santa Ynez River. As such, neither the use of a small amount of water, nor the extraction of sand should negatively affect the baseflow of water in this reach of the Santa Ynez River.

( ) **mixing zone, in light of the depth of water at the disposal site; current velocity, direction and variability at the disposal site; degree of turbulence; water column stratification; discharge vessel speed and direction; rate of discharge; dredged material characteristics; number of discharges per unit of time; and any other relevant factors affecting rates and patterns of mixing:** {{Only for projects involving the discharge of dredged material}}

F. **Anticipated changes to the biological characteristics of the aquatic environment:**

( ) **special aquatic sites (wetlands, mudflats, coral reefs, pool and riffle areas, vegetated shallows, sanctuaries and refuges, as defined in 40 CFR 230.40-45):** A wetland and jurisdictional assessment of the project site was conducted and a report prepared (*Thomas Olson Biological Consulting. 2001. Wetland and jurisdictional assessment. V & J sand mine, Santa Ynez River, Lompoc, California*). The report was submitted to USACE along with application materials for an individual Section 404 permit. It was assessed that no wetlands occurred in the project site. The sand extraction area (30 acres) is considered jurisdictional Waters of the United States. The haul road traverses the river bank that was likely riparian habitat prior to use as a road. The road does not traverse wetland habitat, nor jurisdictional waters of the United States.

The project site does not include mudflats, coral reefs, pool and riffle areas, vegetated shallows, or other special aquatic sites.

Nearly the entire project site is riverwash habitat in the riverbed. Access to the project site is via the existing haul road, which traverses the south river bank. It is likely that riparian habitat was removed when the haul road was

originally established 42 years ago. At the end of sand mining operations in 2030, the haul road will be abandoned and revegetated with riparian plant species similar to those in adjacent areas.

(x) **habitat for fish and other aquatic organisms:** Field surveys were conducted at the project site (see the attached report, *Biological Resources Report. V & J Sand Mine, Lompoc, California. August 2, 2000*). This reach of the Santa Ynez River is habitat for a limited number of aquatic organisms. Because surface water is not present year-round, the number and diversity of aquatic species that can utilize this reach is quite limited. Southern steelhead use this reach as a migration corridor only. There is no suitable spawning or rearing habitat. Fish species observed when surface water was present were partially-armored threespine stickleback and the non-native mosquitofish. A low-flow channel is maintained to facilitate passage for migrating steelhead when adequate flow exists.

California red-legged frog, southwestern pond turtle, and two-striped garter snake do not occur in this reach of the Santa Ynez River. There is suitable seasonal habitat for common species of amphibians, including Pacific treefrog and western toad. Bullfrogs were observed nearby during surveys for the H Street bikepath project. During the dry season (usually May until November), the project site does not provide habitat for any aquatic organisms. Continuation of sand mining activities in the project site is not expected to substantially affect species of fish or other aquatic organisms.

(x) **wildlife habitat (breeding, cover, food, travel, general):** Based on field surveys, the project site is within a reach of the river that is used by a number of common species as a travel corridor. Direct observations and sign of mule deer, coyote, raccoon, an opossum were noted during the day and night surveys conducted by Garcia and Associates. The project is not expected to interfere substantially with the travel or migration of wildlife species, or with the established migration corridors of other resident wildlife species. Sand mining has occurred at this location for the past 42 years. Work is conducted during the day and during the dry season.

The riverbed, which contains the project site, represents foraging habitat and cover for only a limited number of wildlife species. Nearly all the vegetation in the project site is comprised of non-native annual plants. The river banks contain riparian vegetation, which represents higher quality cover and foraging and breeding habitat. However, ongoing project activities do not impact the river banks or riparian habitat. The existing haul road traverses the river bank. It is assumed that about one-quarter acre of riparian habitat was removed when the haul road was established 42 years ago. That is the only access that project equipment and vehicles utilize to reach the project site. When the sand mining operation ceases in 2030, the haul road will be revegetated with riparian plant species similar to adjacent riparian habitat. Overall, continuation of the sand mining operation will affect river wash habitat in the riverbed, a habitat that is subjected to natural disturbances. Substantial affects to the higher quality riparian habitat are not expected.

(x) **endangered or threatened species:**

Listed endangered and/or threatened species or designated critical habitat present on site: The sand mining operation is not expected to have substantial adverse effects, either directly or indirectly, or through habitat modifications, on any species identified as a federal-listed threatened or endangered species. A Biological Resources Report was prepared by Garcia and Associates (cited above), based on literature and data base review, contacts with other biologists in the region, and field surveys conducted by wildlife biologist Tom Olson, herpetologist Larry Hunt, fisheries biologist Robert Aramayo, and botanists David Kelly and Monica Bueno.

The southern steelhead is known to migrate through the project site in the Santa Ynez River when adequate flows are present. The project site does not include spawning or rearing habitat for this species. The sand mining operation is not expected to affect the steelhead because work will occur during the dry season and no vehicles or equipment will be operated in surface water. A low-flow channel will be maintained to facilitate passage of migrating steelhead through the project site.

The California red-legged frog, least Bell's vireo, and southwestern willow flycatcher are known from other reaches of the Santa Ynez River. Red-legged frogs and willow flycatchers have been documented using the river downstream of the Floradale Avenue bridge, about a mile downstream of the project site. Those two species breed along that particular reach of the river because the permitted discharge from the City of Lompoc Sewage Treatment Plant (downstream of the project site) provides a constant source of water that has resulted in year-round surface water and much more extensive stands of riparian habitat. Such conditions do not occur at the project site, where surface water is seasonal. Willow flycatchers and least Bell's vireos are also known from reaches of the river about 15 miles upstream, near Buellton. The riparian vegetation along those reaches is also well developed. Due to a lack of surface water and well developed riparian habitat at the project site, the sand mining operation is not expected to have detrimental effects on California red-legged frog, least Bell's vireo, or southwestern willow flycatcher.

Proposed listed endangered and/or threatened species or proposed critical habitat present on site: There are no plant or wildlife species proposed for federal listing as threatened or endangered at the project site or in the vicinity. Similarly, there is no proposed critical habitat at the project site or in the vicinity. Discussion of potential effects on listed species and critical habitat are presented above.

Compliance with ESA - USACE will consult with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service through procedures of Programmatic Conference described in Section III.A.4 of this document.

( ) **biological availability of possible contaminants in dredged or fill material, considering hydrography in relation to known or anticipated sources of**

contaminants; results of previous testing of material from the vicinity of the project; known significant sources of persistent pesticides from land runoff or percolation; spill records for petroleum products or designated (Section 311 of the CWA) hazardous substances; other public records of significant introduction of contaminants from industries, municipalities or other sources: The project site is not identified as a hazardous materials site, based on reports compiled pursuant to Government Code Section 65962.5. The sand mine operators report that there has never been a spill in the riverbed. The mining vehicles are maintained elsewhere. There are no historic records compiled by the Certified Unified Program Agency in Santa Barbara County indicating that there have been any unresolved spills on the subject property. A reference to a spill at the Lompoc Municipal Airport was identified as having been located behind the large hangar and as having been remediated and closed. Hazardous materials are not used in the sand mining operation. Conditions have been applied to ensure that vehicles entering the riverbed are checked and maintained daily. The same conditions will continue to be applied throughout the life of the sand mining operation. No herbicides are used in the operation. If herbicides are used during the revegetation of the existing haul road (when sand mining activities cease in 2030) to control invasive plant species, only herbicides approved for aquatic use will be applied. Such herbicides will be applied according to state and federal law.

G. **Anticipated changes to the human use characteristics of the aquatic environment:**

( ) **existing and potential water supplies; water conservation:** The sand mining operation will not affect existing and potential water supplies, or water conservation. The sand mining operation is not expected to deplete groundwater supplies or interfere with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The sand mining operation does not require substantial amounts of water. As necessary, a water truck applies water to the haul road to control dust. That is a very limited amount of water. Sand mining is accomplished at a time of year when surface water is very low or absent from this reach of the river.

( ) **recreational or commercial fisheries:** The sand mining operation will not have an effect on recreational of commercial fisheries. There is no commercial fishery in the river. Historically, the Santa Ynez River was a recreational fishery for steelhead. However, that species is now a federally listed species. As such, steelhead is not a species that can be taken during sportfishing at this time. Moreover, sand mining is accomplished when surface water in the river is either very low or absent. A low-flow channel is maintained to facilitate passage of fish when adequate flows are present.

( ) **other water related recreation:** There is no water-related recreation that occurs at the project site or in the vicinity.

( ) **aesthetics of the aquatic ecosystem:** The sand mining operation will not have substantial adverse effects on the aesthetics of the aquatic ecosystem. The

site has been mined for the past 42 years. Mining is limited to sand bars that accumulate during runoff from previous storm flows. The sand bars are mostly unvegetated. The vegetation that does occur is non-native, invasive annual plants. Such species do not comprise scenic aquatic ecosystem values. Aquatic and riparian vegetation are not disturbed by sand mining activities. Moreover, at the end of the operation in 2030, riparian vegetation will be re-established on the haul road, which will positively affect the aesthetic value of the area. Vehicles and equipment do not operate in surface water. As such, the aesthetics of the flowing river are not affected by the sand mining activities. A low-flow channel is maintained, which allows the surface water to flow through the project site and helps maintain the aesthetics of a flowing river.

( ) **parks, national and historic monuments, national seashores, wild and scenic rivers, wilderness areas, research sites, etc.:** There are no parks, national or historic monuments, national seashores, wild and scenic rivers, wilderness areas, research sites, or recreational parks in the project area. Offroad vehicle driving occurs through and near the project site. Such use by offroad vehicles is illegal and unauthorized.

( ) **national natural landmarks program:** There are no national natural landmarks at the project site or in the vicinity.

( ) **traffic/transportation patterns:** The project is not expected to cause any increase in traffic, in relation to the existing traffic load and capacity of the street system. This is an existing sand mining operation. As such, it has been in operation and has generated trips for 42 years. Because the amount of sand to be mined is not expected to increase, the number of trips will not increase. Currently, the average number of trips per day is 15. Of that total, 3 are during peak hours, and 12 are during non-peak hours. Sand is not mined year-round, but rather an average of 6 months per year (May through October). For 6 months of the year, 3 employees are shifted from other duties to work in the sand mine operation.

The proposed project will not exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways. The mining operation includes the transport of mined sand from the riverbed to the yard where it is stockpiled, as well as trips directly to job sites. Traffic on public roads in the vicinity of the operation (in particular, the intersection of Central Avenue and "V" Street) is currently operating at a level of service "A." The proposed project is not expected to change the level of service.

The haul road from the yard to the riverbed has not and will not interfere with operation of the nearby Lompoc Municipal Airport. The haul road has been and will be designed to avoid conflicts with the airport. The use of the haul road by sand mine employees will not adversely impact air traffic patterns or airport operations.

( ) **energy consumption or generation:** The sand mining operation will not result in the loss of any mineral resource that may be used for energy generation,

nor would it preclude the opportunity for future exploration and production of mineral resources that might be used for energy generation. The proposed project will not interfere with any energy-generating plants.

( ) **navigation:** This portion of the Santa Ynez River is not navigable. It usually contains surface water for less than 6 months per year.

( ) **safety:** The proposed project will not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials, as no hazardous materials are required to conduct the sand mining operation. The site will be left in a natural state after sand mining activities cease in 2030. Conditions have been applied to ensure that vehicles entering the riverbed will be checked and maintained daily.

The proposed project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials to the environment, as no hazardous materials are necessary to mine the sand. Moreover, all vehicles entering the riverbed will be checked for oil and other fluid leaks, before being allowed into the riverbed. If herbicides are required during revegetation (after the sand mining operation ceases) to eliminate invasive plant species from the project site, herbicides approved for aquatic use will be used, in conjunction with state and federal law. Any spills are required to be cleaned up immediately and a report made to the California Department of Fish and Game (CDFG).

The proposed project is located within the Lompoc Municipal Airport Master Plan area. Vehicles to be used in the sand mining operation access the site through an approved haul road which avoids the safety run-out area at the west end of the airport. After sand mining activities cease in 2030, the reclamation plan's implementation should also discourage illegal use of this haul road and the surrounding project area by private vehicles. Therefore, the proposed project will not result in any safety hazard.

The proposed project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan as existing identified accesses to the riverbed will be maintained at other locations and, ultimately, the reclaimed area is to be open space.

The proposed project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, as the proposed project site will be maintained as open space and is a wildland, but is not adjacent to homes or other heavily urbanized areas.

( ) **air quality:** The proposed project is not expected to conflict with implementation of air quality plans or contribute substantially to existing or projected air quality violations. The proposed project is the ongoing

operation of an existing sand mining operation. Because the level of sand mining will not increase, there will be no increase in criteria pollutants for which the project region is in non-attainment, including ozone precursors. Water is used for controlling dust.

( ) **noise:** No new noise producing uses will result from the project. The project will not expose people at the airport to excessive noise levels. The noise generated is not expected to be significant in relation to noise from the adjacent airport. The project has the potential to produce noise levels in excess of standards established in the local general plan or noise ordinance for open space (60 CNEL). The noise levels are not expected to be higher than those generated during the existing mining operation. Work normally occurs only between 7 a.m. and 4 p.m. The proposed project is not expected to expose persons to, or generate, excessive groundborne vibration or groundborne noise levels, as surface grading of unconsolidated material will not result in vibration and the project area is undeveloped and uninhabited.

( ) **historic properties:** The sand mining operation is not expected to affect any historic properties or archaeological sites. The project is in an area of low sensitivity based on the City of Lompoc's Cultural Resources Report. A cultural resources report was prepared for the nearby H Street Bridge bikepath (Gerber, J.L. 1999. *Cultural resources study. Santa Ynez River bridge bikepath project. Prepared for Quincy Engineering and Garcia and Associates. April 17*). There were no known resources within the vicinity of the bikepath, which is approximately one-quarter mile east of the sand mining operation. Previously reported cultural resources sites found during a site records search were associated with river terraces above the level of the sand mining operation and with La Purisima Mission, 2-3 miles to the east. There are no historic sites at or near the sand mine.

( ) **land use classification:** The sand mining operation does not conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project (including, but not limited to, the general plan, zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. Acquisition of permits, including a Section 404 USACE permit, Section 1603 CDFG Streambed Alteration Agreement, and Section 401 Water Quality Certification, will bring this existing, vested operation into compliance with requirements of the Clean Water Act and California Fish and Game Code.

( ) **economics:** The proposed project has an effect on local economics. The project is the continuation of an existing, vested business. No increase or decrease in the volume of sand mined and sold is expected. As such, the economics associated with the sand mining operation should remain relatively constant. Discontinuation of the operation (disapproval of the proposed permit) would cause an adverse effect on local economics. It would result in the loss of several employees' positions with V & J Rock Transport, Inc., operators of the sand mine. It would also cause projects needing sand to obtain that resource elsewhere at higher cost due to longer truck hauls.

( ) **prime and unique farmland (7 CFR Part 658):** The project site is not prime or unique farmland, based on the Soil Classification map in the City of Lompoc's General Plan, and on the soil survey maps for northern Santa Barbara County (*Soil Conservation Service, 1972. Soil survey of northern Santa Barbara area, California. U.S. Department of Agriculture, Soil Conservation Service, in conjunction with the University of California Agricultural Experiment Station. July.*).

( ) **food and fiber production:** The site is not currently developed or used for agriculture. The end use of the site, after the sand mining operation ceases in 2030, will be open space. The project is not in conflict with any existing agricultural use zoning or Williamson Act contracts. The zoning on the project site is Open Space and Public Facility while the General Plan Designation is Community Facility and Open Space. The project is not expected to involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use. The project will not be growth-inducing and will not create a need for a significant number of new homes or businesses. The project site will eventually be returned to open space.

(x) **general water quality:** The continuation of sand mining by V & J is not expected to violate any water quality standards or waste discharge requirements. Sand mining takes place during the dry season when surface water is generally absent. Equipment and vehicles are not allowed to enter, work in, or cross over surface water. As mined sand is transported from the riverbed, it is taken directly to job sites, or stored offsite. Equipment and vehicles are not operated in wetland vegetation, riparian vegetation, or where aquatic organisms could be harmed. The only access to the sand extraction area is via the existing haul road. Equipment and vehicles are not be serviced in or near the riverbed where petro-chemical fluids could accidentally be discharged. Offsite restrooms or portable toilets are used. When the sand mining operation ceases in 2030, the haul road will be recontoured revegetated to limit erosion and runoff into the riverbed.

( ) **mineral needs:** The proposed project will not result in substantial needs for any particular mineral.

( ) **consideration of private property:** None of the project facilities, including the sand extraction area, the haul road, or the offsite stockpile area, are located on private property.

( ) **other (growth inducement):** The proposed project is not expected to induce substantial growth in the area, either directly or indirectly, or displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere, because there are no houses or people who inhabit the proposed project site.

H. **Other anticipated changes to non-jurisdictional areas that have been determined to be within the Corps' NEPA scope of analysis:** None.

I. **Summary of indirect and cumulative effects from the proposed permit action:** Impacts associated with the project would be limited in scope and extent. The sand mining operation occurs on 30 acres. Continued use of these areas would not result in substantial adverse direct or indirect effects because both areas have been in long-time use and are unvegetated. When sand mining activities cease, the haul road will be recontoured and revegetated. It will return to riparian vegetation. Because mining in the sand extraction area is done by bar skimming (skimming sand from bars that accumulate from prior storm flows), adverse indirect impacts to plants and wildlife are minimal. This portion of the riverbed is subjected periodically to natural fluvial processes, such as erosion and deposition. As a result, vegetation is dominated by invasive, non-native plant species. Thus, sand extraction activities do not cause adverse impacts to native or sensitive vegetation and plant species, nor to habitat important to terrestrial wildlife species. Although several federal- and/or state-listed wildlife species are known from the area, only the southern steelhead is likely to use the area. This reach of the Santa Ynez River is a migration corridor for the steelhead, but does not contain spawning or rearing habitat. Migration usually occurs between January and May when adequate flows are present. Because vehicles and equipment are not allowed to operate in water, adverse impacts to the steelhead, steelhead critical habitat, and the steelhead migration corridor are not anticipated. Moreover, a low-flow channel will be maintained by the sand mine operators, facilitating passage through the area by migrating steelhead when stream flows are adequate.

J. **Other cumulative effects not related to the proposed permit action:**

1. **Occurred on-site historically:** Sand mining has occurred in the same manner on the site for the past 42 years. The sand extraction area has been used in the same manner for 42 years. A bikepath was constructed on the H Street bridge to the east of the project site. Much of that work was conducted from the riverbed during the dry season of the year. Mitigation measures employed for that project were similar to those proposed for this project.

2. **Likely to occur within the foreseeable future:** This sand mining operation is scheduled to continue until 2030, at which time the extraction area will be recontoured and the haul road revegetated. The area will be open space. The Lompoc Municipal Airport will expand its runway to the west, through part of the area now occupied by the haul road. The haul road will be moved to avoid the runway extension. The relocated haul road will still be in an area with existing disturbance. Adjacent to the sand mine operation, the airport expansion project will result in the removal of vegetation from 6.8 acres of mostly disturbed land, and the trimming of riparian habitat on approximately 6 acres. Onsite and offsite replanting of riparian trees and shrubs will mitigate the adverse impacts to the riparian habitat (*Thomas Olson Biological Consulting. 2001. Replanting plan. Lompoc Airport runway expansion project. Prepared for the City of Lompoc. July 7.*).

3. **Contextual relationship between the proposed action and (1) and (2) above:** The two projects described above (H Street Bridge Bikepath and Lompoc

Airport Runway Expansion) were both approved. Each involved higher levels of impacts to vegetation and wildlife than those associated with this proposed project. Mitigation developed for those projects, including avoidance, pre-construction surveys, and revegetation, was similar to measures proposed for this proposed project (see below). The bikepath project has been completed. The airport runway expansion project is due to begin this summer.

K. Proposed Mitigation:

1. Avoidance, minimization, compensation sequence:

Hydrology and Water Quality

1. Sand extraction and reclamation grading shall take place during the dry season (generally May to October) or when the stream is not actively flowing, and no measurable rain is forecast within 72 hours. No vehicles or equipment shall work in water while extracting and transporting sand.

2. Access to the river channel for vehicles and equipment shall be by the existing haul road only. No new access routes shall be constructed.

3. Staging and storage areas for equipment and materials shall be located outside of the riverbed.

4. Vehicles shall not be driven or equipment operated in water-covered portions of the riverbed, or where wetland vegetation, riparian vegetation or aquatic organisms may be affected.

Biological Resources

5. The applicant shall have a qualified wildlife biologist survey the sand mining operation areas, prior to the commencement of sand extraction each year, to confirm the presence/absence of any sensitive species. A similar survey shall also be conducted in the reclamation area prior to the start of reclamation activities. Should any sensitive species be found during pre-project surveys and work must be done in identified areas during sensitive periods, the applicant shall develop and implement a plan for the protection of these species, acceptable to the CDFG, the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. Plan approval and implementation must occur before any work/reclamation takes place.

6. If any threatened or endangered species are found within 500 feet of the sand mining activities or reclamation work area, the Corps shall be contacted within

24 hours of the sighting. If work is in progress when sightings are made, all work within 500 feet of the area in which the sightings occurred shall cease.

7. No work shall be conducted in the actively flowing river channel.

8. Any trash, debris or equipment shall be removed after each sandbar is "horseshoe" mined.

9. Riparian vegetation shall not be damaged. The removal of native vegetation shall be limited to maximum extent practicable. Sand extraction activities shall occur only in designated work areas that are flagged or staked.

10. Upon the completion of mining on December 31, 2030, the Permittee shall implement the Reclamation Plan as stipulated in the Department of Fish and Game Streambed Alteration Agreement No. 5-317-00. The Corps accepts this plan as mitigation for the mining activities.

11. Sand and gravel shall not be excavated more than an average of 3 feet deep or below the subsurface water table.

Hazards and Hazardous Materials

12. Equipment or vehicles driven and/or operated within or adjacent to the riverbed shall be checked and maintained daily to prevent leaks. Any stationary equipment used in the riverbed shall be positioned over drip pans. Equipment maintenance shall not be conducted within or adjacent to the riverbed.

Cultural Resources

13. If archaeological artifacts are unearthed or exposed during sand mining activities or reclamation activity, work shall temporarily cease and the artifacts and the site shall be evaluated by an experienced archeologist. An appropriate plan for the preservation of the artifacts from the site shall be prepared and its implementation overseen by an experienced archaeologist.

14. If paleontological artifacts are unearthed or exposed during sand mining activities or reclamation, the artifacts and the site shall be evaluated by an experienced paleontologist. An appropriate plan for the preservation of the artifacts from the site shall be prepared and its implementation overseen by an experienced paleontologist.

15. If human remains are discovered during sand mining activities or reclamation, the County Coroner, and the Native American Heritage Commission shall be notified and their recommendations and requirements adhered to, prior to continuation of construction activity.

General

16. If the applicant would like to extend the mine's operation beyond December 31, 2030, a request should be stated in writing and submitted to the Corps, prior to January 31, 2030.

17. The applicant shall provide a copy of these conditions to all contractors, subcontractors, and the project supervisor. This shall be a requirement during the active sand mining operation, and also during reclamation activities. Copies of these conditions shall be readily available at work sites at all times during periods of active work and must be presented upon demand. All contractors shall read and become familiar with the contents of these conditions. A yearly meeting shall be held, at the annual discretion of the Corps, to discuss, evaluate, and potentially revise the Special Conditions associated with the potential Corps permit.

2. **Summary of why applicant's proposal does or does not reduce impacts to below significance:** Sand mining activities would occur in areas used for the same operation for the past 42 years. No new disturbance to biological resources is expected because an existing haul road will be used to access the sand extraction area. The actual extraction is done by bar skimming, a process that involves removing only the sand that has accumulated in sand bars during previous storm flows. The portion of the riverbed in which the sand bars occur is also subjected to natural disturbances on a regular basis by high flows of the Santa Ynez River. Sand mining would occur only during the dry season when there is little or no surface flow. Equipment and vehicles would not be operated in surface water. A low flow channel would be maintained to facilitate passage of migrating steelhead during periods of the year when there is adequate flowing water in the river. When the sand mining operation ceases in 2030, the extraction area would be recontoured and a low flow channel would again be maintained. The existing haul road would be revegetated with riparian plant species. The proposed project and measures summarized in the sentences above indicates that impacts to biological resources would be reduced to a level of non-significance.

Impacts to other resources would be reduced to levels of non-significance by a combination of project design and mitigation measures. The project design includes use of areas where the current operation has been in operation for 42 years, and use of the same method of extracting sand, which would result in no new impacts. Mitigation measures would be effective at limiting the likelihood and magnitude of impacts. Such measures would include restricting the activities and access in the riverbed, limiting sand extraction to portions of the year when the riverbed is dry, and minimizing the likelihood of spills of petro-chemical fluids in the riverbed

III Findings:

A. Status of other authorizations and legal requirements:

1. **Water quality certification:** Application has been made for a Regional Water Quality Control Board 401 Certification and is expected to be issued after an environmental document suitable to fulfill CEQA requirements has been submitted.

2. **Coastal zone management consistency determination:** The project site is outside of the Coastal Zone.

3. **Compliance with Section 106 of the National Historic Preservation Act:** The proposed project is not expected to cause a substantial adverse change to the significance of a historical resource. The project site is undeveloped and will remain undeveloped. The latest version of the National Register of Historic Places has been consulted and this site is not listed. The proposed project will not cause a substantial adverse change in the significance of an archaeological resource, as the project site is in an area of low sensitivity based on the City of Lompoc's Cultural Resources Report and mitigation is included that requires the evaluation of any artifacts found by an archaeologist. The proposed project will not directly or indirectly affect a unique paleontological resource or site or unique geologic feature, as no known features exist or have been reported on the project site and mitigation is included that requires evaluation of any artifacts found by a paleontologist. The proposed project will not disturb any human remains, including those interred outside of formal cemeteries, as the project site is a fluctuating riverbed and has not been identified as being either a sacred site or a village site. Mitigation is included that requires proper notification, if human remains are found.

4. **Compliance with the Endangered Species Act:** The proposed project eliminates impacts to steelhead by seasonal avoidance. Sand mining will occur during the dry portion of the year. Equipment and vehicles will not operate in surface water. A low-flow channel will be maintained to facilitate passage of migrating steelhead when water is flowing. Vehicles and equipment will not be serviced in the riverbed. Therefore, the proposed project should not cause adverse impacts on steelhead or critical habitat for steelhead. Other federal- and/or state-listed species known from the vicinity are California red-legged frog, least Bell's vireo, and southwestern willow flycatcher. Suitable habitat for red-legged frogs does not occur at the project site. This species is known from approximately 0.75-1.0 mile downstream where releases from the Lompoc Wastewater Treatment Plant have created suitable habitat. The riparian vegetation at the project site is not developed or extensive enough to represent suitable nesting habitat for least Bell's vireo or southwestern willow flycatcher. These species are known to breed in other reaches of the Santa Ynez River that are upstream and downstream of the project site. Least Bell's vireos and southwestern willow flycatchers would be expected only on rare occasions during short-term stopovers during migration or short-distance movements. Thus, the proposed project is not expected to have substantial adverse effects on California red-legged frog, least Bell's vireo, or southwestern willow flycatcher.

5. **Compliance with Section 176(c)(General Conformity Rule review) of the Clean Air Act:** The proposed permit has been analyzed for conformity applicability pursuant to regulations implementing Section 176(c) of the Clean Air Act. It has been determined that the activities proposed under this permit will not exceed de minimis levels of direct emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153. Any later indirect emissions are generally not within the Corps continuing program responsibility and generally cannot be practicably controlled by the Corps. For these reasons a conformity determination is not required for this permit.

6. **State and/or local authorizations:** A reclamation plan was prepared that describes recontouring and revegetation techniques to take place when sand mining activities cease in 2030. The reclamation plan was reviewed and approved by the City of Lompoc, leading to a determination of conformity with the City's mining ordinance. An Initial Study/Mitigated Negative Declaration was prepared by the City. The reclamation plan was also reviewed and approved by the California Department of Conservation, Division of Mines and Geology. The Division of Mines and Geology found the plan to conform to requirements of the Surface Mining and Reclamation Act.

   Project proponents met with Ms. Natasha Lohmus of CDFG and subsequently prepared application materials, including a biological resources report and revegetation plan. The materials were submitted to CDFG's Streambed Team in San Diego, CA. The application materials were reviewed by the team and by Ms. Lohmus. A draft Streambed Alteration Agreement was prepared by CDFG (Notification 5-317-00), and received by V & J Rock on February 10, 2001. Following further discussions, V & J Rock indicated changes to several conditions that had been agreed to by both CDFG and V & J Rock. Those changes were initialed by Ms. Linda McCaffrey of V & J Rock, and the Streambed Alteration Agreement was signed by Ms. McCaffrey on April 10, 2001. It was returned to Ms. Lohmus. Signature and final approval by CDFG is expected after completion of the CEQA process.

B. **Corps public notice and comment process:** A complete application was received on . A public notice describing the project was issued on and sent to all interested parties (mailing list), including appropriate state and Federal agencies. All comments received on this action have been reviewed and are summarized below.

1. **Summary of comments received.**

   a. **Federal agencies:**

      1) U.S. Environmental Protection Agency (EPA):

      2) U.S. Fish and Wildlife Service (FWS):

      3) National Marine Fisheries Service (NMFS):

      4) U.S. Coast Guard (USCG):

      5) Bureau of Land Management:

      6) Bureau of Reclamation:

      7) Federal Emergency Management Agency:

      8) Federal Energy Regulatory Commission:

      9) Federal Highway Administration:

10) National Park Service:

11) Natural Resources Conservation Service:

12) Advisory Council - Historic Preservation:

b. **State and local agencies:**

1) State Coastal Zone Management agency

2) State Fish and Game agency:

3) State Lands agency:

4) State Historic Preservation Officer:

5) State Water Quality agency:

7) Soil and Water Conservation District:

c. **Other organizations and individuals:**

d. **Requests for public hearings:** {{If there were requests, explain why a public hearing was or was not held}}

2. **Evaluation:**

I have reviewed and evaluated, in light of the overall public interest, the documents and factors concerning this permit application as well as the stated views of other interested agencies and the concerned public. In doing so, I have considered the possible consequences of this proposed work in accordance with regulations published in 33 CFR Part 320 to 330 and 40 CFR Part 230. The following paragraphs include our evaluation of comments received and of how the project complies with the above cited regulations.

a. **Consideration of comments:**

b. **Evaluation of Compliance with 404(b)(1) guidelines (restrictions on discharge, 40 CFR 230.10). (A check in a block denoted by an asterisk indicates that the project does not comply with the guidelines.)**

1) **Alternatives test:**

*	X
Yes	No

a) Based on the discussion in II B, are there available, practicable alternatives having less adverse impact on the aquatic ecosystem and without other significant adverse environmental consequences that do not involve discharges into "waters of the United States" or at other locations within these waters?

X Yes / * No — b) Based on II B, if the project is in a special aquatic site and is not water-dependent, has the applicant clearly demonstrated that there are no practicable alternative sites available?

2) **Special restrictions.** Will the discharge:

* Yes / X No — a) violate state water quality standards?

* Yes / X No — b) violate toxic effluent standards (under Section 307 of the Act)?

* Yes / X No — c) jeopardize endangered or threatened species or their critical habitat?

* Yes / X No — d) violate standards set by the Department of Commerce to protect marine sanctuaries?

X Yes / * No — e) Evaluation of the information in II C and D above indicates that the proposed discharge material meets testing exclusion criteria for the following reason(s).

(x) based on the above information, the material is not a carrier of contaminants

( ) the levels of contamination are substantially similar at the extraction and disposal sites and the discharge is not likely to result in degradation of the disposal site and pollutants will not be transported to less contaminated areas

(x) acceptable constraints are available and will be implemented to reduce contamination to acceptable levels within the disposal site and prevent contaminants from being transported beyond the boundaries of the disposal site

3) **Other restrictions.** Will the discharge contribute to significant degradation of "waters of the U.S." through adverse impacts to:

* Yes / X No — a) human health or welfare, through pollution of municipal water supplies, fish, shellfish, wildlife and special aquatic sites?

* Yes / X No — b) life states of aquatic life and other wildlife?

* Yes / X No — c) diversity, productivity and stability of the aquatic ecosystem, such as the loss of fish or wildlife habitat, or loss of the capacity of wetland to assimilate nutrients, purify water or reduce wave energy?

* / X — d) recreational, aesthetic and economic values?

Yes	No	
X	*	4) Actions to minimize potential adverse impacts (mitigation). Will all appropriate and practicable steps (40 CFR 23.70-77) be taken to minimize the potential adverse impacts of the discharge on the aquatic ecosystem?
Yes	No	

(Proposed Special Conditions)

c. **General Evaluation (33 CFR 320.4(a)):**

1) **The relative extent of the public and private need for the proposed work:** The sand mine is a vested operation. Sand has been extracted from the project site for the past 42 years. It is the only local source of sand for construction projects. The need for sand would continue in the vicinity. Continuation of sand mining at the project site would ensure a local source in an exiting location. If the proposed project is disallowed and sand mining does not continue at the project site, sand would need to be extracted from another location. A new location for sand mining would result in new disturbance to riparian and aquatic resources in another reach of the Santa Ynez River, or in another stream. It would likely result in sand being transported to the Lompoc area from greater distances. In turn, that would result in longer truck trips, more vehicle traffic, and more emissions associated with the transport trips.

2) **The practicability of using reasonable alternative locations and methods to accomplish the objective of the proposed structure of work:** Reasonable alternative locations do not exist. V & J Rock has a vested operation at the project site, and does not have access to other locations where sand could be extracted. Alternative methods of sand extraction would result in an increase in adverse effects. Extraction by bar skimming removes only the sand that has accumulated from prior storm flows. Sand is extracted from portions of the riverbed that are subjected to periodic natural fluvial processes, including erosion and deposition. Adverse impacts to vegetation and wildlife habitat are minimal. Deeper extraction or extraction of sand from other portions of the riverbed would cause more substantial effects on riparian and aquatic habitats. Extraction at other times of the year (other than the dry season) could result in effects on steelhead and its critical habitat.

3) **The extent and permanence of the beneficial and/or detrimental effects that the proposed structures or work may have on the public and private uses to which the area is suited:** The proposed project is the continuation of an existing sand mine that has been in operation for 42 years. It provides a reliable source of sand for construction projects in the Lompoc area. Because it has been in operation for 42 years at the same project site, the detrimental effects would be the same as those occurring over the past four decades. Sand

would be extracted in portions of the riverbed subjected to the natural disturbance of water scour. Detrimental effects on vegetation and wildlife habitat would be constant and minimal. An existing haul road is used, thereby limiting further disturbance to riparian habitat. There would be beneficial effects on riparian vegetation when the sand mining operation ceases in 2030. At that time, the reclamation plan would be implemented. The sand extraction area would be recontoured, as would the haul road. The haul road would also be revegetated. The entire project site would be allowed to return to a natural state.

3. **Determinations:**

a. **Finding of No Significant Impact (FONSI) (33 CFR Part 325).** Having reviewed the information provided by the applicant, all interested parties and our assessment of environmental impacts contained in part II B of this document, I find that this permit action will not have a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement will not be required.

b. **404(b)(1) Compliance/Noncompliance Review (40 CFR 230.12):**

( ) The discharge complies with the guidelines. The proposed project is the least environmentally damaging practicable alternative (LEDPA).

(x) All of the appropriate and practicable conditions listed in III.B.2.b.4 to minimize pollution or adverse effects to the affected ecosystem have been included as part of the proposed action or were required by special conditions of the permit. This revised and/or conditioned project is the LEDPA.

( ) The discharge fails to comply with the requirements of these guidelines because:

( ) There is a practicable alternative to the proposed discharge that would have less adverse effect on the aquatic ecosystem and that alternative does not have other significant adverse environmental consequences.

( ) The proposed discharge will result in significant degradation of the aquatic ecosystem under 40 CFR 230.10(b) or (c).

( ) The discharge does not include all appropriate and practicable measures to minimize potential harm to the aquatic ecosystem, namely...

( ) There is not sufficient information to make a reasonable judgement as to whether the proposed discharge will comply with the guidelines.

c. **Public interest determination:** I find that issuance of a Department of the Army permit (with special conditions), as prescribed by regulations published in 33 CFR Parts 320 to 330, and 40 CFR Part 230, is not contrary to the public interest. {{For complicated or controversial projects, be sure to summarize basis of your public interest determination.}}

900' Up Stream Western Extraction Limit

South Bank Looking East

900' Up Stream Western Extraction Limit

South Bank Looking North

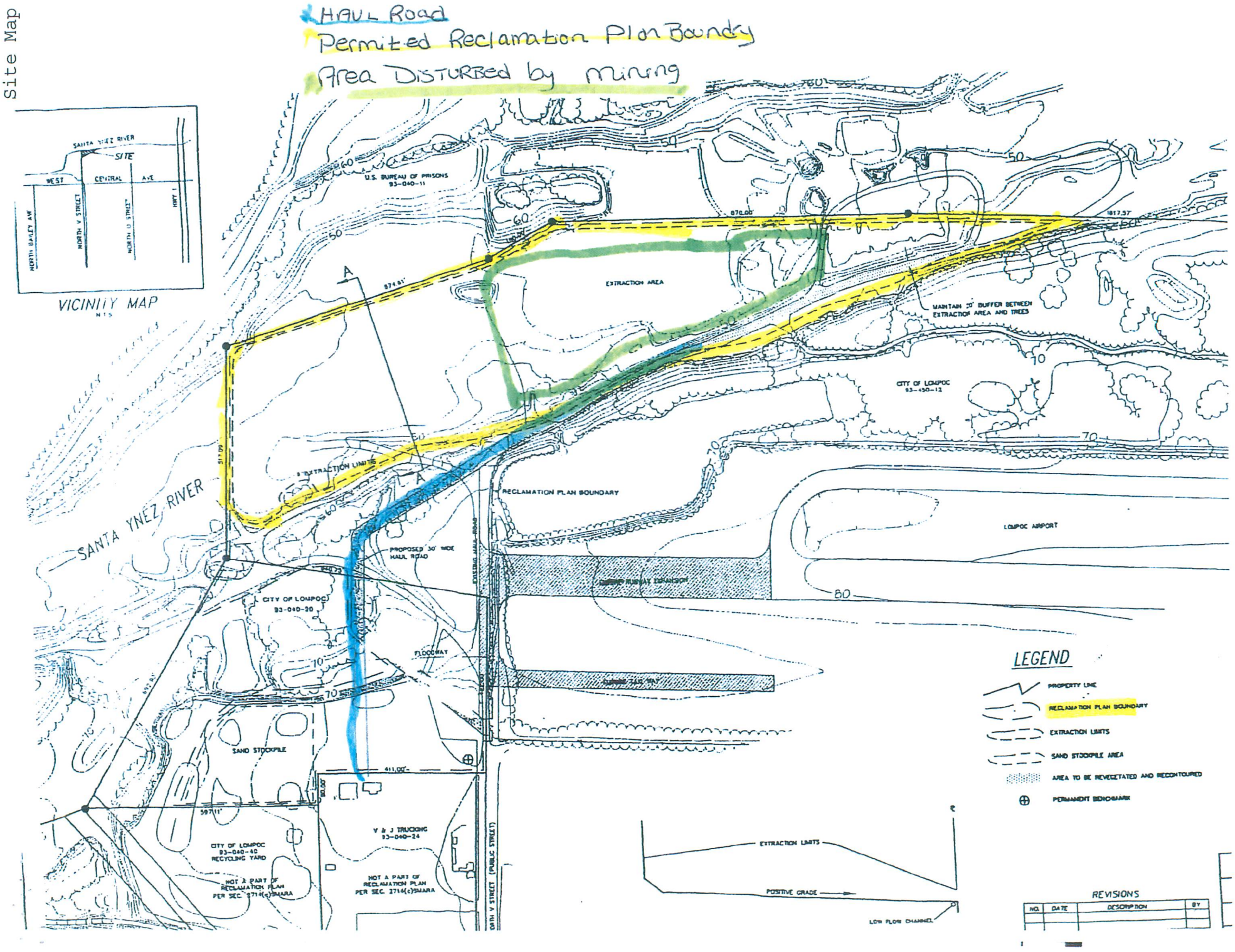
900' West – Eastern Extraction Limit

North Bank Looking South

900' WEST – Eastern Extraction Limit

North Bank Looking West

Attachment 2
Site Map



1991-2016 25th Anniversary OFFICE OF MINE RECLAMATION

State of California • Natural Resources Agency
Department of Conservation
Office of Mine Reclamation
801 K Street • MS 09-06
Sacramento, CA 95814
(916) 323-9198 • FAX (916) 445-6066

Edmund G. Brown Jr., *Governor*
Pat Perez, *Assistant Director*

September 30, 2016

VIA EMAIL: (S_LAWSON@ci.lompoc.ca.us)
ORIGINAL SENT BY MAIL

Stacy Lawson
Planning Division
Economic Development Department
City of Lompoc
100 Civic Center Plaza
Lompoc, CA 93436

Dear Ms. Lawson:

V & J SAND MINE
INTERIM MANAGEMENT PLAN
CA MINE ID #91-42-0026

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the Interim Management Plan (IMP) for the V & J Sand Mine (mine) submitted by the City of Lompoc on August 31, 2016. Review of OMR files indicates that the mine operates under a Reclamation Plan and Mitigated Negative Declaration #DR00-18/ER0004 that were approved by the City on May 13, 2002. According to the submittal, the mine became idle on April 15, 2016 and operations are expected to resume on or before September 13, 2021.

The Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code section 2710 et seq.) and the State Mining and Geology Board (SMGB) Regulations (California Code of Regulations (CCR) Title 14, Division 2, Chapter 8, Subchapter 1) govern the requirements of reclamation plans. The IMP is considered to be an amendment to the reclamation plan. SMARA section 2770(h)(1) states: "The interim management plan shall provide measures the operator will implement to maintain the site in compliance with this chapter, including, but not limited to, all permit conditions." The following comments prepared by a restoration ecologist are offered to assist in your review of this project. The IMP should be supplemented to address these items.

Noxious weed management is addressed by mitigation measure #28 in the Mitigated Negative Declaration. The measure states: "Any non-native vegetation (tree tobacco, castor bean, giant cane, etc.) shall be removed from the reclamation area and disposed of in a manner and at a location which prevents its reestablishment." The IMP should include measures the operator will implement as a part of regular monitoring and maintenance activities to manage potential encroachment of noxious weeds pursuant to CCR section 3705(k).

An approved IMP remains in effect for a period not to exceed five years, at which time the lead agency does one of the following: (1) Renew the IMP for another period not to exceed five years if the lead agency finds that the surface mining operator has complied with the provisions of the IMP; (2) Require the surface mining operator to commence reclamation in accordance with its approved reclamation plan; or (3) Allow the mining operation to resume active status.

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

Sincerely,

Dan Machek

for Beth Hendrickson, Manager
Environmental Services Unit