



Reclamation District No. 1001

1959 Cornelius Ave., Rio Oso, CA 95674

Phone: (530) 656-2318

www.rd1001.org

General Manager: Kim Reese, kreese@rd1001.org

Reclamation Board of Trustees: James Hudson (President), Michael Daddow (Vice-President), Eric Rolufs (Trustee), John Taresh (Trustee), Brian McKenzie (Trustee)

REQUEST FOR PROPOSALS

I. GENERAL INFORMATION

A. Purpose

Reclamation District ("RD") 1001 is soliciting a Request for Proposals (RFP) from qualified firms (each a Respondent) interested in providing environmental mitigation planning services to permit and implement a habitat restoration project or mitigation bank (the "Project") on RD 1001-owned property in Sutter County, CA (the "Property").

RD 1001 intends to award a contract to the best-qualified single Respondent that demonstrates extensive experience with permitting habitat restoration projects and/or mitigation banks, with the ability to tailor the Project to RD 1001's current and future needs. To wit; the reclamation of an existing surface mining operation, restoration of the site to a productive second use (e.g. a mitigation bank) and re-establishing habitat on the Property.

B. Overview/Background

RD 1001 provides flood protection for approximately 43,395 acres and a population of 1,540, including the communities of East Nicolaus, Nicolaus, Pleasant Grove, Rio Oso, Trowbridge, and Verona. RD 1001 is responsible for the operation and maintenance of 44 miles of project levees, 16 miles of non-project levees, over 100 miles of drainage ditches and canals, a main pumping plant located at the Natomas Cross Canal, and three smaller drainage pumping facilities on Yankee Slough. RD 1001's levee system protects State Highways 65, 70, and 99, two active Union Pacific Railroad lines, two volunteer fire departments, a Pacific Gas and Electric Company substation and numerous transmission lines, both Rio Oso and Nicolaus Post Offices, two elementary schools, and the Nicolaus Cemetery.

As part of its operations, RD 1001 owns and operates an active surface mining operation and borrow pit (CA Mine # 91-51-0004) in Sutter County. The surface mining operation consists of extracting and transporting material for use as imported borrow for levee maintenance, levee and road repair, and initial construction of roads and highways. The surface mining operation is located on Assessor's Parcel Number ("APN") 33-280-006 in southern Sutter County, directly east of the intersection of Striplin Road and State Highway 70. The parcel on which the surface mining operation is situated is approximately 190 acres. Sutter County's General Plan designates the parcel

“Agriculture-80” and “Open Space” and the parcel is zoned “Agriculture.” The General Plan’s “Agriculture” designation “provides for the long-term production, distribution, and sale of food and fiber on prime agricultural soils and other productive and potentially productive lands. This designation is applied in locations that have minimal intrusion and conflict from non-agricultural uses, or where such conflicts can be mitigated. Typical permitted uses include crop production, orchards, grazing, pasture and rangeland, and associated residences and agricultural support uses.” (Sutter County General Plan, p. 3-10.)

The “80” is a development standard which provides for an 80-acre minimum parcel size and a residential density of .01 dwelling units per gross acre. (Sutter County General Plan, p. 3-9, Table 3-2.) The General Plan’s “Open Space” designation “identifies and permanently protects important open space lands within Sutter County due to their value as habitat, topography, scenic quality, public safety, or comparable purpose. Typical Open Space lands include non-agricultural areas which contain significant vegetation, wildlife, and/or habitat resources; and areas which present conditions hazardous to rural and urban development. Typical permitted uses include resource preservation, agriculture, passive public recreation, buffers, and greenbelts.” (Sutter County General Plan, p. 3-14.)

C. The Project

RD 1001 proposes to reclaim the surface mining operation to a productive second use of a mitigation bank by permitting and constructing a 190-acre habitat mitigation bank on the parcel. A potential mitigation bank on the site may include the following conservation values: created and preserved wetlands, upland and riparian habitat, valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) swainson’s hawk (*Buteo swainsoni*), giant garter snake (*Thamnophis gigas*), vernal pool fairy shrimp (*Branchinecta lynchi*), tricolored blackbird (*Agelaius tricolor*), and burrowing owl (*Athene cunicularia*), among others.

The project may also allow for two sections of non-Project levees along the east (left) bank of Marcum Ravine and the east (left) bank of the RD 1001 East Side Canal to be relocated to the east and south to allow the project area to be placed in the floodway and provide direct connectivity to the floodplain corridor.

The surface mining operation must be reclaimed in accordance with the site’s existing, or, if necessary, amended reclamation plan as required by the Surface Mining and Reclamation Act of 1975 (“SMARA”). (See Exhibit A generally and p. 10 “Landscape Rehabilitation” for the Reclamation Plan’s required end use.) Permitting the mitigation bank may also require any applicable California Environmental Quality Act (“CEQA”) processes in addition to other permits and authorizations.

The Project will also require the successful Respondent to propose a financial arrangement between the selected Respondent and RD 1001 for revenues resulting from either a turn-key sale, permittee-responsible mitigation or the sale of credits from

the mitigation bank. Respondent will finance the establishment of the Project via a joint venture with RD 1001 or other financial arrangement proposed by the Respondent.

A list of attached exhibits for the Project including the approved Reclamation Plan (Exhibit A), Conditional Use Permit (Exhibit B), the Conditions of Approval (Exhibit C), and aerial maps of the Project site (Exhibit H) for the surface mining operation, are all provided in Section IV.F. of this RFP.

II. TECHNICAL REQUIREMENTS

The successful Respondent will be responsible for planning the bank/restoration project using the existing reclamation plan (Exhibit A) of the surface mining operation at the Project site. The Proposal must include the following components:

- Narrative description of the location of the proposed Project site along with figures and photographs showing the proposed bank design.
- A site description detailing the expected conservation values associated with the proposed mitigation bank.
- A detailed description of the how the Respondent proposes to use the existing surface mining reclamation plan (Exhibit A) to comply with SMARA, and applicable County Ordinances, as well as a detailed description of the anticipated permitting process required to establish the mitigation bank. This section shall include a list of all relevant permits and approvals required for implementation of the Project.
- A general outline of a revenue strategy including a conceptual financial arrangement between RD 1001 and the Respondent with deal terms, incentives, and potential residual payments resulting from selling either mitigation credits, PRM, or turn-key mitigation to willing buyers.
- A timeline for when RD 1001 can expect the Project to be fully permitted.
- A brief statement of qualifications of the Respondent and key staff members.
- Consistent with the U.S. Army Corps of Engineers' Prospectus Checklist for Conservation Mitigation Banks in California (rev. May 5, 2021), the Proposal shall include any other requirements not addressed in this Proposal such as Service Area, Baseline Site Conditions, Regional Context, and Bank Operation.

III. PROPOSAL CONTENTS

In addition to the technical requirements set forth in Section II, above, each Proposal must include the following information:

- Statement Qualifications of the Respondent;
- Name and contact information of the Respondent's primary contact;
- Conceptual construction plan;
- Expected number and type of credits (as applicable) generated by applicant design; and

- Expected delivery date.

IV. GENERAL RFP INSTRUCTIONS

A. General Requirements

The RFP issue date is July 5, 2023. Prospective RFP Respondents may submit written questions about this RFP by Noon PST on July 31, 2023, via email to: kreese@rd1001.org.

RD 1001 will officially respond to any questions and clarifications in an addendum which will be provided to all potential respondents. Questions and responses will also be posted to RD 1001's website at: www.rd1001.org.

B. Submission and Delivery

Receipt of Proposals is **required by Noon on August 14, 2023**, for a Respondent to be considered. Late or incomplete submissions will not be considered. Proposals must be sent by email to kreese@rd1001.org. RD 1001 reserves the right to reject any and all Proposals received when it is deemed in the best interests of RD 1001 to do so.

The submission shall consist of a Transmittal Letter listing RFP No. 23-01 The Transmittal Letter shall not exceed 20 pages and shall consist of the requirements listed in Section II (Technical Requirements) and Section III (Proposal Contents).

C. Evaluation and Selection Procedure

An evaluation team comprised of RD 1001 staff and RD 1001's consultants will evaluate each submitted Proposal using a general quality-based selection process based on the following criteria:

- Delivery time;
- Relevant and applicable experience and qualifications of the Respondent and its proposed project manager and key staff;
- Demonstrated past performance of the Respondent demonstrating delivering services on scope and effectively working with client teams, quality, schedule, and budget to meet the end product of client needs;
- A demonstrated understanding of permitting requirements for both surface mining operations and habitat restoration/mitigation banks in California. These criteria shall include a thorough understanding of the Project Site's reclamation plan (Exhibit A) as well as any other Projects relevant to the successful reclamation of a surface mine and/or permitting of mitigation banks within Sutter County or nearby counties; and
- Project risks and assurances.

RD 1001 is under no obligation to purchase the services described above. The selection process may include a personal interview and site visit with RD 1001 and its consultants.

D. Notification of Award

It is expected that a decision selecting the successful Respondent will be made by August 25, 2023. Upon conclusion of negotiations with the successful Respondent, all Respondents shall be notified in writing of the name of the successful Respondent.

E. Terms of Agreement

If the decision is made to move forward on acquiring mitigation permitting services, RD 1001 will enter a formal binding contract with selected Respondent(s) that will be good for at least one year minimum upon execution and may require extensions of time. Such Agreement shall identify mutually agreeable schedules for delivery and purchase of the services meeting the parameters of this RFP, with details of the final Purchase Agreement to be negotiated between RD 1001 and selected Respondent(s). Other terms will be determined and negotiated based upon information contained in the proposals.

F. List of Exhibits

- Exhibit A: Reclamation Plan (CA Mine # 91-51-0004)
- Exhibit B: Surface Mine Conditional Use Permit
- Exhibit C: Surface Mine Conditions of Approval
- Exhibit D: Sutter County Approval of Reclamation Plan Amendment (2000)
- Exhibit E: Sutter County Approval of Reclamation Plan Amendment (2011)
- Exhibit F: RD 1001 Application for Reclamation Plan Amendment (2010)
- Exhibit G: Sutter County Resolution and Staff Report
- Exhibit H: Aerial Maps

G. Contact Person

Kim Reese, General Manager
Reclamation District 1001
kreese@rd1001.org

Exhibit A

RECLAMATION PLAN
FOR
SURFACE MINING OPERATION
IN
NICOLAUS, SUTTER COUNTY

OWNER/APPLICANT--RECLAMATION DISTRICT 1001

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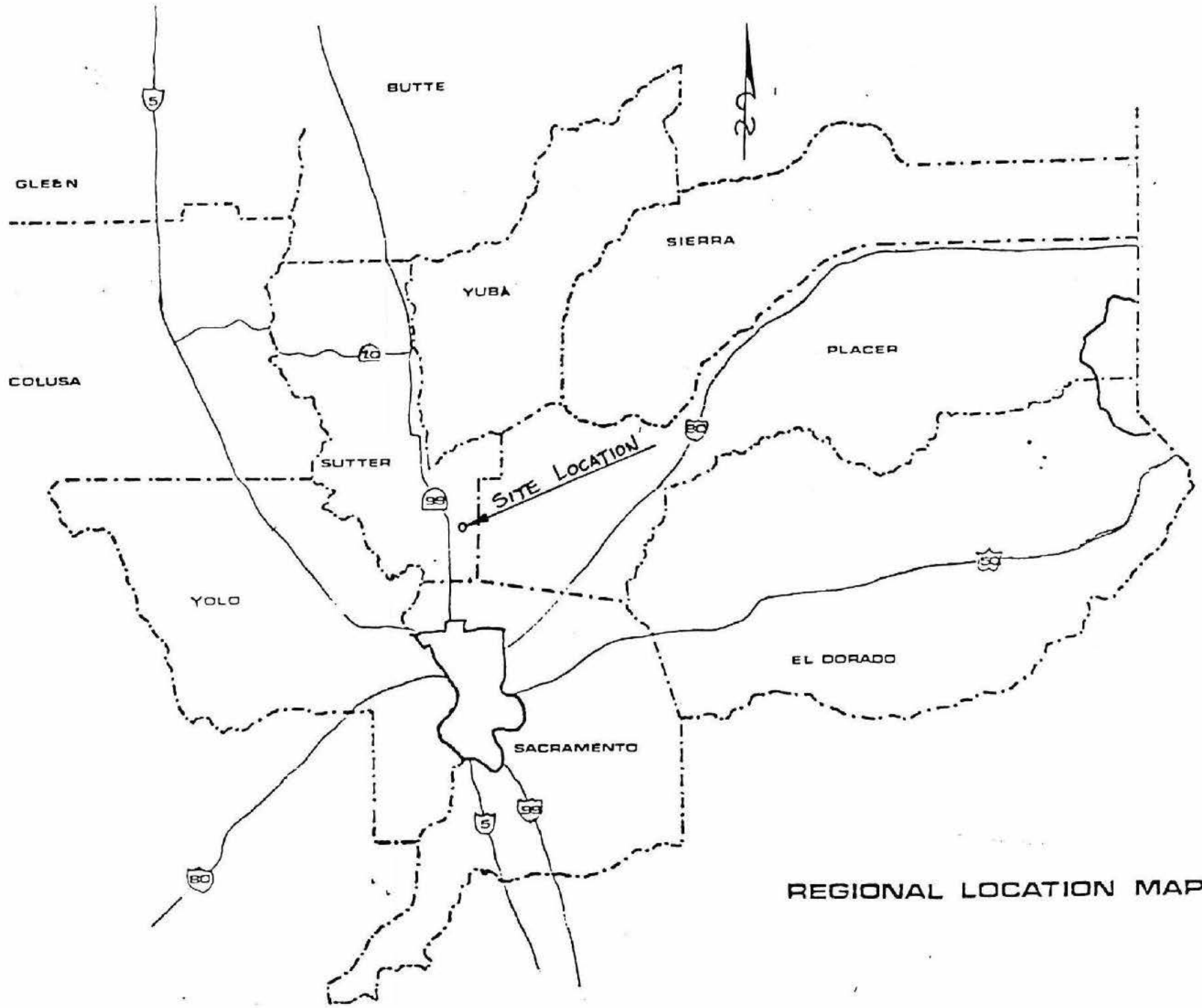
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Project Description

The proposed surface mining operation consists of extracting and transporting material for use as imported borrow for levee maintenance, repair or construction, roads and highways, etc.

Approximately ~~9,000~~^{900,000} to 1,000,000 cubic yards of material is proposed to be extracted over a period of 2 to 5 years. The excavation will cover an area of approximately 120 acres to a maximum depth of 9 feet.

The resulting excavation will create a pond to help mitigate increased storm water run off from the East. The drainage facilities in the vicinity will benefit by the storage capacity of the newly created pond in somewhat decreasing the downstream discharges. Outfall from the pond can be regulated to be released after peak flows have passed, thereby decreasing channel and pumping requirements.



REGIONAL LOCATION MAP

Legal Description

The parcel of land encompassing the proposed surface mining operations is described as follows:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF SUTTER, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH HALF OF SECTION 27, TOWNSHIP 12 NORTH, RANGE 4 EAST, M.D.B.&M.

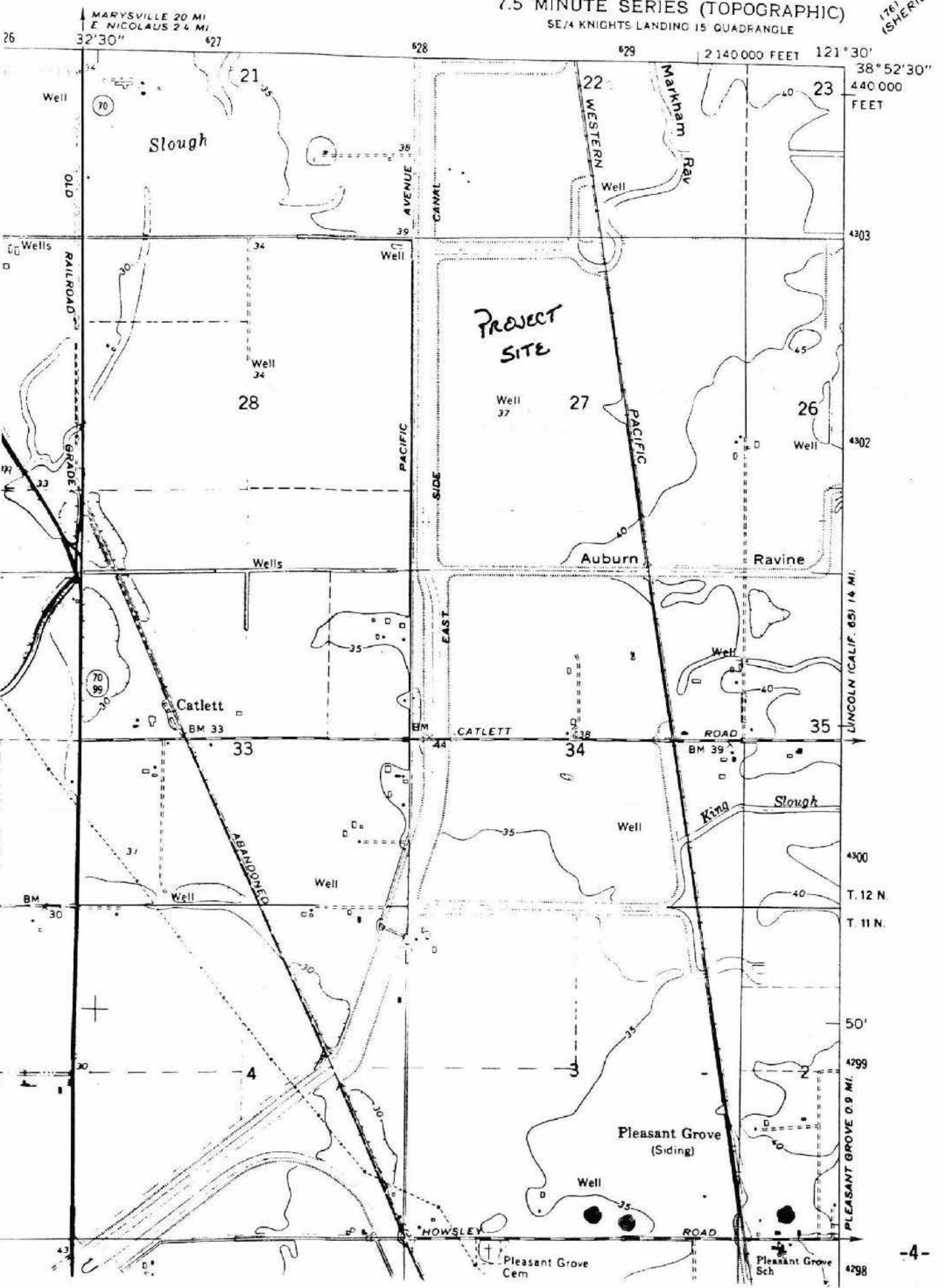
EXCEPTING THEREFROM, THE PORTION CONVEYED BY H.J. GRUNEWALD TO WESTERN PACIFIC RAILWAY COMPANY BY DEED DATED JANUARY 30, 1906 AND RECORDED JANUARY 31, 1906 IN BOOK 31 OF DEEDS, AT PAGE 730, SUTTER COUNTY RECORDS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 100 FEET IN WIDTH, BEING 50 FEET ON EACH SIDE OF AND PARALLEL WITH THE LOCATED CENTER LINE OF THE WESTERN PACIFIC RAILWAY COMPANY'S LINE OF RAILROAD AS THE SAME IS STAKED OUT AND LOCATED OVER AND ACROSS THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 27; THE CENTER LINE OF SAID STRIP OF LAND HEREBY DESCRIBED BEING PARTICULARLY DESCRIBED AS FOLLOWS:

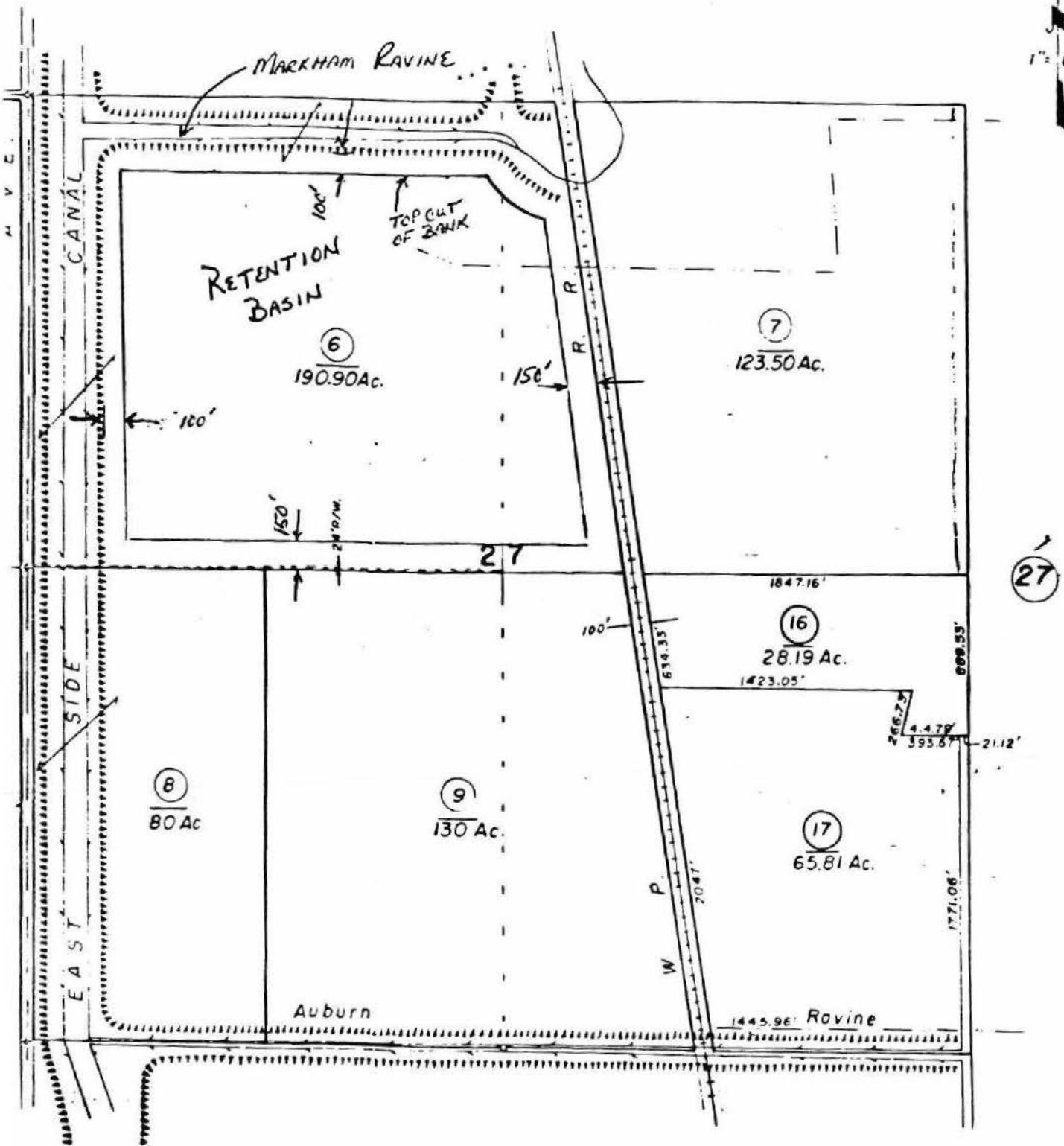
BEGINNING AT A POINT WHERE SAID LOCATED CENTER LINE INTERSECTS THE NORTH LINE OF SAID SECTION 27, AT NEAR ENGINEER'S STATION 2485 PLUS 77 AND DISTANT 2936 FEET EASTERLY FROM THE NORTHWEST CORNER OF SAID SECTION; THENCE SOUTH $8^{\circ} 46'$ A DISTANCE OF 2674 FEET TO A POINT IN THE EAST AND WEST QUARTER SECTION LINE OF SAID SECTION 27 AT OR NEAR ENGINEER'S STATION 2512 PLUS 51.

VERONA QUADRANGLE
CALIFORNIA
7.5 MINUTE SERIES (TOPOGRAPHIC)
SE 1/4 KNIGHTS LANDING 15' QUADRANGLE

1761 IV NW
(SHERIDAN)



1" = 600'



31

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 33-Pg. 28
County of Sutter, Calif.

Soils

The soil survey of Sutter County, prepared by the Soil Conservation Service, depicts the soils on this site as "Capay Series". Generally, this soil is deep and moderately well drained. Typically the surface layer is dark grayish-brown silty clay about 36" deep. The underlying material to a depth of 96" or more is brown and light yellowish-brown clay loam. Permeability of this soil is slow. Available water capacity is high. Run off is very slow and the hazard of water erosion is slight. The shrink-swell potential is relatively high.

Structures

There are no structures located within the proposed mining area. The nearest structures to the mining area are power line towers located between the mining area and the Union Pacific Railroad. There is an existing irrigation well, pump, and service pole located approximately 50 feet southeast of the mining area and a line of power poles with overhead wires along the south property line.

Transportation

Access to the proposed mining area is provided from Pacific Avenue near the southwest corner of the property or from Striplin Road to a private road on the southeast corner of the property.

Material from the mining area will be transported via Pacific Avenue onto Striplin Road onto S.R. 99/70 or via Striplin Road onto Pleasant Grove Road. Transportation routes along S.R. 99/70 and Pleasant Grove Road would then vary depending on destination.

The operator proposes to transport materials only during the daylight hours of 7:00 a.m. to 5:00 p.m.

The transportation of loads along county roads would be restricted in accordance with arrangements acceptable to the Public Works Department. Prior to any transportation, the operator shall notify the Public Works Department of the intent to transport and the specifics thereof. Arrangements would then be established between the operator and the county, with bonding required when deemed necessary. Refer to Exhibit 4 for Transportation Routes.

Noise

There are few residents in the vicinity of this site. Noise levels will be minimal to neighboring properties due to existing levees on the West, North, and South sides of the site and railroad tracks on the East side. Equipment noises will be further muted by the pit banks as extraction proceeds.

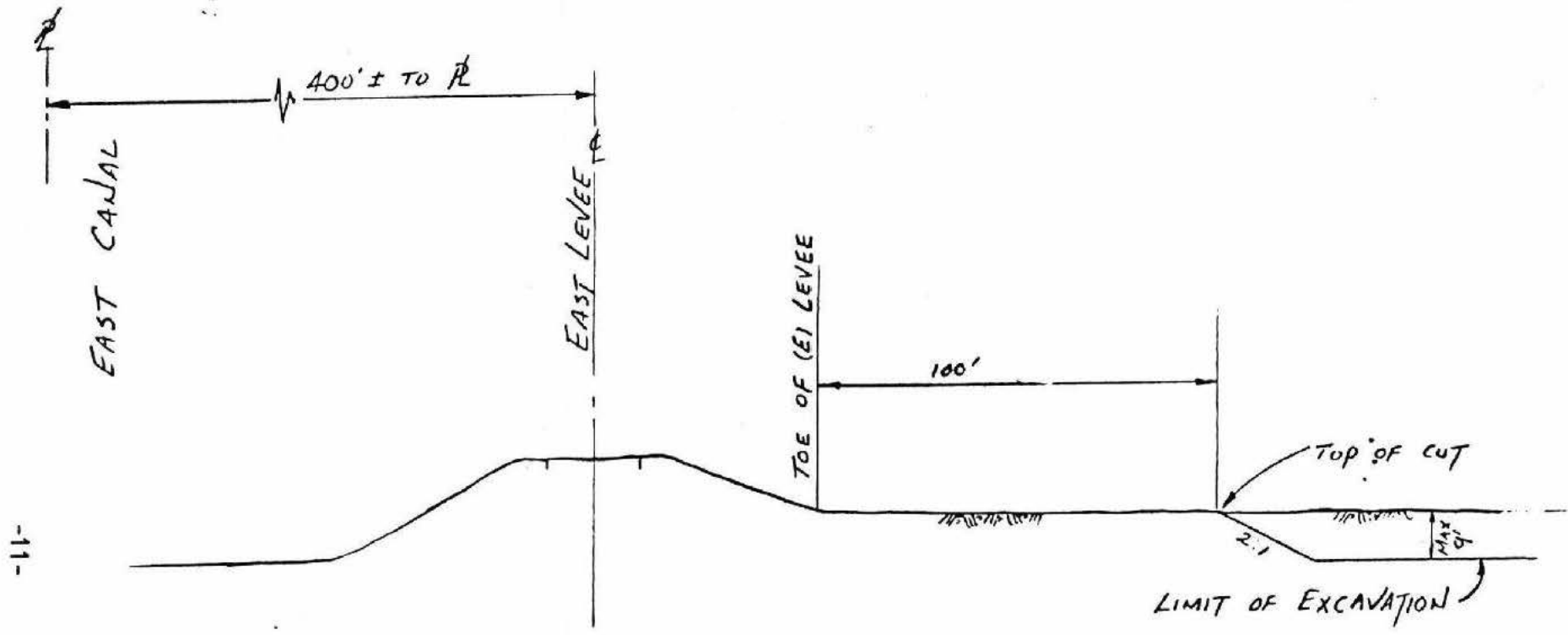
Dust

Any dust may be produced as a result of extracting and transporting is expected to be kept to a minimum since levees essentially confine the site. Dust resulting from the excavation site to the paved road will be mitigated by use of water trucks as necessary.

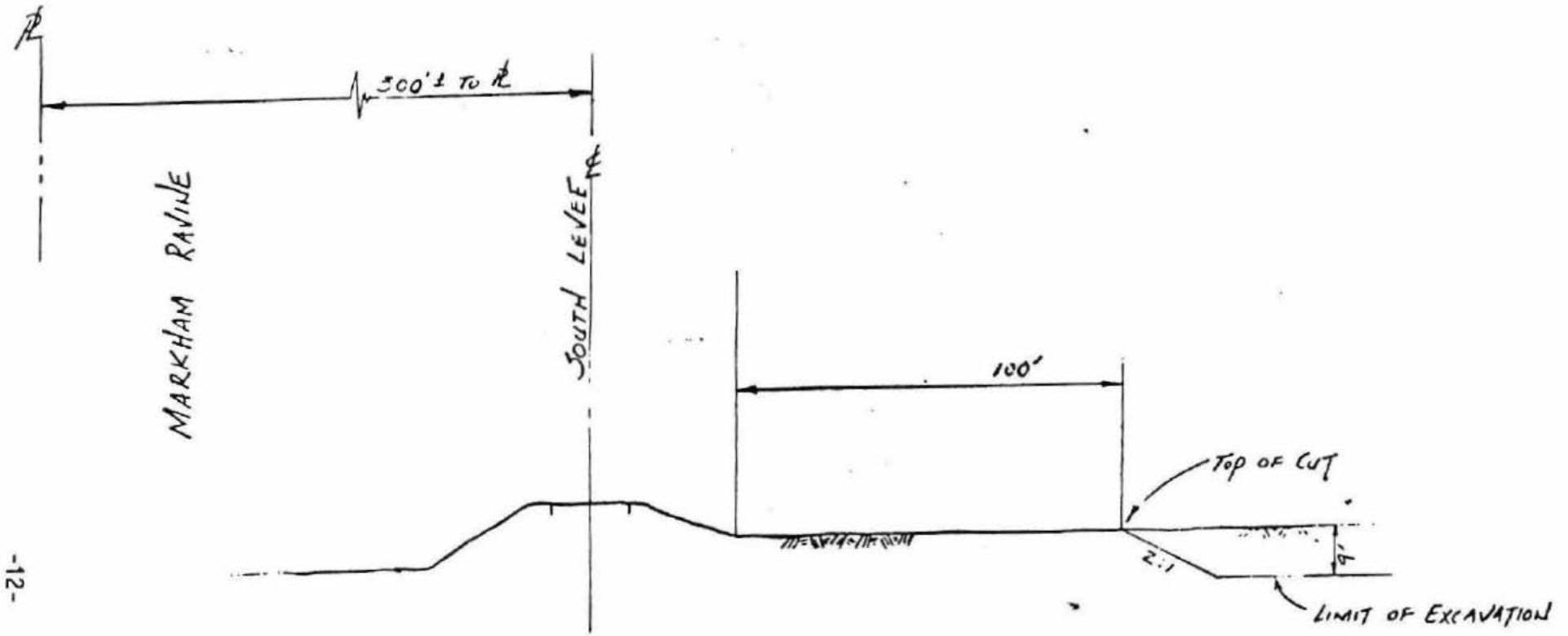
Landscape Rehabilitation

Plant growth native to the area shall be established in the excavated pond area. Volunteer growth should provide sufficient vegetation cover. Storm runoff from adjacent properties should transport nutrients and native plant seeds to the pond.

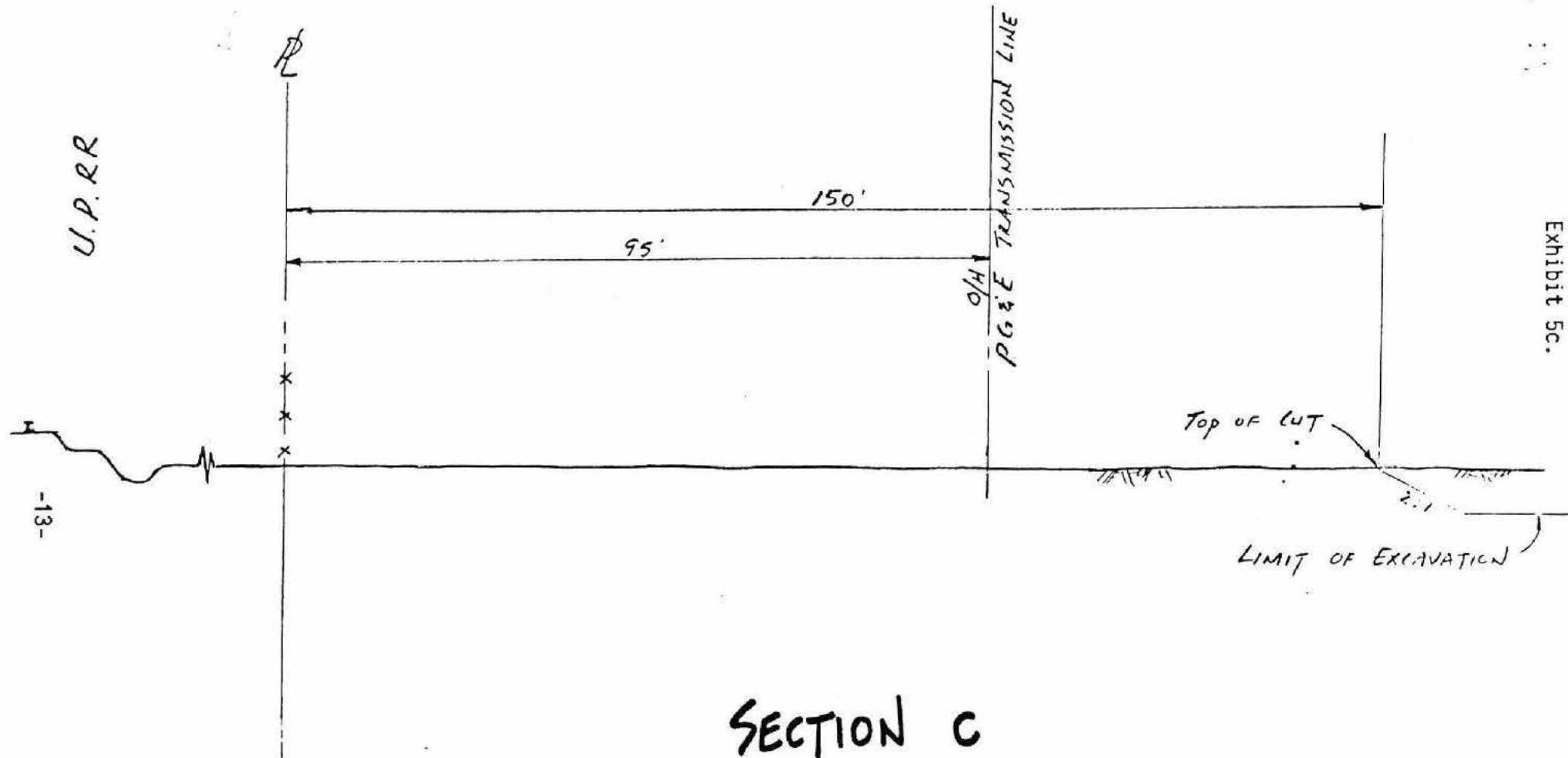
In the event rehabilitation is slower than anticipated, mechanical seeding of native grasses and forbes conducive to the terrain and climate will be performed. Tules and other growth from neighboring sloughs and canals can be transplanted to quickly enhance the wetland and wildlife habitat.

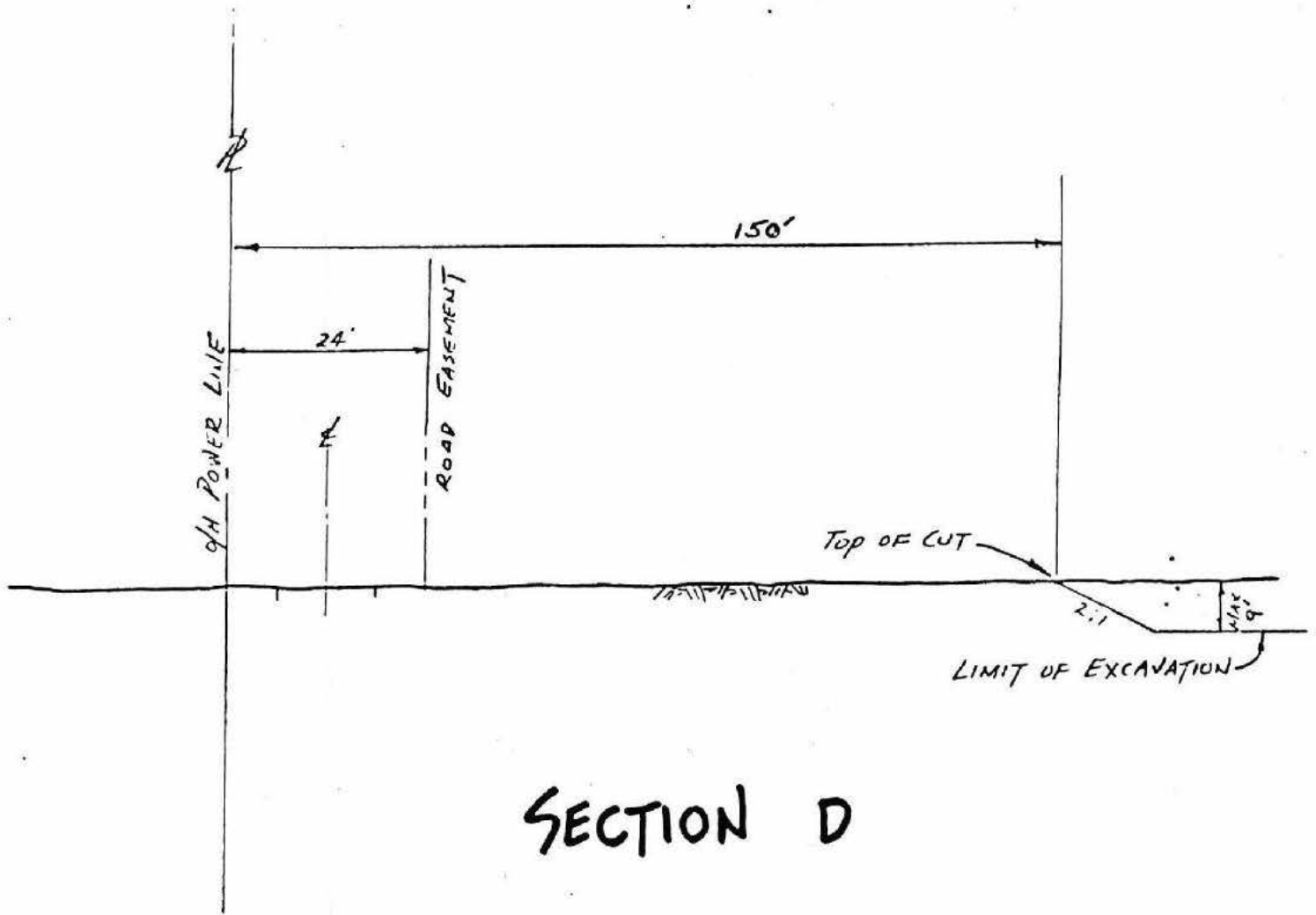


SECTION A



SECTION B





SECTION D

Environmental Setting And Associated Impacts

The site is bordered on the North and West sides by Marcum Ravine and East Side Canal levees. The East boundary is adjacent to the Union Pacific Railroad tracks and directly to the south are farm lands currently in rice production which are in turn bordered by the Auburn Ravine levees.

This site will have no negative impacts on the wildlife associated with the wetlands area of Marcum Ravine, East Side Canal and Auburn Ravine and, in fact, will be an asset to these habitats.

There will be no need for any restrictions, other than those which are common practice throughout Sutter County (eg. it is currently illegal to spray herbicides and/or pesticides of adjoining properties) on adjoining farming operations. Any concerns of this nature will be further mitigated by the 150 feet of set back to the excavation area on the property's South side.

We anticipate a positive impact by reducing volume in adjoining canals and pumping requirements, and foresee no health or safety dangers to the general public, since access to this area is limited because of private ownership of adjoining properties to the East and the levee systems surrounding the property to the West, North, and South. See Exhibit 6.

RESTRICTING TRAVEL ON LEVEES

SEC. 1140-010 - 1140-030

Chapter 1140
RESTRICTING TRAVEL ON LEVEES

SECTIONS:

1140-010	Parking on Levee-Prohibited
1140-020	Speed Limits Where driving Permitted
1140-030	Signs
1140-040	Vehicle Defined
1140-050	Excepted Vehicles
1140-060	State and County Highways Excepted
1140-070	Permitted Travel-Designated Persons
1140-080	Violations-Penalty
1140-090	Severability

1140-010 PARKING ON LEVEE-PROHIBITED

It shall be unlawful for any person to drive, operate, stop, park, or leave standing, any vehicle upon any levee, which is a unit of any flood control project within this County, except as hereinafter specifically permitted under Sections 1140-020, 1140-050, 1140-060 and 1140-070 of this Chapter.

(Ord. 233, Sec. 1; Oct. 3, 1960)

1140-020 SPEED LIMITS WHERE DRIVING PERMITTED

Driving and operating of vehicles shall be permitted in certain restricted areas on and over levee crown roadways and ramps where said ramps and roadways are specifically posted with signs indicating the areas over which said driving may take place. Provided, however, that driving over such levee crown roadways and ramps shall be done in such a manner as not to cause any damage to the levee or its structure, and in any case, at a speed not to exceed fifteen (15) miles per hour, unless a higher speed is posted.

(Ord. 233, Sec. 2; Oct. 3, 1960)

1140-030 SIGNS

It is hereby made the duty of the responsible levee district, reclamation district, or Department of Water Resources of the State of California, having jurisdiction over the particular levee involved, to immediately provide signs reflecting said maximum speed limit and designating and posting the areas over which vehicles may be operated under the provisions of this Chapter, and reflecting that it is unlawful to operate vehicles except within the designated areas.

(Ord. 233, Sec. 3; Oct. 3, 1960)

RESTRICTING TRAVEL ON LEVEES

SEC. 1140-040 - 1140-090

1140-040 VEHICLE DEFINED

For the purposes of this Chapter, a vehicle is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved by human power.

(Ord. 233, Sec. 4; Oct. 3, 1960)

1140-050 EXCEPTED VEHICLES

This Chapter shall not apply to levee maintenance vehicles and equipment operated by or under the supervision of the various levee districts, reclamation districts, County of Sutter, or State of California.

(Ord. 233, Sec. 5; Oct. 3, 1960)

1140-060 STATE AND COUNTY HIGHWAYS EXCEPTED

This Chapter shall not apply to levees on which there exist State or County highways.

(Ord. 233, Sec. 6; Oct. 3, 1960)

1140-070 PERMITTED TRAVEL-DESIGNATED PERSONS

Where levees are closed to the public, each responsible levee district, reclamation district, or Department of Water Resources shall specifically authorize and designate property owners adjacent to levees who must have necessary access over these adjacent levees to service adjacent pumping plants or to pass to and from adjacent properties which are not served by public highways, and when so designated, said adjacent property owners are hereby authorized to pass over these closed levees. Such authorized use shall be done in such a manner as not to cause any damage to the levee or its structure, and in any case, at a speed not to exceed fifteen (15) miles per hour, unless a higher speed is posted.

(Ord. 233, Sec. 7; Oct. 3, 1960)

1140-080 VIOLATIONS-PENALTY

Any violation of this Chapter shall constitute a misdemeanor and shall be punishable by a fine not exceeding \$100.00, or by imprisonment in the County Jail of Sutter County not exceeding twenty (20) days, or by both such fine and imprisonment.

(Ord. 233, Sec. 8; Oct. 3, 1960)

1140-090 SEVERABILITY

If any section, subsection, paragraph, sentence, clause or phrase of this Chapter which is reasonably separable from the remaining portion of this Chapter, is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Chapter, it being herein expressly declared that this Chapter and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more other sections, subsections, paragraphs, sentences, clauses and phrases be declared invalid or unconstitutional.

(Ord. 233, Sec. 10; Oct. 3, 1960)

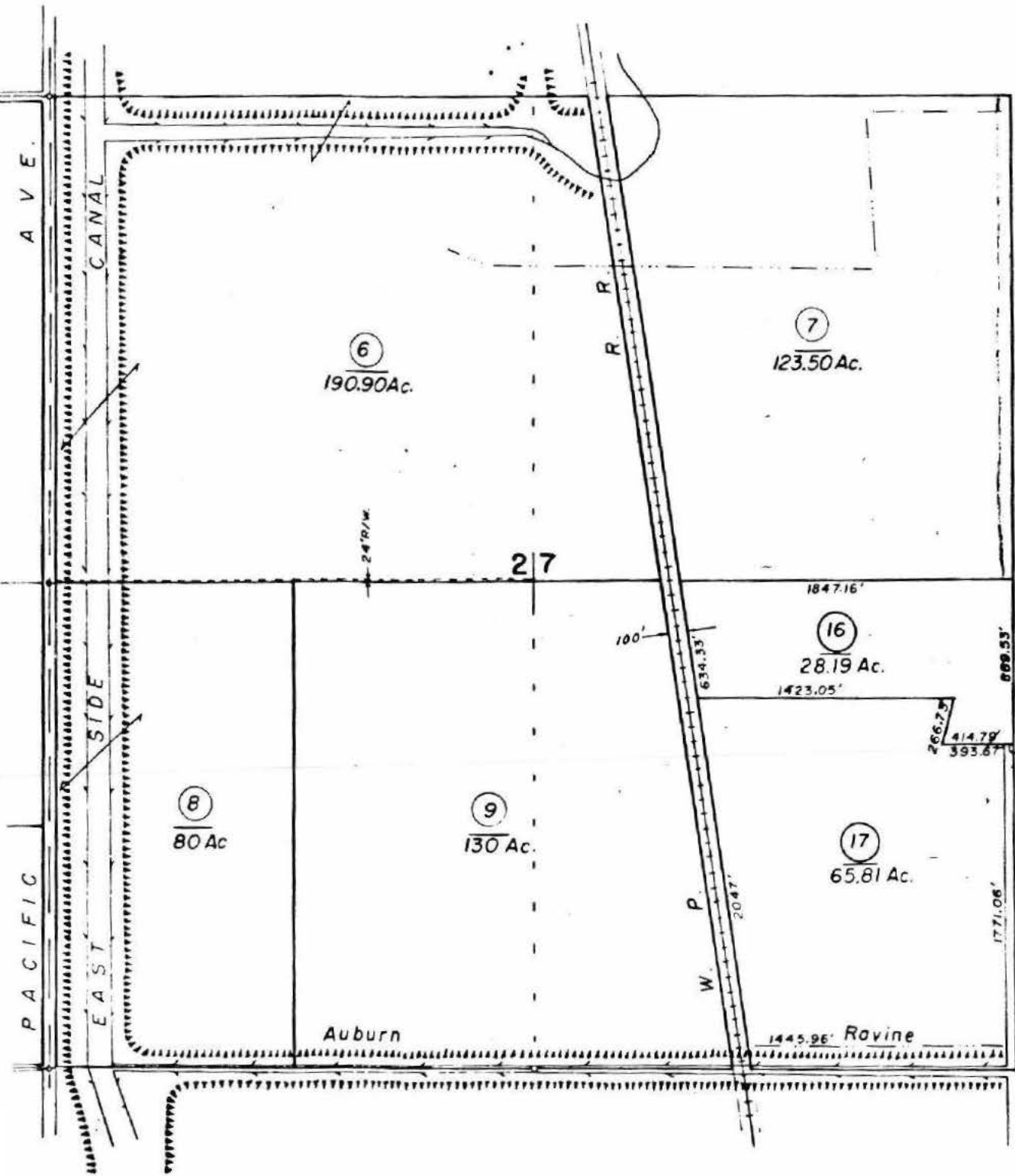
R. 4 E., M. D. B. & M.

Tax Area Code 62-001
67-001

33-28



1" = 800'



Assessor's Map Bk. 33-Pg. 28
County of Sutter, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

SOIL SURVEY OF SUTTER COUNTY, CALIFORNIA

(VERONA QUADRANGLE)

MARYSVILLE 20 MI
E NICOLAUS 24 MI
32'30"

2 140 000 FEET 121°30'
159 38°52'30"
23 440 000 FEET

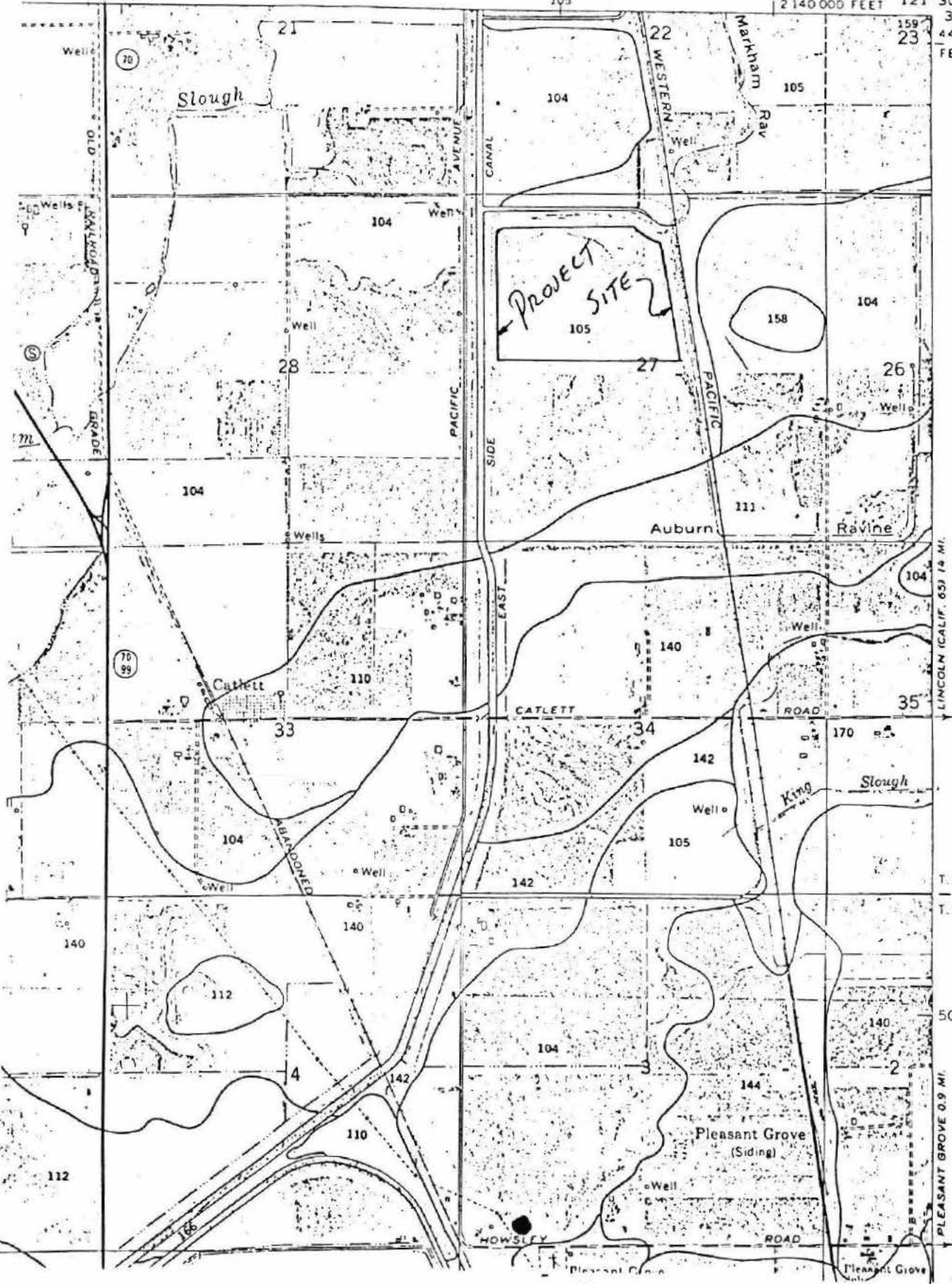


Exhibit B

COUNTY OF SUTTER
SURFACE MINING PERMIT

---OFFICE USE---
Permit No. 20
SUT- 2003
Rec't.No. 45951
Date 6-19-90

SECTION 1 - APPLICATION

Application is hereby made for a Surface Mining Permit to allow the extraction of Native Son as described in (mineral commodity) Section 2 from property located at North 1/2 of section 27; T 12 N; R 4 E M.D.B.&M.

East of East Side Canal (general description)

more particularly described as: a portion of all of Assessor's Parcel Number(s): 33-028-006

Zoning of the property is currently: A - 1

Property Owner:

Name: Reclamation District 1001

Address: 1959 Cornelius Ave. Rio Oso, CA 95674

Telephone: (916) 633-2586

(Zip Code)
(include area code)

Signature: _____

Agent:

Name: Same

Ronald E. White Sec - Manager

Address: _____

Telephone: _____

(Zip Code)
(include area code)

Signature: _____

Mineral Rights Owner (if different than property owner):

Name: _____

Address: _____

Telephone: _____

(Zip Code)
(include area code)

Signature: _____

SECTION 2 - OPERATION

a. Surface mining operations on the site are carried out as described below: (hours of operation, equipment, etc.)

Hours: 7:00 a.m. to 5:00 p.m.

Equipment: Dozers, Scrapers, Motor Graders, Trucks.

b. This operation has been in seasonal intermittent continuous existence since N/A month/year. Primary access to the site is by way of Striplin Road, Pacific Avenue, State Route 99/70 (roads and highways usually travelled to and from the site)

c. The operation will remove an average of:

Less than 5000 tons/yards per year during the next ___ years.

5000 - 50,000 tons/yards per year during the next ___ years.

50,000 - 250,000 tons/yards per year during the next 5 years.

250,000 - 1 million tons/yards per year during the next ___ years.

More than 1 million tons/yards per year during the next ___ years.

d. Commodity processing at the site consists of:

e. Water use in the operation amounts to ___ gallons per day (not to include domestic use). Waste water contains _____ and is treated by _____

N/A

f. Solid waste disposal involves N/A
disposed of by _____

g. A Reclamation Plan is is not attached.

h. A plot plan showing the operations and property involved is attached to show:

1. North point, scale and date.
2. A key or location map on which shall be shown the general area including adjacent property and roads.
3. Extent of the area to be excavated.
4. Location, width and grade of all easements or rights-of-way on or abutting the property.
5. Location of all structures on the property and on adjacent property within 100 feet of the property boundary.
6. Location of all areas on the property subject to inundation or flood hazard and the locations, width and directions of flow of all water-courses and flood control channels which may be affected by the excavation.
7. Bench marks, if any, upon the property involved.
8. Existing elevations of the total property at intervals of not more than 50 feet in both north/south and east/west directions and existing elevations of abutting properties at intervals of not more than 50 feet around the perimeter of the property and 50 feet from property lines.
9. Typical cross sections of the proposed mine showing the approximate extent of overburden, the approximate extent of sand and gravel deposits and the water table, if any.
10. Processing and storage areas.
11. Proposed fencing, gates, parking and signs, if any.
12. Ingress/egress roads, plus on-site roads and proposed surface treatment and means to limit dust.
13. A map showing access routes between the property and the nearest arterial road.
14. Areas to be used for ponding, if any.
15. A depiction of the proposed progression of stripping and excavating through the use of cross sections or elevations.
16. Periphery of the mining site--a twenty-five foot minimum setback from a property line the first five feet of which shall consist of undisturbed land.
17. Mining sites adjoining public streets--a twenty-five foot minimum setback from the public street consisting entirely of undisturbed land.
18. The mining plan shall also show all individual sewage disposal systems within three hundred feet of the proposed mining area.

(Office use only)

SECTION 3 - DISPOSITION OF APPLICATION

Approved Disapproved by Planning Commission on 9-19-90

Approved Disapproved by Board of Supervisors on 11-6-90

Term period of _____ years, expires on _____.

Conditions as follows' as attached none

COUNTY OF SUTTER
RECLAMATION PLAN
FOR
SURFACE MINING OPERATIONS

---OFFICE USE---
Plan No. 20
SUT- 2003
Rec't. No. 45951
Date 6-19-90

SECTION 1 - APPLICATION

Application is hereby made for approval of a Reclamation Plan to cover the extraction of Native Soil as described (mineral commodity) in Section 2 from property located at North 1/2 of Section 27; East of East Side Canal (general description)

more particularly described as: a portion of all of Assessor's Parcel Number(s): 33-280-006

Zoning of the property is currently: A-1

The following information is submitted as a Reclamation Plan for the above described property. The property owner and mining operator acknowledge responsibility for compliance with the Plan, responsibility for payment of amounts pursuant to Sec. 290-120(d) of the Surface Mining and Reclamation Code, and familiarity with the enforcement procedures provided in Sec. 4 of this form and certify that the information contained herein is true and correct to the best of their knowledge.

Property Owner:

Name: Reclamation District 1001

Address: 1959 Cornelius Ave. Rio Oso, CA

95674

Telephone: (916) 633-2586

(Zip Code)

(include area code)

Signature: _____

Agent:

Name: Same

Donald E. White Sec. Manager

Address: _____

(Zip Code)

Telephone: _____

(include area code)

Signature: _____

Mineral Rights Owner (if different than property owner):

Name: _____

Address: _____

(Zip Code)

Telephone: _____

(include area code)

Signature: _____

SECTION 2 - OPERATION

a. Surface mining operations on the site are carried out as described below: (hours of operation, equipment, etc.)

Hours: 7:00 a.m. to 5:00 p.m.

Equipment: Dozers, Scrapers, Motor Graders, Trucks.

b. This operation has been in seasonal intermittent continuous existence since N/A. Primary access to the site is by way of Striplin Road, Pacific Avenue, Pleasant Grove Road, State Route 99/70 (roads and highways usually travelled to and from the site)

c. The operation will remove an average of:

- Less than 5000 tons/yards per year during the next ___ years.
- 5000 - 50,000 tons/yards per year during the next ___ years.
- 50,000 - 250,000 tons/yards per year during the next 5 years.
- 250,000 - 1 million tons/yards per year during the next ___ years.
- More than 1 million tons/yards per year during the next ___ years.

d. Commodity processing at the site consists of:

None.

e. Water use in the operation amounts to ___ gallons per day (not to include domestic use). Waste water contains ___ and is treated by ___

N/A

f. Solid waste disposal involves ___ disposed of by ___

N/A

SECTION 3 - RECLAMATION PLAN

a. Ten copies of a site plan and a sepia or reproducible original at a size of 18" by 26" or larger are submitted to show:

1. North point, scale and date.
2. A key or location map on which shall be shown the general area including adjacent property and roads.
3. Extent of the area to be excavated.
4. Location, width and grade of all easements or rights-of-way on or abutting the property.
5. Location of all structures on the property and on adjacent property within 100 feet of the property boundary.
6. Location of all areas on the property subject to inundation or flood hazard and the locations, width and directions of flow of all water-courses and flood control channels which may be affected by the excavation.
7. Bench marks, if any, upon the property involved.
8. Existing elevations of the total property at intervals of not more than 50 feet in both north/south and east/west directions and existing elevations of abutting properties at intervals of not more than 50 feet around the perimeter of the property and 50 feet from property lines.
9. Typical cross sections of the proposed mine showing the approximate extent of overburden, the approximate extent of sand and gravel deposits and the water table, if any.
10. Processing and storage areas.
11. Proposed fencing, gates, parking and signs, if any.
12. Ingress-egress roads, plus on-site roads and proposed surface treatment and means to limit dust.
13. A map showing access routes between the property and the nearest arterial road.
14. Areas to be used for ponding, if any.
15. A depiction of the proposed progression of stripping and excavating through the use of cross sections or elevations.
16. A depiction of the mined lands following reclamation through the use of cross sections or elevations. Said depiction to show slopes on the reclaimed site which blend with the surrounding terrain to the greatest extent possible.
17. Periphery of the mining site--a twenty-five foot minimum setback from a property line the first five feet of which shall consist of undisturbed land.
18. Mining sites adjoining public streets--a twenty-five foot minimum setback from the public street consisting entirely of undisturbed land.
19. The mining plan shall also show all individual sewage disposal systems within three hundred feet of the proposed mining area.

b. A landscape rehabilitation plan is submitted to demonstrate design to prevent erosion, protect natural appearance and restore the mined lands to a condition compatible with the condition of adjacent properties at the time of reclamation including:

1. Information demonstrating the anticipated capability of soils used to sustain plant material and carry out the intent of the landscape plan.

2. A proposed planting and rehabilitation time schedule coordinated with the quarry operations.

3. A list of plant materials to be used.

4. A description of methods for establishment of landscaping.

5. The applicant's proposal for the final condition of the site and potential uses for which the reclaimed site would be suitable.

c. Information is attached and may be made part of the site plan to demonstrate the timing of reclamation in short term as well as long term stages related to mining phases.

d. The Reclamation Plan shall also include the following information:

1. The environmental setting of the operation site and the effect that possible alternate reclaimed site conditions may have upon existing and future uses of surrounding lands.

2. The effect that the proposed reclamation activity may have upon the site's remaining unmined resources and/or upon continued mining on adjacent lands.

3. The anticipated impact on the public health and safety, giving consideration to the degree and type of present and probable future exposure of the public to the site.

SECTION 4 - ENFORCEMENT PROCEDURES

At the times specified in Section 290-080 of the Surface Mining and Reclamation Code, and at any other reasonable time the Planning Director may elect, he shall cause the permit areas to be inspected to determine if the operator has complied with the conditions of the permit and with the Reclamation Plan. The Planning Director shall thereupon make a report to the Planning Commission. Any deficiencies noted in any inspection by the Planning Director shall be reported promptly in writing to the operator and the Planning Commission. Following any such written notice, the operator shall rectify these deficiencies and shall diligently proceed until the deficiencies are corrected. Within ten days after receipt of the report by the Director, the operator may appeal the decision to the Planning Commission. The Commission shall hold a hearing thereon within 30 days upon notice to the operator and the owner of the land.

If operations under the permit are not proceeding in accordance with the permit, and the operator has not commenced action to rectify deficiencies within 30 days after notification by the Planning Director, or if rehabilitation is not properly and timely carried out in conformance with said Plan, the Planning Director is authorized to take such actions by contract or otherwise as are necessary for the correction of such deficiencies unless an appeal is pending. The Planning Director shall keep a record of all necessary expenses in carrying out any such project or activity, including a reasonable charge for the services performed by County personnel and equipment and for any materials used therefor.

The Planning Director shall notify the operator by order stating the amount of necessary expense incurred in correcting the deficiencies and a notice that the amount is due and payable to the County by the operator. If the amount specified in the order is not paid within 30 days after receipt of the notice, the County may bring an action in a court of competent jurisdiction to collect the amount. (Section 290-120d of the Surface Mining and Reclamation Code)

In addition to other liabilities and remedies provided by law, failure to commence action to rectify deficiencies within 30 days after notification by the Planning Director or failure to complete rehabilitation satisfactorily and timely on any segment of the permit area in conformance with the Plan therefor shall constitute sufficient grounds for cancellation by the Planning Director of the permit and refusal to issue another permit to the delinquent operator until such deficiencies are corrected.

Any failure to comply with the required conditions of any permit heretofore or hereafter issued or other conditions of this Chapter or failure to carry out operations and rehabilitation in accordance with approved plans can be declared to be unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.

In addition to any other remedy provided by law for the abatement, removal and enjoinder of such public nuisance, the Planning Commission, after notice and hearing, may cause the necessary remedial and rehabilitative work to be done and the cost thereof shall be assessed against the operator and/or owners of the property. The notice shall be in writing and mailed to all persons whose names appear as owners of the real property at the addresses shown on the Tax Assessment Roll, or as otherwise known by the Planning Commission to be the owners and/or operators of the property involved. The Director of Planning shall also cause at least one copy of such notice to be posted in a conspicuous place on the premises. No assessment shall be held invalid for failure to post or to mail or correctly address any notice if this section has been substantially complied with.

The Planning Commission shall, at the hearing, make findings which specify the unlawful condition and the corrective work required to be done and if said corrective work is not commenced 30 days after receipt of such order and diligently and without interruption prosecuted to completion, the County of Sutter may cause such work to be done, and to cause the incidental expenses incurred by the County to be assessed against the property and to become a lien upon such property. Upon completion of such work, the Director of Planning shall file a written report with the Planning Commission setting forth the fact that the work has been completed and the cost to be assessed. The Planning Commission shall thereupon fix a time and place for hearings of protests against the assessment of the cost of such work. The Secretary of the Planning Commission, upon direction of the Planning Commission, shall thereafter give notice in writing to the owners and/or operators of the property of the hour and place that the Planning Commission will pass upon said report and will hear protests against said assessment. Upon the date and hour set for the hearing of protests, the Planning Commission shall hear and consider the report from the Director of Planning and all protests, if there be any, and then proceed to confirm, modify or reject the assessment.

The assessment as finally confirmed by the Planning Commission shall be sent to the Tax Collector for collection and the Secretary of the Planning Commission shall cause a Notice of Lien to be filed in the Office of the County Recorder of the County of Sutter.

From and after the date of the recordation of such Notice of Lien, the amount of the unpaid assessment shall be a lien on the property against which the assessment is made, and such assessment shall bear interest at the legal rate until paid in full. Such lien shall continue until the amount of the assessment and all interest thereon shall have been paid.

The lien shall be subordinate to tax liens and all fixed special assessment liens previously imposed upon the same property, but shall have priority over all contractual liens and all fixed special assessment liens which may thereafter be created against the property. From and after the date of recordation of such Notice of Lien, all persons shall be deemed to have notice of the contents thereof.

If the Planning Director determines that a dangerous condition exists which requires immediate corrective action, he shall order the operator to correct it at once. If the operator does not take immediate steps to comply with the order, the Planning Director may cause the work to be done. Costs for this work shall be assessed to the owners and/or operators in accordance with the provisions set out earlier in Enforcement Procedures.

(Office use only)

SECTION 3 - DISPOSITION OF APPLICATION

Approved Disapproved by Planning Commission on 9-19-90

Approved Disapproved by Board of Supervisors on 11-6-90

Term period of _____ years, expires on _____.

Conditions as follows. as attached none

COUNTY OF SUTTER

**APPLICATION FOR SURFACE MINING PERMIT
AND/OR RECLAMATION PLAN**

Filing Fee: Surface Mining Permit - \$1,300
Reclamation Plan - \$1,025

OFFICE USE ONLY	
Application No.: 99-01	Date Filed: 11/17/99
Environmental No.: See SUT-2003	Receipt No.: N/A
Other Related Application(s): Amendment to SM LRP # 20	

Application for:

<input type="checkbox"/> Surface Mining Permit	<input type="checkbox"/> Amendment to
<input type="checkbox"/> Reclamation Plan	<input checked="" type="checkbox"/> Extension of
<input type="checkbox"/> Interim Management Plan	<input type="checkbox"/> Variance to

California Mine ID# (if one has been assigned): 91-51-0004
Mine Name (if one has been designated): Reclamation District 1001 Pit I
Location of Mine (include address): East of Pacific Avenue - South of Striplin Rd
Assessor's Parcel No.(s): 33-280-06

Property Owner(s) Name(s): Reclamation District #1001
Company Name: Reclamation District 1001
Contact Person: Donald White
Telephone Number: (530) 633-2586 (530) 656-2318
Address: 1959 Cornelius Avenue Rio Oso, CA 95674

Mine Operator Name: Reclamation District #1001/Nordic Industries, Inc.	
Company Name: Reclamation District #1001/ Nordic Industrices	
Contact Person: Donald White / Axel Karlshoej	
Telephone Number: (530) 656-2318 (530) 673-2541	
Address: Reclamation Dist. 1001 1959 Cornelius Avenue Rio Oso, CA 95674	Nordic Industries, Inc 1437 Furneaux Road Marysville, CA 95901

10-89
see 2005-2008
W.A.
1994-1995

1994-1995

1994-1995

1994-1995

1994-1995

**APPLICATION FOR SURFACE MINING
PERMIT AND/OR RECLAMATION PLAN**

Application Contact Person: Donald White
Company Name: Reclamation District #1001
Telephone Number: (530) 656-2318 or (530) 633-2586
Address: 1959 Cornelius Avenue Rio Oso, CA 95674

Mineral Rights Owner(s):
Company Name: same as above
Contact Person:
Telephone Number:
Address:

Attachments

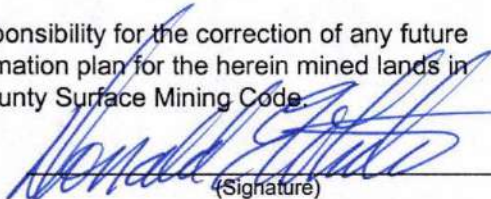
1. Attach ten (10) copies of the plot plan, area map, and cross-section map (and reductions) as required by the attached map information sheets. All maps shall show benchmark locations.
2. Attach aerial photographs of property and surrounding area showing benchmarks. Aerial photographs shall be at a scale of 1 inch equals 100 feet.
3. Attach list of all owners of possessory interest in the subject property and evidence that all owners have been notified of the proposed use or potential uses.
4. Attach a legal description of the property on which the mining site is located.
5. Attach information as required by "SUPPLEMENTAL APPLICATION INFORMATION FORM."
6. Attach ground level photographs of the subject property.

OFFICE USE ONLY
DISPOSITION: () Approved () Denied by the Commission on
DISPOSITION: () Approved () Denied by the Board on
Surface mine initiation date (if set by Commission):
Surface mine term period termination date:

**SURFACE MINING PERMIT AND RECLAMATION PLAN
ACCEPTANCE OF RESPONSIBILITY FOR
CORRECTION OF VIOLATIONS STATEMENT***

I, the undersigned, hereby agree to accept full responsibility for the correction of any future violations of the surface mining permit and/or reclamation plan for the herein mined lands in accordance with Section 290-120 of the Sutter County Surface Mining Code.

11/12/99
(Date)


(Signature)

Donald White
(Name)

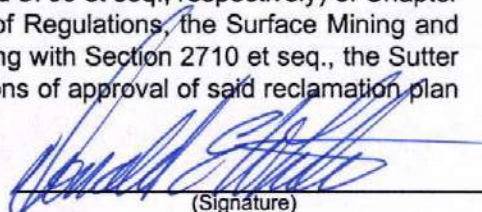
Secretary/Manager
(Title)

Reclamation District 1001
(Company)

**RECLAMATION PLAN
FINANCIAL ASSURANCE RESPONSIBILITY STATEMENT***

I, the undersigned, hereby agree to accept full responsibility for the reclamation of mined lands as described herein and in conformance with the applicable requirements of Articles 1 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, the Surface Mining and Reclamation Act of 1975, as amended, commencing with Section 2710 et seq., the Sutter County Surface Mining Code and with any conditions of approval of said reclamation plan required by the County of Sutter.

11/12/99
(Date)


(Signature)

Donald White
(Name)

Secretary/Manager
(Title)

Reclamation District 1001
(Company)

*Note: The person(s) signing these statement will be the party(ies) responsible for the reclamation of the mined lands as herein purposed pursuant to the State of California's Surface Mining and Reclamation Act and the Sutter County Surface Mining Code and responsible for the corrections of any future violations of the surface mining permit and/or reclamation plan pursuant to Section 290-120 of the Sutter County Surface Mining Code.

ENVIRONMENTAL IMPACT ANALYSIS FORM

Filing Fee - \$250.00

OFFICE USE ONLY			
File No.:	SUT No.:	Receipt No.:	Date:

_____ Categorically Exempt (no further environmental review required)

The answers to the following questions comprise the applicant's analysis of the environmental impacts expected from the proposed project. Upon review of the project, further environmental information and analysis could be required from the applicant. This could take the form of additional technical, engineering or other information and/or the need to complete an Expanded Environmental Impact Analysis.

ENVIRONMENTAL SETTING:

1. On an attached sheet entitled Environmental Setting, describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots and Polaroid photos will be accepted.

2. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

INSTRUCTIONS:

All "Yes" and "No" answers must be discussed to explain the simple response. Such discussion should incorporate factual, technical and/or engineering information when necessary to support the response. The expanded answers must be supplied on accompanying sheets supplied by the applicant.

- | | | |
|---|------------|-------------|
| | <u>YES</u> | <u>NO</u> |
| 3. Change in pattern, scale or character of the general area where the project is proposed. | _____ | _____X_____ |

	<u>YES</u>	<u>NO</u>
4. Change in demand for public services (roads, polices, fire, water, public sewer, etc.).	<u>X</u>	<u> </u>
5. Change in river, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.	<u> </u>	<u>X</u>
6. Change in existing features of any river frontages, beaches, or hills, or substantial alteration of ground contours.	<u> </u>	<u>X</u>
7. Change in scenic views from existing residential areas or public lands or roads.	<u> </u>	<u>X</u>
8. Generation of significant amounts of solid waste or litter.	<u> </u>	<u>X</u>
9. Change in dust, ash, smoke, fumes or odors in vicinity.	<u> </u>	<u>X</u>
10. Substantial change in existing noise or vibration levels in the vicinity.	<u> </u>	<u>X</u>
11. Site on filled land or on slope of ten (10) percent or more.	<u> </u>	<u>X</u>
12. Use or disposal of potentially hazardous materials, such as toxic substances, flammable or explosives.	<u> </u>	<u>X</u>
13. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.)	<u> </u>	<u>X</u>
14. Relationship to larger projects or series of projects.	<u> </u>	<u>X</u>

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits are true and correct to the best of my knowledge and belief.

11/12/99
Date

(530) 656-2318
Phone


Signature

Donald White

Print Name
1959 Cornelius Ave.
Rio Oso, CA 95674

Address

OFFICE USE ONLY		
Surface Mining Permit:	Reclamation Plan:	Other:

SAW FORM

(Sewage and Water Form)

Applicant Reclamation Dist. 1001 Address 1959 Cornelius Ave., Rio Oso, CA 95674
 Phone No. (530) 656-2318 Assessor's Parcel No. 33-280-060
 Engineer _____ Phone No. (530) 656-2318 (633) 633-2586
 Address _____
 Project Location East of Pacific Avenue and South of Striplin Road

Applications shall include the following signed statement from the Environmental Health Program verifying they have received sufficient information to fully evaluate the proposed project. The SAW Form shall be used for all applications regardless of the type of sewer and water supply and will be required as part of an application packet submittal. Applications will be considered to be **INCOMPLETE** without this form.

The Environmental Health Program will check the appropriate spaces below when they have received wastewater disposal and water supply information which is adequate for their review of the application. **Checks do not in any way indicate approval or denial of a proposal** and a handout provided by the Environmental Health Program will explain what information will be required in order to check the spaces below. If you have any questions regarding this form and/or its purpose in the application packet, feel free to contact the Environmental Health Program at (916) 822-7400.

- Wastewater Disposal N/A
- Water Supply N/A
- Other: _____


 Environmental Health Program Signature

12/1/99
 Date

TRUSTEES

ROBERT SCHEIBER
RICHARD F. TARESH
ROY C. OSTERLI II
WILLIAM P. HUDSON
JAMES L. SPANGLER

OFFICERS

WILLIAM P. HUDSON, PRESIDENT
ROY C. OSTERLI II, VICE PRESIDENT
DONALD WHITE, SEC. - MANAGER

OFFICE OF

BOARD OF TRUSTEES OF

RECLAMATION DISTRICT No. 1001

1959 CORNELIUS AVENUE
RIO OSO, CALIFORNIA 95674
530 656-2318 or 530 633-2586
FAX 530 656-2165



November 12, 1999

Mr. Dale Folas
Sutter County Community Service Department
1160 Civic Center Boulevard
Yuba City, Ca 95993

RE: Request for Extension of Surface Mining Permit #20 - State Mine I.D.# 91-51-0004

Dear Mr. Folas:

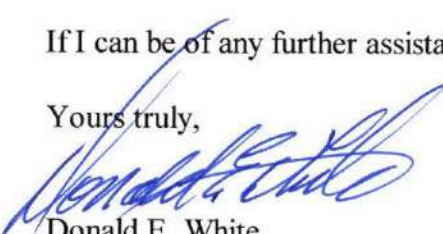
Reclamation District 1001 hereby request an extension of Reclamation District 1001 Pit I State Mine I.D. #91-51-0004 Surface Mining Permit and Reclamation Plan.

We wish to extend said permit for another (ten) 10 years. This Pit is vital to the reconstruction and improvements to the Flood Control System.

Mining of area will proceed as outlined in the original application and approval.

If I can be of any further assistance, please advise.

Yours truly,


Donald E. White
Secretary/Manger

DEW:df

Enclosures

Exhibit C

CONDITIONS OF APPROVAL
SURFACE MINING PERMIT & RECLAMATION PLAN #20
Approved by the Board of Supervisors - November 6, 1990

Surface Mining Permit

1. Pursuant to Section 21081.6 of the California Public Resource Code, the following monitoring or reporting program is required:

a. On or before January 31 of the first year after start of surface mining activity, and on each successive January 31 after that initial date until such time as relieved of this requirement by the Planning Director, the operator of the surface mine shall file a written report with the Sutter County Planning Department detailing compliance with the conditions or approval of the surface mining permit and the reclamation plan. The written report shall briefly state the status in implementing each of the conditions of approval of this project and those conditions effectiveness.

b. The Sutter County Planning Department shall review the written report and determine whether there is any unusual and substantial delay or obstacle to implementing the adopted conditions. The results of this review will be provided to the mining operator in writing. If it is determined that action is required, the mining operator and the Sutter County Planning Department shall consult and, if possible, agree upon additional actions to be taken to implement the conditions which are subject to delay.

c. If the Sutter County Planning Department and the mining operator are unable to agree upon the additional actions to be taken, then either the Planning Department or the mining operator may bring the matter before the Sutter County Planning Commission for a decision whether any action should be taken and what that action should be. The Planning Department shall be limited to imposing reasonable actions as permitted by law which will implement the mitigation measures described in the agenda report and conditions of approval.

2. This surface mining permit shall be valid for a term period of ten (10) years. It shall expire at the end of the ten (10) year period or upon cessation of the mining activity for a period of 18 months, whichever may occur first.

3. Prior to the commencement of the surface mining operation, the applicant shall notify the Public Works Director and shall provide for all necessary traffic control.

4. Encroachment permits shall be obtained for any connection to, or crossing of, a County road or State Highway.

SURFACE MINING PERMIT & RECLAMATION PLAN #20

NOVEMBER 6, 1990

PAGE 2

5. Road impact fees shall be paid in accordance with the requirements of the Public Works Department.
6. Dust control measures shall be provided to preclude any dust from the mining site and/or haul routes.
7. The mining operation shall be conducted in substantial conformance with the Plan as submitted, including setbacks from property lines and the slope of the cuts.
8. The mining operator shall submit drainage and grading plans to the Public Works Department for review and approval prior to start of mining operations.
9. The mining operator shall obtain all necessary permits from the Environmental Health Department for the destruction of any wells or septic tanks on the subject property.
10. The mining operator shall obtain encroachment permits for improvements and all driveway and private road connections in the public right-of-way.

Reclamation Plan

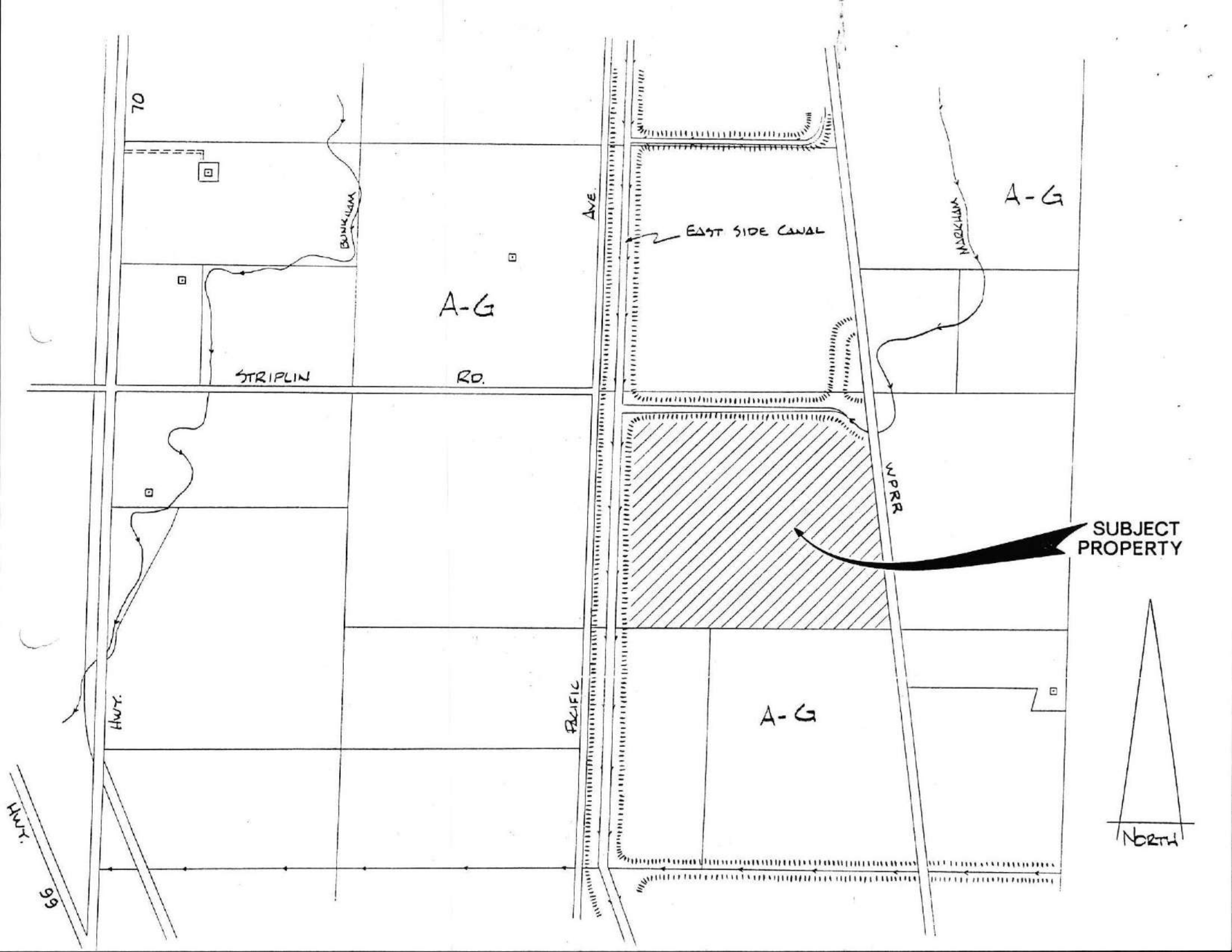
1. Final grading and shaping of the land shall be in substantial conformance with the Plan as submitted except as may be modified herein.
2. Access to the site shall be controlled to provide for reasonable security from public trespass.
3. The property shall be signed to provide adequate warning of any hazard and to prevent trespass.
4. Private, public or commercial recreational use of the property shall not be allowed.
5. Revegetation of the site's cut banks and all other denuded areas except the pond bottom, shall be provided within 18 months of completion of excavation or cessation of the surface mining permit, whichever occurs first. This revegetation may be from either "natural" reseeding if effective, or, if not, mechanical means.
6. The area shall be stocked with mosquito fish as required by the Mosquito Abatement District.

Project Description

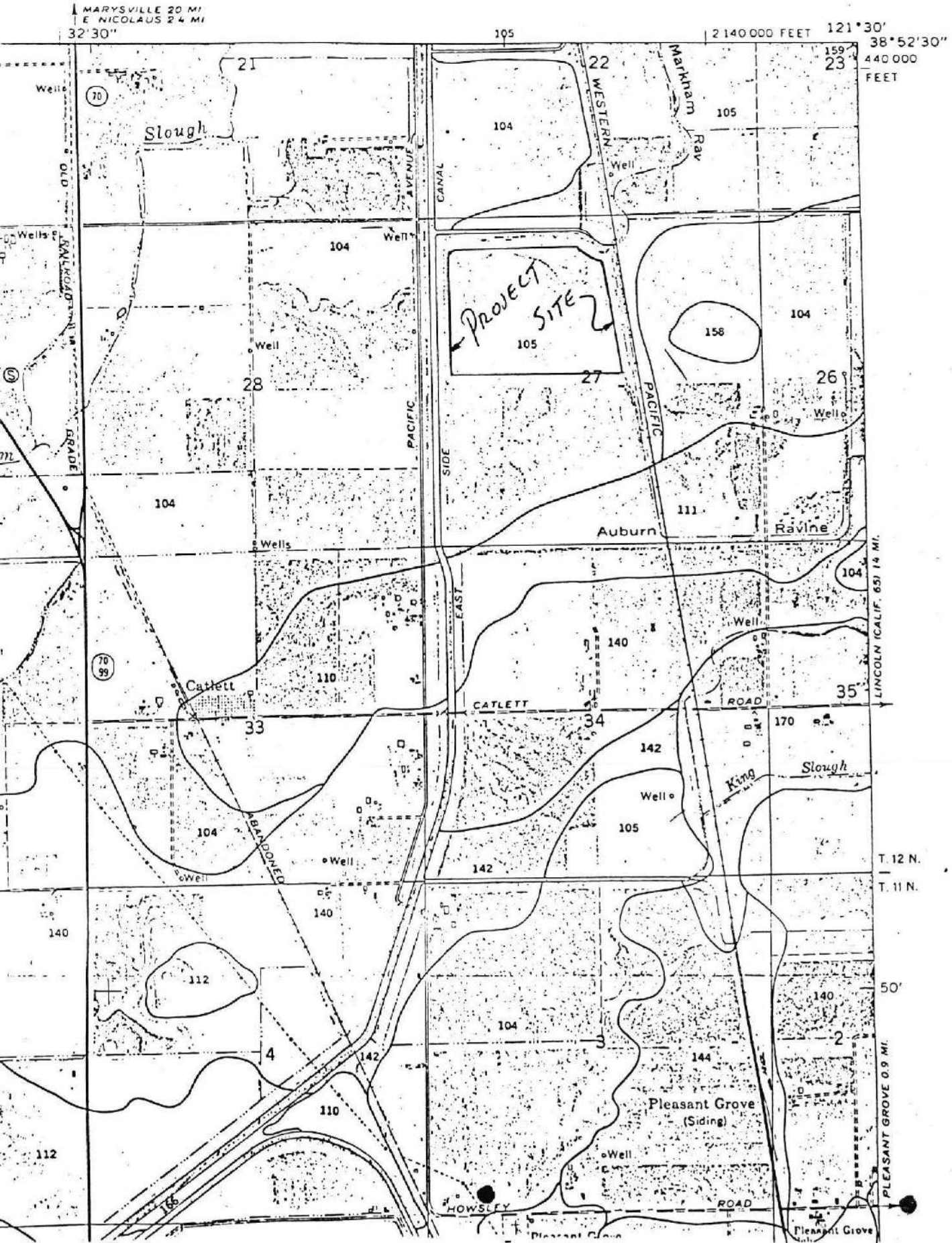
The proposed surface mining operation consists of extracting and transporting material for use as imported borrow for levee maintenance, repair or construction, roads and highways, etc.

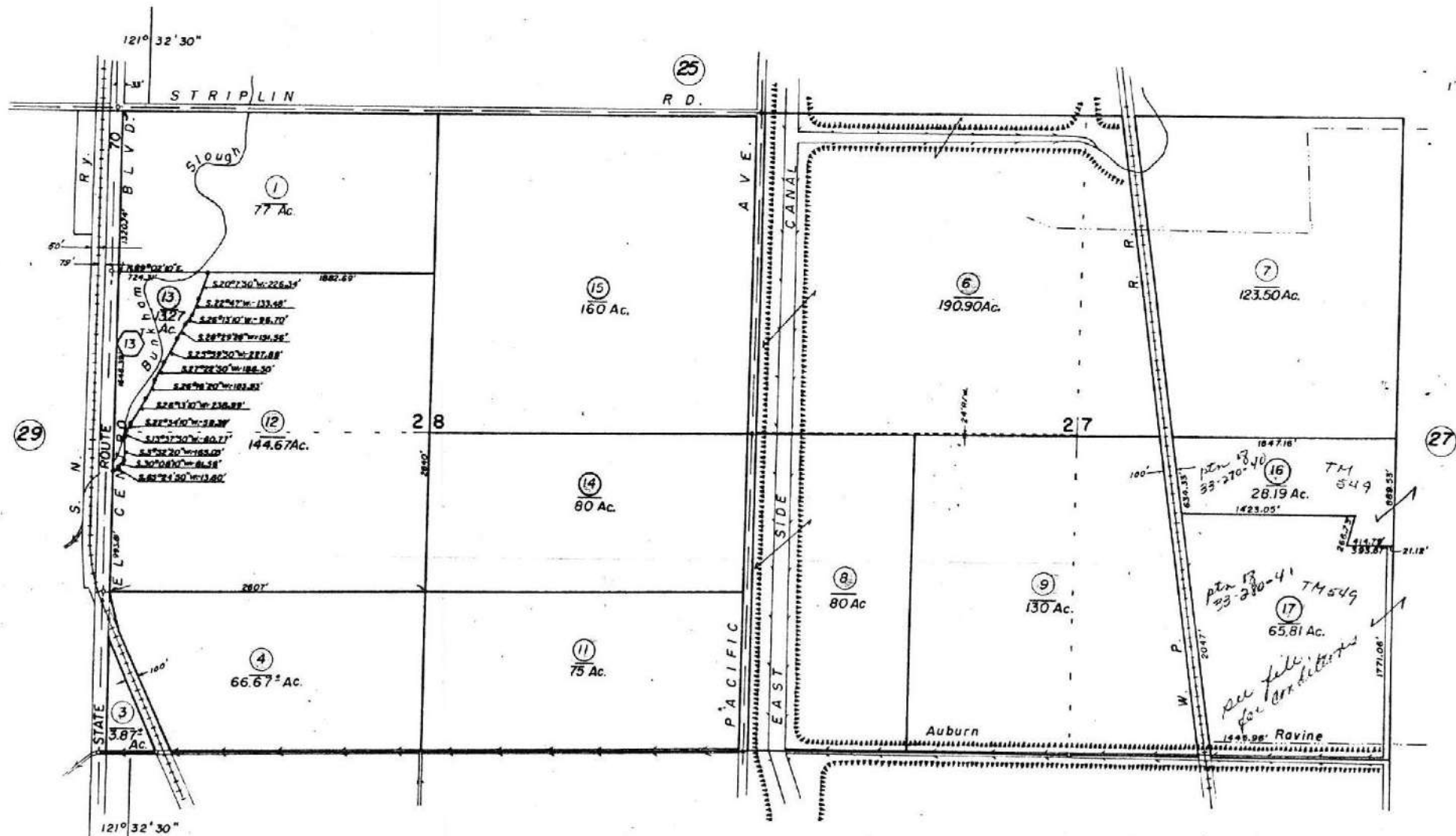
Approximately ~~9,000~~^{900,000} to 1,000,000 cubic yards of material is proposed to be extracted over a period of 2 to 5 years. The excavation will cover an area of approximately 120 acres to a maximum depth of 9 feet.

The resulting excavation will create a pond to help mitigate increased storm water run off from the East. The drainage facilities in the vicinity will benefit by the storage capacity of the newly created pond in somewhat decreasing the downstream discharges. Outfall from the pond can be regulated to be released after peak flows have passed, thereby decreasing channel and pumping requirements.



SOIL SURVEY OF SUTTER COUNTY, CALIFORNIA
(VERONA QUADRANGLE)





TRANSITORY UNIT

NOTE- Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 33- Pg. 28
County of Sutter, Calif.

1983

Exhibit D



SUTTER COUNTY
COMMUNITY SERVICES DEPARTMENT

Animal Control
Building Inspection
Emergency Services
Environmental Health
Fire Services
Planning

Rich Hall, Director
Larry Bagley, Assistant Director,
Permitting Services
Chuck Vanevenhoven,
Fire Services
Mike Harrold,
Emergency Services

January 25, 2000

Don White
Reclamation District No. 1001
1959 Cornelius Avenue
Rio Oso, CA 95674

Dear Mr. White:

Re: Surface Mining Permit and Reclamation Plan #20 Amendment (SMRPA #99-01)

This office has completed review of your request to amend Surface Mining Permit and Reclamation Plan #20. The proposed amendment would change condition number 2 of the surface mining permit and reclamation plan to extend the authorized term period of mining activities from ten years to twenty years from the date of original approval by the Sutter County Board of Supervisors (November 6, 1990).

This office has found that the proposed change is minor and would involve no physical changes to either the on-going mining or future reclamation activities of the site. Additionally, the proposed change would allow the completion of the mining activity and reclamation as proposed and approved in the original applications, and, thereby, is necessary to achieve the prescribed mining activities and reclamation use of the land and is thereby consistent with said plans.

Therefore, pursuant to Section 290-090 of the Sutter County Ordinance Code, your request for an amendment to Surface Mining Permit and Reclamation Plan #20 is hereby approved and condition #2 shall read:

This surface mining permit shall be valid for a term period of twenty (20) years. It shall expire at the end of the twenty (20) year period or upon cessation of the mining activities for a period of 18 months, whichever may occur first.

If you have any questions concerning this matter, please feel free to contact Dale Follas of this office.

Sincerely,

Thomas A. Last
Planning Division Chief

TAL:rlb

Exhibit E



SUTTER COUNTY
COMMUNITY SERVICES DEPARTMENT

Planning – Lisa Wilson, Planning Division Chief
Animal Control
Building Inspection
Environmental Health

Director – Larry Bagley
Assistant Director – Randy Cagle
Fire Services – Dan Yager
Emergency Services – John DeBeaux

February 8, 2011

Reclamation District 1001
Attn: Diane Fales, Manager
1959 Cornelius Avenue
Rio Oso, CA 95674

Re: Project 10-005; Amendment to Surface Mining Permit SMRP #20 for RD 1001 Pit (Assessor's Parcel No. 33-280-006)

Dear Ms Fales:

The Sutter County Community Services Department has reviewed the minor amendment to the approved Surface Mining Permit #20 and reclamation plan for the RD 1001 Borrow Pit. The amendment requests a 10-year extension of the permit to allow excavation of the site until 2020. The permit was originally approved with a 10-year term in 1990 and was extended for an additional 10 years in 2000. This request would permit excavation for a total of 30 years.

The Department of Conservation, Office of Mine Reclamation reviewed the proposed amendment and concurs with Sutter County's assessment; therefore Sutter County is approving the minor amendment with a new termination date of November 6, 2020 subject to the following conditions of approval.

Within 180 days of approval

STORM WATER QUALITY PROTECTION – DURING CONSTRUCTION.

SWPPP – Applicant shall prepare and submit a Storm Water Pollution and Prevention Plan (SWPPP) to be executed through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. These measures shall be consistent with the County's Improvement Standards and Land Grading and Erosion Control Ordinance and the requirements of the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities. The SWPPP shall be submitted to the County for review and to the Central Valley Regional Water Quality Control Board as required by the NPDES General Permit in effect during construction. During

Reclamation District 1001

February 8, 2011

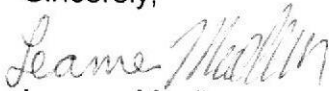
Page 2

construction, the applicant shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The project applicant shall implement BMPs in accordance with the SWPPP and the County's Improvement Standards. The project applicant(s) shall submit a state storm water permit WDID number for each construction project.

NPDES GENERAL CONSTRUCTION PERMIT - If the project size is more than one acre, the applicant shall file a Notice of Intent (NOI) to obtain coverage under the California State Water Resources - General Construction Activity Storm Water Permit. Permits are issued by the State Water Resources Control Board, which can provide all information necessary to complete and file the necessary documents. Applicant shall comply with the terms of the General Construction Permit, the County's ordinances, and the NPDES Waste Discharge Requirements.

Please contact me if you have any questions or require clarification.

Sincerely,



Leanne Mueller
Senior Planner

LM:gsg

Exhibit F

**RECLAMATION DISTRICT 1001
1959 Cornelius Avenue
Rio Oso CA, CA 95674
530 656-2318 or 530 633-2586
rd1001@syix.com**

**Application for
Extension of
Surface Mining Permit
and
Reclamation Plan #20
CA Mine # 91-51-0004**

February, 2010

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COUNTY OF SUTTER

**APPLICATION FOR SURFACE MINING PERMIT
AND/OR RECLAMATION PLAN**

Filing Fee:

- Surface Mining Permit/Reclamation Plan – At cost with a \$7,000.00 deposit
- Amendment to Surface Mining Plan – At Cost with a \$3,300 deposit
- Amendment to Reclamation Plan – At Cost with a \$3,300 deposit
- Interim Management Plan – At Cost with a 1,100 deposit
- CEQA Initial Study – At Cost with a \$650 deposit

OFFICE USE ONLY	
Application No.: <i>10-005</i>	Date Filed: <i>2/24/10</i>
Other Related Application(s): <i>SMRP 20</i> <i>PW 10-047 7063</i>	Receipt No.: <i>259063</i>

- Application for:
- | | |
|--|--|
| <input type="checkbox"/> Surface Mining Permit | <input type="checkbox"/> Amendment to |
| <input type="checkbox"/> Reclamation Plan | <input checked="" type="checkbox"/> Extension of |
| <input type="checkbox"/> Interim Management Plan | <input type="checkbox"/> Variance to |

California Mine ID# (If one has been assigned):	<i>91-51-0004</i>
Mine Name (If one has been designated):	<i>Reclamation District 1001 Pit 1</i>
Location of Mine (Include address):	<i>East of Pacific Avenue and south of Striplin Road</i>
Assessor's Parcel No.(s):	<i>33-280-006</i>

Property Owner(s) Name(s):	<i>Reclamation District 1001</i>
Company Name:	<i>Reclamation District 1001</i>
Contact Person:	<i>Diane Fales, Manager</i>
Telephone Number:	<i>530 656-2318 or 530 633-2586</i>
Address:	<i>1959 Cornelius Avenue Rio Oso, CA 95674</i>



Mine Operator Name: Reclamation District 1001/Nordic Industries, Inc.	
Company Name: Reclamation District 1001/Nordic Industries, Inc.	
Contact Person: Diane Fales / Axel Karlshoej	
Telephone Number: (530) 656-2318; (530) 673-2541	
Address: Reclamation Dist. 1001 1959 Cornelius Avenue Rio Oso, CA 95674	Nordic Industries, Inc. 1437 Furneaux Road Marysville, CA 95901

Application Contact Person: Diane Fales
Company Name: Reclamation District 1001
Telephone Number: (530) 656-2318
Address: 1959 Cornelius Ave, Rio Oso CA 95674

Mineral Rights Owner(s): Reclamation District 1001
Company Name: Reclamation District 1001
Contact Person: Diane Fales
Telephone Number: (530) 656-2318
Address: 1959 Cornelius Ave, Rio Oso CA 95674

Attachments

1. Attach ten (10) copies of the plot plan, area map, and cross-section map (and reductions) as required by the attached map information sheets. All maps shall show benchmark locations.
2. Attach aerial photographs of property and surrounding area showing benchmarks. Aerial photographs shall be at a scale of 1 inch equals 100 feet.
3. Attach list of all owners of possessory interest in the subject property and evidence that all owners have been notified of the proposed use or potential uses.

4. Attach a legal description of the property on which the mining site is located.
5. Attach information as required by SUPPLEMENTAL APPLICATION INFORMATION FORM.
6. Attach ground level photographs of the subject property.

OFFICE USE ONLY
DISPOSITION: () Approved () Denied by the Commission on
DISPOSITION: () Approved () Denied by the Board on
Surface mine initiation date (if set by Commission):
Surface mine term period termination date:

**SURFACE MINING PERMIT AND RECLAMATION PLAN
ACCEPTANCE OF RESPONSIBILITY FOR
CORRECTION OF VIOLATIONS STATEMENT***

I, the undersigned, hereby agree to accept full responsibility for the correction of any future violations of the surface mining permit and/or reclamation plan for the herein mined lands in accordance with Section 290-120 of the Sutter County Surface Mining Code.

2/5/2010
(Date)

Diane Fales
(Signature)
Diane Fales
(Name)
Manager
(Title)
Reclamation Dist. 1001
(Company)

**RECLAMATION PLAN
FINANCIAL ASSURANCE RESPONSIBILITY STATEMENT***

I, the undersigned, hereby agree to accept full responsibility for the reclamation of mined lands as described herein and in conformance with the applicable requirements of Articles 1 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, the Surface Mining and Reclamation Act of 1975, as amended, commencing with Section 2710 et seq., the Sutter County Surface Mining Code and with any conditions of approval of said reclamation plan required by the County of Sutter.

2/5/10
(Date)

Diane Fales
(Signature)
Diane Fales
(Name)
Manager
(Title)
Reclamation Dist 1001
(Company)

*Note: The person(s) signing this/these statement(s) will be the party(ies) responsible for the reclamation of the mined lands as herein purposed pursuant to the State of California's Surface Mining and Reclamation Act and the Sutter County Surface Mining Code and responsible for the corrections of any future violations of the surface mining permit and/or reclamation plan pursuant to Section 290-120 of the Sutter County Surface Mining Code.

INDEMNIFICATION AGREEMENT

This Indemnification Agreement ("Agreement") is entered into by the applicant for the project described below ("Applicant") and the owner or owners of the property that is the subject of such application ("Property Owner"). This Agreement is effective as of the date last signed below.

Applicant and Property Owner agree to indemnify, defend, and hold harmless Sutter County ("County"), the Sutter County Planning Commission, the Sutter County Board of Supervisors, and their officers, employees, and agents, including consultants ("Indemnified Parties") from any claim, action, or proceeding against Indemnified Parties to attack, set aside, void, or annul the approval of the Project or adoption of the environmental document that accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys' fees, or expert witness costs that may be asserted by any person or entity, including the Applicant and Property Owner, arising out of or in connection with the approval of the Project, including any claim for private attorney general fees claimed by or awarded to any party against the County.

The County shall promptly notify the Applicant of any claim, action, or proceeding. The County shall control the choice of counsel and defense of any such claim, action, or proceeding.

To the extent that County is required by Applicant to use any of its resources to respond to such claim, action, or proceeding, Applicant will reimburse County upon demand and upon presentation of an invoice describing the work done, the time spent on such work, and the hourly rate for such work by the employee or agent of County.

The person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement and that this Agreement is a valid and legal agreement binding on the Applicant and enforceable in accordance with its terms.

PROJECT:

Project Number: 91-51-0004
Sutter County APN: 38-280-006

APPLICANT: Reclamation District 100 **PROPERTY OWNER:**

Signed *Diane Fales*
Name of Person Signing Diane Fales
Title Secretary/Manager
Name of Project Applicant Reclamation District Pit 1

Signed *Diane Fales*
Name Reclamation District 1001

Reclamation District 1001
Surface Mining Permit and Reclamation Plan #20

POSSESSORY INTEREST

The Reclamation District 1001, a public agency, is the sole owner of County of Sutter APN 33-280-006. There are no other owners of possessory interest in this property.

Legal Description

The parcel of land encompassing the proposed surface mining operations is described as follows:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF SUTTER, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH HALF OF SECTION 27, TOWNSHIP 12 NORTH, RANGE 4 EAST, M.D.B. 6M.

EXCEPTING THEREFROM, THE PORTION CONVEYED BY H.J. GRUNEWALD TO WESTERN PACIFIC RAILWAY COMPANY BY DEED DATED JANUARY 30, 1906 IN BOOK 31 OF DEEDS, AT PAGE 730, SUTTER COUNTY RECORDS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 100 FEET IN WIDTH, BEING 50 FEET ON EACH SIDE OF AND PARALLEL WITH THE LOCATED CENTER LINE OF THE WESTERN PACIFIC RAILWAY COMPANY'S LINE OF RAILROAD AS THE SAME IS STAKED OUT AND LOCATED OVER AND ACROSS THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 27; THE CENTER LINE OF SAID STRIP OF LAND HEREBY DESCRIBED BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE SAID LOCATED CENTER LINE INTERSECTS THE NORTH LINE OF SAID SECTION 27, AT NEAR ENGINEER'S STATION 2485 PLUS 77 AND DISTANT 2936 FEET EASTERLY FROM THE NORTHWEST CORNER OF SAID SECTION; THENCE SOUTH 8° 46' A DISTANCE OF 2674 FEET TO A POINT IN THE EAST AND WEST QUARTER SECTION LINE OF SAID SECTION 27 AT OR NEAR ENGINEER'S STATION 2512 PLUS 51.

SURFACE MINING PERMIT AND RECLAMATION PLAN

SUPPLEMENTAL APPLICATION INFORMATION FORM

This document, once completed, will provide necessary factual information about the proposed project. It will also be used to complete the required State Office of Mining and Geology review as well as provide basic information to initiate environmental review. Please be as accurate and complete as possible in answering the questions. Use separate sheets as necessary to provide complete answers to each question.

PLEASE PRINT CLEARLY OR TYPE

- A. Project Mining Description: On a separate sheet entitled, "PROJECT MINING DESCRIPTION", submit a written statement describing the proposed plan of surface mining activities. The project description should contain sufficient detail to describe the proposed mining activity and should contain the following minimum detail information:
1. Describe the mining project site, its size, topography and location. What portion of the mining site will actually be used for surface mining and what other processing, storage, sorting and other activities will occur on-site? Include areas used for overburden and, if proposed for future reclamation use, top soil storage.
 2. Will the mining activity be continual, seasonal or intermittent? If it is seasonal or intermittent, what is its proposed schedule?
 3. Will the project be phased, and, if so, in what manner and how will the phasing occur?
 4. What minerals or materials will be extracted?
 5. What type of mining will occur on-site and what is its maximum anticipated depth?
 6. What is the anticipated volume of material available at the mining site? What is the expected daily and annual production rates for the mining activity? (Provide anticipated production volumes for first five years of operation.)
 7. What is the anticipated life time of on-site mining and production activities?
 8. What are the expected daily and weekly work shifts and hours?
 9. What is the total anticipated employment by shift, if applicable, and what is the anticipated daily traffic?
 10. Describe the water usage of the project, providing specific details on the

Effective June 23, 2008

estimated volume of water used, the amount of water discharged from the project as a by-product of on-site processing and what treatment is proposed for water discharged from the project.

11. What equipment will be used on-site?
12. What improvements will be provided for mining operations?
13. What areas of the property are subject to inundation or flood hazard and what water-courses and wetland areas are on-site or nearby which may be affected by the mining operation and other on-site activities?
14. What is the site's current drainage and what actions will be taken to contain run-off and prevent erosion, sedimentation and deposition of neighboring properties and waterways?
15. What hazardous or potentially hazardous materials, chemicals or contaminants, including but not limited to fuels, will be used and/or stored on the property and how will they be secured, contained and handled? What containment plans are proposed for the accidental spillage or release of these materials?
16. What are the expected materials and volume of waste products that will be created from the mining operation? Describe the manner in which they will be stored on-site and their eventual disposition.
17. What fencing, gates, parking and signs will be used to secure the property?
18. What access points and on-site roads will be used and what proposed surface treatment will be used to limit dust?
19. What access routes will be used between the property and the nearest arterial road and State highway?
20. Describe how the mining site will be screened from view from the public right-of-way and nearby uses. If landscaping is to be used for screening, identify species, location and size at planting.

PROJECT MINING DESCRIPTION

1. The project is the extension of a surface mining permit and reclamation plan on a 190 acre site located in the 100-year flood plain of Markham Ravine near the Pleasant Grove Area in south Sutter County. More specifically the area is located west of the intersection of Pacific Avenue and Striplin Road. The site is bounded by Striplin Road to the north, railroad tracks to the east and additional farmlands to the south and west.

The surface mining activity consists of extracting and transporting material for use as imported borrow. The Surface Mine was permitted in 1990 for a period of ten years and was extended for another ten years in 2000. An approximate 900,000 to 1,000,000 cubic yards of material was proposed to be extracted over this twenty year time frame. The material has been and will be used for various projects in the region such as levee improvements and maintenance and (but not limited to) construction of highways.

This site will be occupied by Reclamation District 1001 and/or its agents for a period of several years. Phasing of this project will be determined somewhat by demand, but, at all times, this District intends to obtain the greatest flowage retention capabilities possible.

The extension of the mining activity would involve no change to either the on-going mining or future reclamation of the site. The extension would allow the completion of the mining and reclamation as described in the original use of the land.

2. Mining will occur intermittent based on the demand for material.
3. The excavation of the project has been phased from north continuing on a southern track, then to the east, and most recently in 2009 on the southeast corner.
4. Fill dirt will be extracted.
5. Excavation has been occurring on site using conventional mining practices common to the industry and transport of materials off-site. The maximum anticipated depth of mining operations is approximately nine feet below ground surface.
6. Maximum anticipated production is 1,000,000 cubic yards. The total excavated amount through 2009 is approximately 330,000 cubic yards or 33% of the anticipated volume permitted. See Summary of Production over the last twenty years. Exhibit A
7. Another ten years is the anticipated lifetime of the mining activities.

8. Hours of operation would typically be during the daylight hours of 7:00 a.m to 5:00 p.m. Monday through Saturday. Extended hours of operation could periodically occur for limited periods.
9. Anticipated employment: 5 to 25 people with an anticipated daily traffic of 10 to 75 daily truck trips out of the pit. Material from the mining area will be transported via Pacific Avenue north onto Striplin Road west onto S.R. 70 or via Striplin Road east onto Pleasant Grove Road. Transportation routes along S.R. 70 and Pleasant Grove Road would then vary depending on destination.
10. No washing or screening of materials would occur. The proposed extension of the mining operation would not use water except for dust control. Water for dust control would be served by an off-site water provider or ground water collected in the previously excavated sites.
11. Various types of construction equipment common to the industry will be used for excavation including, scrapers, dozers, front-end loader, water truck, utility trucks, and haul trucks.
12. No permanent structures are proposed for improvements
13. Markham Ravine borders on the north and East Side Canal borders on the West. Neither of these waterways have been or will be affected by the mining operations.
14. The resulting excavation has created ponds to help mitigate increased storm water run off from the East. The drainage facilities in the vicinity will benefit by the storage capacity of the newly created ponds by potentially decreasing the downstream discharges. Outfall from the area can be regulated by collection ditches and released after peak flows have passed. This could decrease surface water elevation in the channel and pumping associated with storm water runoff.
15. Trucks and other construction equipment would run on diesel and gasoline. Diesel and/or gasoline will not be stored on-site in above ground storage tanks.
16. No waste materials have been collected and none are anticipated in the future.
17. Access to the site shall be controlled to provide for reasonable security from public trespass and nuisance. Property is posted with "No Trespassing Signs", "No Dumping", And "Unauthorized Vehicle Use Prohibited". The property is gated across the entrance from Striplin Road.

18. and 19. The site is accessible from Pacific Avenue south of Striplin Road via a ramp up and over the East Side Canal West Levee, across a low-water crossing, and up and over the East Side Canal East Levee onto the southwest portion of the site. Pacific Avenue is less than .5 mile from State Highway 70. Any dust that may be produced as a result of extracting and transporting is expected to be kept to a minimum since the levee essentially confines the site. Dust will be controlled by the use of water trucks during operating hours.

20. The mining site is situated in a rural portion of Sutter County and is screened from public view by the East Side Canal Levee.

**RECLAMATION DISTRICT 1001
SUMMARY OF MINING OPERATION (MO) AND SURFACE MINE 91-51-0004**

Report Year	MO Annual Report		Surface Mining Inspection Report	County of Sutter Lead Agency Comments	Cubic Yards Used for District Repairs
	Acres Disturbed	Tons	Date Inspected		
1991	2.00	0		No Surface Mining Report	
1992	0.50	800		No Surface Mining Report	
1993	0.00	750		No Surface Mining Report	
1994	0.50	635	March-95	No change since 1994	
1995	0.00	<100	May-96	Site inactive, area flooded	
1996	20.00	214,288 tons 171,431 cu yds	April-97	Approx 160k cy removed last year; Site used as duck pond	
1997	3.00	3,324	April-98	Excavation area flooded	
1998	4.50	4,985	April-99	Substantial increase underwater	
1999	2.00	29,000	May-00	No comment	14,688
2000	0.00	3,575	May-01	No comment	
2001	0.25	480	April-02	Mine not active	
2002	0.15	350	April-03	Mine not active but has been past year.	
2003	0.20	450	April-04	Mine not active but has been past year.	
2004	0.25	785	May-05	Minor amount of activity	
2005	0.20	216	May-06	Formal reclamation not begun; flooding caused wood area and large ponds	
2006	0.25	306	April-07	Formal reclamation not begun; flooding caused wood area and large ponds	
2007	10.20	93,000	April-08	New excavation to a depth of 7 ft. consistant with approved plan.	
2008	0.00	0	March-09	No area disturbed since last inspection	
2009	15.00	63,654	October-09	Excavation occurred	
TOTAL	59.00	416,698 ton or approximately 333,358 cubic yards			

- B. Reclamation Plan: On a separate sheet entitled, "PROJECT RECLAMATION DESCRIPTION", submit a written statement describing the proposed project site reclamation. Unless an alternative end use is to be achieved, the site's rehabilitation should be designated to prevent erosion, protect natural appearance, and restore the mined lands to a condition compatible with the condition of adjacent properties at the time of reclamation.

All reclamation activities will be required to comply with the State Surface Mining and Reclamation Act of 1985, as amended, and Title 14, Division 2, Chapter 8, Subchapter 1 of State of California Code of Regulations and performance standards contained therein. Pursuant thereto, reclamation success will be determined two years after the conclusion of all reclamation activities.

The applicant may wish to use the prototype RECLAMATION PLAN form prepared by the State Mining and Geology Board as a guideline in preparing the reclamation plan. In any case, the information required in the prototype form and herein shall be provided as part of the application unless otherwise waived by Sutter County prior to application.

In order to determine conformance of the proposed reclamation plan to the required performance standards, at a minimum, the following specific information should be included in the plan:

1. Describe the proposed future goals for the property's end use for which the site will be reclaimed and how the proposed reclamation activities will accomplish these goals. Will reclamation be conducted in phases or at a single point in time? If reclamation is to be done in phasing, at what point will phasing commence for each stage?
2. What effect will the proposed reclamation activities have upon the site's remaining unmined resources and/or upon continued mining on adjacent lands?
3. Describe how the reclamation of the site will affect the public's health, safety and general welfare. Consideration should be given to existing and probable future uses within the surrounding area.
4. Describe the finish slope/grade, compaction and slope stabilization, including slope contouring. Be sure to indicate at what level or point the ground will be left undisturbed.
5. Describe how the mined lands will be revegetated. Include details of planting materials, application rates and/or sizes, irrigation system and rehabilitation schedule coordinated with the quarry operations. Include discussion of any proposed testing to be done to determine adequacy of final revegetation proposal.

6. If mining activities are to be phased, describe how reclamation will occur in relationship to the closing of individual phases and continual mining activities.
7. What is the estimated volume of waste material that will remain at mine closure and what will be the ultimate disposition of that material?
8. If appropriate to future reclamation use, describe plan for topsoil salvage, maintenance and redistribution.
9. Describe proposed actions included in the reclamation plan to protect fish and wildlife species, including habitat, wetland and stream protection measures.
10. Upon closure of the mine, what improvements and/or equipment will remain on-site? What will be the disposition of other improvements and/or equipment?

PROJECT RECLAMATION DESCRIPTION

1. The approved reclamation plan calls for the excavated areas to be used as storm water retention ponds. No reclamation of the site is required until the excavation of the site is complete.
2. There will be no effect on unmined resources at the close of mining activity and none on adjacent lands.
3. Storm water retention basins will provide water storage for flood control which in turn is a benefit to public safety. The facilities in the vicinity will benefit by the storage capacity of the newly created basin by decreasing somewhat the downstream discharges. Outfall from the pond can be regulated to be released after peak flows have passed thereby decreasing channel and pumping requirements.
4. The land surface elevation would be lowered from approximately 37 feet mean sea-level to approximately 28 feet. The excavated areas have and would have sides sloped at a 2:1 ration. These areas are located 150 feet from the south and the east property lines and 100 feet from the toe of both the East Side Canal Levee and the Markham Ravine Levee. These setbacks would provide for a minimum of 150 feet buffer to any agricultural use or to any wetland area that exists now along either the East Side Canal or Markham Ravine.
5. Plant growth native to the area has established in the excavated pond area and will continue to do so. Volunteer growth should provide sufficient vegetation cover. Storm runoff from adjacent properties should transport nutrients and native plant seeds to the pond. In the event rehabilitation is slower than anticipated, mechanical seeding of native grasses conducive to the terrain and climate will be performed. Tules and other growth from neighboring sloughs and canals can be transported to quickly enhance the areas.

Revegetation of the site's cut banks and all other denuded areas except the pond bottom, shall be provided within eighteen months of completion of excavation or cessation of the surface mining permit, whichever occurs first. This revegetation has begun through natural reseeding.
6. The phasing of mining has been from north to south, to the east and further south. Any of these areas could be mined concurrently depending on need of fill material. Some areas have been extracted to the maximum depth while others are still in use. Completed storm water retention basin may be achieved once all material is extracted.
7. No waste material is produced on the excavation site, and therefore none will remain at closure.

8. Topsoil redistribution will be at close of mining activities.

9. To protect wildlife, no hunting signs will be posted on site and the access gate will remain locked.

10. At the close of the mine, all equipment will be removed from the site. No structures are proposed.

- C. **Financial Assurance Plan:** On a separate sheet entitled, "FINANCIAL ASSURANCE PLAN", submit a written statement describing the cost estimate of all reclamation activities required pursuant to the proposed reclamation plan. The cost estimate should examine the surface mine closure from the standpoint of what it would cost Sutter County to close the mining site in conformance with the reclamation plan. The applicant should utilize the "FINANCIAL ASSURANCE GUIDELINES" publication prepared by the State Mining and Geology Board for reference as to the requirements of a financial assurance cost estimate.

Reclamation District 1001
Surface Mining and Reclamation Plan #20

FINANCIAL ASSURANCE ESTIMATE

The California Surface Mining and Reclamation Act (SMARA) provides that the amount of financial assurance must be sufficient to ensure that the agency or the Department can reclaim (as described in SMARA Section 2733) the mined lands in accordance with the approved reclamation plan.

The amount of the financial assurance is based on the size, complexity, environmental setting and type of operation described in the approved reclamation plan. The amount of financial assurance must be calculated on a site specific basis that reflects the elements in the specific reclamation plan.

Reclamation District 1001 established a Mining Operation Trust Fund with the County of Sutter in 1994 whereby funds would be available to complete the reclamation project as outlined in the permit. The fund is restricted for the purpose as designated to complete the reclamation plan.

Reclamation District 1001's Financial Assurance Estimate is revised annually in accordance with the SMARA requirements. The County of Sutter Community Services Department reviewed and approved RD 1001 Borrow Pit Financial Assurance Cost Estimate in April, 2009 for \$4,810.00. Attached. Newly revised plan for 2010 has been submitted to the County of Sutter for review and approval. Attached



SUTTER COUNTY
COMMUNITY SERVICES DEPARTMENT

Planning – Lisa Wilson, Planning Division Chief
Animal Control
Building Inspection
Environmental Health

Director – Larry Bagley
Assistant Director – Randy Cagle
Fire Services – Dan Yager
Emergency Services – John DeBeaux

RECEIVED
JUN 10 2009

BY:.....

June 9, 2009

Diane Fales
Reclamation District 1001
1459 Cornelius Avenue
Rio Oso, CA 95674

Subject: Reclamation District 1001 Pit (Sutter County Surface Mining Permit #20 and California Mine Identification Number 91-51-0004) Financial Assurance Cost Estimate Revision

Dear Ms. Fales:

The Sutter County Community Services Department has reviewed the Financial Assurance Cost Estimate for the RD1001 Borrow Pit. No comments were received from the Department of Conservation, Office of Mine Reclamation and the revised amount of \$4,810 appears to be adequate. Therefore, the Community Services Department is approving the Financial Assurance Cost Estimate received April 2009.

Please contact me if you have any questions or require clarification.

Sincerely,

A handwritten signature in cursive script that reads "Leanne Mueller".

Leanne Mueller
Senior Planner

LM:kf

*9
approved
April 2009*

I. PRIMARY RECLAMATION ACTIVITIES

Description of Task: Establishing final slopes on all cuts, fills and removal of haul roads.

Methods to be Used: Dozer to form slopes and track walk.

A. Equipment required to complete the task.

Equipment	Quantity	*\$/Hour	# of Hours	Cost (\$)
1. CAT 613C Scraper	1	110	8	880
2. D5 Dozer (6 way)	1	120	4	480
3. Water Truck 2000 gal	1	50	4	200

Total Equipment Cost for task \$ 1,560

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

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
Maintenance Oper Grp 1	2	54.6	16	1,747
				-

Note: One operator to drive scraper and water truck

Total Labor Cost for task \$ 1,747

C. Materials-List all materials required to complete task (include disposal costs).

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
n/a				-
				-

Total Materials Cost for task \$ -

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Material s Cost = \$ 3,307

II. REVEGETATION

Description of Task: If natural seeding does not occur, slopes to be planted with native grasses.

Methods to be Used: Hydro Seeding

A. Equipment required to complete the task.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)
Hydro Seeder 3000 Truck Mounted	1	30.15	5	151

Total Equipment Cost for task \$ 151

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

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
Landscape Mtc Grp II	1	50.11	5	251

Total Labor Cost for task \$ 251

C. Materials-List all materials required to complete task (include disposal costs).

Materials	Acres	Lbs	\$/Acre	Cost (\$)
Native Grasses	2	100	72	144
				-

Total Materials Cost for task \$ 144

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Material s Cost = \$ 545

III. MISCELLANEOUS COSTS

Item/Task	Quantity	\$/Unit	Cost (\$)
n/a			-
			-
			-
Total Miscellaneous Costs			\$ -

IV. MONITORING

Monitoring Task	\$/Visit	#Visit/Yr	#of Monitoring Years	Cost (\$)
Monitor vegetation	70	4	2	560
				-
				-
Total Monitoring Costs				\$ 560

V. SUPERVISION/PROFIT & OVERHEAD/CONTINGENCIES/MOBILIZATION

A. Supervision (1%)	\$ 44
B. Contingencies (8%)	\$ 353
D. Mobilization	\$ -

VII. SUMMARY OF COST

Total of all Primary Reclamation Activities Costs	\$ 3,307
Total of all Revegetation Costs	\$ 545
Total of all Miscellaneous Costs	\$ -
Total of all Monitoring Costs	<u>\$ 560</u>

Total of Direct Costs \$ 4,413

Supervision (1%)	\$ 44
Contingencies (8%)	\$ 353
Mobilization (included)	<u>\$ -</u>

Total of Indirect Costs \$ 397

Total of Direct and Indirect Costs \$ 4,810

Lead Agency Administrative Cost \$ -

Total Estimated Cost of Reclamation \$ 4,810

TRUSTEES
ROBERT SCHEIBER
ROY C. OSTERLI II
JAMES HUDSON
ERIC ROLUFS
JOHN TARESH

OFFICERS
ROBERT SCHEIBER, PRESIDENT
ROY C. OSTERLI II, VICE PRESIDENT
DIANE FALES, SECRETARY/ MANAGER

OFFICE OF

BOARD OF TRUSTEES
RECLAMATION DISTRICT 1001
1959 CORNELIUS AVENUE
RIO OSO, CALIFORNIA 95674
530 656-2318 or 530 633-2586
FAX 530 656-2165
EMAIL: rd1001@syix.com

February 17, 2010

County of Sutter
Community Services Department
Leanne Mueller, Senior Planner
1130 Civic Center Boulevard
Yuba City, CA 95993

Re: Surface Mining Permit - Reclamation Plan 20 – CA Mine ID# 91-51-0004

Dear Ms. Mueller:

Enclosed please find copies of Reclamation District 1001 Financial Assurance 2010 and County of Sutter Detailed Trial Balance for GL Account 6457. This RD1001-Mining Operations Trust account is held for the reclamation plan for the District's mining operations. This interest-bearing account (posted quarterly) can only be used for mining/reclamation operation costs.

The increase to the financial assurance estimate is based on the new excavation in 2009 for a total of \$5,808.00. As you can see as of January 31, 2010, the balance in the account is \$ 7,952.42. This is more than sufficient to cover reclamation costs in the future.

If you have any questions, please contact this office.

Yours truly,



Diane Fales
Secretary/Manager

Enclosures

df:finassurance09

I. PRIMARY RECLAMATION ACTIVITIES

Description of Task: Establishing final slopes on all cuts, fills and removal of haul roads.

Methods to be Used: Dozer to form slopes and track walk.

A. Equipment required to complete the task.

Equipment	Quantity	*/Hour	# of Hours	Cost (\$)
1. CAT 613C Scraper	1	110	8	880
2. D5 Dozer (6 way)	1	120	8	960
3. Water Truck 2000 gal	1	50	4	200

Total Equipment Cost for task \$ 2,040

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

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
Maintenance Oper Grp 1	2	54.6	20	2,184
				-

Note: One operator to drive scraper and water truck

Total Labor Cost for task \$ 2,184

C. Materials-List all materials required to complete task (include disposal costs).

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
n/a				-
				-

Total Materials Cost for task \$ -

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Material s Cost = \$ 4,224

II. REVEGETATION

Description of Task: If natural seeding does not occur, slopes to be planted with native grasses.

Methods to be Used: Hydro Seeding

A. Equipment required to complete the task.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)
Hydro Seeder 3000 Truck Mounted	1	30.15	5	151

Total Equipment Cost for task \$ 151

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

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
Landscape Mtc Grp II	1	50.11	5	251

Total Labor Cost for task \$ 251

C. Materials-List all materials required to complete task (include disposal costs).

Materials	Acres	Lbs	\$/Acre	Cost (\$)
Native Grasses	2	100	72	144
				-

Total Materials Cost for task \$ 144

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Material s Cost = \$ 545

III. MISCELLANEOUS COSTS

Item/Task	Quantity	\$/Unit	Cost (\$)
n/a			-
			-
			-
Total Miscellaneous Costs			<u>\$ -</u>

IV. MONITORING

Monitoring Task	\$/Visit	#Visit/Yr	#of Monitoring		Cost (\$)
			Years		
Monitor vegetation	70	4	2		560
					-
Total Monitoring Costs					<u>\$ 560</u>

V. SUPERVISION/PROFIT & OVERHEAD/CONTINGENCIES/MOBILIZATION

A. Supervision (1%)	\$ 53
B. Contingencies (8%)	\$ 426
D. Mobilization	\$ -

VII. SUMMARY OF COST

Total of all Primary Reclamation Activities Costs	\$	4,224
Total of all Revegetation Costs	\$	545
Total of all Miscellaneous Costs	\$	-
Total of all Monitoring Costs	\$	<u>560</u>
Total of Direct Costs	\$	5,329
Supervision (1%)		53
Contingencies (8%)		426
Mobilization (included)	\$	<u>-</u>
Total of Indirect Costs	\$	479
Total of Direct and Indirect Costs	\$	5,808
Lead Agency Administrative Cost	\$	-
Total Estimated Cost of Reclamation	\$	5,808

EQUIPMENT LIST:

TRACTORS	
D5 Dozer	1
SCRAPERS	
CAT 613	1
ARTICULATED TRUCKS	
WATER TRUCKS	
2000 gallon water	1
TRACTOR ATTACHMENTS	
OTHER EQUIPMENT	
Hydro Seeder, includes truck	1

SORT ORDER: ACCT NO WITHIN BUD UNIT

SELECT FUNDS: 60 ; ACCOUNT NUMBER: 10000-39999

LG ACCOUNT ST TR FOGP FUND DEPT PROGRAM FUNCTION BUD OFCR ACTIVITY
 GL 6457 0000 000 RD1001-MINING OPERATIONS TRUST A 7 6457 0000 000 0 0 00

ACCT NO	DATE	PRIMARY REF.	TRANSACTION DESCRIPTION	DEBIT	CREDIT	BALANCE
10100 CASH IN TREASURY			PRIOR TO 01/01/10			7,905.94
	01/01/10	J101501	INT APPORTION 2ND QTR	49.86	0.00	7,955.80
	01/01/10	J101508	TREASURY FEE 2ND QTR	0.00	3.38	7,952.42
		DR	* ACCT NO TOTAL *	49.86*	3.38*	7,952.42*
11410 DUE FROM OTHER FUNDS INTEREST			PRIOR TO 01/01/10			0.00
		DR	* ACCT NO TOTAL *	0.00*	0.00*	0.00*
25801 INTEREST APPORTIONED			PRIOR TO 01/01/10			-42.03
	01/01/10	J101501	INT APPORTION 2ND QTR	0.00	49.86	-91.89
	01/01/10	J101508	TREASURY FEE 2ND QTR	3.38	0.00	-88.51
		CR	* ACCT NO TOTAL *	3.38*	49.86*	-88.51*
37700 FUND BALANCE UNDESIGNATED			PRIOR TO 01/01/10			-7,863.91
		CR	* ACCT NO TOTAL *	0.00*	0.00*	-7,863.91*
		DR-CR	** BUD UNIT TOTAL **	53.24*	53.24*	0.00*

30

RECEIVED
 FEB 10 2010
 BY.....

D. Environmental Setting: On a separate sheet entitled, "ENVIRONMENTAL SETTING", describe the environmental setting of the site and surrounding area. The project environmental setting description should contain sufficient detail to describe the site and surrounding area and should contain the following minimum detail information:

1. Describe existing structures and land use on the property as well as surrounding properties within 500 feet. Include description of vegetation and topography. Identify any special, unique or sensitive land uses or activities within 1,000 feet of the mining site property.
2. Are there any water bodies, natural or man-made, on- or off-site within 500 feet of the subject property, including lakes, rivers, ponds, creeks, streams, intermittent or perennial water courses, wetlands, drainage/channels, etc.?
3. How will drainage of the area and/or property be affected by the proposal? If it won't be affected, explain why not.
4. Describe the cultural, historical, scenic setting of the site and area.
5. Describe existing and proposed on-site sewage disposal and potable water system.
6. Provide a general description of the geology of the area and a detailed description of the geology of the project site.
7. Explain all YES or NO answers to questions from ENVIRONMENTAL

Effective June 23, 2008

ENVIRONMENTAL SETTING

1. There are no structures located within the proposed mining area. The nearest structures to the mining area are power line towers located just west of the Union Pacific Railroad. There is an existing irrigation well, pump and service pole located approximately 50 feet northwest of the mining area and a line of power poles with overhead wires along the south property line. (There is no service to the pump)

Rice is grown in the surrounding fields to the north, east and south. The area is mostly flat with the exception of the excavation areas on the mining site. Vegetation on site and in the surrounding area is native grasses, vetch, mustard, small willows, etc.

2. The East Side Canal borders the property on the west and Markham Ravine is to the north.

3. Drainage of the area continues to drain into excavated areas and over all to the west. Continued excavation will not affect current or future drainage.

4. Prior to mining activity, the area was historically used to farm rice. The vegetated ponds provide a scenic setting.

5. There is no on-site sewage disposal or potable water system.

6. Generally the soil is deep and moderately well drained. Sutter County as prepared by Soil Conservation Service depicts the soils on this site as "Capay Series" Typically the surface layer is dark grayish brown silty clay about three feet deep. The underlying material is brown and light yellowish brown clay loam. Permeability of this soil is slow, runoff is slow and the hazard of water erosion is slight. Soil is suitable for fill material.

7. All questions on the Environmental Impact Analysis Form have been answered "No". There will be no change in the environmental impacts as this is an extension of the same process of surface mining as currently approved. An Initial Study of Environmental Impacts resulted in a Negative Declaration. The extension of the mining activities will not change any pattern, scale or character of the general area.

IMPACT ANALYSIS FORM.

E. Other Public Approvals: List any and all other public approvals required for this project. Specify type of permit or approval and issuing agency, telephone number

Surface Mining Permit approved by:

County of Sutter

Planning Commission and

Community Services

1130 Civic Center Blvd.

Yuba City, CA 95993

530 822-7400

Leanne Mueller, Senior Planner

State of California

Department of Conservation

Office of Mine Reclamation

801 K Street

Sacramento, California 95814

(916) 323-9198

Attn: Ben Shelton

I hereby certify, to the best of my knowledge, that the above statements and those contained in the supplement pages are correct.

Diane Fales

Signature of Person Preparing Form

2/10/10

Date

Diane Fales

Type or Print Name

1959 Cornelius Ave.

Address

Rio Oso, CA 95674

City, State, Zip Code

(530) 656-2318

Telephone Number

ENVIRONMENTAL IMPACT ANALYSIS FORM

Filing Fee – At Cost with a \$650.00 Deposit

OFFICE USE ONLY			
File No.:	SUT No.:	Receipt No.:	Date:

_____ Categorically Exempt (no further environmental review required)

The answers to the following questions comprise the applicant's analysis of the environmental impacts expected from the proposed project. Upon review of the project, further environmental information and analysis could be required from the applicant. This could take the form of additional technical, engineering or other information and/or the need to complete an Expanded Environmental Impact Analysis.

ENVIRONMENTAL SETTING:

1. On an attached sheet entitled Environmental Setting, describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots and Polaroid photos will be accepted.
2. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

INSTRUCTIONS:

All "Yes" and "No" answers must be discussed to explain the simple response. Such discussion should incorporate factual, technical and/or engineering information when necessary to support the response. The expanded answers must be supplied on accompanying sheets supplied by the applicant.

- | | <u>YES</u> | <u>NO</u> |
|---|--------------------------|-------------------------------------|
| 3. Change in pattern, scale or character of the general area where the project is proposed. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Effective June 23, 2008

	<u>YES</u>	<u>NO</u>
4. Change in demand for public services (roads, polices, fire, water, public sewer, etc.).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Change in river, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Change in existing features of any river frontages, beaches, or hills, or substantial alteration of ground contours.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Change in scenic views from existing residential areas or public lands or roads.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Generation of significant amounts of solid waste or litter.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Change in dust, ash, smoke, fumes or odors in vicinity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Substantial change in existing noise or vibration levels _____ in the vicinity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Site on filled land or on slope of ten (10) percent or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Use or disposal of potentially hazardous materials, such as toxic substances, flammable or explosives.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Relationship to larger projects or series of projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits are true and correct to the best of my knowledge and belief.

2/5/10
Date

530 656-2318
Phone

Diane Fales
Signature

Diane Fales
Print Name

1959 Cornelius Ave Rio Oso, CA 95674
Address

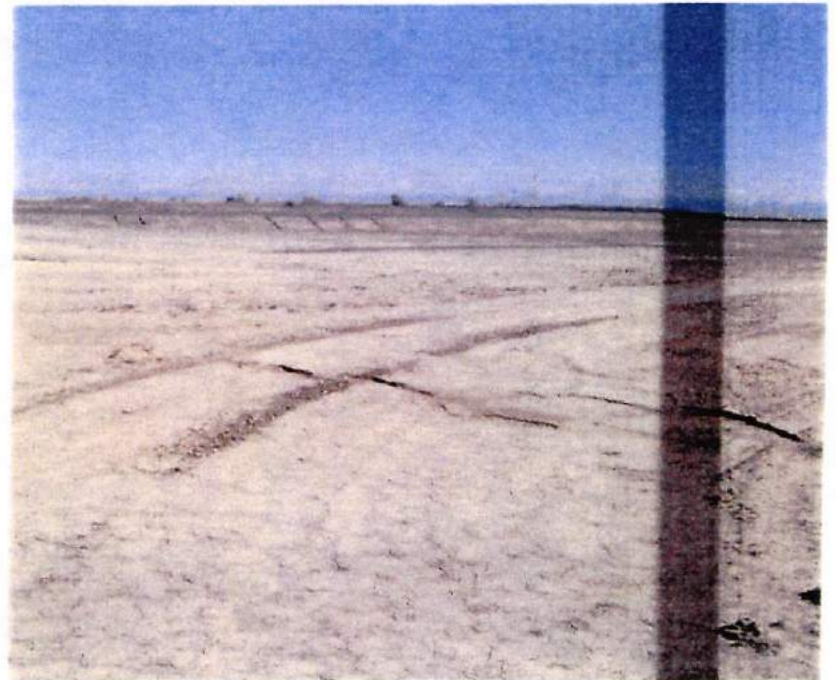
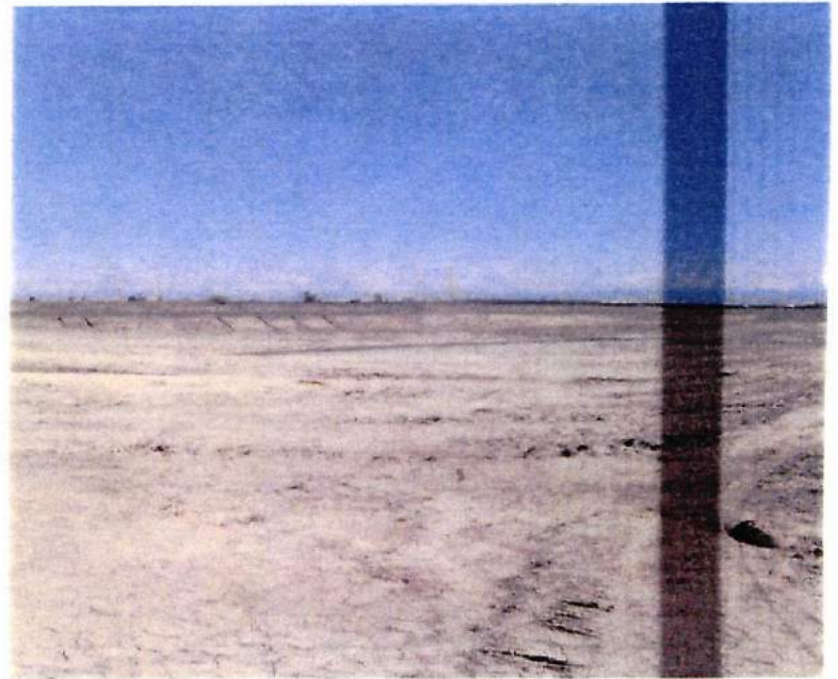
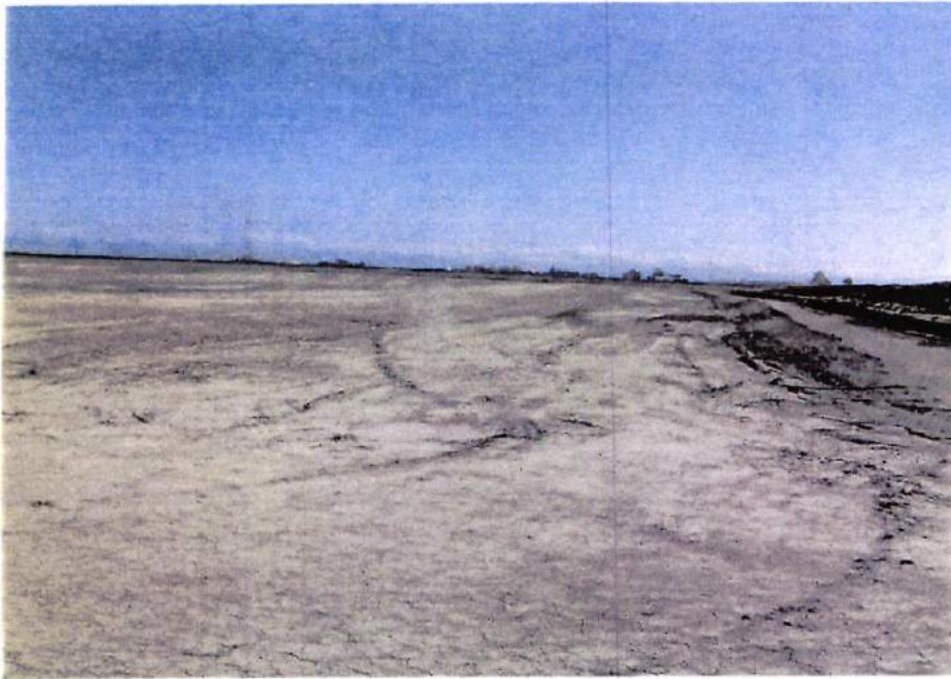
N
↑



Ground Level Photo

↑ Southeast







SAW FORM
(Sewage and Water Form)

Applicant RECLAMATION DISTRICT 1001
Address 1959 Cornelius Avenue, Rio Oso, CA 95674
Phone No. 530 633-2586 AP No(s) 33-280-006
Project Location east of Pacific Avenue and south of Striplin Rd
Engineer Phone No.
Address

There is no sewer or water on this parcel.

Applications shall include the following signed statement from the Environmental Health Program verifying they have received sufficient information to fully evaluate the proposed project. The SAW form shall be used for all applications regardless of the type of sewer and water supply and will be required as part of an application packet submitted. Applications will be considered to be INCOMPLETE without this form.

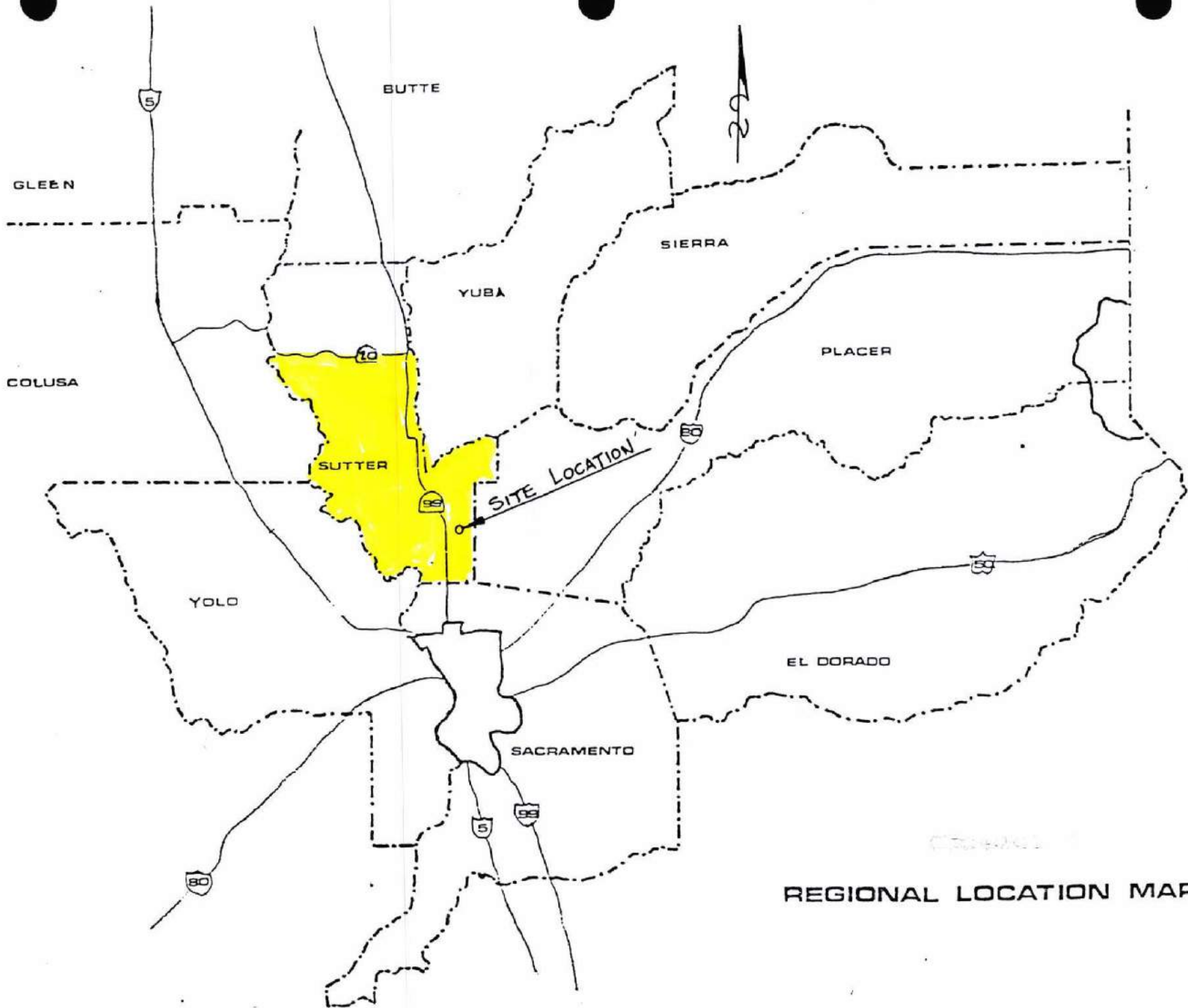
The Environmental Health Program will check the appropriate spaces below when they have received wastewater disposal and water supply information which is adequate for their review of the application. Checks do not in any way indicate approval or denial of a proposal and a handout provided by the Environmental Health Program will explain what information will be required in order to check the spaces below. If you have any questions regarding this form and/or its purposes in the application packet, feel free to contact the Environmental Health Program at (530) 822-7400.

FOR OFFICE USE ONLY
Description of the proposed project:
WASTEWATER DISPOSAL:
State Permitted Public Sewer:
[] N/A [] Public Sewer [] STEP [] On-site
County Permitted On-Site System:
[] Conventional [] Pressure Dosed [] Mound [] Other
WATER SUPPLY:
State Permitted Public Water System:
[] N/A [] Public Water System [] Yuba City [] Hillcrest [] Other
County Permitted Water System:
[] State Small Water System [] CURFFL Water System
Private Well []
Other:
Additional Comments:
Environmental Health Program Signature Date 2/25/10

STATE OF CALIFORNIA

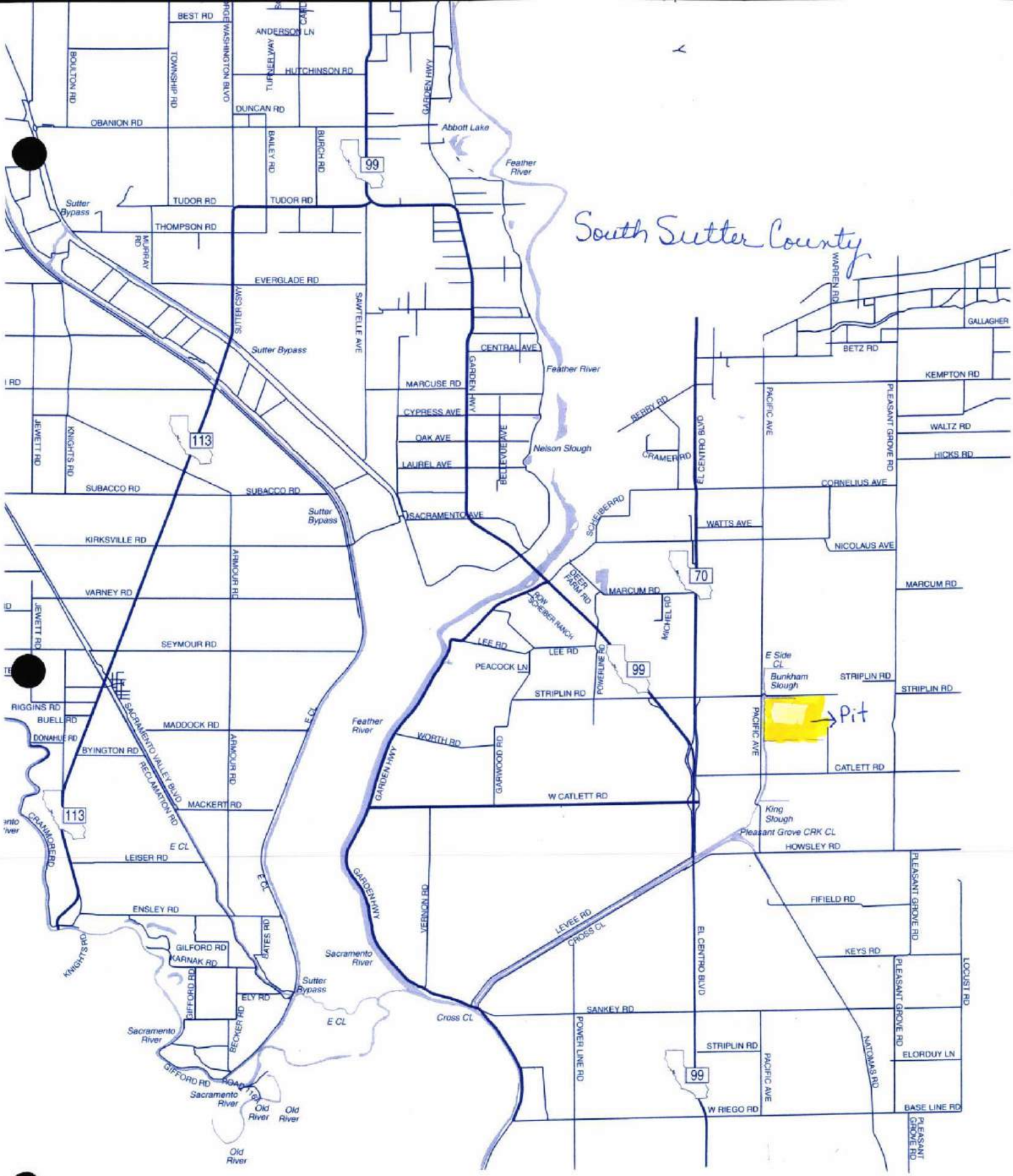


SUTTER COUNTY

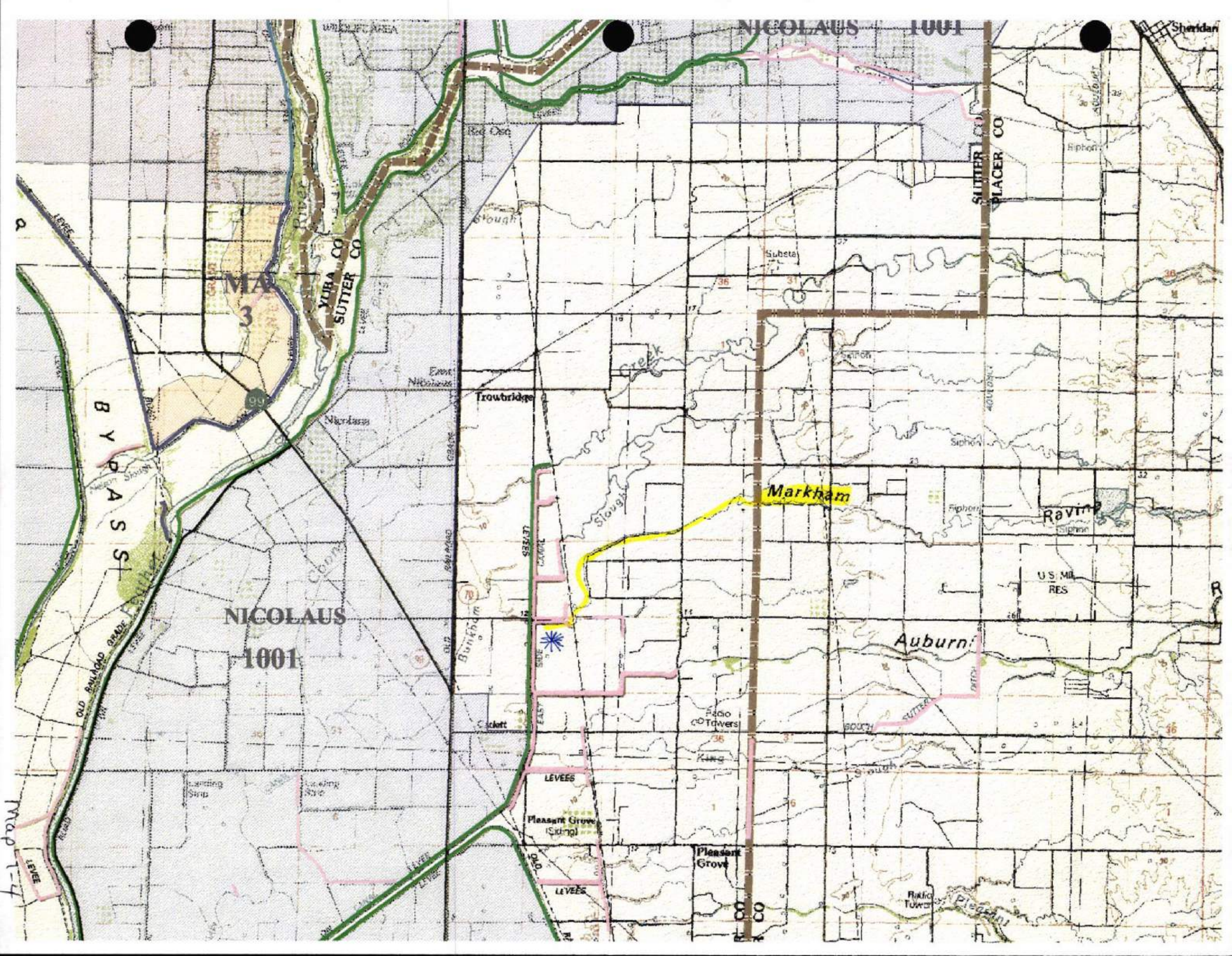


REGIONAL LOCATION MAP

Map 1-2



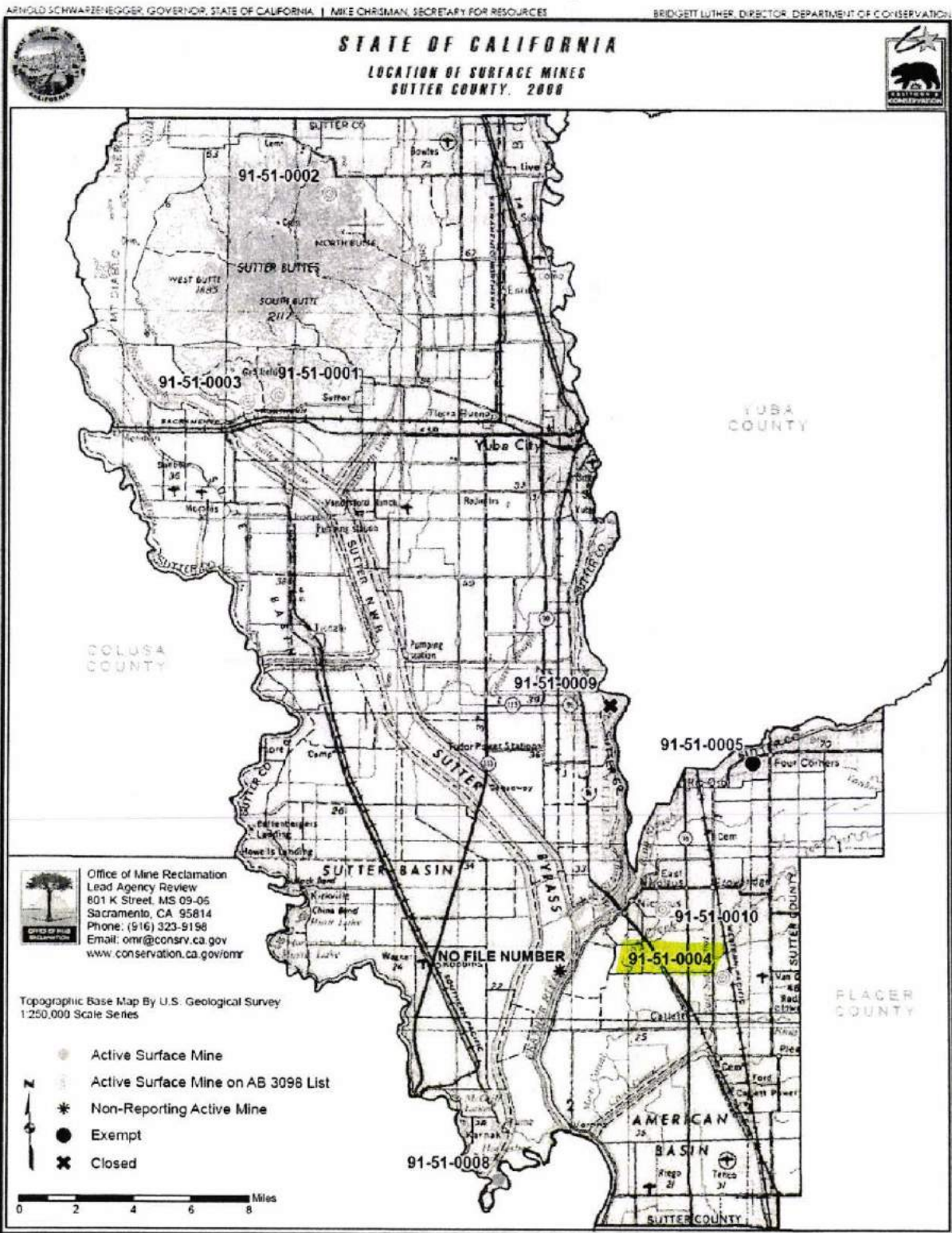
S A C R A M E N T O
C O U N T Y



Map T-4

Review Scope – continued

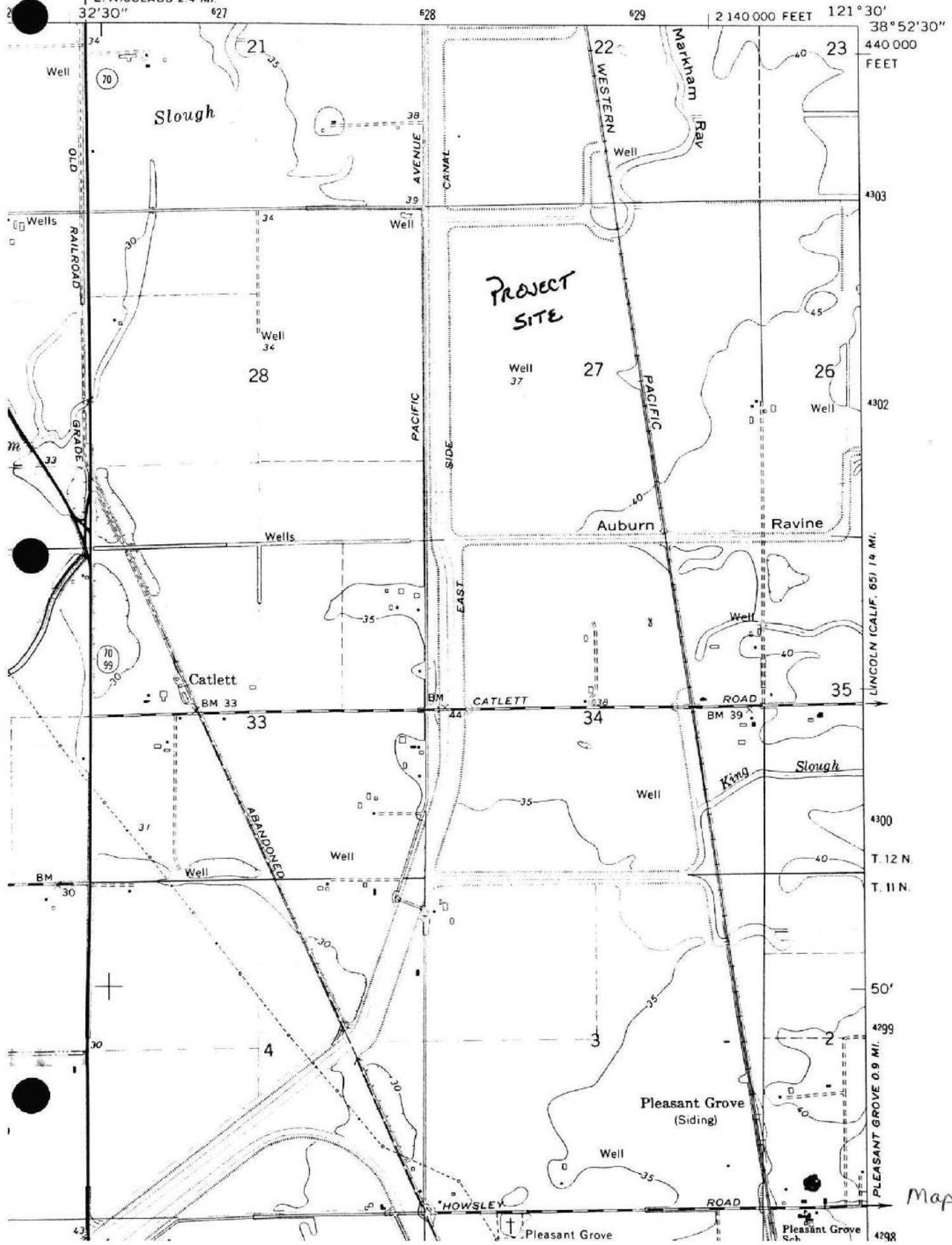
Title - Location of Surface Mines in Sutter County



VERONA QUADRANGLE
 CALIFORNIA
 7.5 MINUTE SERIES (TOPOGRAPHIC)
 SE/4 KNIGHTS LANDING 15' QUADRANGLE

1761 (V.M.W.
 (SHERIDAN))

MARYSVILLE 20 MI.
 E. NICOLAUS 2.4 MI.

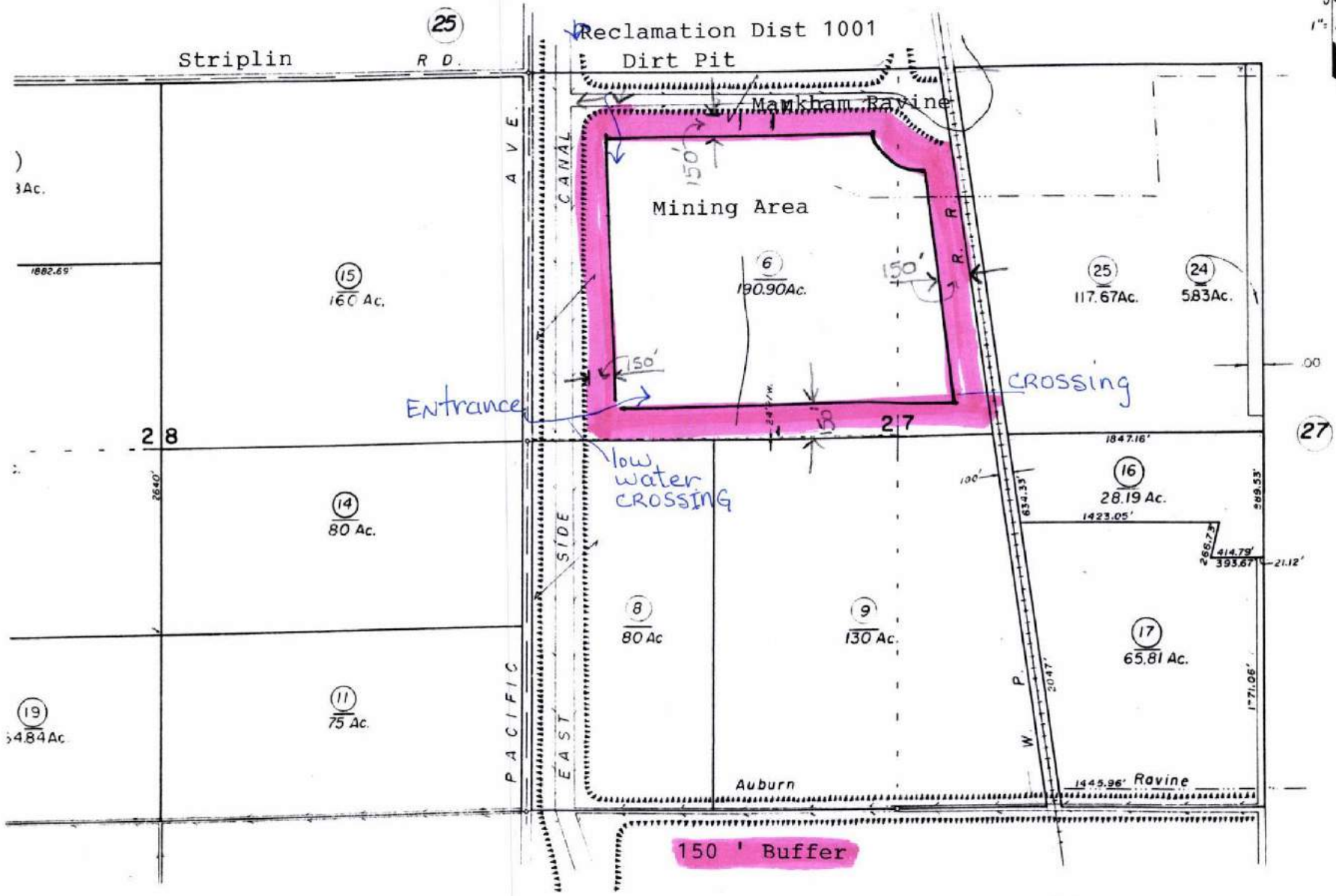


LINCOLN (CALIF. 65) 1/4 MI.
 T. 12 N.
 T. 11 N.
 50'
 PLEASANT GROVE 0.9 MI.
 4299
 4298

Map 2-1

North

1" = 800'



2-2

Z TRANSITORY UNIT

31
 NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 33 - Pg. 28
 County of Sutter, Calif.

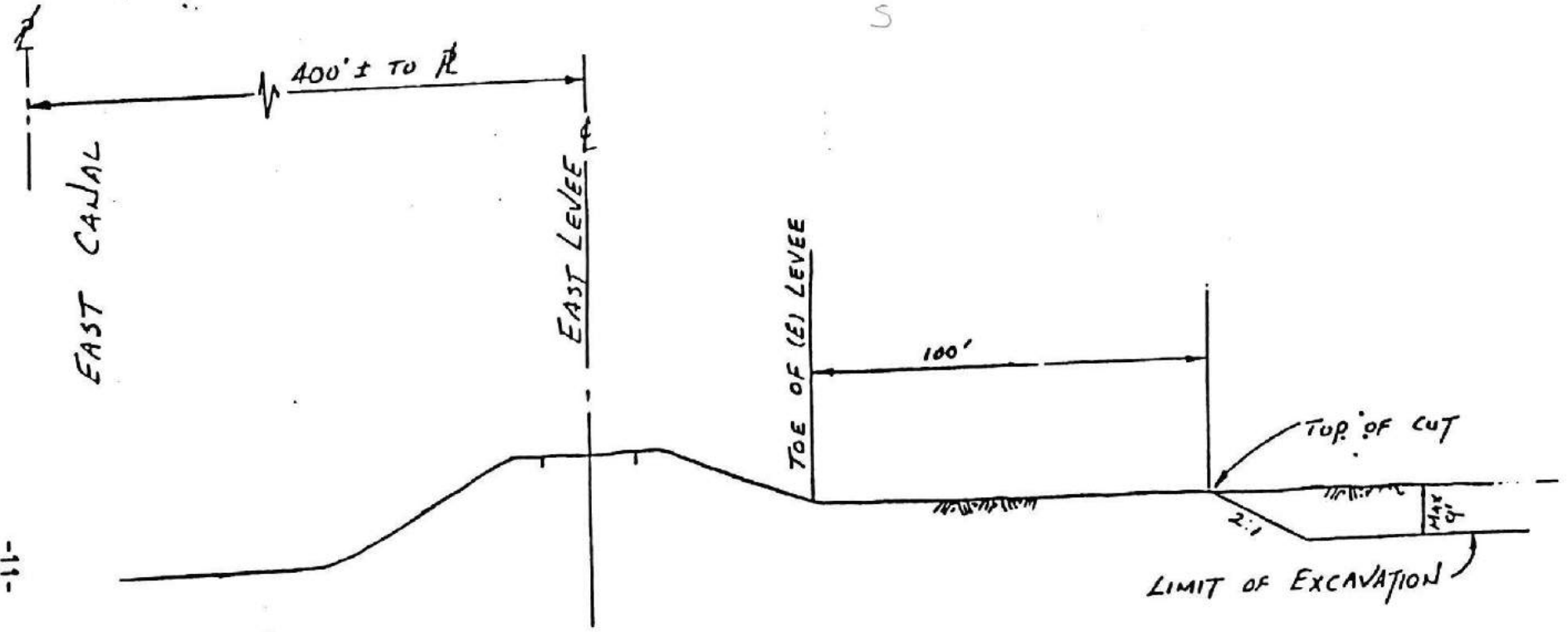
1991-1



S

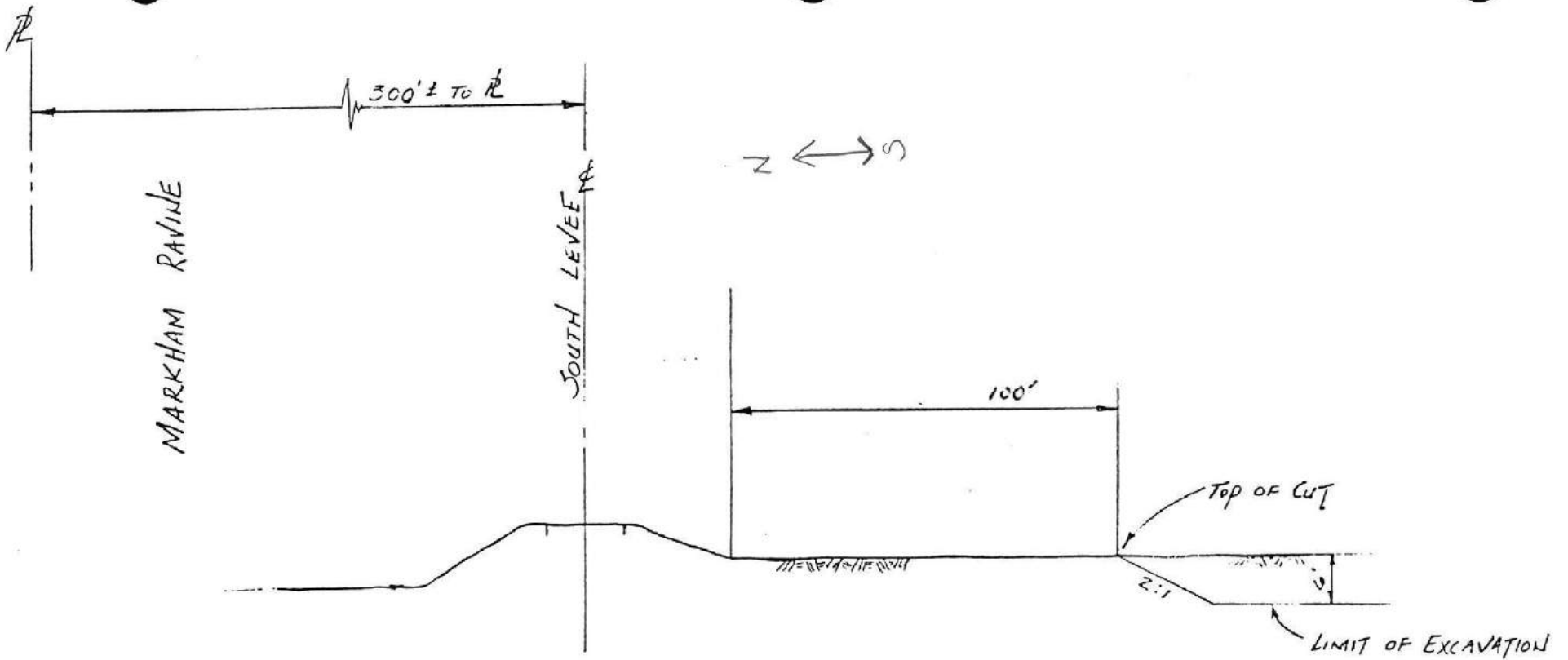
Pacific Ave on the West, Markham Ravine on the north
UPRR tracks on the east





CROSS SECTION: A

-11-



CROSS
SECTION B

S
↑
↓
N

U.P. R.R.

Φ

150'

95'

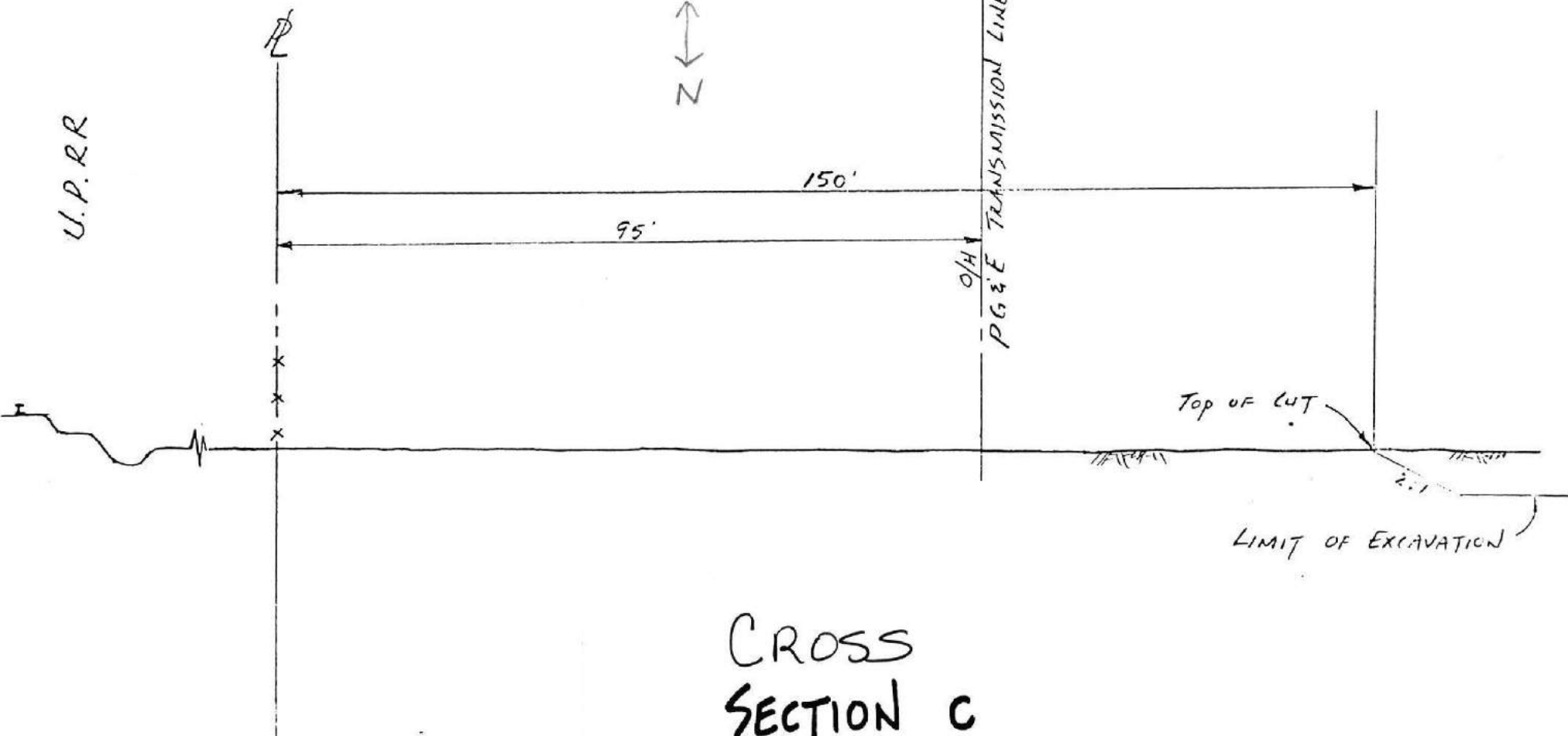
O/H
P.G. & E. TRANSMISSION LINE

Top of CUT

LIMIT OF EXCAVATION

2:1

CROSS SECTION C



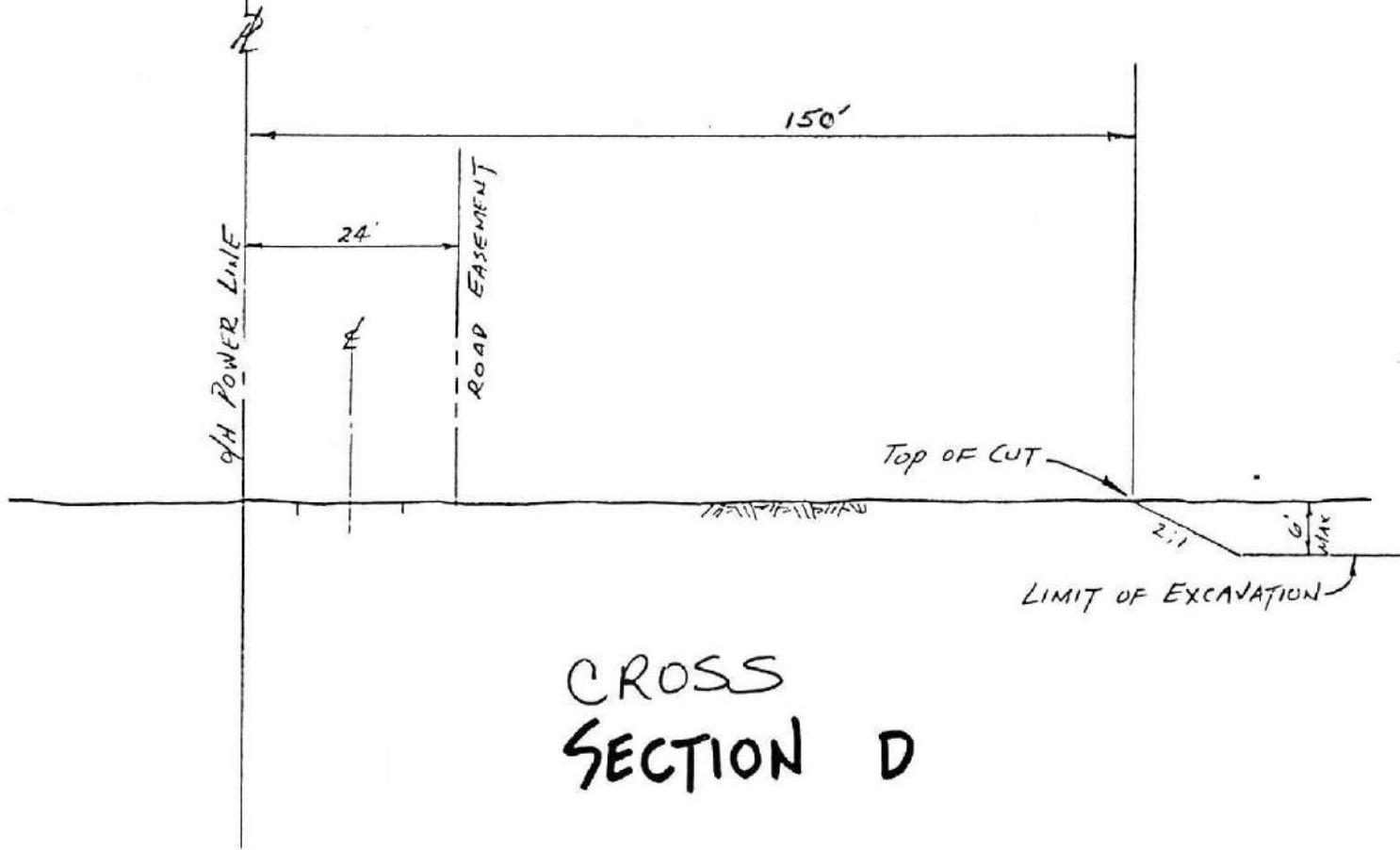


EXHIBIT MAP

PORTION OF THE N1/2 SEC. 27,
T.12N.,R.4E., M.D.M.

SCALE: 1"=500' MARCH 2008
SUTTER CO. CALIFORNIA

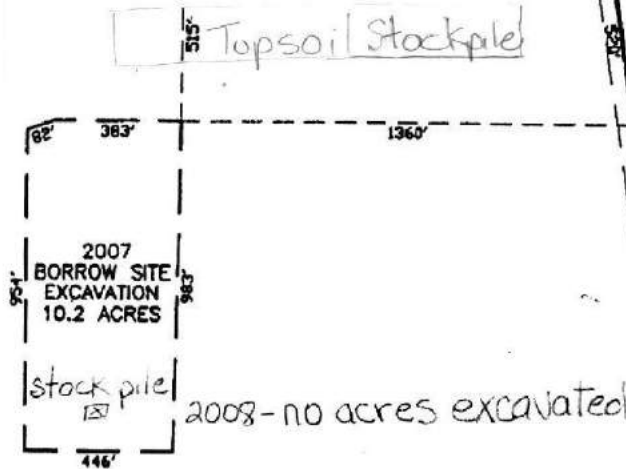
Phased Plan

STRIPLIN 8.21 5.22
ROAD 5.28 5.27

PACIFIC AVENUE

1/4 COR
5.28 5.27

Area
Excavation
1990-2006



RECLAMATION DISTRICT #1001
APN 33-280-006
190.90 ACRES

UNION PACIFIC RAILROAD



BORROW SITE NOTES:

- 1.) AVERAGE ORIGINAL GROUND SURFACE ELEV = 38.5
- 2.) AVERAGE FINAL EXCAVATED SURFACE ELEV = 31.0
- 3.) AVERAGE EXCAVATED DEPTH FROM ORIGINAL GROUND SURFACE = 7.5'
- 4.) EXCAVATED PERIMETER SLOPE RATIO = 3.5:1.

Map # 4

Exhibit G

Sutter County
Community Services Department
Memo

TO: File
FROM: Dale Follas *DF*
DATE: September 28, 1994
SUBJECT: RD-1001 Surface Mining Permit; Financial Assurances Trust
Fund

Attached is a copy of Resolution No. 5-25-94-A from RD-1001 establishing the trust fund for the financial assurances for their surface mine.

I have confirmed with Norma Hayes of the Auditor's Office that they have a copy of the Resolution and that they have the \$4,300.00 on deposit.

D.F.

RESOLUTION NO. 5-25-94-A

ESTABLISHING TRUST FUND FOR MINING PERMIT

WHEREAS, the State of California Bureau of Mines has adopted rules and regulations that require a cost estimate to be prepared and submitted for approval to Sutter County Planning Department as Lead Agency for the completion of the Reclamation Plan of said Reclamation District Mine No. 1. And further that operators of said mine establish a trust fund whereby funds will be available to complete said project should operators fail to do same.

NOW BE IT RESOLVED, that the Board of Trustees do hereby authorize the Secretary to establish with the County of Sutter Auditors Office a Trust Fund in the amount of \$4,300.00 and designate said fund as Reclamation District 1001 Mining Trust Fund:

BE IT FURTHER RESOLVED, that said fund shall be restricted for the purpose as designated and should funds be required to complete Reclamation District Mine No. 1 Reclamation Plan, funds shall be released for said work by the County of Sutter Auditor. The County of Sutter Auditor shall release said mining trust fund only to the County of Sutter or its successor or State of California, Department of Conservation or its successor upon their proper documentation for the completion of said mining reclamation plan.

BE IT FURTHER RESOLVED, should said mining operation cease to operate, said County of Sutter or its successor and/or State of California Department of Conservation or its successor shall prepare documents to release said mining trust funds to Reclamation District #1001 or its successor within ninety days. Should the County of Sutter or its successor, and/or the State of California, Department of Conservation or its successor fail to provide release documentation within the ninety (90) days, Sutter County Auditor shall release said mining trust funds to Reclamation District #1001.

BE IT FURTHER RESOLVED, that this Resolution being Resolution #5-25-94A nulls and voids Resolution #5-26-93B and its Amendment of 9/29/93.

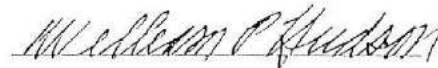
On this 25th day of May 1994, Resolution No. 5-25-94-A was duly acted upon by the Board of Trustees of Reclamation Dist. #1001.

Ayes: OSTERLI II, SCHEIBER, SPANGLER, TARESH, HUDSON

Noes: NONE

Absent: NONE

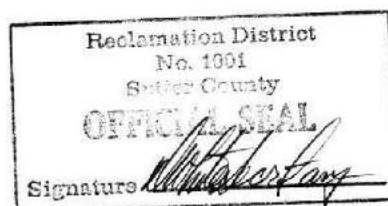
Abstained: NONE



WILLIAM P. HUDSON, PRESIDENT



DONALD E. WHITE, SEC./MANAGER



I, DONALD E. WHITE, do hereby certify that I am now and at all times herein mentioned have been the duly elected, qualified and acting Secretary of Reclamation District No. 1001, and that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a meeting of the Board of Trustees of said Reclamation District No. 1001 held on the 25th day of May, 1994 a majority and quorum of the members of said Board being present and all voting in favor of said Resolution, and said Resolution has not been modified, rescinded, altered or amended and is now in full force and effect.

Dated: 5-26-94

Resolution 5-25-94A


DONALD E. WHITE, Secretary
Reclamation District No. 1001

TRUSTEES

ROBERT SCHEIBER
RICHARD F. TARESH
ROY C. OSTERLI II
WILLIAM P. HUDSON
JAMES L. SPANGLER

OFFICERS

WILLIAM P. HUDSON, PRESIDENT
ROY C. OSTERLI II, VICE PRESIDENT
DONALD WHITE, SEC. - MANAGER

OFFICE OF

BOARD OF TRUSTEES OF
RECLAMATION DISTRICT No. 1001

1959 CORNELIUS AVENUE
RIO OSO, CALIFORNIA 95674
916 656-2318
916 633-2586

September 19, 1994

RECEIVED
SEP 19 1994
COMMUNITY SERVICES DEPT.

Mr. Dale Follas, Planner
Sutter County Planning Department
1160 Civic Center Blvd.
Yuba City, CA 95993

RE: Trust Fund - Reclamation District 1001 - Mine #1

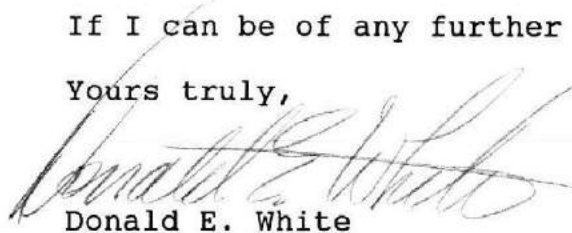
Dear Mr. Follas,

I have enclosed a certified copy of Resolution #5-25-94A authorizing the establishment of a trust fund for the purpose of guaranteeing that funds will be advanced to complete Reclamation plan, should operator fail to do so.

I have met with Norma of the County of Sutter Auditor's Office and established said fund.

If I can be of any further assistance, please advise.

Yours truly,


Donald E. White
Secretary/Manager

DEW/jb

Enclosure

4. PUBLIC HEARING: SURFACE MINING PERMIT AND RECLAMATION PLAN #20;
PROPERTY LOCATED ON THE EAST SIDE OF PACIFIC AVENUE, SOUTH OF THE
INTERSECTION OF STRIPLIN ROAD; APPLICANT/PROPERTY OWNER - RECLAMATION
DISTRICT NO. 1001
(Commissioner Norene)

CURRENT PROPOSAL

A. Project Description:

The project is a surface mining permit and reclamation plan on a 190 acre site located in the 100-year flood plain of Markham Ravine near the Pleasant Grove Area in south Sutter County. The site is adjacent to Markham Ravine and the East Side Canal, east of Pacific Avenue. (This is the same site considered by your Commission in April 1989.) The surface mining activity would extract from 900,000 to 1,000,000 cubic yards of soil material over a two- to five-year period, resulting in a storm water retention basin. The soil could be used as fill material for various projects in the region.

The purpose of the project is to create a stormwater retention basin capable of holding one full day's maximum stream flow in Markham Ravine. This will assist in controlling downstream flooding during periods of high rainfall by providing additional storage capacity.

Excavation would occur on approximately 120 acres of the 190-acre site to a maximum depth of 9 feet. The land surface elevation would be lowered from approximately 37 feet mean sea-level to approximately 28 feet. The excavated area would have side slopes at a 2:1 ratio and would be located 150 feet from the south and the east property lines and 100 feet from the toe of both the East Side Canal Levee and the Markham Ravine Levee. These setbacks would provide for a minimum 150-foot buffer to any agricultural use or to any wetland area that may exist along either the East Side Canal or Markham Ravine.

Project excavation would normally occur from the hours of 7:00 a.m. to 5:00 p.m., from April 16 to October 30 of each year during the life of the project.

Project operation will result in a substantial increase in the number of heavy trucks using the local roads. These vehicles will exit the site using either an existing low level bridge over the East Side Canal and then use Pacific Avenue and Striplin Road to reach State Highway 70/99 or use Pleasant Grove Road and Striplin Road to head east along Moore Road in Placer County to Lincoln and State Highway 65.

No permanent wetlands are proposed. Revegetation of the basin will be from volunteer growth from seeds transported by storm water run-off. The District has indicated that if volunteer reseeding does not provide for adequate rehabilitation of the site, mechanical seeding with indigenous grasses will be provided.

Design of the basin will include its own settling area to avoid siltation of Markham Ravine. The low point of the excavated area will be at approximately 28 feet mean sea-level. The siphon drain for the basin to Markham Ravine is located at 34 feet mean sea level; therefore, after draining to the ravine, the basin will maintain a pond of about six feet depth until the water it contains either percolates into the ground or evaporates. The pond will be planted with mosquito fish to control mosquitoes if that becomes necessary.

B. Environmental:

An Initial Study conducted on this project found that upon mitigation, no significant impacts would result; therefore, a Negative Declaration, with a mitigation monitoring program, has been recommended. The impacts and mitigation proposal are as follows:

Air Quality - Dust control will be provided by water trucks within the mining and haul roads as required.

Noise - The hours of operation will be limited to 7:00 a.m. to 5:00 p.m. weekdays only. No noise sensitive receptors are located within the project area.

Traffic - Traffic control personnel will be provided as required.

Roads - The applicant has proposed to pay road fees as required by the Department of Public Works to provide for road maintenance that is necessary as a result of this project.

During the the circulation of the proposed Negative Declaration through the State Clearinghouse, the Resources Agency commented that the site has potential as a habitat for the Giant Garter Snake, a State-listed threaten species. (See "Staff Comments" for the response to the Resources Agency's comments.)

BACKGROUND

A. Property Description:

The rectangular parcel has been leveled for rice production and has an average field elevation of 37 feet. Its use, however, for the last few years has been primarily as a shallow, overflow facility, i.e., retention basin,

for Markham Ravine. The property is bordered on the west by the East Side Canal, on the north by Markham Ravine, and on the east by the Union Pacific Railroad.

B. General Plan Designation and Zoning Classification:

The General Plan designates the area as Intensive Agriculture suitable for row crop and/or rice production. The property and surrounding area is zoned as an AG (General Agricultural) District.

C. Surrounding Land Use:

Large agricultural parcels devoted to field crop production. (See study sketch.)

D. Previous Commission Actions and/or Policies:

Surface mining permits and/or reclamation plans have been granted for the extraction of Butte material in the Sutter Buttes. The County has approved several other surface mining permits in the last two years in the area near and along State Highway 99/70 as borrow sites for the highway widening.

On April 5, 1989, the Commission approved a surface mining permit and reclamation plan on this property for the same applicant. That permit was denied by the Board of Supervisors on appeal. One important difference between that previous permit and the current permit is that the previous permit contained as a part of the reclamation plan a controversial proposal to turn the property into a "wetlands" area. The wetlands area proposal is not included in this project.

STAFF COMMENTS

A. Environmental Health Division:

Secure permits from the Health Department for destruction of wells and septic tanks.

B. Public Works Department:

Drainage and grading plan shall be approved by the Director of Public Works.

In discussing the project with the Public Works Department, they indicated that the a modified form of their standard traffic mitigation agreement can be used for road impact mitigation.

C. Agricultural Commission:

No comments submitted on this proposal.

D. Mosquito Abatement District:

No comments submitted on this proposal. The following comments were submitted on the previous project on this property:

The applicant reports that the District replied that any impacts can be mitigated by the planting of Mosquito Fish. The site could be used for the raising of mosquito fish by the installation of a containment screen.

E. Planning Department:

The proposed project is consistent with the Commission's past actions on other similar permits and will provide a drainage facility which will assist in the protection of the area from flooding. The most controversial aspect of the previous project, the wetlands proposal, has been eliminated, and other mitigation measures have been retained or modified to reflect the change in the project.

In response to the comments received from the Resources Agency, the project site is currently a rice field that is allowed to overflow during periods of extremely high water in Markham Ravine. The actual area to be mined is located 150 feet from the existing wet land habitat area of the Giant Garter Snake and will not affect it.

RECOMMENDED FINDINGS

A. Upon adoption of the proposed mitigation measures, all impacts will be mitigated to a level of less than significant.

B. Pursuant to Section 21081.6 of the California Public Resource Code, a monitoring or reporting program has been included regarding the mitigation measures as described in the agenda report in connection with these findings. Those mitigation measures are attached as requirements of the project.

C. The project is in compliance with the requirements of the State Surface Mining and Reclamation Code and the County of Sutter Surface Mining and Reclamation Ordinance and Commission policies for its implementation.

D. The project will supply a resource necessary for the future development and improvement of the County of Sutter.

E. The project will provide for a drainage facility which will assist in the protection of the area from flooding.

F. The project is consistent with the Sutter County General Plan and specifically with the Conservation Element thereof.

RECOMMENDED ACTION

- A. Adopt the recommend findings.
- B. Approve the Negative Declaration.
- C. Approve the surface mining permit subject to the following conditions:
 - 1. Pursuant to Section 21081.6 of the California Public Resource Code, the following monitoring or reporting program is required:
 - a. On or before January 31 of the first year after start of surface mining activity, and on each successive January 31 after that initial date until such time as relieved of this requirement by the Planning Director, the operator of the surface mine shall file a written report with the Sutter County Planning Department detailing compliance with the conditions or approval of the surface mining permit and the reclamation plan. The written report shall briefly state the status in implementing each of the conditions of approval of this project and those conditions effectiveness.
 - b. The Sutter County Planning Department shall review the written report and determine whether there is any unusual and substantial delay or obstacle to implementing the adopted conditions. The results of this review will be provided to the mining operator in writing. If it is determined that action is required, the mining operator and the Sutter County Planning Department shall consult and, if possible, agree upon additional actions to be taken to implement the conditions which are subject to delay.
 - c. If the Sutter County Planning Department and the mining operator are unable to agree upon the additional actions to be taken, then either the Planning Department or the mining operator may bring the matter before the Sutter County Planning Commission for a decision whether any action should be taken and what that action should be. The Planning Department shall be limited to imposing reasonable actions as permitted by law which will implement the mitigation measures described in the agenda report and conditions of approval.

2. This surface mining permit shall be valid for a term period of ten (10) years. It shall expire at the end of the ten (10) year period or upon cessation of the mining activity for a period of 18 months, whichever may occur first.

3. Prior to the commencement of the surface mining operation, the applicant shall notify the Public Works Director and shall provide for all necessary traffic control.

4. Encroachment permits shall be obtained for any connection to, or crossing of, a County road or State Highway.

5. Road impact fees shall be paid in accordance with the requirements of the Public Works Department.

6. Dust control measures shall be provided to preclude any dust from the mining site and/or haul routes.

7. The mining operation shall be conducted in substantial conformance with the Plan as submitted, including setbacks from property lines and the slope of the cuts.

8. The mining operator shall submit drainage and grading plans to the Public Works Department for review and approval prior to start of mining operations.

9. The mining operator shall obtain all necessary permits from the Environmental Health Department for the destruction of any wells or septic tanks on the subject property.

10. The mining operator shall obtain encroachment permits for improvements and all driveway and private road connections in the public right-of-way.

C. Approve the Reclamation Plan subject to the following conditions:

1. Final grading and shaping of the land shall be in substantial conformance with the Plan as submitted except as may be modified herein.

2. Access to the site shall be controlled to provide for reasonable security from public trespass.

3. The property shall be signed to provide adequate warning of any hazard and to prevent trespass.

4. Private, public or commercial recreational use of the property shall not be allowed.

5. Revegetation of the site's cut banks and all other denuded areas except the pond bottom, shall be provided within 18 months of completion of excavation or cessation of the surface mining permit, whichever occurs first. This revegetation may be from either "natural" reseeding if effective, or, if not, mechanical means.

6. The area shall be stocked with mosquito fish as required by the Mosquito Abatement District.

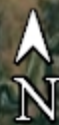
Exhibit H



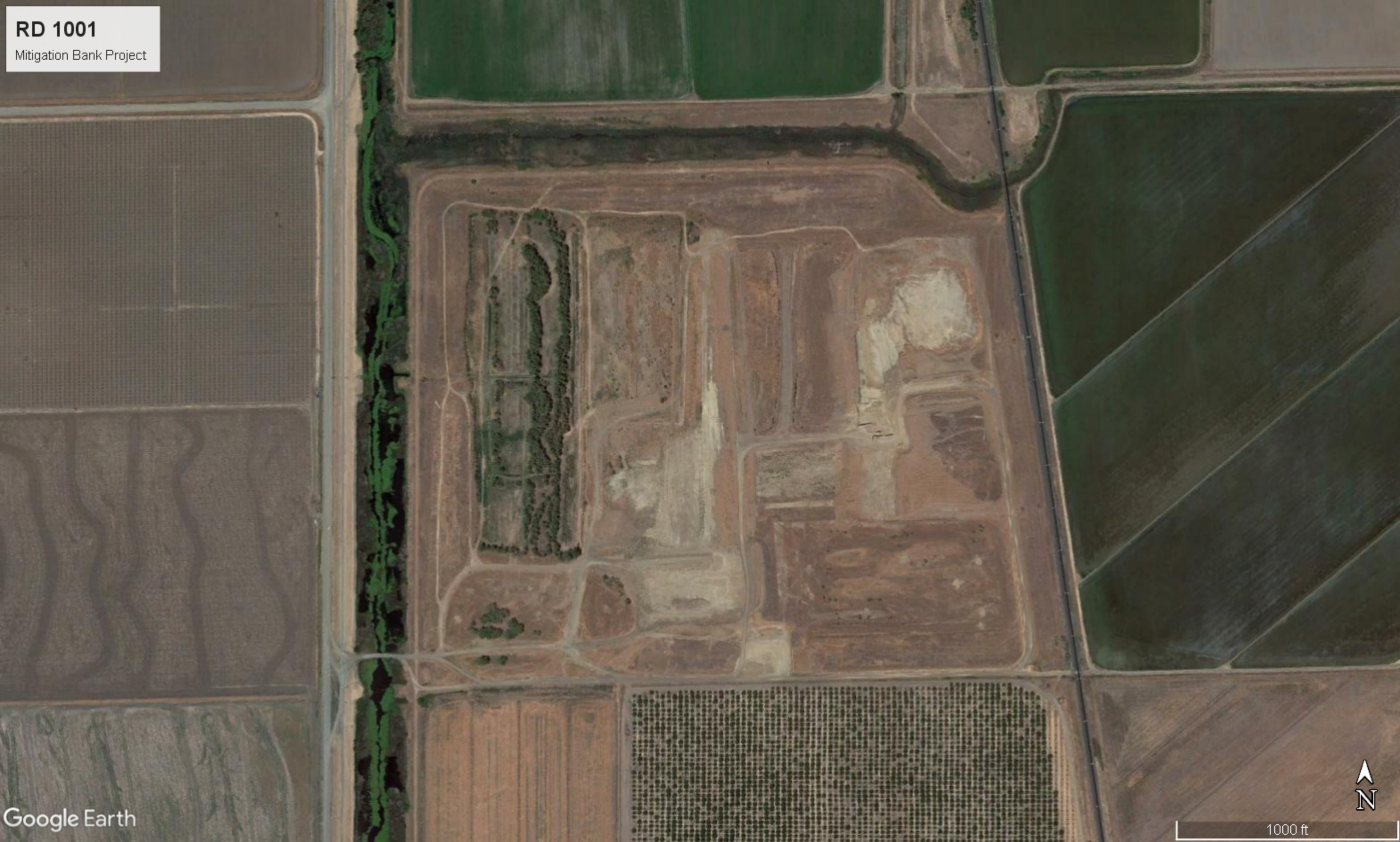
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RD 1001
Mitigation Bank Project



Google Earth

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