



**County of Modoc**  
**Planning Department**

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**NOTICE OF AVAILABILITY**

**DRAFT INITIAL STUDY / MITIGATED NEGATIVE DECLARATION**

Date: November 8, 2024

To: Responsible and Trustee Agencies, Organizations, and Individuals

Subject: Draft Initial Study / Mitigated Negative Declaration  
Shaw Pit Expansion Use Permit and Reclamation Plan Amendment Project

**Draft Initial Study / Mitigated Negative Declaration (IS/MND) for the proposed Shaw Pit Expansion Use Permit and Reclamation Plan Amendment Project is now available for review. More information is provided below.**

**NOTICE IF HERBY GIVEN** that County of Modoc (County) has prepared an Initial Study pursuant to the California Environmental Quality Act (CEQA) for the project described herein. Based on preliminary analysis, the Modoc County Planning Commission (Commission), as the lead agency, intends to adopt a Mitigated Negative Declaration (MND) for the project. A MND is a statement that the project will not result in a significant adverse effect on the environment.

The Modoc County Planning Commission will consider adoption of the MND at their regularly scheduled meeting of January 22, 2025, with the session commencing at 10:00 a.m., or soon thereafter as possible, at the Modoc County Planning Department, 203 West 4<sup>th</sup> Street, Alturas, California, 96101.

**Project Location:** The proposed project is located approximately 14 miles northwest of Adin off of County Road 85A on the Shaw Ranch along the Pit River. The current mining area and proposed expansion area are located in Section 35, Township 41 North, Range 7 East, Mount Diablo Base and Meridian (MDBM). The latitude and longitude at the center of the project are 41° 20'36.46"N and 121° 08'02.73"W, respectively.

**Related Zoning and Uses:** The Modoc County General Plan land use designation for the site is General/Agriculture. The General/Agriculture land use designation allows for mining activities. The site is zoned Unclassified. No special land use designations exist for the project site.

**Description of Project:** Hat Creek Construction propose to continue operating under the original conditions outlined in the Use Permit/Reclamation Plan 96-52 on APN 010-420-170. The proposed

project is a request to amend Use Permit/Reclamation Plan 96-52 to include: 1) an approximately 7-acre expansion, 2) a revised removal volume, and 3) extension of end date.

The project area reflects an expansion of approximately 7 acres of the existing operational mine. The current active and proposed clarified boundary will include approximately 37 total acres of mine footprint. No other changes to site operations will occur. Implementation of the proposed project would extend onsite mining activities through 2050 at a rate governed by market demand and depth of rock fields.

Surface mining procedures will continue in areas already under the current use permit and will be the same in the areas proposed in this expansion. The historic mining plan included two operating areas: Site A to the south and Site B to the north. The proposed mine expansion would include an additional area northeast of Site B. There will be no additional mining in the area of Site A.

The average depth of cut will be approximately 60 feet. The anticipated final pit floor will reside at an elevation of approximately 4250 feet. The maximum cut bank elevation will occur in the northeast corner of the pit at an elevation of approximately 4400 feet. Under the current plan, the mine was to yield approximately 200,000 cubic yards of crushed material over the life of the plan which was to be the year 2036. With this expansion, and extension of an additional 14 years, the yield will increase to an additional 588,000 cubic yards and the termination date will be the year 2050. Cut slopes in the expansion area will be reduced to no steeper than 2:1. The operation will continue to involve blasting, screening, and crushing operations.

**Environmental Topics Evaluated:** The Draft IS/MND examines the potential impacts generated by the proposed project in relation to the potential of the project to have an impact on the environment.

**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** The County, as Lead Agency for the proposed project, has discretionary authority over the primary project proposal. To implement this project the following discretionary permits/approvals from other agencies will be required:

- California Department of Fish and Wildlife
- California Division of Mine Reclamation
- California Regional Water Quality Control Board
- Modoc County (Air Quality, Environmental Health)

**Public Review Process:** The public comment period begins on Tuesday, November 12, 2024 and will end on Wednesday, December 11, 2024 at 5:00 p.m. Written comments can be mailed or emailed to the attention of Sean Curtis, Planning Director, Modoc County Planning Department, 203 West 4<sup>th</sup> Street, Alturas, California, 96101; [seancurtis@co.modoc.ca.us](mailto:seancurtis@co.modoc.ca.us).

**Address Where Copy of the Draft IS/MND is Available:** Printed copies of the Draft IS/MND are now available for review at the Modoc County Planning Department, 203 West 4<sup>th</sup> Street, Alturas, California, during normal business hours (Monday through Friday 8:00 a.m. to 5:00 p.m.). The Initial Study can also be accessed and downloaded from the County's website at: <https://www.co.modoc.ca.us/departments/planning/index.php>

For more specific questions about the proposed project or the Draft IS/MND please contact Sean Curtis, Planning Director, at (530) 233-6406. Questions may also be emailed to Sean Curtis at [seancurtis@co.modoc.ca.us](mailto:seancurtis@co.modoc.ca.us).

Sincerely,

A handwritten signature in black ink that reads "Sean Curtis". The signature is written in a cursive style with a large, prominent "S" at the beginning.

Sean Curtis  
Interim Planning Director  
Modoc County