



September 13, 2021

Governor's Office of Planning & Research

September 13 2021

STATE CLEARINGHOUSE

Teresa McDonald
Stanislaus County
Department of Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

Copy sent via email: MCDONALDT@stancounty.com

**EARLY CONSULTATION FOR USE PERMIT AND RECLAMATION PLAN
APPLICATION NO. PLN2018-0045- REEVES SAND AND GRAVEL
STATE CLEARINGHOUSE (SCH) NO. 2021080503**

Dear Ms. McDonald:

Thank you for including the Department of Conservation's Division of Mine Reclamation (Division) in the Referral for Early Consultation under the California Environmental Quality Act (CEQA) for Use Permit and Reclamation Plan Application No. PLN2018-0045- Reeves Sand and Gravel. The project is a request to operate a sand extraction enterprise on 7.26 acres of a Williamson Act parcel previously determined to be operating a non-permitted mining operation under agricultural grading permits GRA2014-0006 and GRA2016-0017. As described, the project would allow removal of an additional 23,200 cubic yards of sand and subsequent reclamation of disturbance areas.

The project description includes the following elements that have a nexus with the Surface Mining and Reclamation Act of 1975 (SMARA; Public Resources Code [PRC] Section 2710 et seq.). Specifically:

- Substantial compliance with the requirements of the Reclamation Plan per PRC Sections 2772 et seq., 2773 et seq., 2774 et seq. and State Mining and Geology Board rules and regulations 14 CCR Sections 3500 et seq. and Sections 3700 et seq. providing provisions that are necessary to ensure viable, planned reclamation of the proposed project are included, and are technically feasible so as to satisfy the objectives of SMARA and mitigate environmental impacts of the planned surface mining operation.

The Division's primary focus is on active surface mining; however, the Division also addresses issues related to abandoned (pre-1976) legacy mines. The Division has review responsibilities associated with lead agency implementation of SMARA. SMARA provides a comprehensive surface mining and reclamation policy to ensure that:

- Adverse environmental effects of surface mining operations are prevented or minimized and mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.

Ms. McDonald

Early Consultation for Use Permit and Reclamation Plan Application No. PLN2018-0045
September 13, 2021

- Production and conservation of minerals are encouraged, while considering values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.
- Residual hazards to the public health and safety are eliminated.

Division staff has reviewed the Referral for Early Consultation and offers the following comments at this time:

- Division staff recommends appropriate reports including, but not limited to, biological, hydrological, and cultural resources, be performed by qualified professionals to provide information specific to CEQA environmental impacts. These assessments appear to be missing from the early referral request and project information.
- Due to the project's Williamson Act contract and prime agricultural land classification, Division staff recommends a soil evaluation report to be conducted and submitted with the Reclamation Plan. These reports are critical in determining conditions necessary to establish appropriate performance standards and reclaim prime agricultural lands.
- Division staff will provide specific comments on the Reclamation Plan for this proposed mining activity once the Reclamation Plan and any supporting documents have been received by the Division along with the statement from the County that certifies the submission as complete and in accordance with PRC Section 2772.1(a)(3)(A-C).
- Division staff will provide comments on the FACE for the Proposed Project in accordance with PRC Section 2773.4(d-f).

The Division looks forward to providing detailed comments on future draft environmental review documents and request to be included on the distribution list for subsequent project documents (e.g., hearing notices, initial and final CEQA documents, and any CEQA determinations), which may be sent to the Division at the mailing address on the bottom of page 1 of this letter or to DMR-Submittals@conservation.ca.gov. If you have any questions, please contact us at (916) 323-9198.

Sincerely,

DocuSigned by:

73ECCB6738194DA...
Carol E. Atkins
Manager
Environmental Services Unit

DocuSigned by:

AD2009D001614BA...
Joanne Heraty
Environmental Scientist
Environmental Services Unit

ec: Governor's Office of Planning and Research, State Clearinghouse,
state.clearinghouse@opr.ca.gov

Ms. McDonald

Early Consultation for Use Permit and Reclamation Plan Application No. PLN2018-0045

September 13, 2021

Department of Conservation, Office of Legislative and Regulatory Affairs,

OLRA@conservation.ca.gov