

REPORT TO THE HEARING OFFICER

DATE ISSUED:	February 13, 2025	
HEARING DATE:	February 25, 2025	AGENDA ITEM:8
PROJECT NUMBER:	00-21-(5)	
PERMIT NUMBER(S):	Surface Mining Permit No. 201300002	
SUPERVISORIAL DISTRICT:	5	
PROJECT LOCATION:	BP&L Road (Forest Service Road 4N32), Acton	
OWNER:	United States Government	
APPLICANT:	North Star Minerals, Inc.	
PUBLIC MEETINGS HELD:	1 OF 1	
INCLUSIONARY ZONING ORDINANCE (IZO):	The Project is not subject to the IZO because it does not include any dwelling units.	
CASE PLANNER:	Richard Claghorn, Principal Regional Planner rclaghorn@planning.lacounty.gov	

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff ("Staff") recommends **APPROVAL** of Project Number 00-21-(5), Surface Mining Permit Number ("SMP") 201300002, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, AND, HAVING CONSIDERED THE ADDENDUM ALONG WITH THE MITIGATED NEGATIVE DECLARATION FOR THE PROJECT, HEREBY ADOPT THE ADDENDUM TO THE CERTIFIED MITIGATED NEGATIVE DECLARATION.

ENTITLEMENT(S):

I, THE HEARING OFFICER, APPROVE SURFACE MINING PERMIT NUMBER 201300002 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement(s) Requested

Surface Mining Permit (“SMP”) No. 201300002 is an amendment to the Reclamation Plan for SMP No. 00-21 for the existing Acton Clay Quarries in the W (Watershed) Zone. Pursuant to Section 22.40.280 (W Zone Uses Subject to Permits) of the old 2013 County Code, a SMP is required for surface mining operations.

B. Project

The applicant, North Star Minerals, Inc. requests an amendment to the Reclamation Plan for SMP 00-21, including the following changes: 1) Extend the SMP expiration date to December 31, 2029, consistent with the United States Forest Service (“USFS”) Plan of Operations (“POO”) for the project. The original expiration date of the SMP was June 19, 2022, and the extension brings it into alignment with the POO. 2) Allow for a maximum of five acres of open excavation, or exposed area, in each of the two quarries (10 acres total) at any one time, increasing from five acres total of exposed area allowed by the original SMP. This change is consistent with the POO. and 3) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land. The original plan for Gray Quarry included an area of three acres that was to be used for mining, but instead of mining in this undisturbed area, the plan was revised to mine in a different three-acre previously undisturbed area. The reason for the land swap is that the new area was determined to be more suitable for mining while being less visible from the community of Acton. The swap was approved by the USFS in 2014 in an amendment to the POO, and the USFS determined that this change would not significantly impact the environment. This change will bring the plans for Gray Quarry into conformance with the 2014 amendment to the POO.

The subject property consists of two parcels owned by the USFS: 1) Assessor’s Parcel Number (“APN”) 3209-023-302, a square-shaped 640-acre parcel with mountainous topography, and 2) APN 3058-018-300, an irregularly-shaped parcel with mountainous topography and an area of 476.35 acres. These parcels have a combined area of 1,116.35 acres and both are part of Angeles National Forest and managed by the USFS. The total surface area of the Acton Clay Quarries is approximately 24 acres, including 10 acres for White Quarry and 14 acres for Gray Quarry. However, only 10 acres of open excavation is allowed at any one time based on the current POO approved by the USFS. White Quarry is located entirely on APN 3209-023-302 and Gray Quarry is mostly located on APN 3209-023-302. A small area of Gray Quarry, approximately one-half acre in size, is located on APN 3058-018-300. White Quarry and Gray Quarry are separated by a distance of approximately 2,000 feet and are connected by existing unpaved roads. Both quarries are accessible via BP&L Road, also known as Forest Service Road 4N32, an unpaved road which connects to Aliso Canyon Road, a Secondary Highway on the Los Angeles County (“County”) Master Plan of Highways with a right-of-way width of 60 feet. An unpaved road approximately one-half mile long branches off from BP&L Road and leads to Gray Quarry, and White Quarry is accessible from another much shorter unpaved road that branches off of BP&L Road west of Gray Quarry. The distance from White Quarry to Aliso Canyon Road via BP&L Road (Forest Service Road 4N32) is approximately four miles.

The applicant has conducted clay mining operations on the Project Site, which is owned by the USFS, since 1992, pursuant to a permit issued by the USFS. On June 19, 2002, the Regional Planning Commission (“Commission”) approved SMP No. 00-21 for the surface mining operations on the Project Site and adopted a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring Program (“MMP”). The grant term of the SMP was 20 years, and it was to expire on June 19, 2022. The USFS approved an updated POO on December 24, 2008 which stated that the expected total duration of the mining operation is 20 years, with final reclamation to occur upon completion of mining operations and scheduled to be completed by December 31, 2029. The POO approved in 2008 modified and updated the previous POO for the Project Site. The USFS analyzed the impacts of the POO in an Environmental Assessment in accordance with the National Environmental Policy Act (“NEPA”) and issued a Finding of No Significant Impact (“FONSI”) on December 1, 2008 after determining the project would not result in significant impacts pursuant to NEPA.

The current SMP application was filed on November 7, 2013 as a Periodic Review, which is required 10 years after original SMP approval, and brings the County Reclamation Plan into consistency with the USFS POO approved in 2008, which included an extension of the SMP to December 31, 2029 and to allow five acres for each of the two quarries to be open for excavation at any time (10 acres total). In a letter dated February 6, 2014, the USFS approved an amendment to the POO that was for a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land and determined that this change would not significantly affect the environment. Because the original SMP expiration date of June 19, 2022 has since passed, the current request is not a Periodic Review as filed in 2013, but is just an Amendment to the Reclamation Plan to bring the SMP into compliance with the POO, including extension of the expiration date to December 31, 2029.

SUBJECT PROPERTY AND SURROUNDINGS

The following chart provides property data within a 500-foot radius:

LOCATION	1986 ANTELOPE VALLEY AREA PLAN LAND USE POLICY*	ZONING	EXISTING USES
SUBJECT PROPERTY	OS-NF (Open Space-National Forest)	W	Surface mine quarries, National Forest
NORTH	N1 (Nonurban 1 – One Dwelling Unit per Two Acres), OS-NF, OS-BLM	A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area),	Single-family residence, irrigated farm, vacant land, National Forest

	(Open Space- Bureau of Land Management)	A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area), W	
EAST	OS-NF	A-2-5, W	vacant land, National Forest
SOUTH	OS-NF	W	National Forest
WEST	OS-NF	W	National Forest

Note: The Project is being reviewed under the 1986 Antelope Valley Area Plan, as explained in the Land Use Compatibility section below.

PROPERTY HISTORY

A. Zoning History

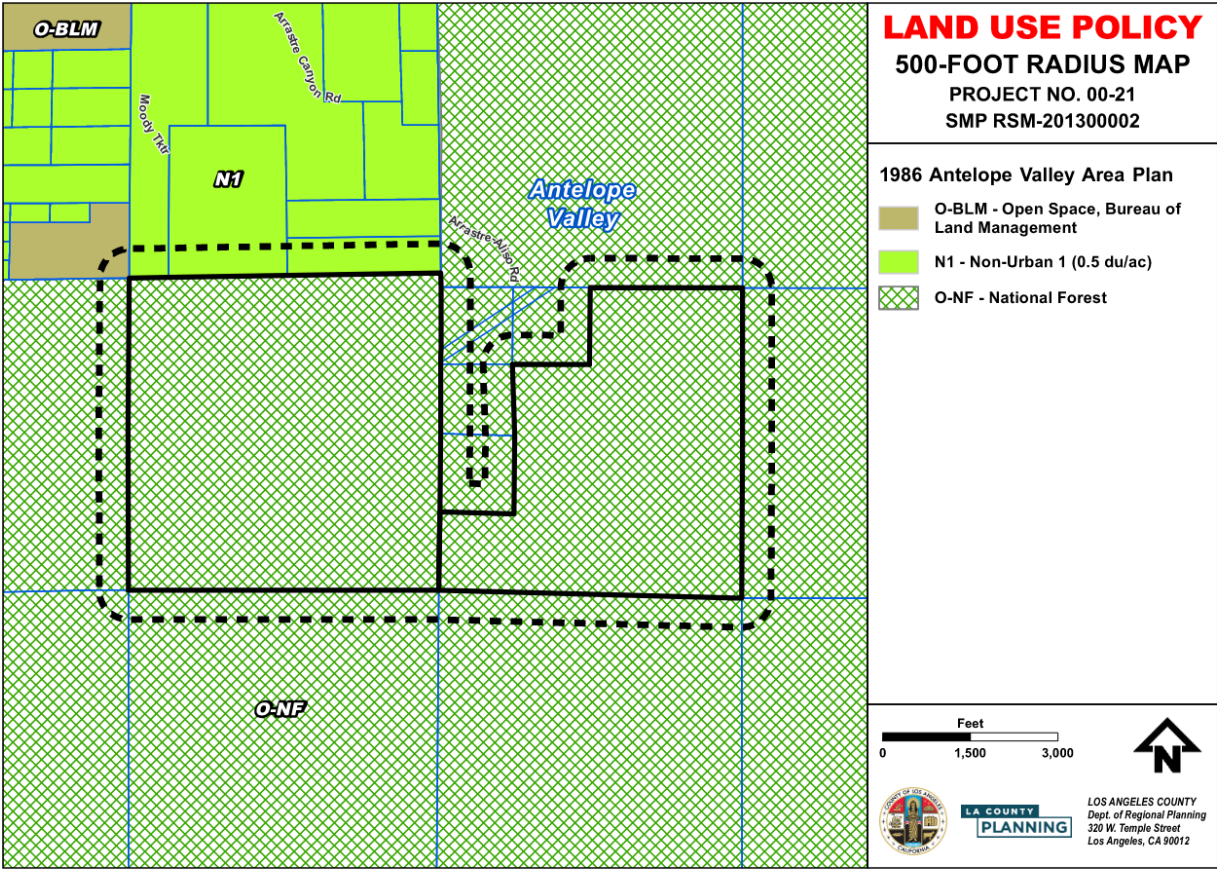
ORDINANCE NO.	ZONING	DATE OF ADOPTION
7497	M-3 (Unclassified)	March 31, 1959
7521	W	May 5, 1959

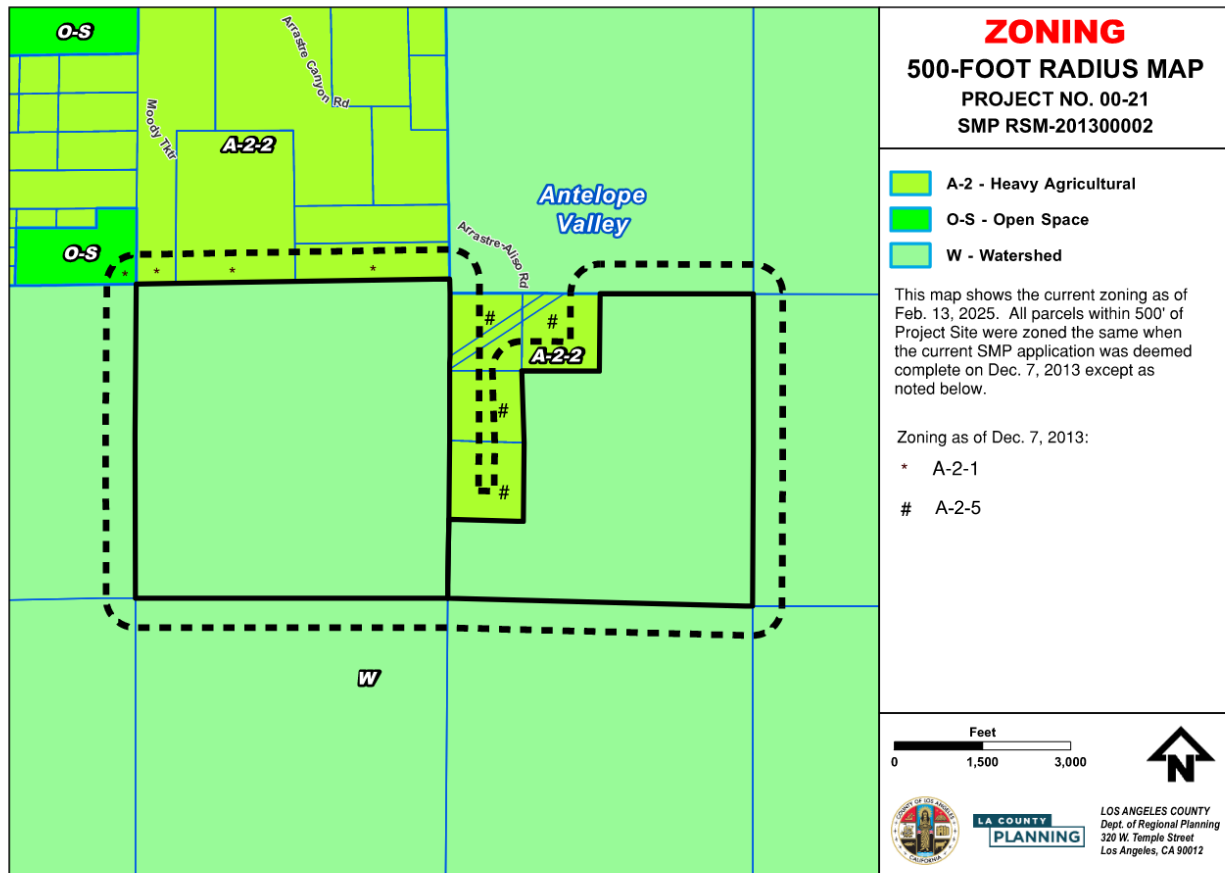
B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
SMP 00-21	Continued operation of clay mine in two quarries on the Project Site.	Approved June 19, 2002; expired June 19, 2022

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
RPCE2016000126	Complaint about truck traffic on Santiago Road; no violation found.	Opened January 13, 2016 Closed November 22, 2017





ANALYSIS

A. Land Use Compatibility

Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the applicant may choose whether the Project is reviewed under current standards or under the standards in effect at the time the application was deemed complete. The application for the SMP was deemed complete on December 7, 2013. The applicant has opted to have the Project reviewed under the standards and policies in effect at the time the CUP application was deemed complete. The Project Site was in the OS-NF (Open Space-National Forest) designation of the Antelope Valley Areawide General Plan adopted in 1986 ("1986 Area Plan"), a component of the 1980 General Plan ("1980 General Plan"), which remained in effect until the updated Antelope Valley Area Plan became effective on July 16, 2015. Properties in the OS-NF land use designation of the 1986 Area Plan include National Forest public lands "that are essentially free of structures and roads, and are projected to be maintained in an open or natural state on a long-term basis. These areas are primarily managed for recreational purposes, the protection of natural resources, and/or for purposes of safeguarding public

health and safety." The 1986 Area Plan states, "Commercial uses to support user groups within the Forest may be permitted as well as other uses allowed pursuant to the Forest Service's Land and Resources Management Plan. In all cases development proposals will be subject to applicable Rural Community and Special Management Area performance standards and criteria." The Project Site was evaluated for compatibility with the mineral resources management policies of the General Plan ("1980 General Plan") in effect at the time SMP 00-21 was approved in 2002. The Project was found to be consistent with the criteria for surface mining facilities in 2002 and the Project remains consistent with these criteria.

Approximately 2.3 acres on the east side of White Quarry lies within the Santa Clara River Significant Ecological Area ("SEA"). However, this area was not designated as SEA until after the application for the SMP was deemed complete on December 7, 2013. A portion of the Project Site became part of an SEA with the effective date of the Area Plan on July 16, 2015. Although changes to the Project plans occurred after the effective date of the SEA, the Project meets the criteria listed in County Code Section 22.246.020.A.2 (Applicability of Zone Changes and Ordinance Amendments) to be reviewed under the regulations in effect at the time the application was deemed complete. Therefore, the SEA requirements are not applicable to the Project and the analysis of the Project is based on the policies of the 1980 General Plan and 1986 Area Plan in effect in 2013, as well as the Zoning Code requirements in effect at that time.

B. Neighborhood Impact (Need/Convenience Assessment)

The Project Site is on USFS land and is surrounded by the National Forest. There are no residences nearby except for a single-family residence on a parcel to the north of the Project Site. Although this residence is on an adjoining parcel to the Project Site, it is located approximately 0.7 miles from the nearest quarry, White Quarry. The land swap area for Gray Quarry is approximately 1.2 miles from the residence, so this change does not reduce the distance from the residence to the nearest mining operations. The Project does not change the operations of the existing use, except to allow the use to operate over a longer time period, to increase the amount of area that can be actively mined at any one time from five acres to 10 acres, and to allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land. These proposed changes would bring the SMP into consistency with the changes previously authorized by the by the USFS under the POO approved in 2008 and subsequent revisions in 2014. The overall area to be mined over the life of the SMP will be 24 acres, including 14 acres for Gray Quarry and 10 acres for White Quarry. The overall area for each quarry, and for the total combined area, will remain 24 acres, the same as before.

C. Design Compatibility

SMP 00-21 was approved on June 19, 2002 by the Commission for continued operation of the clay mine, consisting of two quarries, White Quarry and Gray Quarry. On July 2,

2002 the Exhibit A for SMP 00-21 was approved by Staff, and included four components: Mining Plan for White Quarry, Reclamation Plan for White Quarry, Mining Plan for Gray Quarry, and Reclamation Plan for Gray Quarry. On December 24, 2008, USFS approved a POO that modified the proposed mining areas for White Quarry and Gray Quarry, in addition to extending the termination date and allowing for an increase to 10 acres in actively mined areas. The plans for White Quarry submitted to LA County Planning on November 7, 2013 for the Project were not consistent with the 2008 POO. The mining area for Gray Quarry was again modified on February 6, 2014 with the approval by USFS of a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land. A set of revised plans was submitted March 11, 2014, which included a Reclamation Plan, Mining Plan, and Grading/Hydrology Plan for Gray Quarry, consistent with the 2014 USFS land swap approval.

On June 16, 2022, the applicant submitted a revised set of plans for White Quarry, including a Reclamation Plan, Mining Plan, and Grading/Hydrology Plan that were consistent with the 2008 POO. The current set of plans for White Quarry and Gray Quarry are consistent with the most recent approvals for each quarry by USFS. The plans are designed to minimize impacts to scenic resources in the surrounding area as well as minimizing other impacts, and the continued implementation of the conditions and mitigation measures for the Project will keep Project impacts to a level that is less than significant and ensure compatibility with surrounding uses.

The changes being requested will bring the SMP approval into consistency with the POO. The SMP and POO are separate, with the SMP being under the authority of the County and the POO under the authority of the USFS. The Project must comply with both the SMP and POO requirements. The Project Site is located within the Acton Community Standards District (“CSD”). The Project is not subject to any Acton CSD standards, except for the hillside design considerations and preservation of native vegetation, which were addressed by the original SMP. The Project minimizes visual impacts of development in hillside areas, and the land swap further reduces visual impacts to the community of Acton by shifting mining activity to an area which is lower in elevation and which is less visible from Acton.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the 1980 General Plan and 1986 Area Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings). As explained in the Land Use Compatibility section, pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Project analysis is based on the policies of the 1980 General Plan and 1986 Area Plan in effect as of December 7, 2013 when the Project application was deemed complete.

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings). As explained in the Land Use Compatibility section, pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Project analysis is based on the Zoning Code requirements in effect as of December 7, 2013 when the Project application was deemed complete.

SMP FINDINGS/BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Section 22.56.1360 (Surface Mining Permits-Findings prerequisite to approval) of the 2013 County Code. The Burden of Proof form with the applicant's responses is attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that an addendum to the MND previously adopted for the project in 2002 is the appropriate environmental document for the project under the California Environmental Quality Act ("CEQA") and the County environmental guidelines.

On June 19, 2002, the Commission approved SMP No. 00-21 MMP for the surface mining operations on the Project Site and adopted a MND and MMP to mitigate project impacts to a less than significant level. The MMP included mitigation measures for the following topics: air quality, biota, water quality, and archaeology/cultural resources.

As part of an updated POO on December 24, 2008, the USFS analyzed the impacts of the Project in an Environmental Assessment in accordance with NEPA and issued a FONSI on December 1, 2008 after determining the project would not result in significant impacts pursuant to NEPA. In a letter dated February 6, 2014, the USFS approved an amendment to the POO that was for a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land and determined that this change would not significantly affect the environment.

The Project requests the following changes: 1) Extend the SMP expiration date to December 31, 2029, consistent with the USFS POO for the project; 2) Allow for a maximum of five acres of open excavation in each of the two quarries (10 acres total), consistent with the POO; and 3) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land. These changes will bring the SMP into conformance with the POO.

The County concurs with the environmental determination by USFS and has determined that all Project impacts have been addressed by the adopted MND and MMP and the FONSI and related mitigation measures subsequently approved by USFS in the 2008 POO. Therefore, the County has prepared an addendum to the adopted MND pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15164. The minor modifications to the previously approved conditions will not result in a substantial alteration or material deviation from the terms and conditions of the previously approved permit. It was determined that the requested changes to the conditions are consistent with, and would not affect, the

existing conclusions and/or mitigation measures outlined in the MND. The requested modifications to the Project would not create a substantial alteration or material deviation from the previously approved conditions and/or mitigation measures. There are no significant changes to the Project that would conflict with Section 15162 of the CEQA Guidelines (“Subsequent EIRs and Negative Declarations”). The Project does not result in any significant effects not discussed in the previous MND. No significant effects previously examined will be substantially more severe than shown in the previous MND. No changes to the adopted mitigation measures are necessary to substantially reduce any significant effects due to a change in feasibility of any mitigation measure previously found not to be feasible

Therefore, an addendum to the adopted MND is the appropriate environmental documentation for this SMP. Accordingly, the adopted MMP will remain in effect for the duration of the Project’s grant term. The mitigation measures contained therein shall also remain in effect for the duration of the Project’s grant term.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

1. The County Department of Public Works (“Public Works”), in a letter dated December 4, 2019, recommended that the Project proceed to public hearing.
2. The County Fire Department, in a letter dated October 19, 2022, recommended that the Project proceed to public hearing.
3. The County Department of Public Health (“Public Health”), in a letter dated October 21, 2022, recommended that the Project proceed to public hearing.

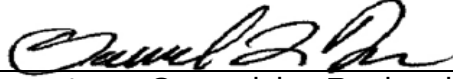
B. Other Agency Comments and Recommendations

Staff submitted the amended Mining Plans, Reclamation Plans, and related documents to the California Department of Conservation, Division of Mining Reclamation (“DMR”) on January 23, 2024 for their review. Katherine Faulkenberry, Environmental Scientist at DMR, spoke with Staff about the Project on July 31, 2024, and said DMR has no comments on the Project and that it is cleared to be scheduled for public hearing. DMR requested a copy of the approval to be provided to DMR as a single document after it has been finalized.

C. Public Comments

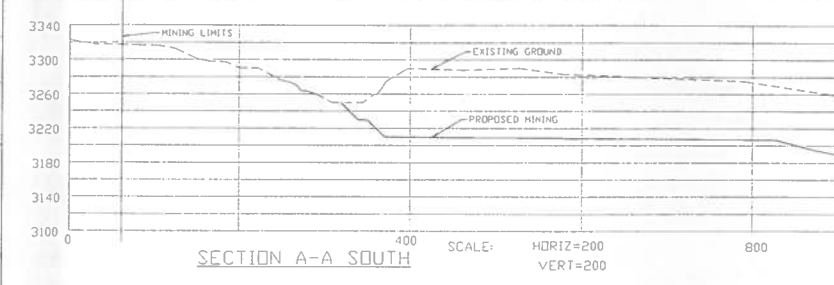
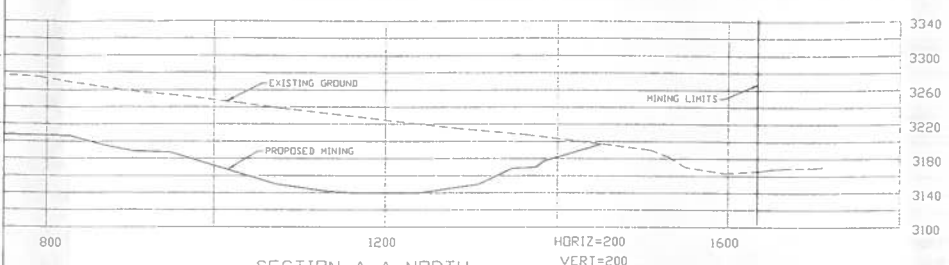
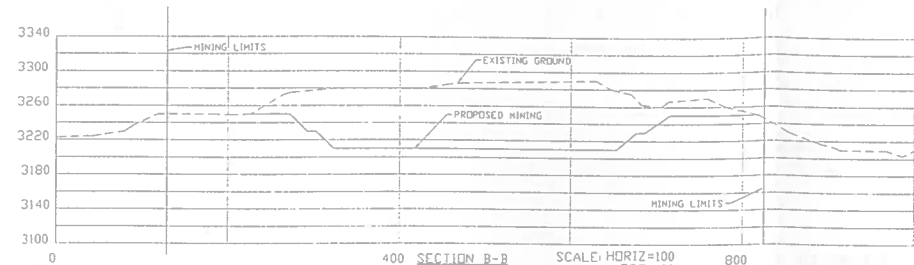
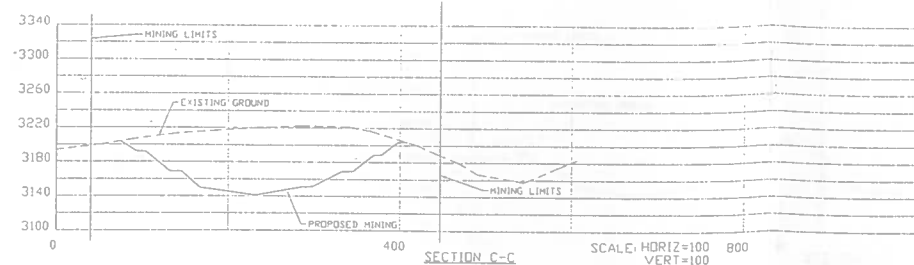
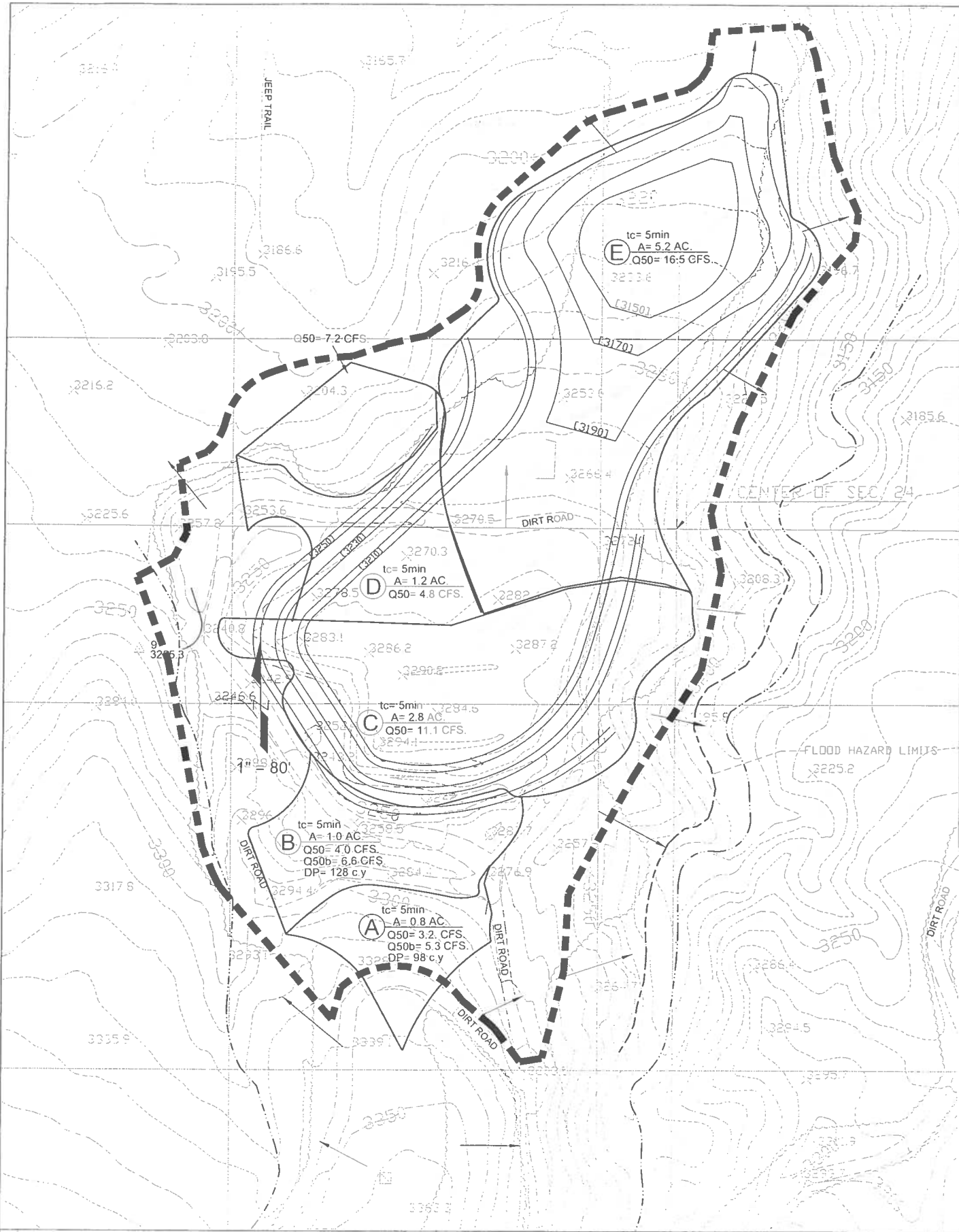
The Project was on the agenda for the Acton Town Council (“Town Council”) on November 18, 2024. The Town Council issued a letter on January 6, 2025 that it is not opposed to the Project, provided the use is not expanded and the permit expires on December 30, 2029. The Town Council also previously issued a letter on April 3, 2002

stating that it did not oppose the project prior to the original approval of SMP 00-21. Both Town Council letters are included in the hearing package (Exhibits R and S).

Report
Reviewed By: 
Samuel Dea, Supervising Regional Planner

Report
Approved By: 
Susan Tae, Assistant Deputy Director

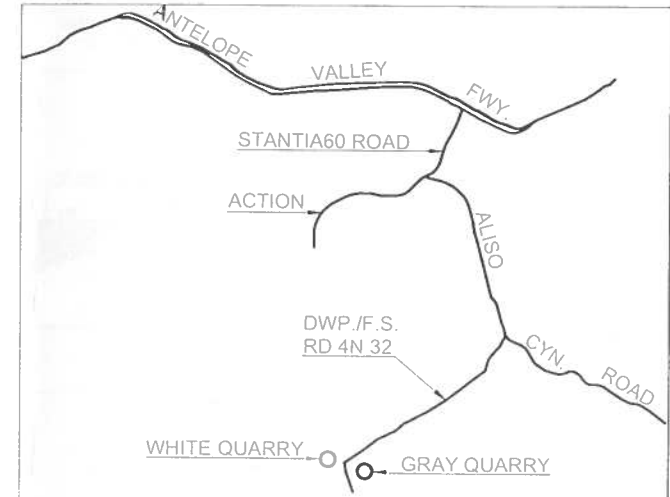
LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Draft Findings
EXHIBIT D	Modified Conditions of Approval
EXHIBIT D-1	Existing Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT F-1	Addendum to MND
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Public Works Letter
EXHIBIT J	Fire Letter
EXHIBIT K	Public Health Letter
EXHIBIT L	SMP 00-21 Approval from 2002
EXHIBIT M	2001 Initial Study
EXHIBIT N	2008 USFS POO
EXHIBIT O	2008 USFS Decision Notice and FONSI
EXHIBIT P	2008 USFS Environmental Assessment
EXHIBIT Q	2014 USFS Letter
EXHIBIT R	2002 Acton Town Council letter
EXHIBIT S	2025 Acton Town Council letter



HYDROLOGIC DATA
ACTION QUAD
RAINFALL ZONE - "K"
SOIL TYPE - 098
DPA - 5
FREQUENCY - 50 YR.
D.P. = 122 C.F./AC.
BULKING FACTOR = 1.65



LEGEND
- - - EXISTING MINOR CONTOURS
- - - EXISTING MAJOR CONTOURS
- - - MINING MAJOR CONTOURS
- - - 20 YEAR PERMITTED
- - - STORMWATER RECOVERY AREA



LOCATION MAP
SCALE : 1" = 2000'

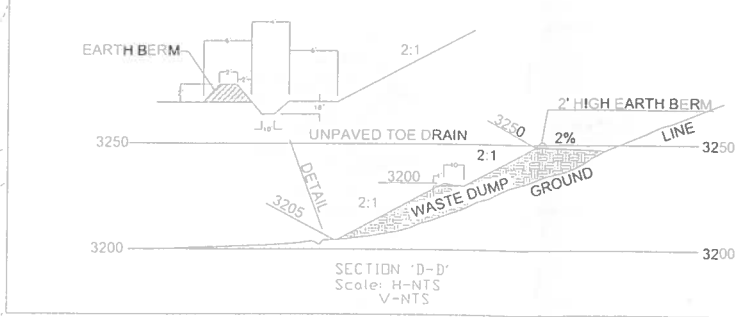
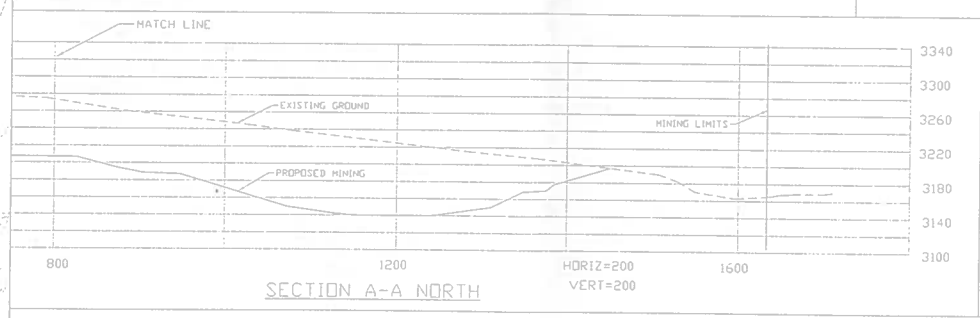
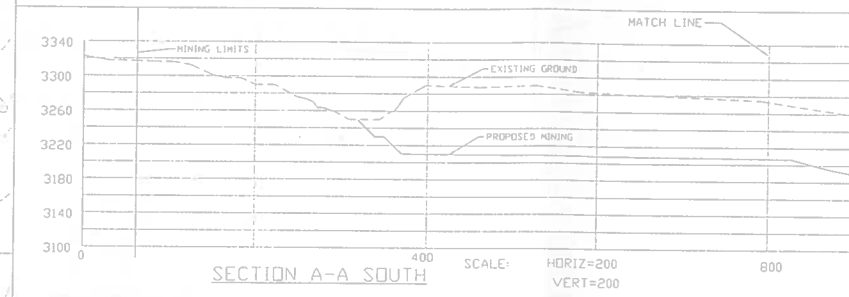
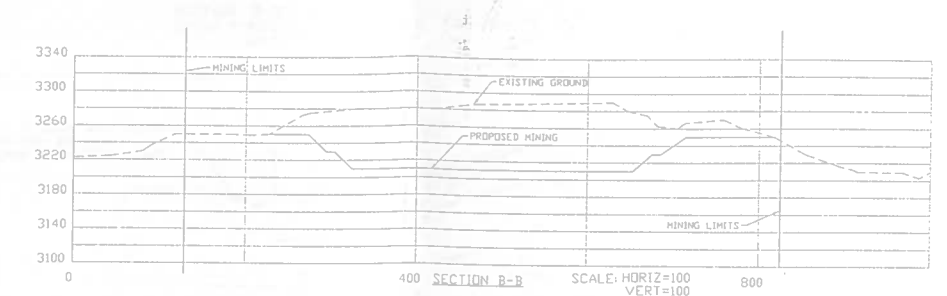
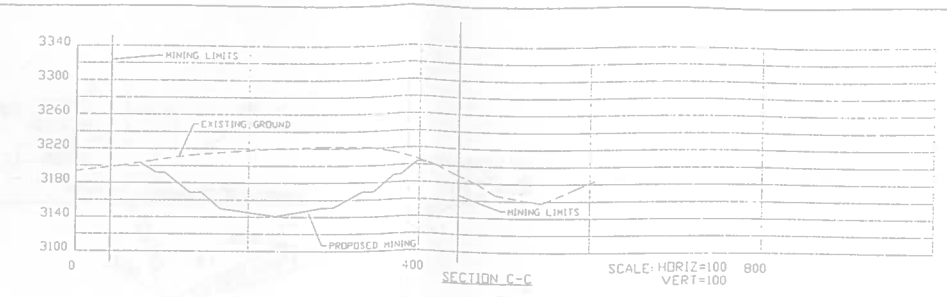
REVISIONS		BY	DATE
NO.	DESCRIPTION		

SHEET TITLE
GRADING PLAN HYDROLOGY MAP
WHITE QUARRY
S W 1/4 SECTION 24, T4N, R13W SBBM
BERTHA NO. 3 CLAIM COUNTY OF LOS ANGELES

FOR
NORTH STAR MINERALS, INC.
501 S 1st Ave, Suite N
Arcadia, CA 91006
LARRIE RICHARDSON, GEN. MANAGER (626) 821-9630

Holmes Enterprises, Inc.
Structural and Civil Engineering
200 Wicks Rd. Moorpark, CA 93021
(805) 532-1571 fax (805) 532-1596
EMAIL: sholmes932@prodigy.net

DATE: 5-19-2022	SHEET NO. 2 OF 2 SHEETS
DESIGN BY:	



- LEGEND
- DOWN DRAIN SEE RECLAMATION PLAN
 - EXISTING MINOR CONTOURS
 - EXISTING MAJOR CONTOURS
 - MINING MAJOR CONTOURS
 - 20 YEAR PERMITTED
 - STORMWATER RECOVERY AREA



NO.	DESCRIPTION	BY	DATE

SHEET TITLE
**MINING PLAN
 WHITE QUARRY**

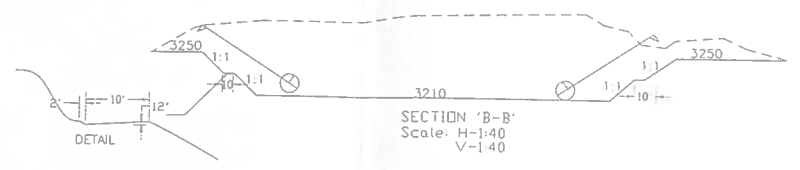
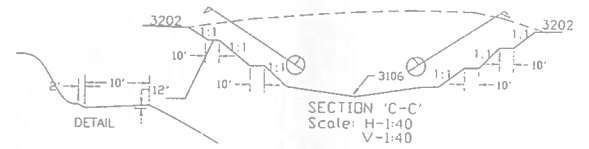
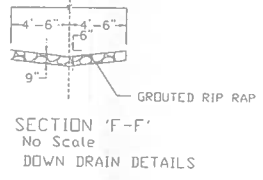
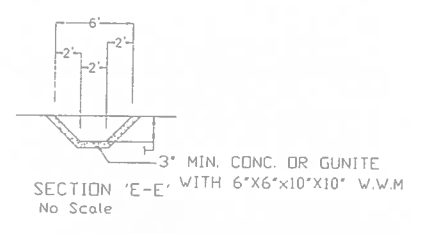
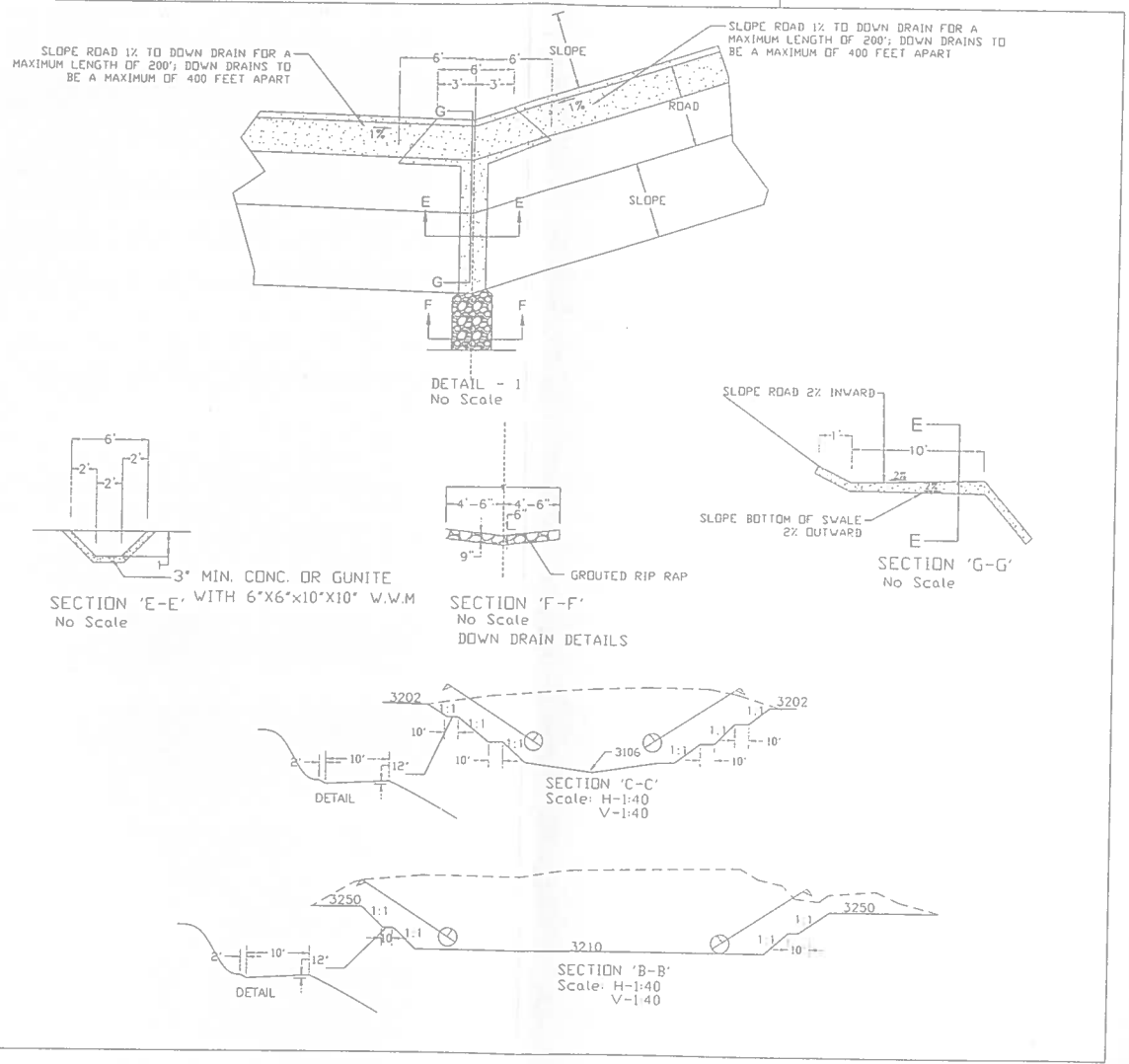
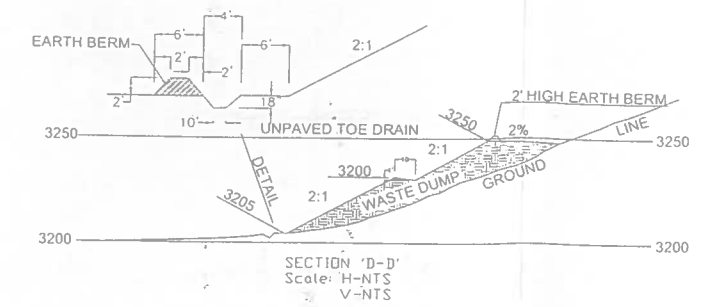
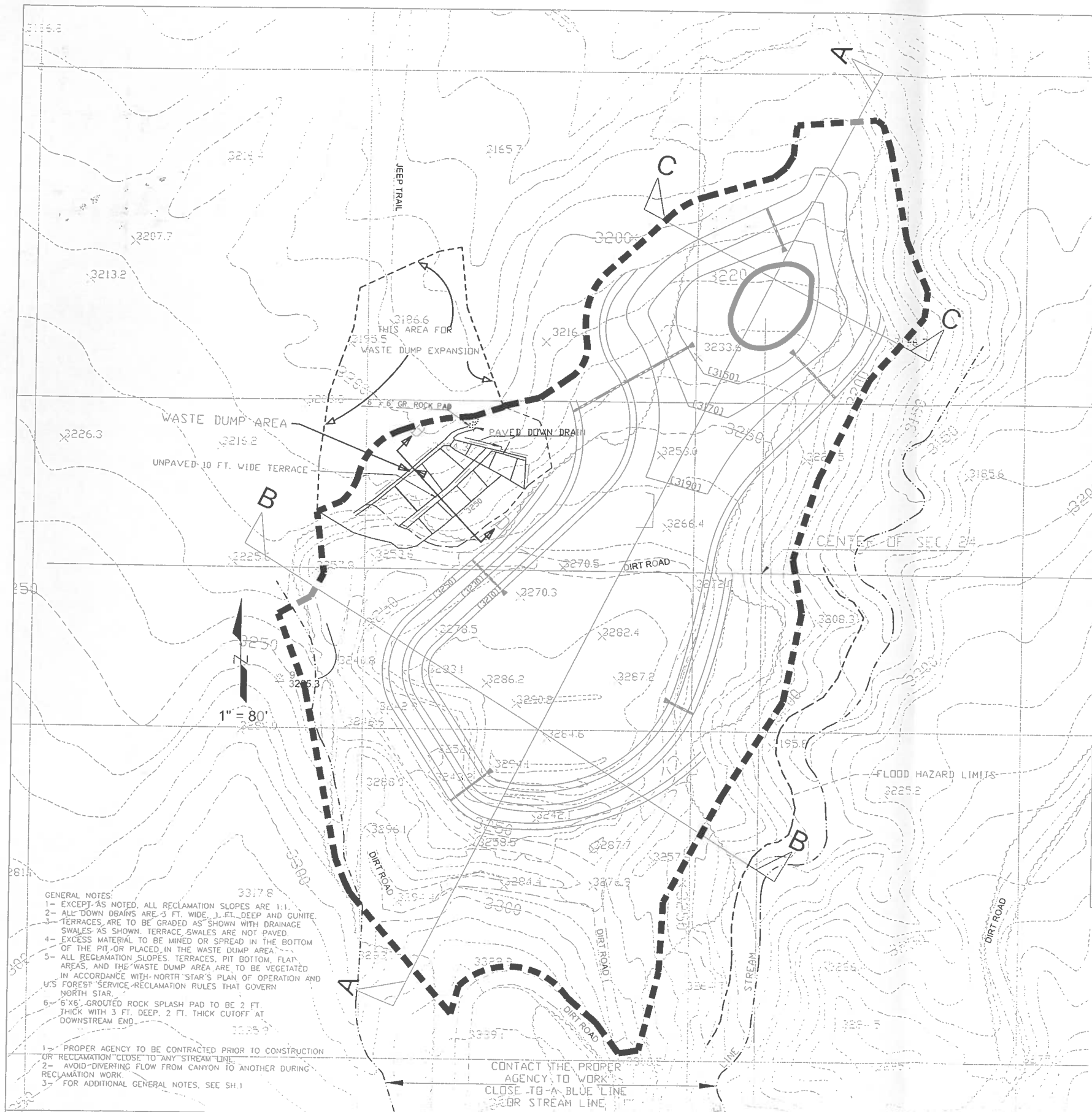
S.W. 1/4 SECTION 24, T4N, R13W SBBM
 BERTHA NO. 3 CLAIM COUNTY OF LOS ANGELES

FOR
NORTH STAR MINERALS, INC.

501 S. 1st Ave. Suite N
 Arcadia, CA 91006
 LARIE RICHARDSON, GEN. MANAGER (626) 821-9630

Holmes Enterprises, Inc.
 Structural and Civil Engineering
 200 Wicks Rd. Moorpark, CA 93021
 (805) 532-1571 fax: (805) 532-1595
 EMAIL: sholmes932@prodigy.net

DATE: 5-19-2022
 DESIGN BY:
 SHEET NO.
4
 OF 5 SHEETS



- GENERAL NOTES:
- 1- EXCEPT AS NOTED, ALL RECLAMATION SLOPES ARE 1:1.
 - 2- ALL DOWN DRAINS ARE 3 FT. WIDE, 1 FT. DEEP AND GUNITE.
 - 3- TERRACES ARE TO BE GRADED AS SHOWN WITH DRAINAGE SWALES AS SHOWN. TERRACE SWALES ARE NOT PAVED.
 - 4- EXCESS MATERIAL TO BE MINED OR SPREAD IN THE BOTTOM OF THE PIT OR PLACED IN THE WASTE DUMP AREA.
 - 5- ALL RECLAMATION SLOPES, TERRACES, PIT BOTTOM, FLAT AREAS, AND THE WASTE DUMP AREA ARE TO BE VEGETATED IN ACCORDANCE WITH NORTH STAR'S PLAN OF OPERATION AND U.S. FOREST SERVICE RECLAMATION RULES THAT GOVERN NORTH STAR.
 - 6- 6\"/>
 - 1- PROPER AGENCY TO BE CONTRACTED PRIOR TO CONSTRUCTION OR RECLAMATION CLOSE TO ANY STREAM LINE.
 - 2- AVOID DIVERTING FLOW FROM CANYON TO ANOTHER DURING RECLAMATION WORK.
 - 3- FOR ADDITIONAL GENERAL NOTES, SEE SH.1

- LEGEND
- DOWN DRAIN SEE RECLAMATION PLAN
 - EXISTING MINOR CONTOURS
 - EXISTING MAJOR CONTOURS
 - MINING MAJOR CONTOURS
 - 20 YEAR PERMITTED
 - STORMWATER RECOVERY AREA



REVISIONS		BY	DATE
NO.	DESCRIPTION		

SHEET TITLE
**RECLAMATION PLAN
 WHITE QUARRY**

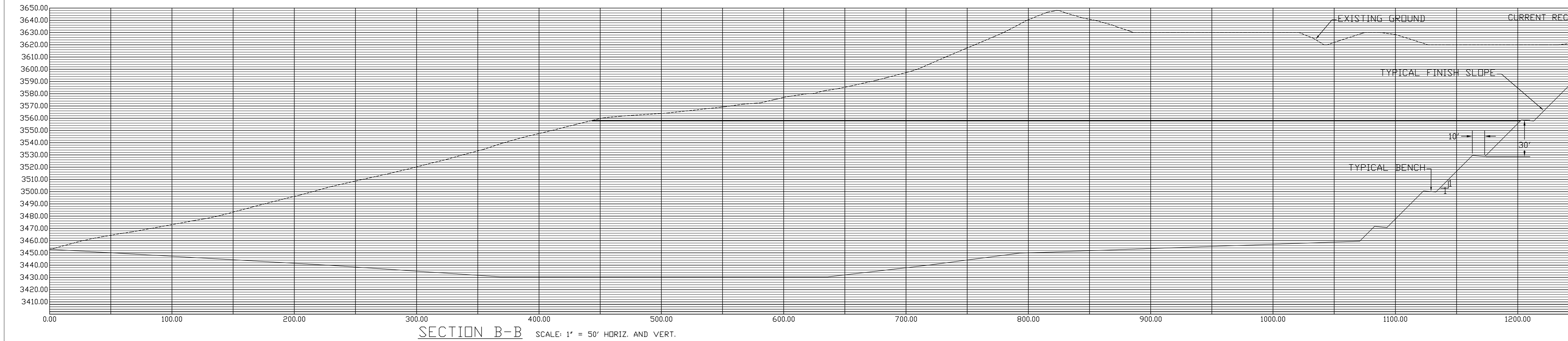
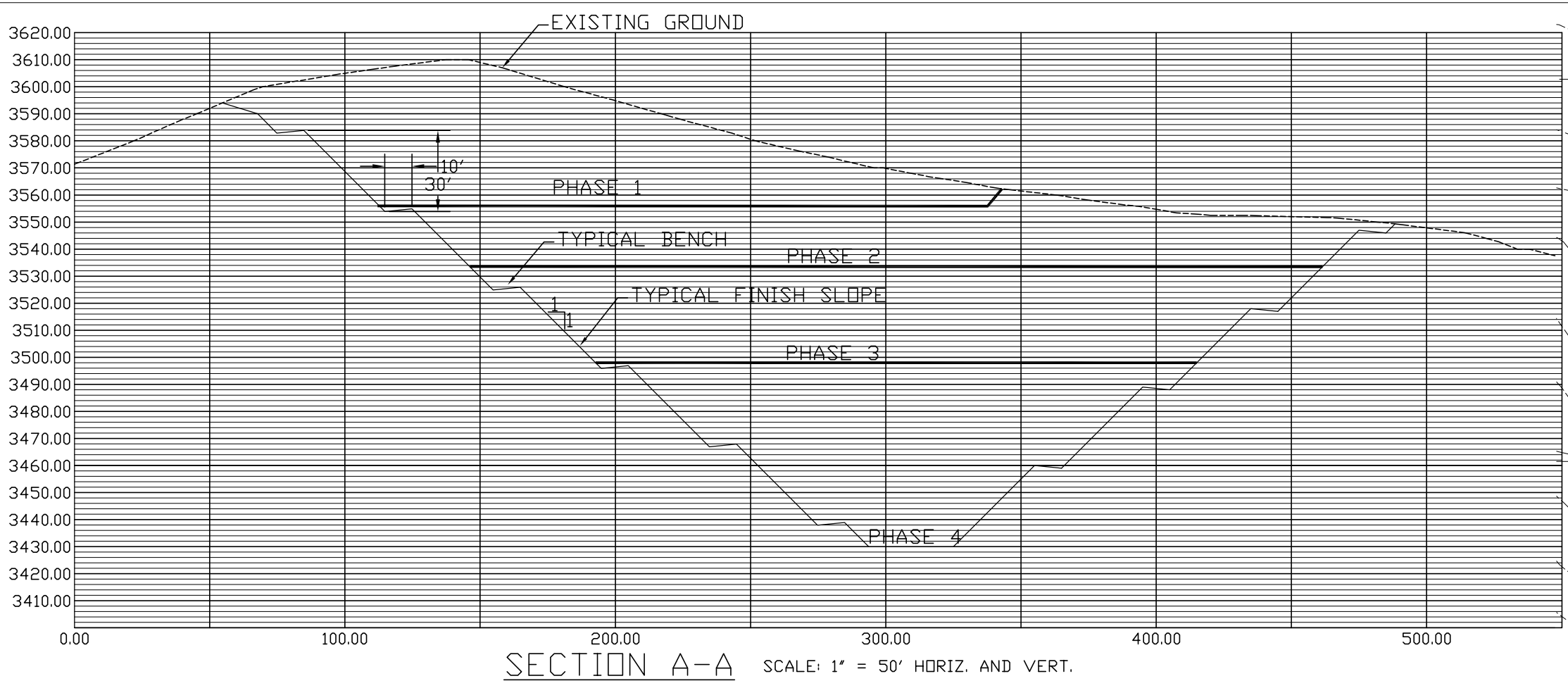
S.W. 1/4 SECTION 24, T4N, R13W S88M
 BERTHA NO. 3 CLAIM COUNTY OF LOS ANGELES

FOR
NORTH STAR MINERALS, INC.
 501 S. 1st Ave. Suite N
 Arcadia, CA 91006
 LARIE RICHARDSON, GEN. MANAGER (626) 821-9630

Holmes Enterprises, Inc.
 Structural and Civil Engineering
 200 Wicks Rd. Moorpark, CA 93021
 (805) 532-1571 fax: (805) 532-1596
 EMAIL: sholmes932@prodigy.net

DATE: 5-19-2022
 DESIGN BY:
 SHEET NO.
5
 OF 5 SHEETS

NOTE: CONTOURS ARE DUPLICATED EVERY 30 FEET VERTICALLY TO ALLOW FOR 10 FOOT BENCHES



SHEET TITLE
**MINING PLAN
GRAY QUARRY**
S.E. ¼ SECTION 24, T4N, R13W SBBM
BERTHA NO. 4 CLAIM COUNTY OF LOS ANGELES

FOR
NORTH STAR MINERALS, INC.
501 S. 1st Ave, Suite N
Arcadia, CA. 91006
LARIE RICHARDSON, GEN. MANAGER (626) 821-9630



Holmes Enterprises, Inc.
Structural and Civil Engineering
200 Wicks Rd. Moorpark, CA. 93021
(805) 532-1571 fax: (805) 532-1596
EMAIL: sholmes932@prodigy.net

DATE: 6-9-14

DESIGN BY:

SHEET NO.

2

OF 5 SHEETS

- General Notes:
- (a) Any modifications of or changes in a approved reclamation plan must be approved by the building Official.
- (b) Approval of this plan reflects Solely the review of plans in accordance with the Los Angeles County Building Code and does not reflect any position by the County of Los Angeles or the Department of Public works regarding the status of any title issues relating to the land on which the improvements may be constructed. Any disputes relating to title are a private matter not involving the County of Los Angeles or the Department of Public works.
- (c) The Field Engineer must set drainage Stakes for all drainage devices.
- (d) Every effort should be made to eliminate the discharge of non-stormwater from the project site at all times.
- (e) Provisions shall be made for contributory discharge at all times.

2. Inspection Notes:
(a) The permittee or his agent shall notify the building Official at least one working day in advance of required inspections at following stage of the work, (section 7020 of the building Code).

Final. When reclamation has been complete, all drainage devices installed; slope planting established; irrigation system installed and the As-Built plans, required statements, and reports have been Submitted.

3) Stormwater Pollution Plan Notes (Attachment A and D) ATTACHMENT A and B)

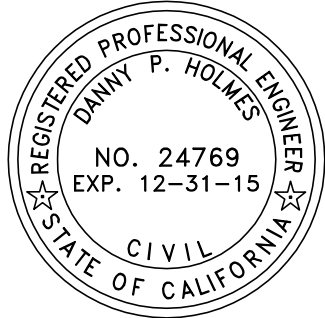
- NOTE
- a. Eroded sediments and other pollutants must be retained on site and may not be transported from the site via sheetflow, swales, area drain, natural drainage courses or wind.
- b. Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water.
- c. Fuel, oils, solvents, and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil or surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into drainage system.
- d. Excess or waste concrete may not be washed into the public way or any other drainage system. Provisions shall be made to retain concrete wastes on site until they can be disposed of as solid waste.
- e. Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
- f. Sediments and other materials may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.
- g. Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.

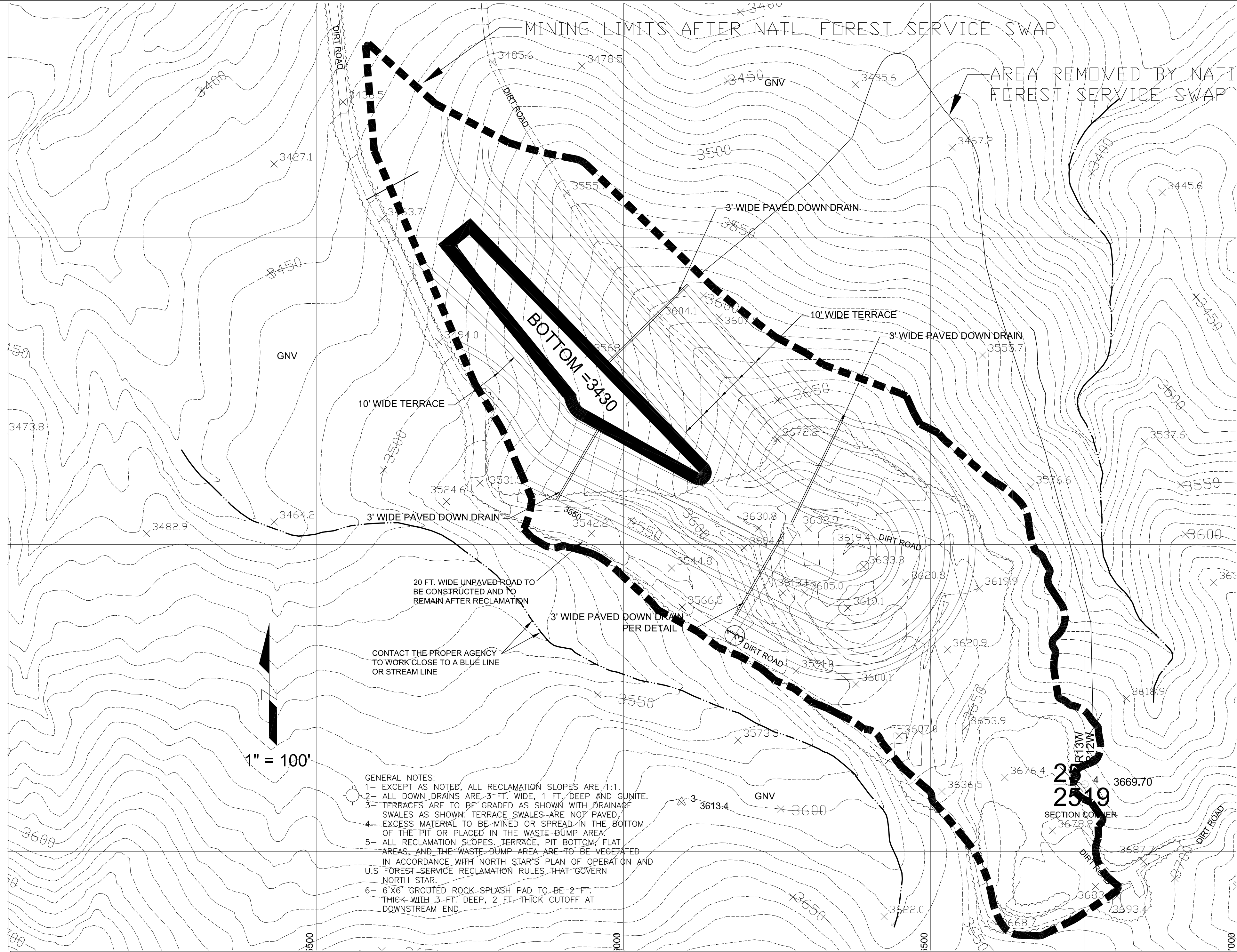
ATTACHMENT B NOTES
The Following BMPs as outlined in, but not limited to, the Best Management Practices Handbook, California Stormwater Quality Task Force, Sacramento, California 1993, or the latest revised edition, may apply during the construction of this project (additional measures may be required if deemed appropriate by County Inspectors).

- CAO01 - DEWATERING OPERATIONS
CAO02 - PAVING OPERATIONS
CAO03 - STRUCTURE CONSTRUCTION AND PAINTING
CAO10 - MATERIAL DELIVERY AND STORAGE
CAO11 - MATERIAL USE
CAO12 - SPILL PREVENTION AND CONTROL
CAO20 - SOLID WASTE MANAGEMENT
CAO21 - HAZARDOUS WASTE MANAGEMENT
CAO22 - CONTAMINATED SOIL MANAGEMENT
CAO23 - CONCRETE WASTE MANAGEMENT
CAO30 - VEHICLE AND EQUIPMENT CLEANING
CAO31 - VEHICLE AND EQUIPMENT FUELING
CAO32 - VEHICLE AND EQUIPMENT MAINTENANCE
CAO40 - EMPLOYEE/SUBCONTRACTOR TRAINING
ESC01 - SCHEDULING
ESC02 - PRESERVATION OF EXISTING VEGETATION
ESC10 - SEEDING AND PLANTING
ESC11 - MULCHING
ESC20 - GEOTEXTILES AND MATS
ESC21 - DUST CONTROLS
ESC22 - TEMPORARY STREAM CROSSING
ESC23 - CONSTRUCTION ROAD STABILIZATION
ESC24 - STABILIZED CONSTRUCTION ENTRANCE
ESC30 - EARTH DIKE
ESC31 - TEMPORARY DRAINS AND SWALES
ESC32 - SLOPE DRAIN
ESC40 - OUTLET PROTECTION
ESC41 - CHECK DAMS
ESC42 - SLOPE ROUGHENING/TERRACING
ESC50 - SIT FENCE
ESC51 - STRAW BALE BARRIERS
ESC52 - SAND BAG BARRIER
ESC53 - BRUSH OR ROCK FILTER
ESC54 - STORM DRAIN INLET PROTECTION
ERC55 - SEDIMENT TRAP
ERC56 - SEDIMENT BASIN

LEGEND

- 20 YEAR PERMITTED
STORMWATER RECOVERY AREA



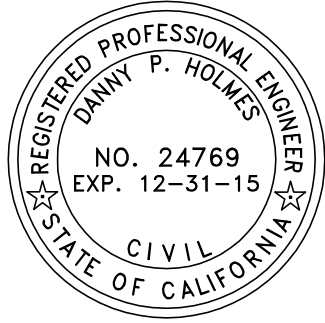
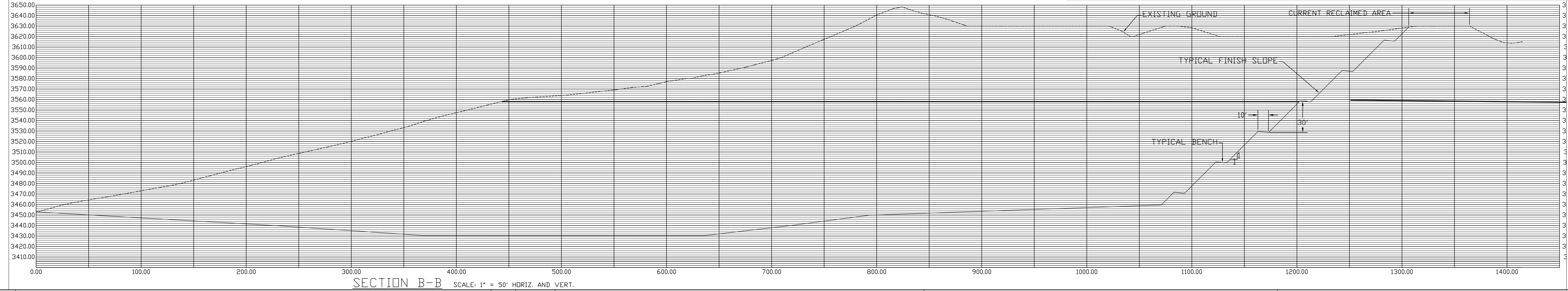
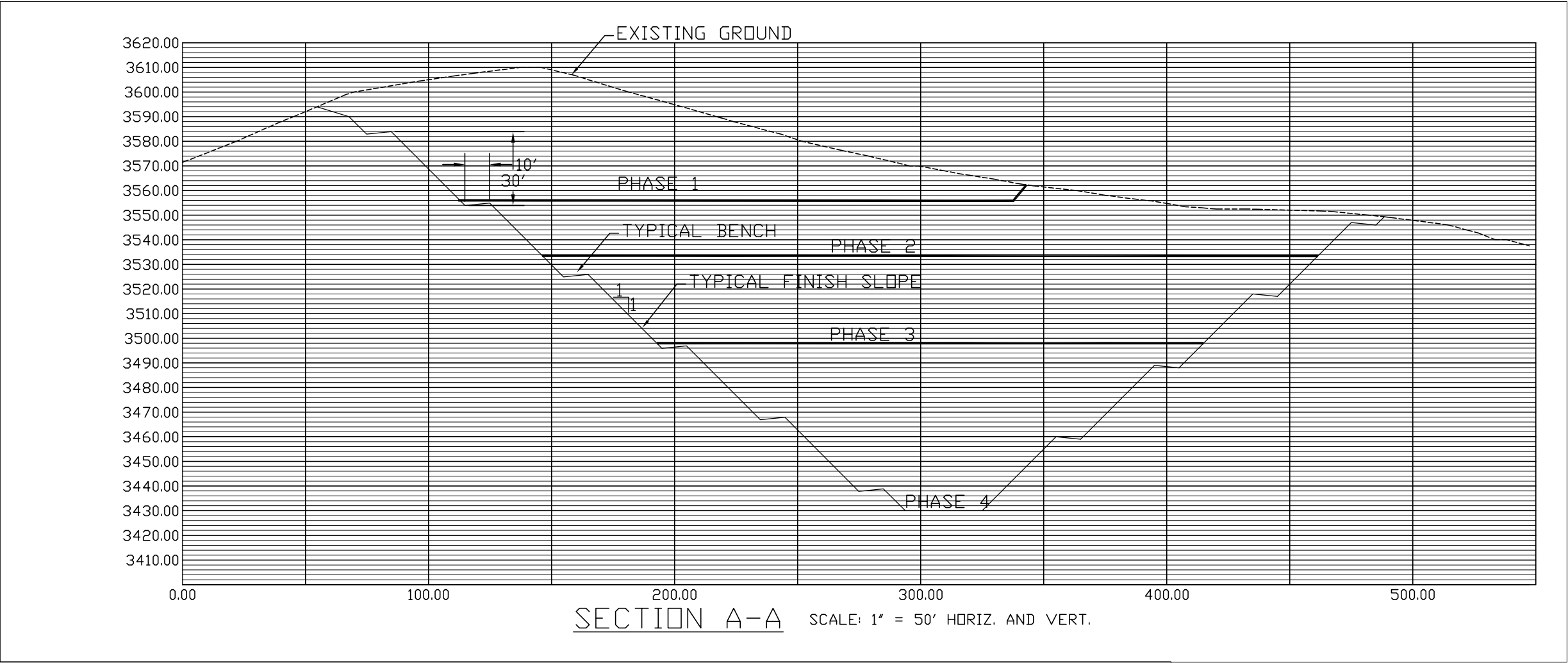
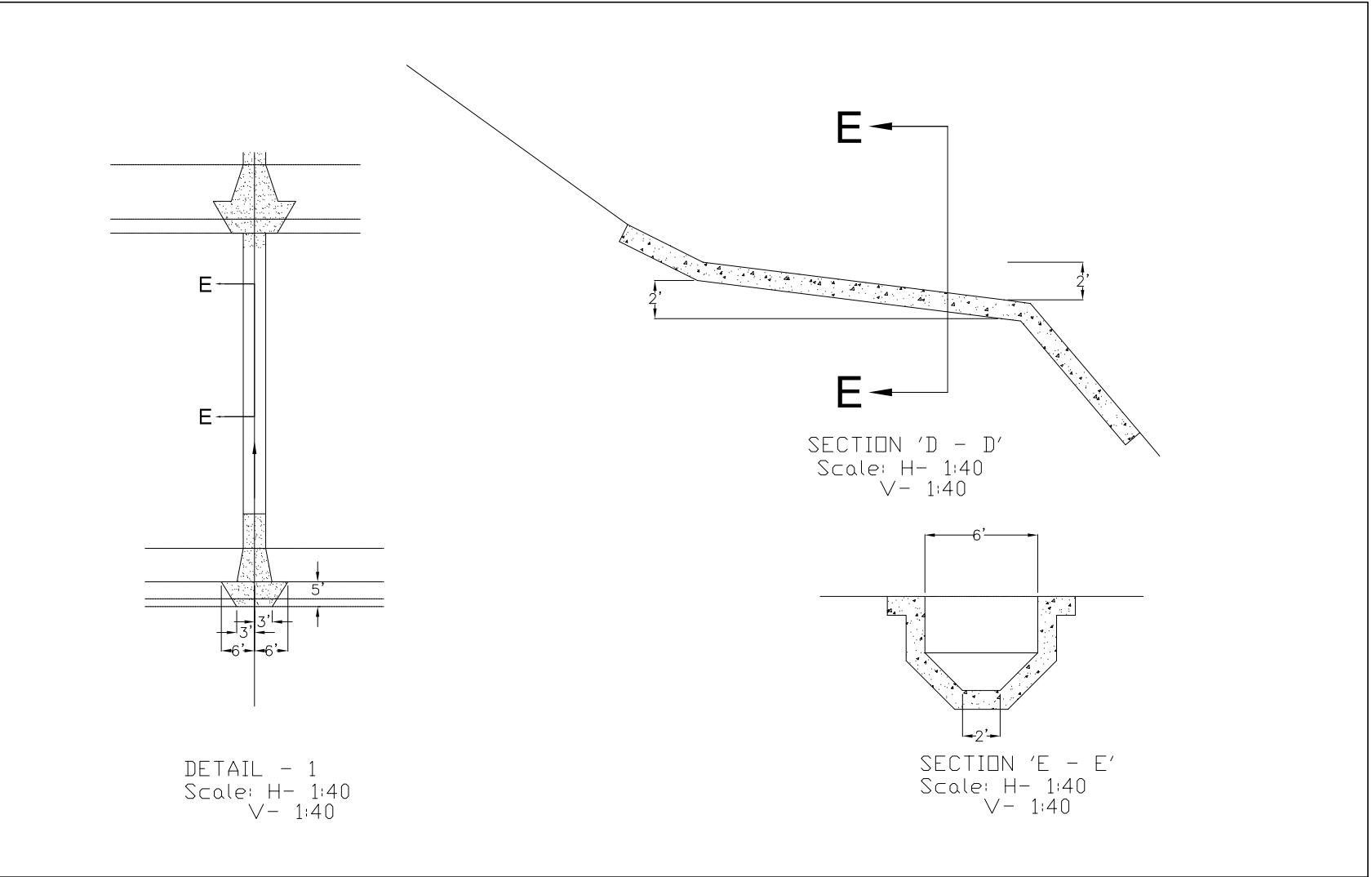
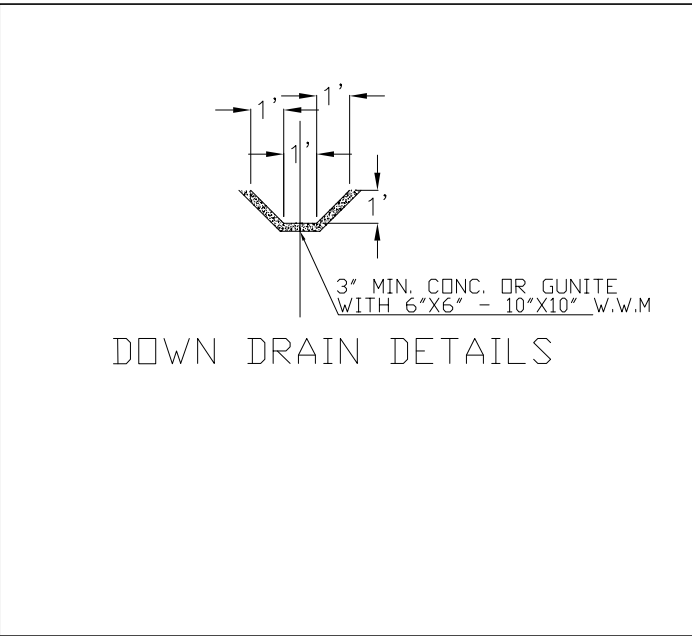


- 1- PROPER AGENCY TO BE CONTRACTED PRIOR TO CONSTRUCTION OR RECLAMATION CLOSE TO ANY STREAM LINE.
2- AVOID DIVERTING FLOW FROM CANYON TO ANOTHER DURING RECLAMATION WORK.
3- FOR GENERAL NOTES, SEE SHEET 2.

LEGEND

20 YEAR PERMITTED

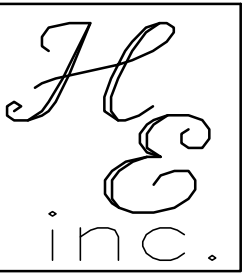
STORMWATER RECOVERY AREA



REVISIONS		BY	DATE
NO.	DESCRIPTION		

SHEET TITLE
**RECLAMATION PLAN
GRAY QUARRY**
S.E. 1/4 SECTION 24, T4N, R13W SBBM
BERTHA NO. 4 CLAIM COUNTY OF LOS ANGELES

FOR
NORTH STAR MINERALS, INC.
501 S. 1st Ave, Suite N
Arcadia, CA. 91006
LARIE RICHARDSON, GEN. MANAGER (626) 821-9630



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DATE: 6-9-14

DESIGN BY:

SHEET NO.

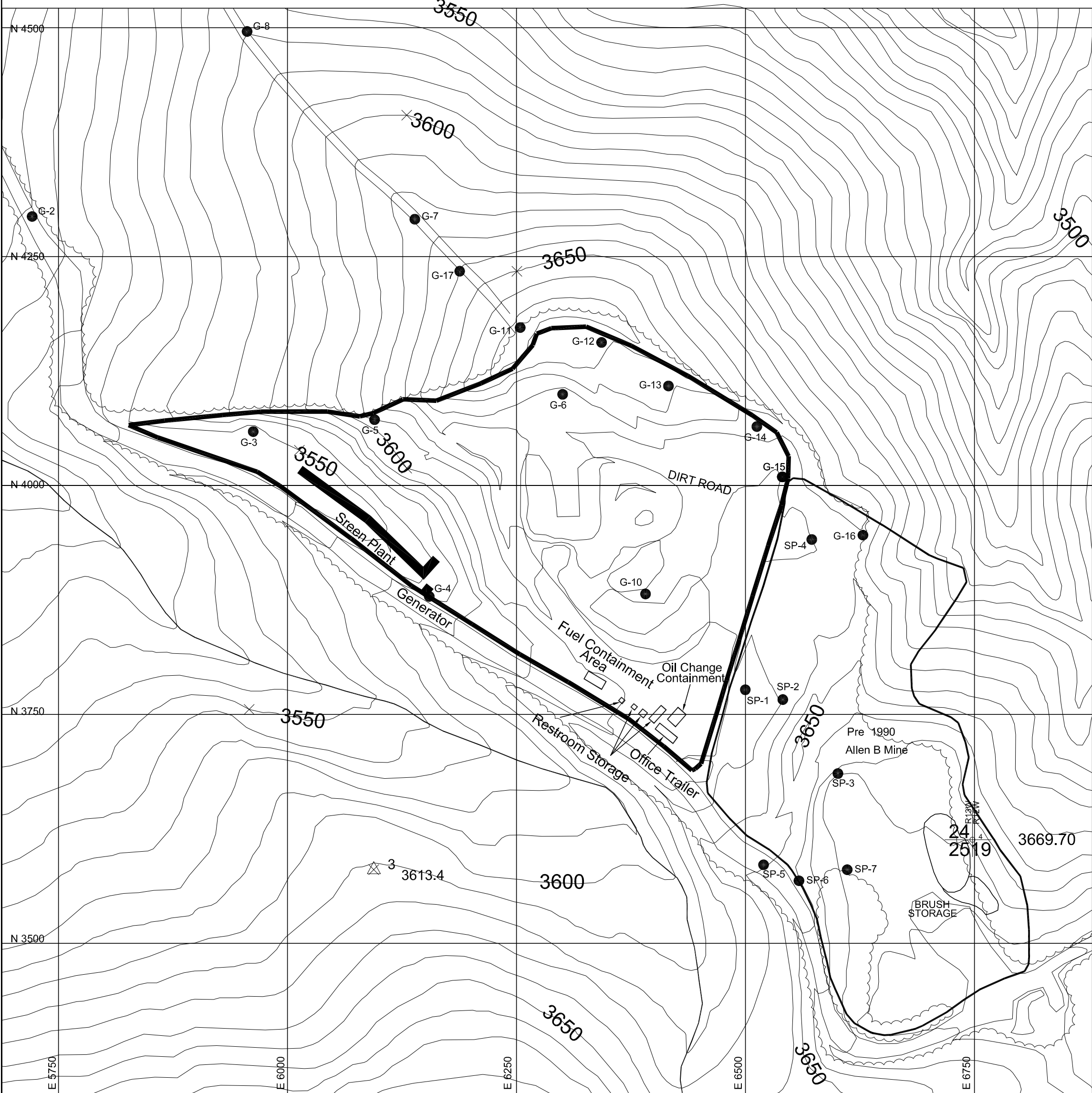
3

OF 5 SHEETS

NORTH STAR MINERALS INC.
715 East Mission Drive, Suite M - San Gabriel, California 91776 - (626) 285-2428
GRAY QUARRY staged development and reclamation

Location the SE 1/4 of the NW 1/4 and the NW 1/4 of the SW 1/4 of Section 24, T4NR13W, SSBM.
The While Quarry is located in the north portion of the Star 2 claim and the south portion of the Star 1 claim.
Plate 1 includes the following the initial Quarry configuration 1998 and the Stage IV Quarry Plan both with
long-sections, mining and reclamation acreage summary and the composite cross-sections for the 1998 Quarry
and all four stages of the While Quarry.

1999 Quarry Plan



N 4500 Cross Section

N 4250 Cross Section

N 4000 Cross Section

N 3750 Cross Section

1999 LAND USE SUMMARY
1999 Active Mining Area
Pre 1990 - Allen B Mining

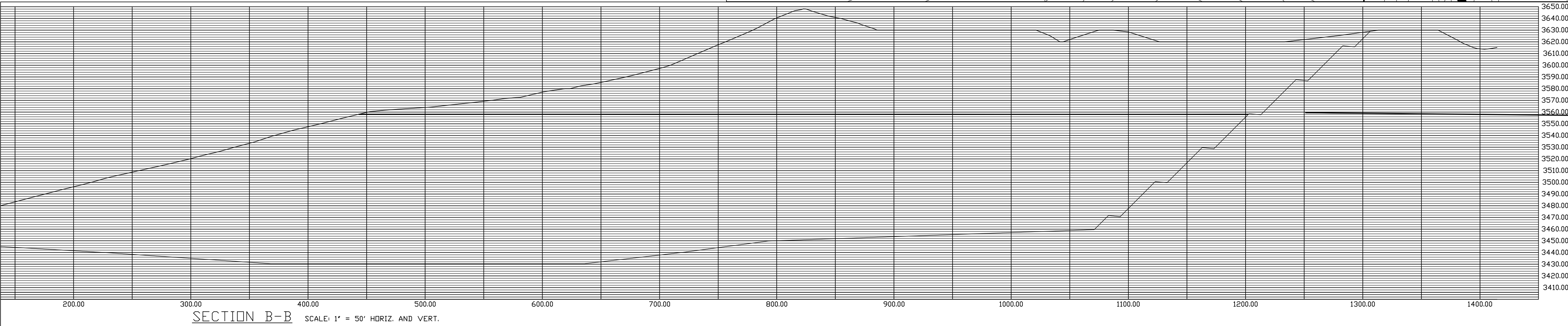
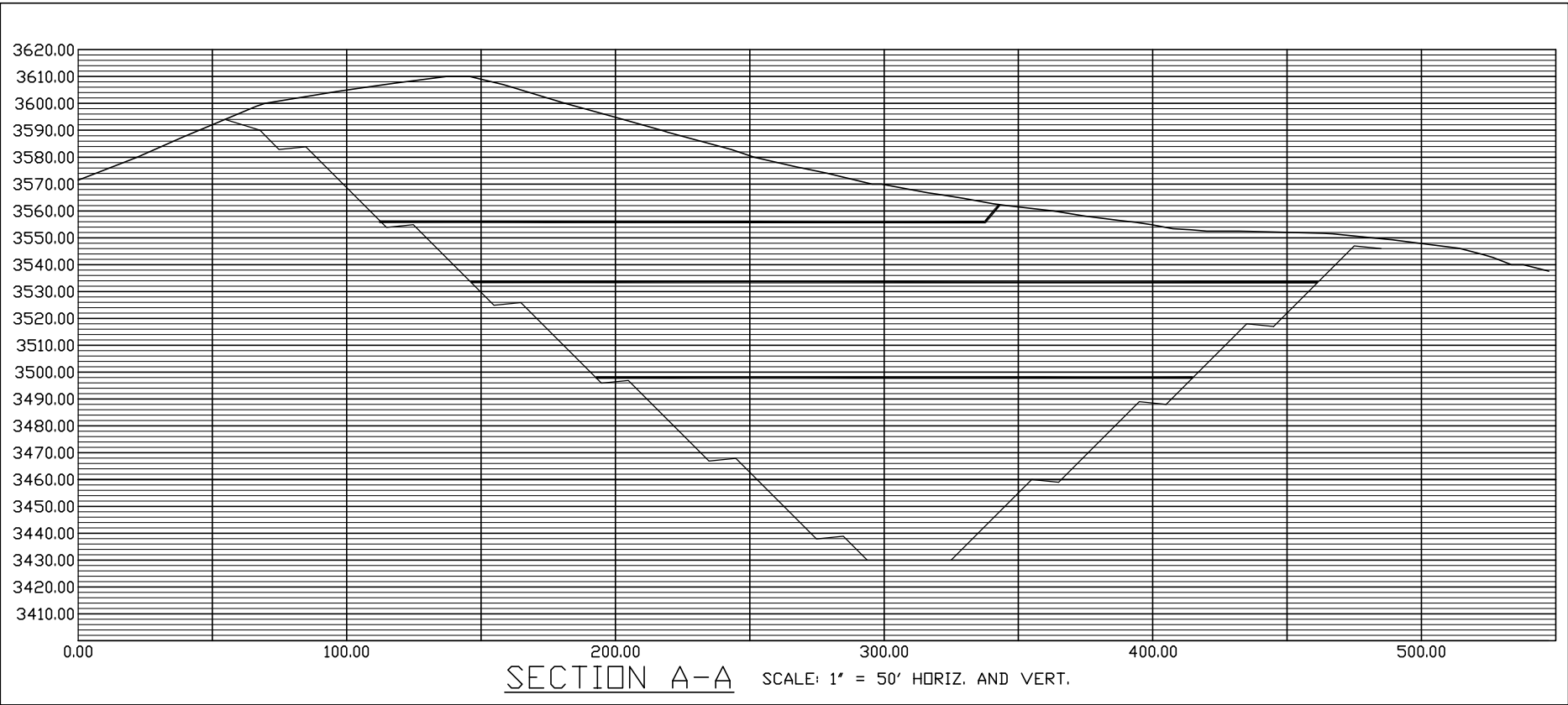
3.7 acres
3.0 acres

Legend

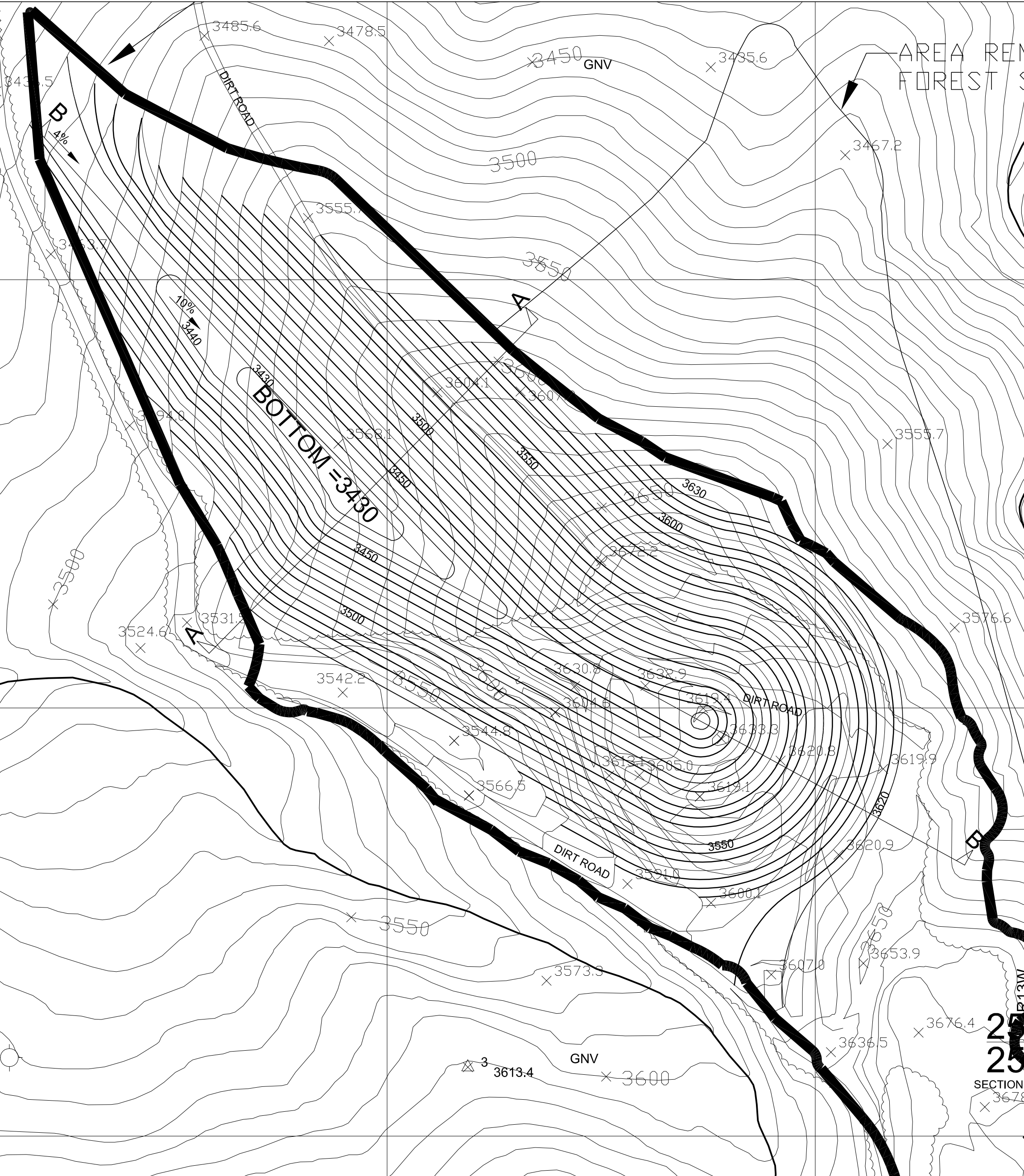
Scale 1 inch = 100 feet
Contour interval 10 feet

Feet 100 0 100 200 300 400

- Drill holes
- Access roads
- Intermittent streams
- Contour with elevations (in feet)
- Section corners
- Soil Storage area
- Brush Storage area



Stage I Grey Quarry Plan



25
SECTION
3672

REVISIONS		BY	DATE
NO.	DESCRIPTION		

SHEET TITLE
STAGE DEVELOPMENT PLAN
GRAY QUARRY

S.E. 1/4 SECTION 24, T4N, R13W SBBM
BERTHA NO. 4 CLAIM COUNTY OF LOS ANGELES

FOR
NORTH STAR MINERALS, INC.

501 S. 1st Ave, Suite N
Arcadia, CA. 91006
LARIE RICHARDSON, GEN. MANAGER (626) 821-9630



Holmes Enterprises, Inc.
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200 Wicks Rd. Moorpark, CA. 93021
(805) 532-1571 fax: (805) 532-1596
EMAIL: sholmes932@prodigy.net

DATE: 6-9-14

DESIGN BY:

SHEET NO.

1

OF 2 SHEETS

**PROJECT NUMBER**

00-21-(5)

HEARING DATE

February 25, 2025

REQUESTED ENTITLEMENT(S)

Surface Mining Permit No. 201300002

PROJECT SUMMARY

OWNER / APPLICANT

United States Government/North Star Minerals, Inc.

MAP/EXHIBIT DATE

May 19, 2022

PROJECT OVERVIEW

The applicant, North Star Minerals, Inc., is requesting the approval of Surface Mining Permit ("SMP") No. 201300002, an amendment to the Reclamation Plan for SMP No. 00-21 for the existing Acton Clay Quarries in the W (Watershed) Zone. The amendment requests the following changes: 1) Extend the SMP expiration date to December 31, 2029, consistent with the United States Forest Service Plan of Operations (POO) for the project; 2) Allow for a maximum of five acres of open excavation in each of the two quarries (10 acres total), consistent with the POO; and 3) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land.

LOCATION

BP & L Road (Forest Service Road 4N32)

ACCESS

BP&L Road via Aliso Canyon Road

ASSESSORS PARCEL NUMBER(S)

3209-023-302 and 3058-018-300

SITE AREA

1,116.35 Acres (Total Area of Mines-24 Acres)

GENERAL PLAN / LOCAL PLAN

1986 Antelope Valley Area Plan

ZONED DISTRICT

Mount Gleason

PLANNING AREA

Antelope Valley

LAND USE DESIGNATION

OS-NF (Open Space-National Forest)

ZONE

W

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

Acton

ENVIRONMENTAL DETERMINATION (CEQA)

Addendum to Mitigated Negative Declaration

KEY ISSUES

- Project was deemed complete in 2013 and is subject to the County Code requirements, General Plan, and Area Plan then in effect.
- Consistency with the 1980 Los Angeles County General Plan and 1986 Antelope Valley Area Plan
- Satisfaction of the following portions of Title 22 of the 2013 Los Angeles County Code:
 - Section 22.56.1360 (Surface Mining Permit Application Findings Prerequisite to Approval)
 - Section 22.56.1410 (Reclamation Plan Findings Prerequisite to Approval)
 - Sections 22.40.240 through 22.40.290 (W Zone)

CASE PLANNER:

Richard Claghorn

PHONE NUMBER:

(213) 893 - 7015

E-MAIL ADDRESS:

rclaghorn@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. 00-21-(5)
SURFACE MINING PERMIT NO. 201300002

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Surface Mining Permit ("SMP") No. **201300002** on February 25, 2025.
2. **HEARING PROCEEDINGS.** *Reserved*
3. **ENTITLEMENT(S) REQUESTED.** The Permittee, North Star Minerals, Inc. ("Permittee"), requests the SMP to authorize an amendment to the Reclamation Plan for SMP 00-21, including the following changes: 1.) Extend the SMP expiration date to December 31, 2029, consistent with the United States Forest Service ("USFS") Plan of Operations ("POO") for the project; 2.) Allow for a maximum of five acres of open excavation in each of the two quarries (10 acres total), consistent with the POO; and 3.) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land ("Project") on a property located at BP&L Road (Forest Service Rd. 4N32) ("Project Site") in the unincorporated community of Acton in the W (Watershed) zone pursuant to 2013 Los Angeles County ("County") Code Sections 22.40.240 through 22.40.290 (W Zone). Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee may choose whether the Project is reviewed under current standards or under the standards in effect at the time the application was deemed complete. The application for the SMP was deemed complete on December 7, 2013. The Permittee has opted to have the Project reviewed under the standards in effect at the time the CUP application was deemed complete.
4. **PREVIOUS ENTITLEMENT(S).** SMP No. 00-21, approved on June 19, 2002 by the Regional Planning Commission ("Commission"), authorized the continued operation of an existing clay mine operation with two quarries. The mine has operated on the Project Site since 1991. The USFS approved a POO in 1995 for the mine and a new POO was approved by USFS in 2008. The 2008 POO approval extended the expiration date to December 31, 2029 and allowed for a maximum of five acres of open excavation in each of the two quarries (10 acres total). In 2014 USFS authorized a change to the POO to allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land.
5. **LAND USE DESIGNATION.** The Project Site is located within the Open Space-National Forest (OS-NF) land use category of the Antelope Valley Area Plan ("Area Plan") Land Use Policy Map. The Project Site was in the Open Space-National Forest (OS-NF) designation of the Antelope Valley Areawide General Plan adopted in 1986

("1986 Area Plan"), which remained in effect until the current Area Plan became effective on July 16, 2015. The application for the SMP was deemed complete on December 7, 2013. The applicant has opted to have the Project reviewed under the policies of the 1986 Area Plan, the General Plan in effect as of December 7, 2013 ("1980 General Plan"), and the zoning and regulations then in effect.

6. **ZONING.** The Project Site is located in the Mount Gleason Zoned District and is currently zoned W, the same Zoning designation in effect in 2013. Pursuant to 2013 County Code Section 22.40.280 (W Zone-Uses Subject to Permits), a SMP is required for surface mining operations.

7. SURROUNDING LAND USES AND ZONING

LOCATION	1986 AREA PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	N1 (Nonurban 1 – One Dwelling Unit per Two Acres), OS-NF (Open Space-National Forest), OS-BLM (Open Space-Bureau of Land Management)	A-2-5 (Heavy Agricultural – Five Acre Minimum Required Lot Area), A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area), W	Single-family residence, irrigated farm, vacant land, National Forest
EAST	OS-NF	A-2-5, W	vacant land, National Forest
SOUTH	OS-NF	W	National Forest
WEST	OS-NF	W	National Forest

8. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 1,116.35 gross acres (1,116.35 net acres) in size and consists of two parcels, Assessor's Parcel Number ("APN") 3209-023-302 and 3058-018-300. The Project Site is irregular in shape with steep topography and is developed with surface mining operations on approximately 24 acres. The Project Site is part of Angeles National Forest and is owned by the USFS. The USFS has authorized the Permittee to operate surface mining operations on 24 acres of the Project Site, which is separated into two quarries, White Quarry, which is 10 acres in size, and Gray Quarry, which is 14 acres in size.

B. Site Access

The Project Site is accessible via BP&L Road, also known as Forest Service Road 4N32, an unpaved road which connects to Aliso Canyon Road, a Secondary Highway on the Los Angeles County ("County") Master Plan of Highways with a right-of-way width of 60 feet. The portion of Forest Service Road 4N32 at the Project Site is also known as BP&L Road or BPL Road and has a width of

approximately 24 feet, although it is much wider in some places where there are turnouts for trucks to pass. An unpaved road approximately one-half mile long and approximately 20 feet wide branches off from BP&L Road and leads to Gray Quarry. White Quarry is accessible from another much shorter unpaved driveway that is approximately 20 feet wide and branches off of BP&L Road west of Gray Quarry. The distance from White Quarry to Aliso Canyon Road via BP&L Road (Forest Service Road 4N32) is approximately four miles.

C. Site Plan

The site plan exhibit consists of seven pages. The first three pages are the grading / hydrology plan, mining plan, and reclamation plan for White Quarry. The last four pages are the grading / hydrology plan, mining plan, reclamation plan, and stage development plan for Gray Quarry. The plans include vicinity maps to show the locations of the quarries in relation to the surrounding area and cross sections depicting each quarry. The plans are consistent with the POO approved in 2008 by the USFS, except for the land swap area for Gray Quarry. The Permittee proposed a land swap of three acres of undisturbed land at Gray Quarry for an adjacent three acres of undisturbed land. The land swap was approved by the USFS in 2014 to modify the limits of mining for Gray Quarry, and the current plans for Gray Quarry are consistent with this 2014 approval.

D. Parking

The site plan does not depict any designated parking areas. The quarries are sufficiently large to accommodate any trucks or other vehicles that come to the Project Site. There is no requirement in the original SMP for this use (SMP 00-21) to provide designated parking spaces.

9. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, Staff determined that an addendum to the MND previously adopted for the project in 2002 is the appropriate environmental document in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. On June 19, 2002, the Commission approved SMP No. 00-21 for the surface mining operations on the Project Site and adopted a Mitigated Negative Declaration ("MND") and Mitigation Monitoring Program ("MMP") to mitigate project impacts to a less than significant level. The MMP included mitigation measures for the following topics: air quality, biota, water quality, and archaeology/cultural resources. As part of an updated POO on December 24, 2008 USFS analyzed the impacts of the Project in an Environmental Assessment in accordance with the National Environmental Policy Act ("NEPA") and issued a Finding of No Significant Impact "(FONSI)" on December 1, 2008 after determining the project would not result in significant impacts pursuant to NEPA. In a letter dated February 6, 2014, the USFS approved an amendment to the POO that was for a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land and determined that this change would not significantly affect the environment.

The Project requests the following changes: 1) Extend the SMP expiration date to December 31, 2029, consistent with the USFS POO for the project; 2) Allow for a maximum of five acres of open excavation in each of the two quarries (10 acres total), consistent with the POO; and 3) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land. These changes will bring the SMP into conformance with the POO.

The County concurs with the environmental determination by USFS and has determined that all Project impacts have been addressed by the adopted MND and MMP and the FONSI and related mitigation measures subsequently approved by USFS in the 2008 POO. Therefore, the County has prepared an addendum to the adopted MND pursuant to the CEQA Guidelines Section 15164. The minor modifications to the previously approved conditions will not result in a substantial alteration or material deviation from the terms and conditions of the previously approved permit. It was determined that the requested changes to the conditions are consistent with, and would not affect, the existing conclusions and/or mitigation measures outlined in the MND. The requested modifications to the Project would not create a substantial alteration or material deviation from the previously approved conditions and/or mitigation measures. There are no significant changes to the Project that would conflict with Section 15162 of the CEQA Guidelines (“Subsequent EIRs and Negative Declarations”). The Project does not result in any significant effects not discussed in the previous MND. No significant effects previously examined will be substantially more severe than shown in the previous MND. No changes to the adopted mitigation measures are necessary to substantially reduce any significant effects due to a change in feasibility of any mitigation measure previously found not to be feasible. Therefore, an addendum to the adopted MND is the appropriate environmental documentation for this SMP. Accordingly, the adopted MMP will remain in effect for the duration of the Project’s grant term. The mitigation measures contained therein shall also remain in effect for the duration of the Project’s grant term.

10. COMMUNITY OUTREACH. On April 3, 2002 prior to the Hearing Officer’s public hearing on the Project, the Acton Town Council issued a letter stating that it had no opposition to the project as presented on that date. On November 18, 2024, the Project was on the Acton Town Council meeting agenda. The Town Council issued a letter on January 6, 2025 that it is not opposed to the Project, provided the use is not expanded and the permit expires on December 30, 2029. The Town Council also issued a letter on April 3, 2002 stating that it did not oppose the project prior to the original approval of SMP 00-21.

11. PUBLIC COMMENTS. Staff has not received any comments at the time of report preparation. was received from the public regarding the Project.

12. AGENCY RECOMMENDATIONS.

A. The County Department of Public Works (“Public Works”), in a letter dated December 4, 2019, recommended that the Project proceed to public hearing.

- B. The County Fire Department, in a letter dated October 19, 2022, recommended that the Project proceed to public hearing.
- C. The County Department of Public Health ("Public Health"), in a letter dated October 21, 2022, recommended that the Project proceed to public hearing.
- D. The California Department of Conservation, Division of Mining Reclamation ("DMR") staff spoke with LA County Planning Staff about the Project on July 31, 2024, and said DMR has no comments on the Project and that it is cleared to be scheduled for public hearing. DMR requested a copy of the approval to be provided to DMR as a single document after it has been finalized.

13. **LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure of the County Code, the community was properly notified of the public hearing by mail, and newspaper Antelope Valley Press, and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On January 2, 2025, a total of seven Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 10 notices to those on the courtesy mailing list for the Mount Gleason Zoned District and a notice to the Acton Town Council.

GENERAL PLAN CONSISTENCY FINDINGS

14. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the 1986 Area Plan because the OS-NF land use designation is intended for recreational purposes, the protection of natural resources, and/or for purposes of safeguarding public health and safety. In the 1986 Area Plan, the OS designation is separated into three major categories: public, private, and the National Forest areas. The Project falls into the latter category. All proposed private and public development projects within the National Forests will be reviewed by the Hearing Officer and the USFS for compliance with applicable land use and resource management plans. The USFS has already approved the changes currently being requested for the Project. Specific allowable uses are determined by the underlying zoning designation. The W Zone allows surface mining operations with an SMP and this use is consistent with the applicable policies of the 1986 Area Plan and 1980 General Plan.

15. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the goals and policies of the 1980 General Plan, including the following policies, which are applicable to the Project:

Conservation and Open Space Element Policy 15: Protect and conserve existing mineral resources, evaluate the extent and value of additional deposits, and require future reclamation of depleted sites.

The Project involves the continued operation of an existing previously authorized surface mining operation. The Project will make use of the existing mineral resources

on the Project Site and the Project Site will be reclaimed after the mining operations are completed.

Conservation and Open Space Element, Mineral Resource Areas (Page II-40): A symbol is used to identify where mining activity is presently occurring and includes surface operations of major oil and gas fields, and known deposits of rock, sand, and gravel. Other areas appropriate for mineral resource management may be added as they are identified. The intent is to: 1) encourage the production and conservation of minerals while addressing concerns related to recreation, watershed, vegetation and wildlife, range and forage, and aesthetic enjoyment during and after mining operations 2) minimize adverse impacts on the environment, including air pollution, impedence of ground water movement, water quality degradation, damage to plant and wildlife habitat, flooding, erosion, and excessive noise; and 3) require that extractive lands ultimately be reclaimed to a useable condition readily adaptable for alternate land uses, with no residual hazards to public health and safety.

The Project Site has not been formally designated as a Mineral Resource Area, but it has been approved for surface mining operations and is subject to numerous conditions and mitigation measures to protect the environment from adverse impacts. The Project Site will be reclaimed upon the conclusion of mining operations.

Land Use Element Policy 26: Protect known mineral resource reserves (including sand and gravel) from encroachment of incompatible land uses.

The Project Site will not be encroached upon by incompatible land uses. The Project Site is in a remote area of the Angeles National Forest and is primarily surrounded by undeveloped USFS land. Surrounding parcels include private inholdings, one of which contains a single-family residence. The residence is adequately buffered from the surface mining operations, with a distance of approximately 0.7 miles from the residence to the nearest quarry, White Quarry. The land swap area for Gray Quarry is approximately 1.2 miles from the residence, so this change does not reduce the distance from the residence to the nearest mining operations.

Land Use Element, Mineral Resource Areas (Page III-55, III-56): Mineral resource areas include existing surface mining activities, areas identified as containing significant mineral resources by the State Mining and Geology Board, and areas suitable for the production of energy resources, including crude oil and natural gas.

Extractive Uses: All extractive surface mining facilities shall be subject to the following conditions:

- 1) Control of slope elevations;
- 2) Control of erosion and sedimentation;
- 3) Control of water quality, runoff and flooding;
- 4) Protection of fish and wildlife;

- 5) *Provision of adequate setbacks from adjacent uses;*
- 6) *Control of noise, dust, vibration, smoke, dirt, odors and lighting; and,*
- 7) *Salvage of topsoil.*

In addition to the above conditions, pursuant to the provisions of the California Surface Mining and Reclamation Act, all mining activities in operation as of January, 1976 and those placed in operation after that date shall be required to submit a reclamation plan which shall provide for appropriate measures to rehabilitate the site prior to its abandonment.

The conditions of approval for SMP 00-21 include requirements pertaining to the above-listed issues, and the conditions adequately address the above areas of concern. The Project involves the continued operation of an existing previously authorized surface mining operation with modifications to some existing conditions. The Project Site will be reclaimed after the mining operations are completed in accordance with the revised reclamation plan for the Project.

16. The Hearing Officer finds that the Project is consistent with the goals and policies of the 1986 Area Plan, including the following policy, which is applicable to the Project:

Land Use Policy No. 150: Protect important mineral resources by a long-range approach toward mineral resource utilization.

The Project includes important mineral resources, and the Project conditions, as modified, will help to protect the continued use of the mineral resources found on the Project Site while protecting the environment of the Project Site and the surrounding area, and implementation of the reclamation plan will restore the Project Site after the surface mining operations are completed.

ZONING CODE CONSISTENCY FINDINGS

17. **ZONING CODE APPLICABILITY.** The Hearing Officer finds that the Project is subject to the applicable County Zoning Code requirements in effect as of December 7, 2013, when the application for the Project was deemed complete. Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the applicant may choose whether the Project is reviewed under current standards or under the standards in effect at the time the application was deemed complete. The applicant has opted to have the Project reviewed under the standards in effect at the time the CUP application was deemed complete. Although changes to the Project plans occurred after the effective date of the SEA, the Project meets the criteria listed in County Code Section 22.246.020.A.2 (Applicability of Zone Changes and Ordinance Amendments) to be reviewed under the regulations in effect at the time the application was deemed complete.

18. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the W Zone classification, as surface mining operations are permitted in such zone with a SMP pursuant to County Code Section 22.40.280 (W Zone-Uses Subject to Permits) in effect at the time the application was deemed complete (“old 2013 County Code”). An SMP is the same permit type required in the W Zone for surface mining operations in the current County Code. The Project is an amendment to the previously approved SMP.
19. **REQUIRED YARDS AND HEIGHT.** The Hearing Officer finds that the Project is not subject to a minimum yard requirement or maximum height requirement, as the W Zone has no minimum yard requirement or maximum height requirement, pursuant to Section 22.40.290 (W Zone Development Standards) of the old 2013 County Code.
20. **PARKING.** The Hearing Officer finds that the Project has adequate parking facilities. No parking standard is listed in the County Code for surface mining operations. Section 22.52.1220 (Uses not specified- Number of spaces required) of the old 2013 County Code) states, “Where parking requirements for any use are not specified, parking shall be provided in an amount that the Director finds adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based upon the requirements for the most comparable use specified in this Part 11 (Vehicle Parking Space).” Finding No. 13 of SMP 00-21 approved in 2002 stated that two on-site parking spaces are to be provided for the use. Such parking spaces are not required to be paved. The site plans do not depict parking spaces, but both quarries are of sufficient size that there is ample room in each quarry for the parking of the vehicles needed for the surface mining operations.
21. **DEVELOPMENT STANDARDS FOR MINING OPERATIONS.** The Hearing Officer finds that the Project is consistent with the development standards for SMPs as found in Part 9 of Chapter 22.56 of the old 2013 County Code. These include the development standards found in old 2013 County Code Section 22.56.1380 (Development Standards for Mining Operations). These standards are the same as the standards found in the current County Code Section 22.190.050 (SMP-Development Standards). These standards include requirements pertaining to slopes, erosion and sedimentation control, water quality control, protection of fish and wildlife habitat, runoff and flood control, setbacks, insurance, control of dust, vibrations, smoke, dirt, odors, and bright lights, boundary markers, hours of operation, salvage of topsoil, benches, fencing, and explosives. Additional standards are found in old 2013 County Code Sections 22.56.1400 (Idle mine operations), 22.56.1410 (Reclamation plan-Findings prerequisite to approval), 22.56.1410 (Financial assurances), 22.56.1420 (Reclamation activities-specifications), and 22.56.1300 (SMP Application-Burden of Proof). These standards are largely consistent with the requirements found within current County Code Sections 22.190.080 (Reclamation Plan), 22.190.090 (Idle Mine Operations), and 22.190.060.B (SMP Findings) but with

some incidental changes. SMP 00-21 was found to comply with the SMP requirements in 2002. The required SMP Burden of Proof in the old 2013 County Code Section 22.56.1300 (SMP Application-Burden of Proof) is essentially the same as the required SMP Findings in current County Code Section 22.190.060.B (SMP Findings), except for some minor changes in wording. The Project remains in compliance with the SMP requirements.

22. **SIGNIFICANT ECOLOGICAL AREA.** Approximately 2.3 acres on the east side of White Quarry lies within the Santa Clara River Significant Ecological Area ("SEA"). However, this area was not designated as SEA until after the application for the SMP was deemed complete on December 7, 2013. A portion of the Project Site became part of an SEA with the effective date of the Area Plan on July 16, 2015. Although changes to the Project plans occurred after the effective date of the SEA, the Project meets the criteria listed in County Code Section 22.246.020.A.2 (Applicability of Zone Changes and Ordinance Amendments) to be reviewed under the regulations in effect at the time the application was deemed complete. Therefore, the SEA requirements are not applicable to the Project and the analysis of the Project is based on the policies of the 1980 General Plan and 1986 Area Plan in effect in 2013, as well as the Zoning Code requirements in effect at that time.

SURFACE MINING PERMIT FINDINGS

23. **The Hearing Officer finds that the requested surface mining operation at the location will not adversely affect the health, safety, or welfare of persons residing in the surrounding area, or otherwise constitute a menace to the public health, safety, or general welfare.** This is an existing use that has been operating in compliance with the SMP 00-21 conditions and related mitigation measures and the mitigation measures and other standards in the POO approved by USFS. The proposed changes to the Project have been found by the USFS and by County Staff to be appropriate for this use at this location. It is in a remote area of Angeles National Forest with few neighboring private parcels. The proposed changes will not significantly affect the surrounding land uses.
24. **The Hearing Officer finds that adverse ecological effects resulting from surface mining operations will be prevented or minimized.** The existing conditions and mitigation measures, along with the requirements of the POO, are adequate to prevent or minimize any adverse effects from the Project. The proposed changes to the conditions will not result in any significant adverse impacts.
25. **The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to facilitate the kind and quantity of traffic surface mining operations will or could generate.**

The Project is located on an existing USFS road that has served the Project since the use was established in 1991. The existing USFS road is adequate to serve the Project Site through the remainder of the grant term, which will be extended to December 31, 2029.

26. **The Hearing Officer finds that the proposed site for surface mining operations is consistent with the General Plan for Los Angeles County.** The existing use is consistent with the Open Space land use designation of the 1986 Area Plan as well as the applicable policies of the 1986 Area Plan and 1980 General Plan, as described in the General Plan consistency findings.
27. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, and with the POO approved by the USFS, it is necessary to extend the SMP grant term to December 31, 2029.

RECLAMATION PLAN-FINDINGS PREREQUISITE TO APPROVAL.

28. The Hearing Officer finds that the Project meets the findings prerequisite to approval of the Reclamation Plan pursuant to Section 22.56.1410 (Reclamation Plan-Findings Prerequisite to Approval) of the old 2013 County Code. The requirements of these findings are found in Condition of Approval No. 43 of the approved SMP from 2002. These requirements include provision of financial assurances, a schedule for beginning and completion of reclamation activities, a requirement for annual inspections, and a covenant stating that the property is subject to a reclamation plan. The requirement for a periodic review is not necessary since the time extension for this grant is for less than five years. Condition No. 8 shall require submittal of an updated reclamation plan, including a schedule for beginning and completion of reclamation activities.

ENVIRONMENTAL FINDINGS

29. The Hearing Officer finds that an addendum to the MND previously adopted for the project in 2002 is the appropriate environmental document for the project under CEQA and the County environmental guidelines. On June 19, 2002, the Commission approved SMP No. 00-21 for the surface mining operations on the Project Site and adopted a MND and MMP to mitigate project impacts to a less than significant level. The MMP included mitigation measures for the following topics: air quality, biota, water quality, and archaeology/cultural resources. As part of an updated POO on December 24, 2008 USFS analyzed the impacts of the Project in an Environmental Assessment in accordance with NEPA and issued a FONSI on December 1, 2008 after determining the project would not result in significant impacts pursuant to NEPA. In a letter dated February 6, 2014, the USFS approved an amendment to the POO that was for a land swap of three acres of undisturbed land at the Gray Quarry

for an adjacent three acres of undisturbed land and determined that this change would not significantly affect the environment.

The Project requests the following changes: 1) Extend the SMP expiration date to December 31, 2029, consistent with the USFS POO for the project; 2) Allow for a maximum of five acres of open excavation in each of the two quarries (10 acres total), consistent with the POO; and 3) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land. These changes will bring the SMP into conformance with the POO.

The County concurs with the environmental determination by USFS and has determined that all Project impacts have been addressed by the adopted MND and MMP and the FONSI and related mitigation measures subsequently approved by USFS in the 2008 POO. Therefore, the County has prepared an addendum to the adopted MND pursuant to the CEQA Guidelines Section 15164. The minor modifications to the previously approved conditions will not result in a substantial alteration or material deviation from the terms and conditions of the previously approved permit. It was determined that the requested changes to the conditions are consistent with, and would not affect, the existing conclusions and/or mitigation measures outlined in the MND. The requested modifications to the Project would not create a substantial alteration or material deviation from the previously approved conditions and/or mitigation measures. There are no significant changes to the Project that would conflict with Section 15162 of the CEQA Guidelines ("Subsequent EIRs and Negative Declarations"). The Project does not result in any significant effects not discussed in the previous MND. No significant effects previously examined will be substantially more severe than shown in the previous MND. No changes to the adopted mitigation measures are necessary to substantially reduce any significant effects due to a change in feasibility of any mitigation measure previously found not to be feasible. Therefore, an addendum to the adopted MND is the appropriate environmental documentation for this SMP. Accordingly, the adopted MMP will remain in effect for the duration of the Project's grant term. The mitigation measures contained therein shall also remain in effect for the duration of the Project's grant term.

ADMINISTRATIVE FINDINGS

30. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the North County Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The requested surface mining operation conducted at the location proposed will not adversely affect the health, safety or welfare of persons residing in the surrounding area or otherwise endanger or constitute a menace to the public health, safety or general welfare.
- C. Adverse ecological effects resulting from surface mining operations will be prevented or minimized.
- D. The proposed site is adequately served by streets or highways of sufficient width and improved as necessary to facilitate the kind and quantity of traffic surface-mining operations will or could generate.
- E. That the findings prerequisite to approval of the reclamation plan have been met.

THEREFORE, THE HEARING OFFICER:

- 1. Certifies that the Addendum to the Mitigated Negative Declaration for the Project previously adopted for the project in 2002 is the appropriate environmental document for the project under CEQA and the County environmental guidelines and that the MMP is adequately designed to ensure compliance with the mitigation measures during the remainder of the grant term of the Project and Adopts the Addendum; and
- 2. Approves **SURFACE MINING PERMIT NO. 201300002**, subject to the attached conditions.

ACTION DATE: February 25, 2025

SZD:RWC

2/25/25

LOS ANGELES COUNTY

DEPARTMENT OF REGIONAL PLANNING

MODIFIED CONDITIONS OF APPROVAL

PROJECT NO. 00-21-(5)

SURFACE MINING PERMIT NO. 201300002

Condition Nos. 8, 9, and 36 of Surface Mining Permit (SMP) No. 00-21 (approved by the Regional Planning Commission on June 19, 2002) are modified to read:

- 8. This grant will terminate December 31, 2029 unless earlier terminated by abandonment or a change of use or pursuant to the authority of the State of California Department of Conservation or other State agency. Final reclamation will begin upon termination of mining operations, or by December 31, 2029, whichever occurs first. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new application for approval of an SMP shall be filed with the Los Angeles County ("County") Department of Regional Planning ("LA County Planning"). Termination of this grant without renewal does not relieve the permittee of the obligation to reclaim the surface mine as provided herein and in the approved reclamation plan. The Permittee shall submit an updated Reclamation Plan, including a schedule for the beginning and completion of all reclamation activities, within 60 days of the date of approval of this grant to LA County Planning. The Reclamation Plan shall be subject to review and approval by LA County Planning and LA County Department of Public Works.**
- 9. The subject mine shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. No provision of any easement of any other encumbrance on the property shall exempt the Permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The Permittee shall deposit with the County the sum \$2,205.00, which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides**

for five (5) inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$441.00 per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

- 36. The facility is authorized to mine on a maximum of five (5) acres of open excavation at each of the two quarries at any given time, for a maximum of ten (10) acres of open excavation at any given time. Reclamation shall be Initiated on mined lands prior to uncovering new land to be mined.**

All other conditions of Surface Mining Permit No. 00-21 shall remain in force as previously approved.

SURFACE MINING PERMIT 00-21-(5)**CONDITIONS****Page 1 of 10**

1. This grant authorizes the use of the subject property for a clay mining operation subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and all required fees have been paid pursuant to Condition Nos. 9 & 50.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant will expire unless used within 60 days from the date of approval. Submittal of the affidavit accepting the conditions of the grant as required by condition no. 3, above, shall constitute usage of the grant. A 60-day extension may be requested in writing before the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. This grant will terminate twenty (20) years after its effective date unless the right to mine is earlier terminated by abandonment or a change of use or by the U.S. Forest Service or the State of California Department of Conservation or otherwise. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.

The surface mining permit conditions and reclamation plan shall be subject to review, as provided by Section 22.56.1440 of the County Code, on or before the 10-year anniversary of the grant's effective date, at which time, if the mine has not already been reclaimed, the permittee shall submit the required application and fees for the review. The permittee shall consult with the Director of Planning at least 120 days before the review date to determine requirements for filing.

At least six (6) months prior to the expiration of this permit and in the event that the Permittee intends to continue operations after such date, a new Surface Mining Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.

Termination of this grant without renewal does not relieve the permittee of the obligation to reclaim as provided herein and in the approved reclamation plan.

9. The subject mine shall be maintained and operated in full compliance with the conditions of this grant and any law statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

The permittee shall deposit with the County of Los Angeles the sum of \$1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 biennial inspections.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

Additionally, pursuant to Los Angeles County Code Section 22.56.1460, the permittee shall pay to the County of Los Angeles Department of Public Works such sums as are necessary to compensate said department for all expenses incurred while reviewing and inspecting the premises to determine the permittee's compliance with the Surface Mining and Reclamation Act and Part 9 of Chapter 22.56 of the County Code.

If any inspection discloses that the subject property is being used in violation of any one of the provisions of the Surface Mining and Reclamation Act, the permittee shall be financially responsible and shall reimburse the Department of Public Works and the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

If the subject property is being used in violation of any of the conditions of this grant or any provisions of the Surface Mining and Reclamation Act, the County may institute enforcement proceedings and seek administrative penalties pursuant to Public Resources Code Section 2774.1.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health of safety or so as to be a nuisance.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings and signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
13. All mining and reclamation shall comply with the provisions of the approved final reclamation plan. Any revisions to the plan shall be submitted to the director for a finding of conformance.
14. The permittee shall comply with all of the mitigation measures included in the attached Mitigation Monitoring Program and Project Changes/Conditions due to Environmental Evaluation.
15. No excavation shall be permitted that creates a temporary slope steeper than one-foot horizontal to one-foot vertical. The Director of Public Works may require that excavations be made with a cut face more flat in slope than the above slope

requirements if it is deemed necessary for slope stability and public safety at any time.

16. Temporary slopes shall not be created that will interfere with the construction of finished slopes conforming to the requirements of the reclamation plan.
17. Slopes affecting off-site property shall meet the requirements of Chapter 70 of Title 26 of the County Code.
18. The permittee shall implement measures as approved by the Director of Public Works to prevent erosion of adjacent lands by waters discharged from the site of mining operations and the off-site discharge of sediment.
19. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.
20. The removal of vegetation and overburden in advance of surface mining shall be kept to a minimum.
21. The permittee shall comply with all applicable requirements of the Regional Water Quality Control Board and the Air Quality Management District.
22. The permittee shall implement all reasonable and practicable measures to protect the habitats of fish and wildlife during surface mining operations.
23. Surface mining operations and related structures shall not be located within 50 feet of any public street or highway or any lot or parcel of land in other than the permittee's ownership unless the written consent of the owner of such property is first secured and recorded in the Los Angeles County Recorder's Office, and except where the contiguous property is currently or intermittently being mined in the same manner.
24. No surface mining operation or structure shall be located within 50 feet of any stream bed, flood control channel, reservoir, water conservation facility, area within an adopted Flood Protection District or area designated as an Area of Special Flood Hazard, without first obtaining the approval of the chief engineer of the Los Angeles County Flood Control District or the county engineer, whichever agency has jurisdiction. Where approval is requested, a comprehensive flood-hazard analysis evaluating the effect surface-mining operations will have on drainage and erosion on adjacent property shall also be submitted.
25. The permittee shall defend, indemnify and hold harmless the County and each of its officers, employees, agents, subsidiaries, and divisions from any and all claims, demands, liabilities, suits, causes of actions, judgments, costs and expenses, including attorneys' fees, arising, or allegedly arising from personal injury, including death, property damage, including loss of use thereof, economic

loss, or otherwise, due in any manner to the negligence or intentional act of the permittee or any of its agents, employees, or subcontractors as a result of the establishment or operation of the land use authorized by this permit, whether any actions of the county contributed thereto. This indemnification provision is in addition and cumulative to any other right of indemnification or contribution which the county may have. Before commencing surface mining operations, the permittee shall secure insurance to the extent of \$100,000 against liability in tort arising from the production, activities or operations incidental thereto conducted or carried on the subject property, and such insurance shall be kept in full force and effect during the period of such operations. The County of Los Angeles shall be named as an additional insured on such policy. Proof of compliance shall be tendered to the Director of Planning.

26. All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors and bright lights do not exceed levels compatible with uses of adjacent lands.
27. All private roads shall be wetted while being used, or shall be oiled or hard-surfaced and maintained in order to prevent the emanation of dust. All private access roads leading off any public street or highway shall be paved with asphalt or concrete surfacing not less than three inches in thickness for the first 50 feet of said access road. Forest Service roads are not private roads and are not subject to this requirement; however, dust suppression measures shall be undertaken on all unpaved roads providing access to the site pursuant to the approved Reclamation Plan.
28. The outer boundaries of all property used or intended to be used for surface mining operations shall be posted within 90 days following the effective date of such mining permit, and permanently thereafter, with signs displaying the message "SURFACE MINING" in letters not less than four inches in height, and in letters not less than one inch in height, the message "This property may be used at any time for the extracting and processing of rock, sand, gravel, decomposed granite, clay and similar materials, by Ordinance No. 1494, County of Los Angeles." Signage shall conform to current U.S. Forest Service design standards and shall be required to conform to any design changes that the Forest Service may impose. Such signs shall be posted not more than 500 feet apart, and at all entry gates to the active mine areas, and displayed in such a manner as to give reasonable notice to passersby of the message contained thereon. Signs shall be promptly replaced as needed. The permittee shall cause such signs to be moved as mining activities progress northward and removed upon completion of all on-site mining and reclamation activities.
29. All operations, including excavation and mining, shall be restricted to the hours between 6:00 a.m. and 10:00 p.m., except in cases of public emergency, or whenever any reasonable or necessary repairs to equipment are required to be

made. Any such occurrences shall be documented and shall be made available upon request of the County.

30. Unless otherwise specified in the reclamation plan, all topsoil removed in surface mining operations shall be stored at the site of mining operations and shall be used in future reclamation of the site.
31. Benches shall be provided wherever necessary to control drainage on slopes, or to provide for access, or for public safety as determined by the hearing officer on the recommendation of the Director of Public Works.
32. Prior to the commencement of any surface mining operation, the area to be used for such operations shall be enclosed with a fence as required by Chapter 11.48 of the County Code. Such fencing may be limited to the area currently being used for such operations; provided, however, that the operation shall be continuously enclosed as excavation progresses.
33. The permittee shall post a sign at the facility entrance at a location visible to the public which provides the agency names and telephone numbers for their enforcement agents of the Regional Water Quality Control Board, the Air Quality Management District, and the County Department of Public Works.
34. The permittee shall be responsible for assuring that exiting trucks are legally covered and/or loaded. Allowing illegally loaded or covered vehicles to exit shall be a violation of these conditions.
35. Unless otherwise specified in the approved reclamation plan, the permittee shall complete reclamation of land affected by surface mining operations within one year of completion of mining operations on such lands.
36. The facility is authorized to mine on a maximum of five (5) exposed acres at any given time. Reclamation shall be initiated on mined lands prior to uncovering new land to be mined.
37. All blasting events must be permitted by all required agencies including, but not limited to, the U.S. Forest Service and the County of Los Angeles. Blasting operations are prohibited between the hours of 7:00 P.M. and 7:00 A.M. in conformance with the provisions of the County Noise Ordinance.
38. If night lighting is used, the permittee shall ensure that all lighting is directed downward and not visible from the town of Acton.
39. Operations shall be conducted in such a manner as to prevent or minimize flooding and/or alteration of the natural drainage system.

40. Storage of explosives for use in surface mining operations shall be subject to Chapter 22.56, Part 5 of the Los Angeles County Code.
41. The permittee shall submit annually to the Director of Public Works copies of all reports required pursuant to Section 2207 of the Public Resources Code.
42. No new principal use shall be established on any property subject to the approved reclamation plan unless all reclamation required therein has been completed.
43. The submitted reclamation plan is approved, subject to the following modifications and conditions:
 - a. The permittee shall make the site available for inspection by the Department of Public Works upon request by an authorized representative of said department. The permittee shall, upon request by the county, make the site available for inspection by the Department of Public Works, the Department of Regional Planning, and the County Compliance Monitor.
 - b. The permittee shall provide financial assurances for the completion of reclamation as required by Section 2770 and 2773.1 of the California Public Resources Code and Title 22 of the Los Angeles County Code and shall provide to the Department of Public Works such information as the department deems necessary to set the amount of the assurances.
 - c. Should the mine become "idle" as defined in Section 2727.1 of the California Public Resources Code, the permittee shall comply with all requirements for submission of an interim management plan as set forth in Section 2770 of said code and Title 22 of the Los Angeles County Code.
 - d. The permittee shall, within one year of any of the following events, remove all machinery and other facilities not permitted by applicable zoning regulations and reclaim all mined areas not already reclaimed:
 1. Upon abandonment of the mine without intent to reopen;
 2. Upon revocation or expiration of the permittee's right to mine, pursuant to condition No. 7 and/or the provisions of Title 22 of the county code.
 3. If the mine becomes "idle," as defined in Section 2727.1 of the Public Resources Code, and the permittee is required to reclaim because the mine is considered abandoned pursuant to the provisions of Section 2770 of said code.

The permittee shall notify in writing the Director of Planning of any of the above occurrences within 30 days of any such occurrence.

- e. The permittee and the owner of the subject property (if the operator is not the owner) shall file a covenant with the County Recorder containing the following statement within 30 days following the effective date of this grant:

"The property is subject to Reclamation Plan No. 00-21-(5), requiring, together with other conditions, the completion of a reclamation program before use of the property for a purpose other than surface mining, except as specifically otherwise provided in said plan. Agents of the County of Los Angeles and the State of California may enter upon such land to enforce the reclamation plan and to effect reclamation, subject to compliance with applicable provisions of law."

- f. Permanent side slopes shall be backfilled under the supervision of an appropriately licensed professional in accordance with the standards of Chapter 70 of Title 26 of the county code.
 - g. Only marketable products shall be exported from the site. Other excavated material shall be retained on site and used, as available, to backfill the mine cut areas.
- 44. Reclamation activities shall be carried out as indicated in the approved Reclamation Plan and shall be subject to all of the requirements of Section 22.56.1420 of the County Code unless otherwise specified in the approved Reclamation Plan.
 - 45. The subject property shall be developed and maintained in substantial conformance with the plans on file marked Exhibit "A" and in conformance with the approved reclamation plan. In the event that subsequent revised plans are submitted they must be accompanied by the written authorization of the mineral estate owner.

Amendments to an approved reclamation plan, including attendant time schedules, may be submitted to the hearing officer at any time, detailing proposed changes from the original plan. Amendments to an approved reclamation plan shall be approved in the manner prescribed for approval of a reclamation plan.

- 46. The permittee shall provide three (3) copies of a sign plan to be submitted to and approved by the Director of Planning. The sign plan shall show the size, type and location of all signs on the subject property including signs required by these conditions.

47. The permittee shall provide three (3) copies of a landscape plan to be submitted to and approved by the Director of Planning. The landscape plan should show the type and location of all plants, trees and/or watering facilities proposed to be utilized in final revegetation of the site.
48. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services.
49. Consistent with all other conditions of this permit, provisions shall be made for all natural drainage to the satisfaction of the Department of Public Works.
50. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is \$1,275.00.
51. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
52. The permittee shall contact the Director of Public works to determine whether an Industrial Waste Disposal Permit is required. No activity for which a permit is required shall be initiated on the subject property before a permit is obtained and any required facilities are installed. The permittee shall keep any required permits in full force and effect and shall fully comply with any requirements thereof.
53. All mining, screening and product transportation shall not be commenced during any second stage smog alert.
54. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
55. The applicant shall be responsible for ensuring that all new documents prepared for and resulting from the review and approval of this grant are inserted into the Reclamation Plan, that the final Reclamation Plan is signed by the Director of Planning or an authorized representative of the Department of Regional Planning and that copies of the approved Reclamation Plan are distributed to the U.S. Forest Service district ranger's office and the state Office of Mine Reclamation with three (3) copies to the Department of Regional Planning. The following documents are to be included in the final Reclamation Plan: Erosion Control and Revegetation Measures, Department of Conservation letters dated June 4, 2001

and August 22, 2001, Newton & Associates letters dated July 20, 2001 and October 13, 2002, Rancho Santa Ana Botanic Garden at Claremont recommendations, California Regional Water Quality Control Board Report of Waste Discharge, USFS Air Quality report, Biological Assessment dated September 20, 2001 (replaces USFS Environmental Assessment Report dated August 16, 1979), Heritage Resource Assessment dated December 1996 (replaces Cultural Resource Inventory dated October 19, 1982), DPW-approved reclamation plan map, DPW-approved hydrology study, DRP-approved landscape plans, DRP-approved sign plans and the final findings and conditions of this grant, The Reclamation Plan shall be submitted to the above-mentioned agencies within 60 days of final permit approval. In addition, future reports and permits related to the Mitigation Monitoring Program shall be distributed to all agencies holding a Reclamation Plan for the project.

Attachments:

Mitigation Monitoring Program

Project Changes/Conditions due to Environmental Evaluation

JF:FM:kj
6/19/02

**PROJECT CHANGES/CONDITIONS
DUE TO ENVIRONMENTAL EVALUATION**

PROJECT No. SMP 00-21

The Department of Regional Planning (DRP) staff has determined that the following conditions or changes in the project are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment.

The applicant shall deposit the sum of \$3,000 with the DRP within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports by a Mitigation Monitoring Program (MMP).

Air Quality

Fugitive Dust

Standard measures as required by South Coast Air Quality Management District Rules 402 and 403 shall be implemented to control fugitive dust emission during site operation. Therefore, the applicant shall prepare a fugitive dust plan for both on-site operation and off-site truck travel to be reviewed and approved by the SCAQMD on an annual basis. A copy of the report shall be forwarded to the DRP for file.

Exhaust Emissions

1. The equipment/vehicle utilized in the project operation shall conform to the manufacturer's specifications and SCAQMD requirements and be maintained to provide an efficient operation and a minimum of air contaminants.
 2. Trucking shall be performed on a 12-hour-per-day basis. This will reduce emissions by allowing trucks to operate during non-peak hours, increasing truck speeds, and eliminating prolonged idling in traffic, thereby decreasing truck emission.
 3. When operating onsite, trucks shall not be left idling for prolonged periods.
 4. Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
 5. Use catalytic converters on gasoline-powered equipment.
 6. Where applicable, high-pressure fuel injector nozzles shall be used.
 7. Diesel engine timing will be retarded by 4 degrees.
- 

8. Use reformulated, low-emission diesel fuel.

Biota

The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Beavertail Cactus (*Opuntia basilaris* var. *brachyclada*) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Beavertail Cactus shall be replanted to an open space area of similar habitat not intended to be mined. An annual report of compliance shall be submitted to the DRP for review/file.

The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Coast Horned Lizard (*Phrynosoma coronatum*) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Lizard shall be captured and released to a similar habitat within the Forest Service land but at least ¼ mile from the active mining area. An annual report of compliance shall be submitted to the DRP for review/file.

Potential impacts on the Santa Clara River biological resources such as unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*) from uncontrolled surface runoff from the site will be mitigated through implementation of the Project SWPPP and SPCCP.

Site revegetation shall be consistent with the parameters of the Reclamation Plan.

Water Quality

The applicant shall implement provisions of the Storm Water Pollution Prevention Program (SWPPP) including the National Pollutant Discharge Elimination System (NPDES) to the satisfaction of the California Regional Water Quality Control Board (CRWQCB) and the Los Angeles County Department of Public Works (DPW).

The applicant shall implement provisions of the Spill Prevention Control and Countermeasure Plan (SPCCP) to the satisfaction of the DPW.

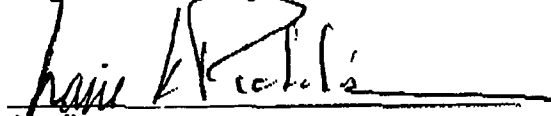
The use of chloride-based dust palliative on-site shall be prohibited as long as the Santa Clara River is listed as impaired for chlorides on the California 303(d) List, unless specifically agreed to by the Los Angeles Sanitation Districts and the CRWQCB.

LR

Archaeology/Cultural Resource

A qualified archaeologist shall be retained to monitor site activities prior to moving mining operation to a previously undisturbed area. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. The applicant shall inform the DRP, in writing, the name, qualification, and contact information of the archaeologist within 30 days of project approval. The qualified archaeologist must obtain a permit from the USFS prior to conducting any survey.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as changed/conditioned.


Applicant

09/04/02
Date

9 No response with 10 days. Environmental Determination requires that these changes/conditions be included in the project.

Staff

Date



**MITIGATION MONITORING PROGRAM
SURFACE MINING PERMIT NO. 00-21**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Air Quality				
Standard measures as required by South Coast Air Quality Management District (SCAQMD) Rules 402 and 403 shall be implemented to control fugitive dust emission during site operation.	Submittal and approval of an annual fugitive dust plan for both on-site operation and off-site truck. A copy of the said report shall be forwarded to the DRP for file.	Within 30 days of project approval by the DRP. Review of annual report	Applicant	SCAQMD Regional Planning
The equipment/vehicle utilized in the project operation shall conform to the manufacturer's specifications and SCAQMD requirements and be maintained to provide an efficient operation and a minimum of air contaminants.	Routine maintenance of equipment and vehicles according to the manufacturer's specifications and SCAQMD requirements	According to schedule recommended by the manufacturer or required by the SCAQMD	Applicant	SCAQMD Regional Planning
Trucking shall be performed on a 12-hour-per-day basis. This will reduce emissions by allowing trucks to operate during non-peak hours, increasing truck speeds, and eliminating prolonged idling in traffic, thereby decreasing truck emission	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
When operating onsite, trucks shall not be left idling for prolonged periods	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Use catalytic converters on gasoline-powered equipment.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Where applicable, high-pressure fuel injector nozzles shall be used.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Diesel engine timing will be retarded by 4 degrees.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Use reformulated, low-emission	Applicant shall maintain a log	Routine inspection	Applicant	SCAQMD

**MITIGATION MONITORING PROGRAM
SURFACE MINING PERMIT NO. 00-21**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
diesel fuel.	demonstrating compliance			Regional Planning
Biota The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Beavertail Cactus (<i>Opuntia basilaris</i> var. <i>brachyclada</i>) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Beavertail Cactus shall be replanted to an open space area of similar habitat not intended to be mined.	Submittal and approval of annual report	Prior to moving mining operation to a currently undisturbed or previously reclaimed area.	Applicant	Regional Planning US Forest Services
The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Coast Horned Lizard (<i>Phrynosoma coronatum</i>) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Lizard shall be captured and released to a similar habitat within the Forest Service land but at least 1/4 mile from the active mining area	Submittal and approval of annual report	Prior to moving mining operation to a currently undisturbed or previously reclaimed area.	Applicant	Regional Planning US Forest Services
Site revegetation shall be consistent with the parameters of the Reclamation Plan	Site revegetation	DRP routine inspection	Applicant	Regional Planning
Water Quality The applicant shall implement provisions of the Storm Water Pollution Prevention Program (SWPPP) including the National Pollutant Discharge Elimination System (NPDES)	Submittal and approval of project SWPPP	Within 30 days of permit approval Annual inspection after project approval	Applicant	Public Works Regional Water Quality Control Board

MITIGATION MONITORING PROGRAM
SURFACE MINING PERMIT NO. 00-21

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
The applicant shall implement provisions of the Spill Prevention Control and Countermeasure Plan (SPCCP)	Submittal and approval of project SPCCP	Within 30 days of permit approval	Applicant	Public Works
The use of chloride-based dust palliative on-site shall be prohibited as long as the Santa Clara River is listed as impaired for chlorides on the California 303(d) List, unless specifically agreed to by the Los Angeles Sanitation Districts and the CRWQCB	Submittal and approval of the fugitive dust plan	Prior to use of dust suppressants containing chloride	Applicant	Sanitation Districts Regional Water Quality Control Board
Cultural Resources A qualified archaeologist shall be retained to monitor site activities prior to moving mining operation to a previously undisturbed area. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. The applicant shall inform the DRP, in writing, the name, qualification, and contact information of the archaeologist within 30 days of project approval. The qualified archaeologist must obtain a permit from the USFS prior to conducting any survey.	Remit information of the retained archaeologist to DRP Submittal and approval of Archaeology Monitoring Report Obtain a permit from USFS	Within 30 days of project approval Within 30 days from the completion of the ground-disturbing activities to submit the report.	Applicant	Regional Planning US Forest Services

SURFACE MINING PERMIT – BURDEN OF PROOF

In addition to the information required in the application by Section 22.56.1270, the applicant of a surface mining permit shall substantiate to the satisfaction of the Commission the following tracts:

- A. That the requested surface mining operation conducted at the location proposed will not adversely affect the health, safety or welfare of persons residing in the surrounding area or otherwise endanger or constitute a menace to the public health, safety or general welfare; and

Can substantiate per USFS approved Plan of Operations,
NEPA Environmental Assessment dated August, 2008 (enclosed),
and Finding of no Significant Impact Decision Notice dated
12/1/2008 (enclosed).

- B. That adverse ecological effects resulting from surface mining operations will be prevented or minimized; and

Can substantiate, per USFS mitigation requirements contained
in approved Plan of Operations dated 1/1/2009 (enclosed).

- C. That the proposed site is adequately served by streets or highways of sufficient width and improved as necessary to facilitate the kind and quantity of traffic surface-mining operations will or could generate; and

Can substantiate, per USFS approved Plan of Operations
dated 1/1/2009.

- D. That the proposed site for surface mining operations is consistent with the General Plan for Los Angeles County.

Can substantiate, per General Plan policy, specifically:
land use - conservation/open space-special management areas
and general development policies.

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: February 13, 2025
PROJECT NUMBER: 00-21-(5)
PERMIT NUMBER(S): SMP No. 201300002
SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: BP&L Road (Forest Service Rd. 4N32), Acton
OWNER: United States Government
APPLICANT: North Star Minerals, Inc.
CASE PLANNER: Richard Claghorn, Principal Regional Planner
 rclaghorn@planning.lacounty.gov

Los Angeles County ("County") Staff determined that an addendum to the Mitigated Negative Declaration ("MND") previously adopted for the project in 2002 is the appropriate environmental document for the project under the California Environmental Quality Act ("CEQA") and the County environmental guidelines. On June 19, 2002, the Commission approved SMP No. 00-21 for the surface mining operations on the Project Site and adopted a MND and Mitigation Monitoring Program ("MMP") to mitigate project impacts to a less than significant level. The MMP included mitigation measures for the following topics: air quality, biota, water quality, and archaeology/cultural resources. As part of an updated Plan of Operations ("POO") on December 24, 2008 the United States Forest Service ("USFS") analyzed the impacts of the Project in an Environmental Assessment in accordance with the National Environmental Policy Act ("NEPA") and issued a Finding of No Significant Impact ("FONSI") on December 1, 2008 after determining the project would not result in significant impacts pursuant to NEPA. In a letter dated February 6, 2014, the USFS approved an amendment to the POO that was for a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land and determined that this change would not significantly affect the environment.

The Project requests the following changes: 1) Extend the SMP expiration date to December 31, 2029, consistent with the USFS POO for the project; 2) Allow for a maximum of five acres of open excavation in each of the two quarries (10 acres total), consistent with the POO; and 3) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land. These changes will bring the SMP into conformance with the POO.

The County concurs with the environmental determination by USFS and has determined that all Project impacts have been addressed by the adopted MND and MMP and the FONSI and related mitigation measures subsequently approved by USFS in the 2008 POO. Therefore, the County has prepared an addendum to the adopted MND pursuant to the CEQA Guidelines Section 15164. The minor modifications to the previously approved conditions will not result in a substantial alteration or material deviation from the terms and conditions of the previously approved permit. It was determined that the requested changes to the conditions are consistent with, and would not affect, the existing conclusions and/or mitigation measures outlined in the MND. The requested modifications to the Project would not create a substantial alteration or material deviation from the previously approved conditions and/or mitigation measures. There are no significant changes to the Project that would conflict with Section 15162 of the CEQA Guidelines ("Subsequent EIRs and Negative Declarations"). The Project does not result in any significant effects not discussed in the previous MND. No significant effects previously examined will be substantially more severe than shown in the previous MND. No changes to the adopted mitigation measures are necessary to substantially reduce any significant effects due to a change in feasibility of any mitigation measure previously found not to be feasible.

Therefore, an addendum to the adopted MND is the appropriate environmental documentation for this SMP. Accordingly, the adopted MMP will remain in effect for the duration of the Project's grant term. The mitigation measures contained therein shall also remain in effect for the duration of the Project's grant term.

EXHIBIT F-1-ADDENDUM TO MITIGATED NEGATIVE DECLARATION

ADDENDUM TO MITIGATED NEGATIVE DECLARATION

PROJECT NO. 00-21-(5), SURFACE MINING PERMIT NO. 201300002

Surface Mining Permit (SMP) No. 00-21 was approved by the Los Angeles County Regional Planning Commission (“Commission”) and a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring Program (“MMP”) were adopted on June 19, 2002. The SMP was to authorize the continued operation of an existing clay mine consisting of two quarries (“Project”) and established a 20-year grant term, ending June 19, 2022. The permittee is now requesting an amendment to the Reclamation Plan for SMP 00-21, including the following changes: 1.) Extend the SMP expiration date to December 31, 2029, consistent with the United States Forest Service (“USFS”) Plan of Operations (“POO”) for the project; 2.) Allow for a maximum of five acres of open excavation in each of the two quarries (10 acres total), consistent with the POO; and 3.) Allow a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land.

As part of an updated POO on December 24, 2008, the USFS analyzed the impacts of the POO in an Environmental Assessment in accordance with the National Environmental Policy Act (“NEPA”) and issued a Finding of No Significant Impact (“FONSI”) on December 1, 2008 after determining the project would not result in significant impacts pursuant to NEPA. The current SMP No. 201300002 application was filed on November 7, 2013 as a Periodic Review that was required 10 years after the original SMP approval, and to bring the County Reclamation Plan into consistency with the USFS POO approved in 2008, which included an extension of the SMP to December 31, 2029 and to allow five acres for each of the two quarries to be open for excavation at any time (10 acres total). In a letter dated February 6, 2014, the USFS approved an amendment to the POO that was for a land swap of three acres of undisturbed land at the Gray Quarry for an adjacent three acres of undisturbed land and determined that this change would not significantly affect the environment. Because the original SMP expiration date of June 19, 2022 has since passed, the current request is not a Periodic Review as filed in 2013, but is just an Amendment to the Reclamation Plan to bring the SMP into compliance with the POO, including extension of the expiration date to December 31, 2029.

Conditions No. 8, 9, and 36 of SMP No. 00-21 will be amended to bring the Conditions of Approval into consistency with the approved POO, including the amendment to the POO approved in 2014, and to update the fees and other requirements for site inspections to ensure compliance with the SMP Conditions of Approval. An updated reclamation plan will also be required. No other changes to the existing Conditions of Approval, the MMP or the Project as a whole are requested at this time. The minor modifications to the previously approved conditions will not result in a substantial alteration or material deviation from the terms and conditions of the previously approved permit. It was determined that the requested changes to the conditions are consistent with, and would not affect, the existing conclusions and/or mitigation measures outlined in the MND.

Staff believes that the requested modifications to the Project would not create a substantial alteration or material deviation from the previously approved conditions and/or mitigation measures.

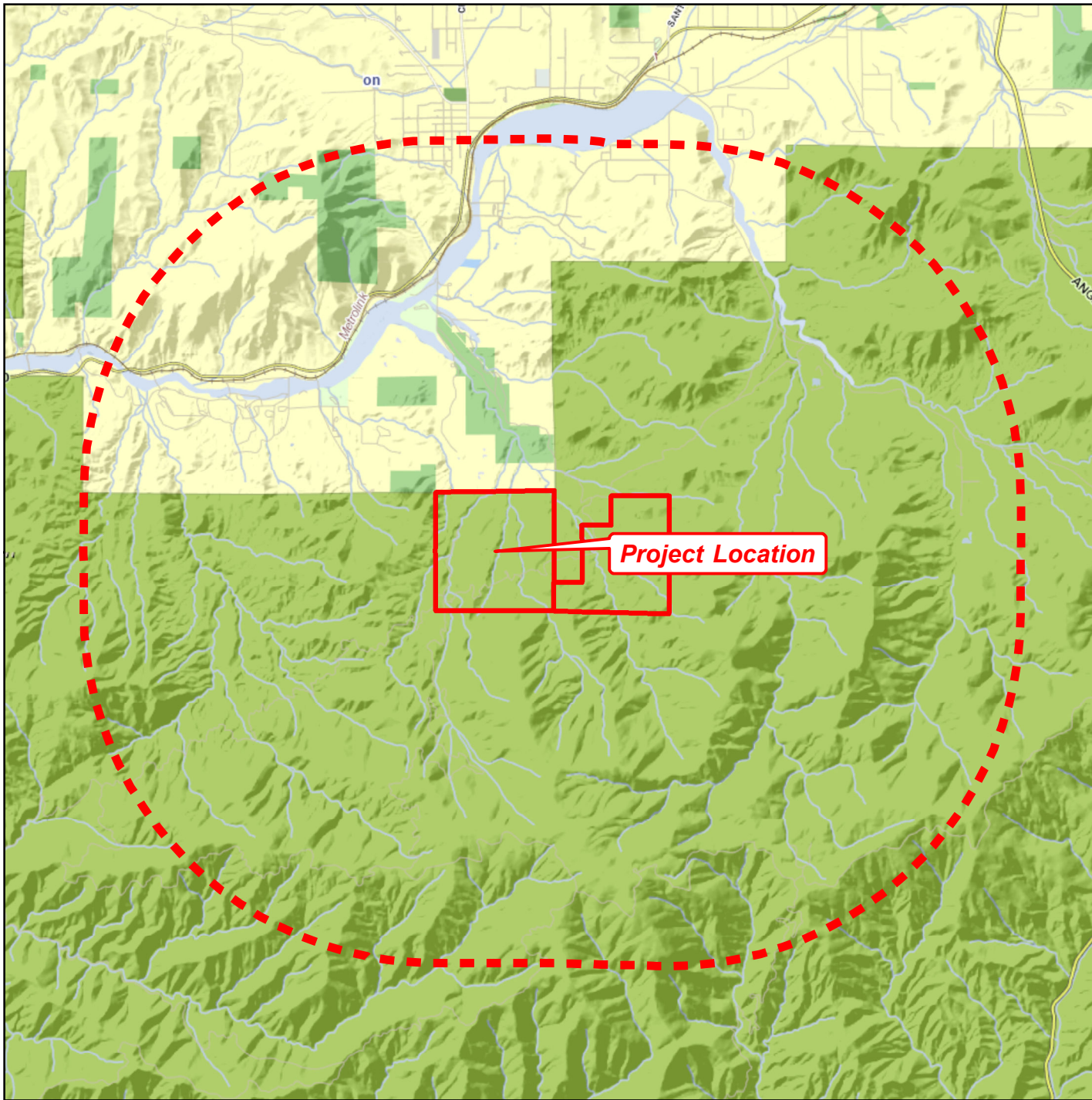
EXHIBIT F-1-ADDENDUM TO MITIGATED NEGATIVE DECLARATION

Section 15164 (“Addendum to an EIR or Negative Declaration”) of the California Environmental Quality Act (“CEQA”) Guidelines authorizes Lead Agencies to prepare an Addendum to a previously adopted MND if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 of the CEQA Guidelines (“Subsequent EIRs and Negative Declarations”) calling for the preparation of a subsequent EIR or negative declaration have occurred. Staff has determined that none of the conditions described in Section 15162 apply due to this revision to conditions No.8, 9, and 36. The Project does not result in any significant effects not discussed in the previous MND. No significant effects previously examined will be substantially more severe than shown in the previous MND. No changes to the adopted mitigation measures are necessary to substantially reduce any significant effects due to a change in feasibility of any mitigation measure previously found not to be feasible.

Staff concurs with the analysis of the USFS for the NEPA document completed for the POO approved in 2008 and the amended USFS approval in 2014, extending the permit expiration date to December 31, 2029, allowing up to 10 acres of open excavation, and the land swap of three acres for Gray Quarry. These changes, and the update to the inspection fees and other inspection requirements, and the updated reclamation plan, would not result in significant impacts to the environment. No new environmental effects have been identified and no new information pertaining to the subject property or the environmental impacts of the Project have been discovered during the preparation of this Addendum. As such, the requested changes to Conditions No. 8, 9, and 36 of the SMP are consistent with, and would not affect, the existing conclusions and/or mitigation measures outlined in the MND.

Therefore, the previously adopted MND, adopted by the Commission on June 19, 2002, provides adequate environmental analysis for the project as currently amended. This addendum to the MND and the mitigation measures found in the MMP will remain in effect for the remainder of the grant term of the Project.



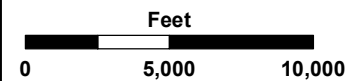


3-MILE RADIUS

LOCATOR MAP

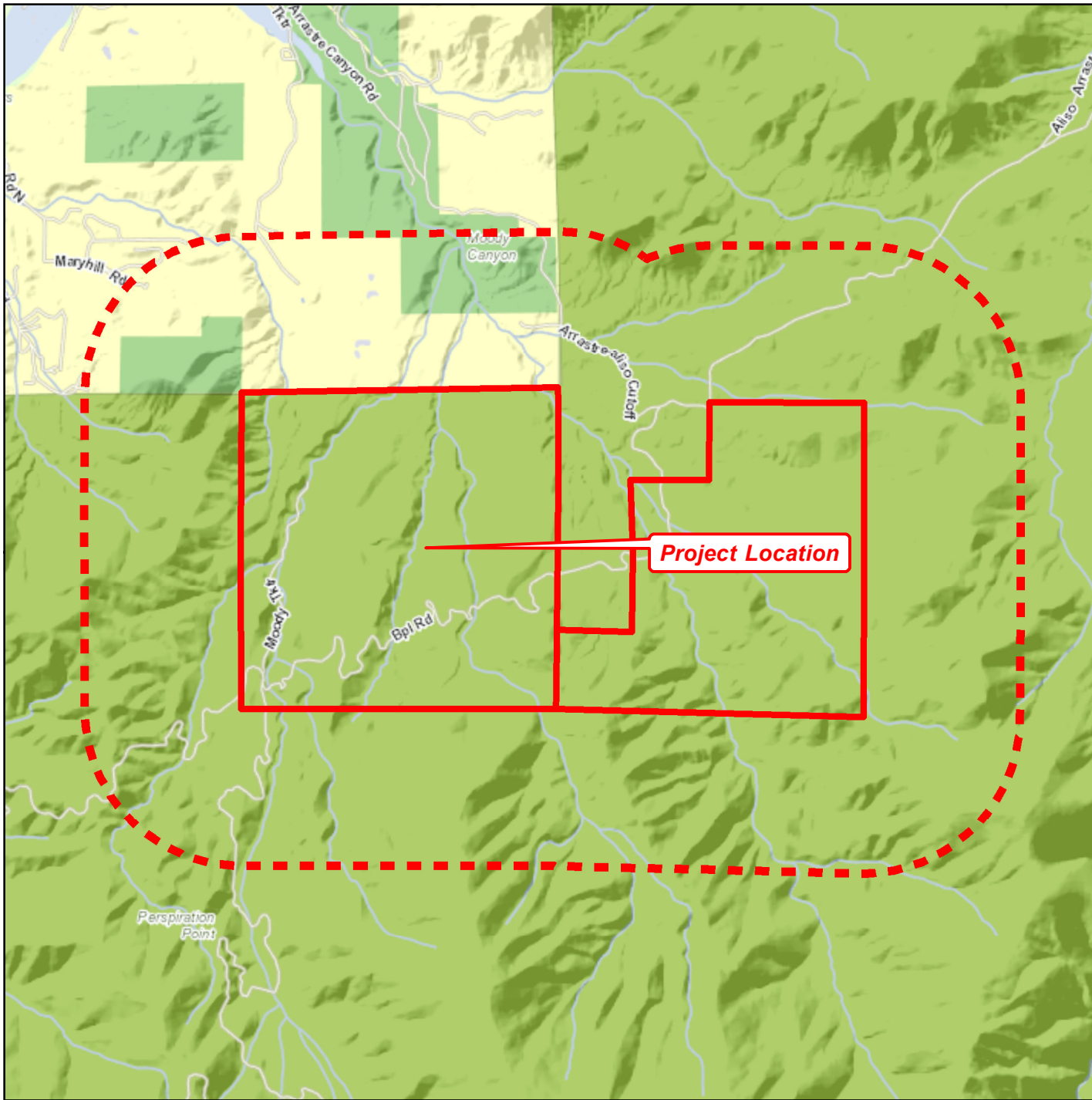
PROJECT NO. 00-21

SMP RSM-201300002



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

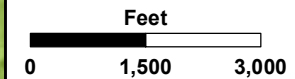


HALF-MILE RADIUS

LOCATOR MAP

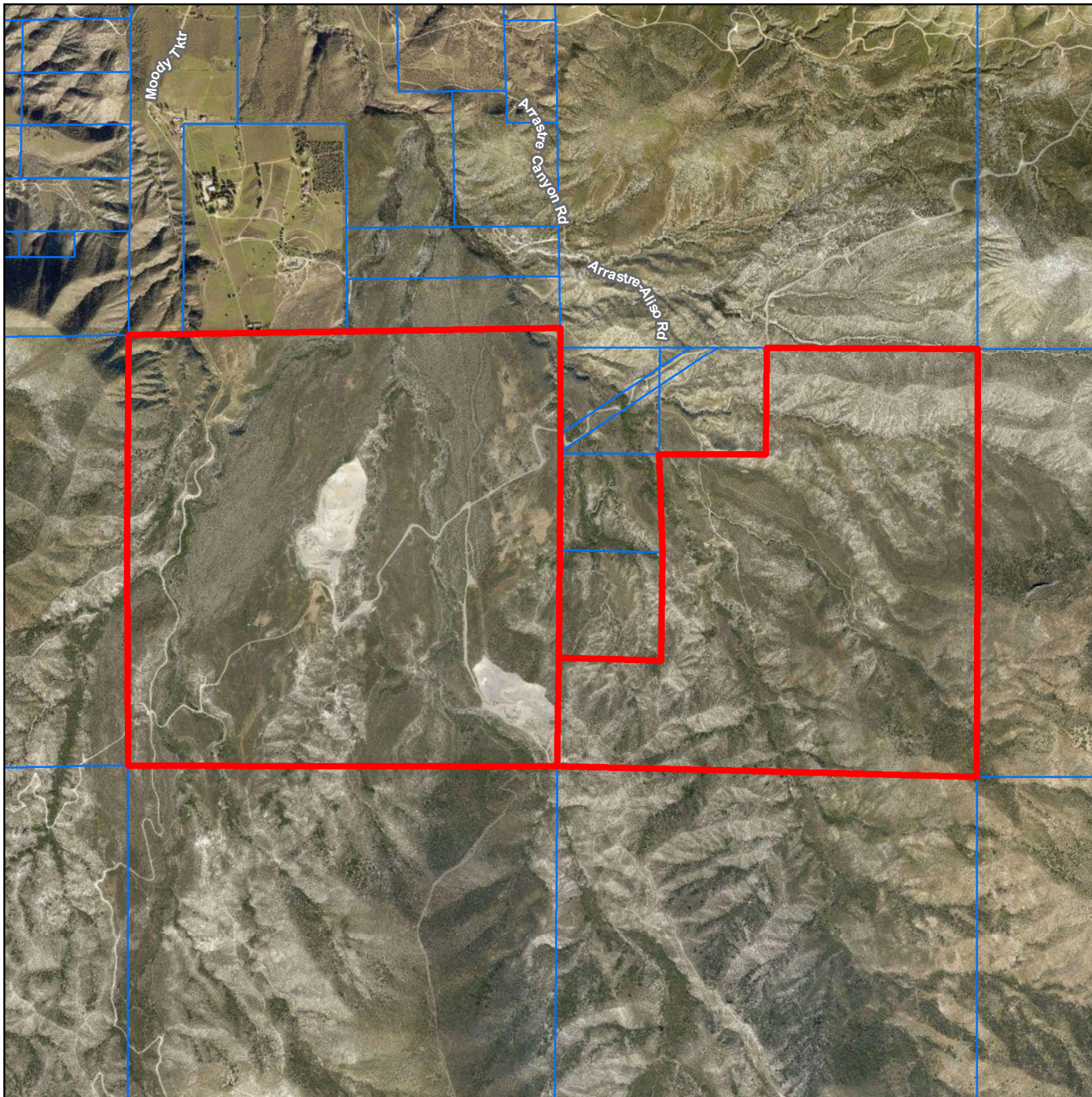
PROJECT NO. 00-21

SMP RSM-201300002



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



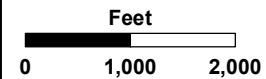
AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. 00-21

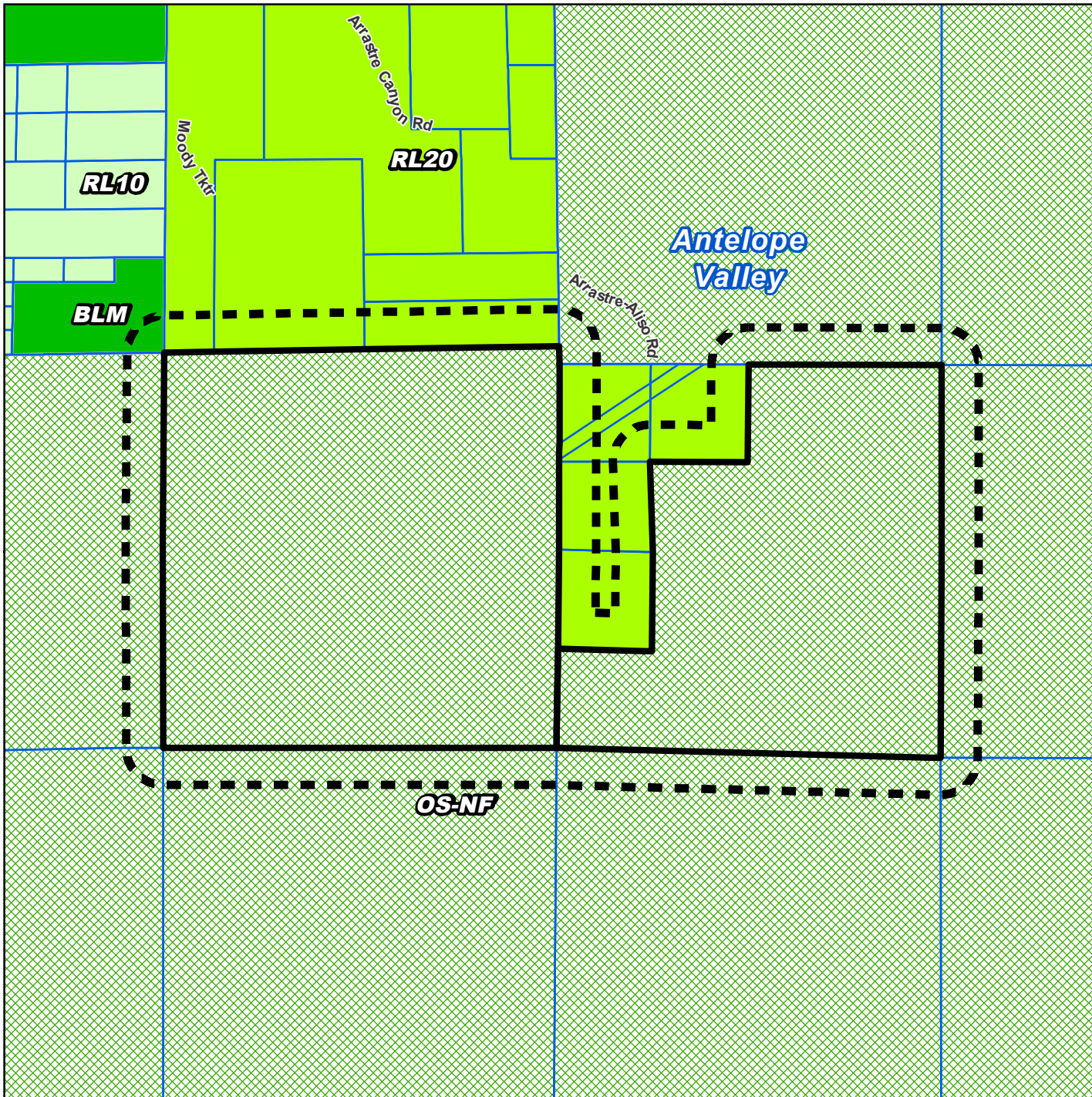
SMP RSM-201300002

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



LAND USE POLICY

500-FOOT RADIUS MAP

PROJECT NO. 00-21

SMP RSM-201300002

-  RL10 - Rural Land 10 (1 du / 10 gross ac)
-  RL20 - Rural Land 20 (1 du / 20 gross ac)
-  OS-NF - Open Space National Forest
-  OS-BLM - Bureau of Land Management

Feet
0 1,500 3,000



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

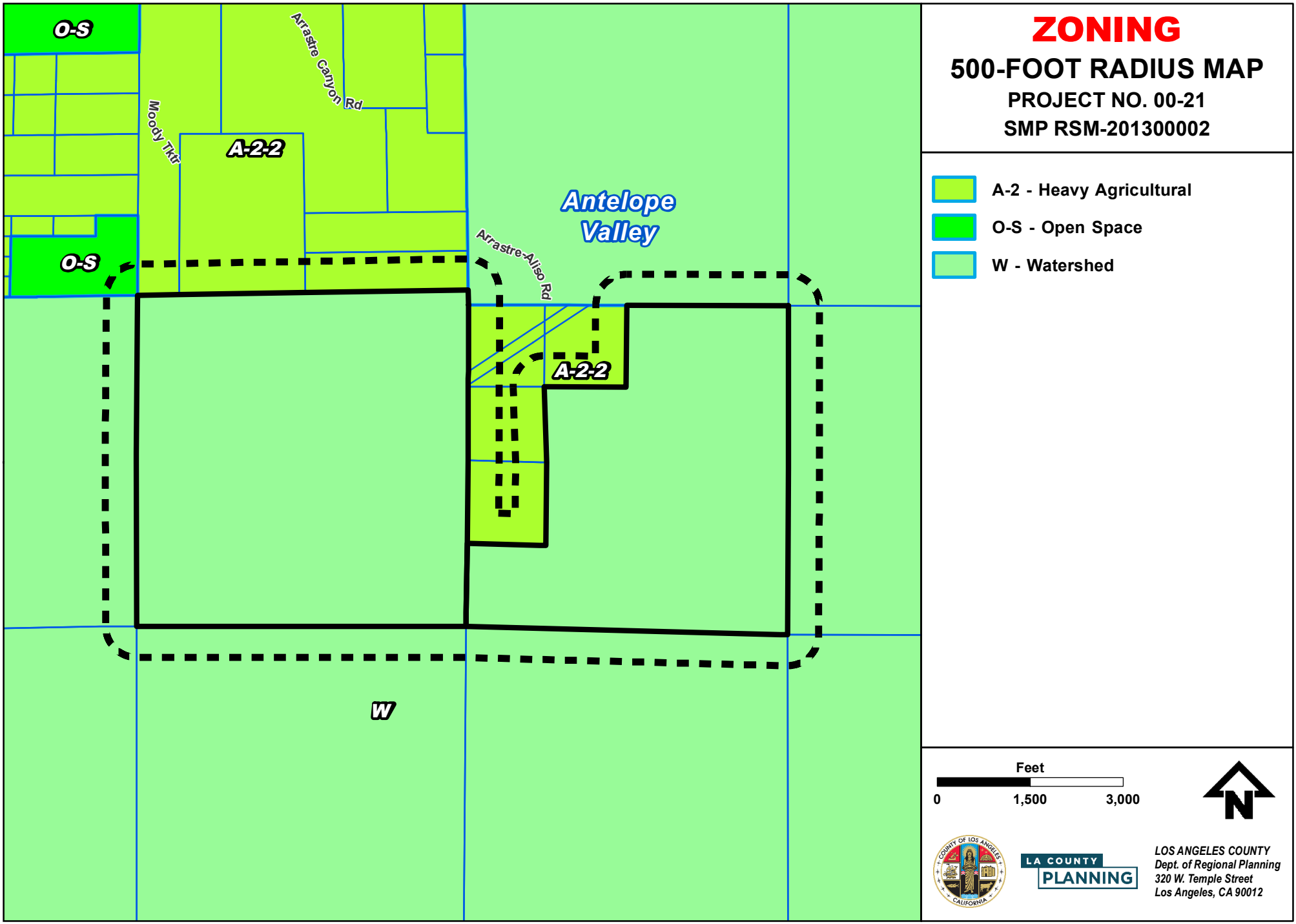




Photo #1-2021 Drone photo of Gray Quarry, looking northwest



Photo #2-2021 Drone photo of Gray Quarry, looking west



Photo #3-2021 Drone photo of Gray Quarry, looking south



Photo #4-2023 photo of Gray Quarry, looking southeast



Photo #5-2025 photo of Gray Quarry, looking northwest



Photo #6-2025 photo of Gray Quarry, looking west



Photo #7-2025 photo of Gray Quarry, looking west



Photo #8-2025 photo of Gray Quarry entrance road, looking south



Photo #9-2021 Drone photo of White Quarry, looking northwest



Photo #10-2021 Drone photo of White Quarry, looking south



Photo #11-2021 Drone photo of White Quarry, looking east



Photo #12-2021 Drone photo of White Quarry, looking north



Photo #13-2023 photo of White Quarry, looking northwest



Photo #14-2023 photo of White Quarry, looking south



Photo #15-2025 photo of White Quarry equipment, looking northwest



Photo #16-2025 photo of White Quarry, looking north



Photo #17-2025 photo of White Quarry scale house & office, looking west



Photo #18-2025 photo of White Quarry entrance, looking north



Photo #19-2025 photo of White Quarry parking area, looking northwest



Photo #20-2025 photo of White Quarry office, looking east



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE:

December 4, 2019

TO: Sam Dea
Zoning Permits North Section
Department of Regional Planning

Attention Anthony Curzi

FROM: Art Vander Vis
Land Development Division
Department of Public Works

**RSM-201300002– REVISED RECLAMATION PLAN AND SURFACE MINING PERMIT
ACTON BERTHA 3 AND 4 CLAIMS
CALIFORNIA MINE IDENTIFICATION NO. 91-19-0047
COUNTY UNINCORPORATED COMMUNITY OF ACTON**

- ☒ Public Works has no recommended conditions that need to be applied to the project if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents and therefore a Public Hearing shall **NOT** be scheduled until the following comments have been addressed:

Thank you for the opportunity to review the revised Reclamation Plan associated with the Acton Bertha 3 and 4 Claims surface mining site. The reclamation plan has been revised to reflect a land swap of three undisturbed acres within the current reclamation area with three undisturbed acres in the adjacent area. This area change removes an area from the reclamation plan that if disturbed would have been visible from the town of Acton and neighboring properties. The replacement area which is adjacent to reclamation area is not within view of the town of Acton or neighboring properties.

Other changes to the Surface Mining Permit (SMP) involve increasing the number of acres mined at one time to 10 acres and the expiration date of the SMP to December 31, 2029 to be consistent with the Plan of Operations (POO) approved by United States Forest Service.

Sam Dea
December 4, 2019
Page 2

Based on our review, we recommend approval of the revised Reclamation Plan and Surface mining permit. This recommendation is contingent upon the State Department of Conservation, Division of Mine Reclamation reviewing and concurring with the revised reclamation plan. Please forward the revised reclamation plan to the State Department of Conservation Division of Mine Reclamation for their concurrence.

If you have any questions, please contact Ed Gerlits of Public Works, Land Development Division at (626) 458-4953 or egerlits@pw.lacounty.gov.

ECG:

P:\ldpub\SUBPCHECK\Plan Checking Files\Zoning Permits\Surface Mining\RSM-201300002 - Acton Bertha 3 and 4 Claims\DPW_Cleared_2019-12-04_RSM-201300002.docx



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4293, Fax (323) 890-9783

EPIC-LA NUMBER: RSM-201300002

PROJECT NUMBER: 00-21

CITY/COMMUNITY:

STATUS: Cleared

PROJECT ADDRESS: 0 No Address Street

DATE: 10/19/2022

CONDITIONS

1. The Fire Department has no requirements since development is not proposed.

For any questions regarding the report, please contact Wally Collins at (323) 890-4243 or
Wally.Collins@fire.lacounty.gov.



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRE, M.S.P.H.
Chief Deputy Director

LIZA FRIAS, REHS
Director of Environmental Health

BRENDA J LOPEZ, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5374 • FAX (626) 813-3000

www.publichealth.lacounty.gov/eh/



BOARD OF SUPERVISORS

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Kathryn Barger
Fifth District

October 21, 2022

TO: Samuel Dea
Supervising Regional Planner
Department of Regional Planning

Attention: Richard Claghorn

FROM: Brenda J Lopez *Brenda Lopez*
Assistant Director of Environmental Health
Department of Public Health

SUBJECT: CONDITIONAL USE PERMIT (CUP) REQUEST RENEWAL
CASE: RSM-201300002
PROJECT: 00-21
APN 3209-023-302

Thank you for the opportunity to review the Conditional Use Permit renewal application and site plan for the subject project. This project proposes to authorize the continued operation of a surface mining facility that has been in existence on United States Department of Agriculture (USDA) Forest Service land for the past 28 years. No permanent structures exist onsite, and there are no utilities within near proximity. According to the San Gabriel Mountains National Monument Manager, water wells or onsite wastewater treatment system should not be developed within the Monument lands.

The applicant must ensure potable water is safe and readily accessible to employees/crews at all times. Drinking water containers shall be maintained in a manner to prevent contamination of the drinking water. Temporary waste disposal methods shall be provided to employees.

If any changes in the operations occur that involve structures requiring Building and Safety permits, an onsite potable water system and onsite septic system may be required, and a subsequent permit review done by DPH. The applicant shall abide by the requirements contained in Title 12, Section 12.08, Noise Control Ordinance for the County of Los Angeles. Adhere to applicable Air Quality Management District regulations.

- ☒ Public Health conditions for this project have been met as of the date of this letter. Public Health recommends the approval of the aforementioned project.
- ☐ Public Health does **NOT** recommend clearance of this project unit the following conditions are met:

If you have any other questions or require additional information, please contact Makkaphoeum Em of Public Health, Environmental Hygiene Program at (626) 430-5201 or mem@ph.lacounty.gov.

BL:me
DPH_CLEARED_APN 3209-023-302_RSM-201300002 _10.20.2022



Los Angeles County
Department of Regional Planning
 Director of Planning James E. Hartl, AICP



June 19, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Larie Richardson
 North Star Minerals, Inc.
 501 S. 1st Avenue, Ste. N
 Arcadia, CA 91006

RE: SURFACE MINING PERMIT CASE NO. 00-21-(5)
 A request to continue operation of an existing clay mine on two quarries at 31375 N. Aliso Canyon Road, Acton.

Dear Applicant:

PLEASE NOTE: This document contains the Regional Planning Commission's findings relating to **APPROVAL** of the above referenced case.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be post marked or delivered in person within fifteen days after this notice is received by the applicant.

If no appeal is made during this fifteen-day period, the Regional Planning Commission action is final. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

Department of Regional Planning
 James E. Hartl, AICP
 Director of Planning

Frank Meneses, Section Head
 Zoning Permits Section

FM:kj

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion).

c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement.

**SURFACE MINING PERMIT NO. 00-21-(5)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: April 10, 2002

REQUEST: The applicant is requesting a Surface Mining Permit to continue operation of an existing clay mine on two quarries at 31375 N. Aliso Canyon Road, Acton.

PROCEEDINGS BEFORE THE COMMISSION:

April 10, 2002 Public Hearing

A duly noticed public hearing was held on April 10, 2002 before the Regional Planning Commission. Commissioners Valadez, Helsley, Bellamy, Modugno and Rew were present. One person testified in support of the request: the applicant's representative, Mr. John Newton.

Mr. Newton requested that certain draft conditions be brought into consistency with U.S. Forest Service (USFS) requirements: condition #12m requiring a 100' setback from riparian areas, condition #12p requiring paving of the first 50' of private access roads, condition #12q requiring signage at 500' intervals around quarry boundaries, and condition #12u requiring fencing of quarries consistent with Section 11.48 of the County Code. Mr. Newton also asked that condition #7 requiring a 10-year review be waived and that a reimbursement agreement be drafted to allow the applicant to pay inspection and mitigation monitoring fees annually rather than in one lump sum.

In response to the applicant's requests, the Commission indicated that specific potential problem areas of the site that may pose a significant risk to public safety should be fenced rather than requiring fencing of the entire property as indicated in the draft conditions. With respect to conditions 12m, 12p, 12q and 12u, the Commission instructed staff to work with the applicant to bring the USFS and LA County permits into consistency with one another.

Staff indicated that there is currently no mechanism for allowing fee payments in annual installments and that a lump sum payment would be required.

There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve the permit, and directed staff to prepare the final environmental documentation and findings and conditions for approval, including changes to the conditions as discussed.

Findings

1. The applicant is requesting a Surface Mining Permit to continue operation of an existing clay mine on two quarries on land owned by the federal government. The 320-acre site is located at 31375 N. Aliso Canyon Road, Acton, in the Mount Gleason Zoned District and within the boundaries of the Angeles National Forest.
2. Zoning on the site is W (Watershed). The proposed project is a use subject to permit in the W zone pursuant to Section 22.40.280.B of the Los Angeles County Code.
3. The surrounding properties are zoned as follows:

North: W (Watershed), A-2-1 (Light Agriculture, 1-acre minimum lot size)
South: W (Watershed)
East: A-2-5 (Heavy Agriculture, 5-acre minimum lot size), W (Watershed)
West: W (Watershed)
4. The subject property is currently used as a clay mine.
5. Surrounding land uses consist of vacant land with agricultural uses to the north. The town of Acton is located approximately 3 miles north of the project site.
6. The subject property is designated as "Open Space" in the Antelope Valley Areawide General Plan. This designation generally consists of "lands under public or private ownership that are essentially free of structures and roads, and are projected to be maintained in an open or natural state on a long-term basis. These areas are primarily managed for recreational purposes, the protection of natural resources, and/or for purposes of safeguarding public health and safety." The project, upon reclamation, will meet these criteria. In addition, the proposed use is consistent with the mineral resources management policies of the general plan.
7. The applicant has operated the subject clay mining operation on federal property since 1992 without the required surface mining permit, pursuant to a permit issued by the U.S. Forest Service, which permit has been extended through 2005. The applicant is required to obtain a surface mining permit and approval of a reclamation plan in accordance with Part 9 of Chapter 22.56 of the County Code and to comply with the development standards applicable to Zone W. The purpose of a surface mining permit is to ensure compliance with the California Surface Mining and Reclamation Act of 1975.
8. The applicant has submitted a mining plan and a reclamation plan map for each of the two quarries located on the subject property. The mining plan depicts the final slopes of the quarry while the reclamation plan map depicts

these slopes with additional information and notes related to site reclamation.

9. Section 22.56.1380 of the Los Angeles County Code requires that all surface mining projects comply with Section 3503 of Title 14 of the California Code of Regulations and adhere to certain development standards. These standards have been included in the conditions of approval for this surface mining permit with certain modifications to ensure consistency with U.S. Forest Service requirements.
10. The applicant submitted a Reclamation Plan which has been reviewed by the Director of Public Works, the Director of Planning and the State Office of Mine Reclamation for compliance with all applicable requirements, and the final Reclamation Plan will incorporate their comments, mitigation measures and approvals. The reclamation plan maps have been approved by the Director of Public Works and the Reclamation Plan satisfies the requirements of Sections 22.56.1290 and 22.56.1420 of the Los Angeles County Code and Sections 2772, 2773 and 2773.1 of the Public Resources Code and Sections 3502 and 3503 of Title 14 of the California Code of Regulations.
11. Pursuant to Section 22.56.1415 of the Los Angeles County Code, the applicant has provided financial assurances for completion of reclamation of disturbed lands in compliance with the approved reclamation plan and Section 2773.1 of the Public Resources Code and the administrative regulations adopted pursuant to Section 2773.1. The financial assurances have been reviewed and approved by the Director of Public Works, the U.S. Forest Service, and the State Office of Mine Reclamation and are payable to all of these agencies.
12. The U.S. Forest Service has approved the applicant's Plan of Operations (Incorporated into the submitted Reclamation Plan) through 2005. The applicant will be required to renew its plan with the Forest Service every five (5) years.
13. Pursuant to Section 22.40.290 of the County Code, parking facilities are required as provided in Part 11 of Chapter 22.52 of the Code. Section 22.52.1220 requires parking to be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. The director has determined that two on-site parking spaces shall be provided to accommodate the three to four employees of the site. Due to the nature of the operation and the surrounding environment, paving of the parking spaces shall not be required; however, the permittee shall ensure that the spaces are provided and identified or delineated in some way.

14. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on water quality, air quality, biota and cultural resources. Prior to the release of the proposed mitigated negative declaration and initial study for public review, the applicant made or agreed to revisions in the project which would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the County, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a proposed Mitigated Negative Declaration for this project.
15. One public comment was received in relation to this request prior to the public hearing. The comment was from the Acton Town Council and indicated its support of the project as presented.
16. The project is necessary in order to utilize the extracted minerals in the processing of cement used in building and construction.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed site for surface mining operations is consistent with the adopted general plan for the area;
- B. The requested surface mining operation conducted at the proposed location will not adversely affect the health, safety or welfare of persons residing in the surrounding area or otherwise endanger or constitute a menace to the public health, safety or general welfare;
- C. Adverse ecological effects resulting from surface mining operations will be prevented or minimized;
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to facilitate the kind and quantity of traffic surface mining operations will or could generate,
- E. The reclamation plan conforms to the requirements of Sections 2772, 2773 and 2773.1 of the Public Resources Code, Sections 3501 and 3503 of Title 14 of the Code of Regulations and the provisions of Title 22 of the County Code; and

- F. The mined lands will be reclaimed so that they are readily adaptable for uses consistent with the general plan.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a Surface Mining permit as set forth in Sections 22.56.1300 and 22.56.1410 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Mitigated Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.
2. In view of the findings of fact and conclusions presented above, Surface Mining Permit Case No. 00-21-(5) is **APPROVED** subject to the attached conditions.

VOTE: 5-0

Concurring: Valadez, Bellamy, Helsley, Rew, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

Action Date: 6/19/02

1. This grant authorizes the use of the subject property for a clay mining operation subject to all of the following conditions of approval.
 2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and all required fees have been paid pursuant to Condition Nos. 9 & 50.
 4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
 5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
- The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant will expire unless used within 60 days from the date of approval. Submittal of the affidavit accepting the conditions of the grant as required by condition no. 3, above, shall constitute usage of the grant. A 60-day extension may be requested in writing before the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. This grant will terminate twenty (20) years after its effective date unless the right to mine is earlier terminated by abandonment or a change of use or by the U.S. Forest Service or the State of California Department of Conservation or otherwise. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.

The surface mining permit conditions and reclamation plan shall be subject to review, as provided by Section 22.56.1440 of the County Code, on or before the 10-year anniversary of the grant's effective date, at which time, if the mine has not already been reclaimed, the permittee shall submit the required application and fees for the review. The permittee shall consult with the Director of Planning at least 120 days before the review date to determine requirements for filing.

At least six (6) months prior to the expiration of this permit and in the event that the Permittee intends to continue operations after such date, a new Surface Mining Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.

Termination of this grant without renewal does not relieve the permittee of the obligation to reclaim as provided herein and in the approved reclamation plan.

9. The subject mine shall be maintained and operated in full compliance with the conditions of this grant and any law statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

The permittee shall deposit with the County of Los Angeles the sum of \$1,500.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 biennial inspections.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

Additionally, pursuant to Los Angeles County Code Section 22.56.1460, the permittee shall pay to the County of Los Angeles Department of Public Works such sums as are necessary to compensate said department for all expenses incurred while reviewing and inspecting the premises to determine the permittee's compliance with the Surface Mining and Reclamation Act and Part 9 of Chapter 22.56 of the County Code.

If any inspection discloses that the subject property is being used in violation of any one of the provisions of the Surface Mining and Reclamation Act, the permittee shall be financially responsible and shall reimburse the Department of Public Works and the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

If the subject property is being used in violation of any of the conditions of this grant or any provisions of the Surface Mining and Reclamation Act, the County may institute enforcement proceedings and seek administrative penalties pursuant to Public Resources Code Section 2774.1.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health of safety or so as to be a nuisance.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings and signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
13. All mining and reclamation shall comply with the provisions of the approved final reclamation plan. Any revisions to the plan shall be submitted to the director for a finding of conformance.
14. The permittee shall comply with all of the mitigation measures included in the attached Mitigation Monitoring Program and Project Changes/Conditions due to Environmental Evaluation.
15. No excavation shall be permitted that creates a temporary slope steeper than one-foot horizontal to one-foot vertical. The Director of Public Works may require that excavations be made with a cut face more flat in slope than the above slope

requirements if it is deemed necessary for slope stability and public safety at any time.

16. Temporary slopes shall not be created that will interfere with the construction of finished slopes conforming to the requirements of the reclamation plan.
17. Slopes affecting off-site property shall meet the requirements of Chapter 70 of Title 26 of the County Code.
18. The permittee shall implement measures as approved by the Director of Public Works to prevent erosion of adjacent lands by waters discharged from the site of mining operations and the off-site discharge of sediment.
19. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.
20. The removal of vegetation and overburden in advance of surface mining shall be kept to a minimum.
21. The permittee shall comply with all applicable requirements of the Regional Water Quality Control Board and the Air Quality Management District.
22. The permittee shall implement all reasonable and practicable measures to protect the habitats of fish and wildlife during surface mining operations.
23. Surface mining operations and related structures shall not be located within 50 feet of any public street or highway or any lot or parcel of land in other than the permittee's ownership unless the written consent of the owner of such property is first secured and recorded in the Los Angeles County Recorder's Office, and except where the contiguous property is currently or intermittently being mined in the same manner.
24. No surface mining operation or structure shall be located within 50 feet of any stream bed, flood control channel, reservoir, water conservation facility, area within an adopted Flood Protection District or area designated as an Area of Special Flood Hazard, without first obtaining the approval of the chief engineer of the Los Angeles County Flood Control District or the county engineer, whichever agency has jurisdiction. Where approval is requested, a comprehensive flood-hazard analysis evaluating the effect surface-mining operations will have on drainage and erosion on adjacent property shall also be submitted.
25. The permittee shall defend, indemnify and hold harmless the County and each of its officers, employees, agents, subsidiaries, and divisions from any and all claims, demands, liabilities, suits, causes of actions, judgments, costs and expenses, including attorneys' fees, arising, or allegedly arising from personal injury, including death, property damage, including loss of use thereof, economic

loss, or otherwise, due in any manner to the negligence or intentional act of the permittee or any of its agents, employees, or subcontractors as a result of the establishment or operation of the land use authorized by this permit, whether any actions of the county contributed thereto. This indemnification provision is in addition and cumulative to any other right of indemnification or contribution which the county may have. Before commencing surface mining operations, the permittee shall secure insurance to the extent of \$100,000 against liability in tort arising from the production, activities or operations incidental thereto conducted or carried on the subject property, and such insurance shall be kept in full force and effect during the period of such operations. The County of Los Angeles shall be named as an additional insured on such policy. Proof of compliance shall be tendered to the Director of Planning.

26. All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors and bright lights do not exceed levels compatible with uses of adjacent lands.
27. All private roads shall be wetted while being used, or shall be oiled or hard-surfaced and maintained in order to prevent the emanation of dust. All private access roads leading off any public street or highway shall be paved with asphalt or concrete surfacing not less than three inches in thickness for the first 50 feet of said access road. Forest Service roads are not private roads and are not subject to this requirement; however, dust suppression measures shall be undertaken on all unpaved roads providing access to the site pursuant to the approved Reclamation Plan.
28. The outer boundaries of all property used or intended to be used for surface mining operations shall be posted within 90 days following the effective date of such mining permit, and permanently thereafter, with signs displaying the message "SURFACE MINING" in letters not less than four inches in height, and in letters not less than one inch in height, the message "This property may be used at any time for the extracting and processing of rock, sand, gravel, decomposed granite, clay and similar materials, by Ordinance No. 1494, County of Los Angeles." Signage shall conform to current U.S. Forest Service design standards and shall be required to conform to any design changes that the Forest Service may impose. Such signs shall be posted not more than 500 feet apart, and at all entry gates to the active mine areas, and displayed in such a manner as to give reasonable notice to passersby of the message contained thereon. Signs shall be promptly replaced as needed. The permittee shall cause such signs to be moved as mining activities progress northward and removed upon completion of all on-site mining and reclamation activities.
29. All operations, including excavation and mining, shall be restricted to the hours between 6:00 a.m. and 10:00 p.m., except in cases of public emergency, or whenever any reasonable or necessary repairs to equipment are required to be

- made. Any such occurrences shall be documented and shall be made available upon request of the County.
30. Unless otherwise specified in the reclamation plan, all topsoil removed in surface mining operations shall be stored at the site of mining operations and shall be used in future reclamation of the site.
 31. Benches shall be provided wherever necessary to control drainage on slopes, or to provide for access, or for public safety as determined by the hearing officer on the recommendation of the Director of Public Works.
 32. Prior to the commencement of any surface mining operation, the area to be used for such operations shall be enclosed with a fence as required by Chapter 11.48 of the County Code. Such fencing may be limited to the area currently being used for such operations; provided, however, that the operation shall be continuously enclosed as excavation progresses.
 33. The permittee shall post a sign at the facility entrance at a location visible to the public which provides the agency names and telephone numbers for their enforcement agents of the Regional Water Quality Control Board, the Air Quality Management District, and the County Department of Public Works.
 34. The permittee shall be responsible for assuring that exiting trucks are legally covered and/or loaded. Allowing illegally loaded or covered vehicles to exit shall be a violation of these conditions.
 35. Unless otherwise specified in the approved reclamation plan, the permittee shall complete reclamation of land affected by surface mining operations within one year of completion of mining operations on such lands.
 36. The facility is authorized to mine on a maximum of five (5) exposed acres at any given time. Reclamation shall be initiated on mined lands prior to uncovering new land to be mined.
 37. All blasting events must be permitted by all required agencies including, but not limited to, the U.S. Forest Service and the County of Los Angeles. Blasting operations are prohibited between the hours of 7:00 P.M. and 7:00 A.M. in conformance with the provisions of the County Noise Ordinance.
 38. If night lighting is used, the permittee shall ensure that all lighting is directed downward and not visible from the town of Acton.
 39. Operations shall be conducted in such a manner as to prevent or minimize flooding and/or alteration of the natural drainage system.

40. Storage of explosives for use in surface mining operations shall be subject to Chapter 22.56, Part 5 of the Los Angeles County Code.
41. The permittee shall submit annually to the Director of Public Works copies of all reports required pursuant to Section 2207 of the Public Resources Code.
42. No new principal use shall be established on any property subject to the approved reclamation plan unless all reclamation required therein has been completed.
43. The submitted reclamation plan is approved, subject to the following modifications and conditions:
 - a. The permittee shall make the site available for inspection by the Department of Public Works upon request by an authorized representative of said department. The permittee shall, upon request by the county, make the site available for inspection by the Department of Public Works, the Department of Regional Planning, and the County Compliance Monitor.
 - b. The permittee shall provide financial assurances for the completion of reclamation as required by Section 2770 and 2773.1 of the California Public Resources Code and Title 22 of the Los Angeles County Code and shall provide to the Department of Public Works such information as the department deems necessary to set the amount of the assurances.
 - c. Should the mine become "idle" as defined in Section 2727.1 of the California Public Resources Code, the permittee shall comply with all requirements for submission of an interim management plan as set forth in Section 2770 of said code and Title 22 of the Los Angeles County Code.
 - d. The permittee shall, within one year of any of the following events, remove all machinery and other facilities not permitted by applicable zoning regulations and reclaim all mined areas not already reclaimed:
 1. Upon abandonment of the mine without intent to reopen;
 2. Upon revocation or expiration of the permittee's right to mine, pursuant to condition No. 7 and/or the provisions of Title 22 of the county code.
 3. If the mine becomes "idle," as defined in Section 2727.1 of the Public Resources Code, and the permittee is required to reclaim because the mine is considered abandoned pursuant to the provisions of Section 2770 of said code.

The permittee shall notify in writing the Director of Planning of any of the above occurrences within 30 days of any such occurrence.

- e. The permittee and the owner of the subject property (if the operator is not the owner) shall file a covenant with the County Recorder containing the following statement within 30 days following the effective date of this grant:

"The property is subject to Reclamation Plan No. 00-21-(5), requiring, together with other conditions, the completion of a reclamation program before use of the property for a purpose other than surface mining, except as specifically otherwise provided in said plan. Agents of the County of Los Angeles and the State of California may enter upon such land to enforce the reclamation plan and to effect reclamation, subject to compliance with applicable provisions of law."

- f. Permanent side slopes shall be backfilled under the supervision of an appropriately licensed professional in accordance with the standards of Chapter 70 of Title 26 of the county code.
 - g. Only marketable products shall be exported from the site. Other excavated material shall be retained on site and used, as available, to backfill the mine cut areas.
- 44. Reclamation activities shall be carried out as indicated in the approved Reclamation Plan and shall be subject to all of the requirements of Section 22.56.1420 of the County Code unless otherwise specified in the approved Reclamation Plan.
 - 45. The subject property shall be developed and maintained in substantial conformance with the plans on file marked Exhibit "A" and in conformance with the approved reclamation plan. In the event that subsequent revised plans are submitted they must be accompanied by the written authorization of the mineral estate owner.

Amendments to an approved reclamation plan, including attendant time schedules, may be submitted to the hearing officer at any time, detailing proposed changes from the original plan. Amendments to an approved reclamation plan shall be approved in the manner prescribed for approval of a reclamation plan.

- 46. The permittee shall provide three (3) copies of a sign plan to be submitted to and approved by the Director of Planning. The sign plan shall show the size, type and location of all signs on the subject property including signs required by these conditions.

47. The permittee shall provide three (3) copies of a landscape plan to be submitted to and approved by the Director of Planning. The landscape plan should show the type and location of all plants, trees and/or watering facilities proposed to be utilized in final revegetation of the site.
48. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services.
49. Consistent with all other conditions of this permit, provisions shall be made for all natural drainage to the satisfaction of the Department of Public Works.
50. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is \$1,275.00.
51. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
52. The permittee shall contact the Director of Public works to determine whether an Industrial Waste Disposal Permit is required. No activity for which a permit is required shall be initiated on the subject property before a permit is obtained and any required facilities are installed. The permittee shall keep any required permits in full force and effect and shall fully comply with any requirements thereof.
53. All mining, screening and product transportation shall not be commenced during any second stage smog alert.
54. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
55. The applicant shall be responsible for ensuring that all new documents prepared for and resulting from the review and approval of this grant are inserted into the Reclamation Plan, that the final Reclamation Plan is signed by the Director of Planning or an authorized representative of the Department of Regional Planning and that copies of the approved Reclamation Plan are distributed to the U.S. Forest Service district ranger's office and the state Office of Mine Reclamation with three (3) copies to the Department of Regional Planning. The following documents are to be included in the final Reclamation Plan: Erosion Control and Revegetation Measures, Department of Conservation letters dated June 4, 2001

and August 22, 2001, Newton & Associates letters dated July 20, 2001 and October 13, 2002, Rancho Santa Ana Botanic Garden at Claremont recommendations, California Regional Water Quality Control Board Report of Waste Discharge, USFS Air Quality report, Biological Assessment dated September 20, 2001 (replaces USFS Environmental Assessment Report dated August 16, 1979), Heritage Resource Assessment dated December 1996 (replaces Cultural Resource Inventory dated October 19, 1982), DPW-approved reclamation plan map, DPW-approved hydrology study, DRP-approved landscape plans, DRP-approved sign plans and the final findings and conditions of this grant, The Reclamation Plan shall be submitted to the above-mentioned agencies within 60 days of final permit approval. In addition, future reports and permits related to the Mitigation Monitoring Program shall be distributed to all agencies holding a Reclamation Plan for the project.

Attachments:

Mitigation Monitoring Program

Project Changes/Conditions due to Environmental Evaluation

JF:FM:kj
6/19/02

**PROJECT CHANGES/CONDITIONS
DUE TO ENVIRONMENTAL EVALUATION**

PROJECT No. SMP 00-21

The Department of Regional Planning (DRP) staff has determined that the following conditions or changes in the project are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment.

The applicant shall deposit the sum of \$3,000 with the DRP within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports by a Mitigation Monitoring Program (MMP).

Air Quality

Fugitive Dust

Standard measures as required by South Coast Air Quality Management District Rules 402 and 403 shall be implemented to control fugitive dust emission during site operation. Therefore, the applicant shall prepare a fugitive dust plan for both on-site operation and off-site truck travel to be reviewed and approved by the SCAQMD on an annual basis. A copy of the report shall be forwarded to the DRP for file.

Exhaust Emissions

1. The equipment/vehicle utilized in the project operation shall conform to the manufacturer's specifications and SCAQMD requirements and be maintained to provide an efficient operation and a minimum of air contaminants.
 2. Trucking shall be performed on a 12-hour-per-day basis. This will reduce emissions by allowing trucks to operate during non-peak hours, increasing truck speeds, and eliminating prolonged idling in traffic, thereby decreasing truck emission.
 3. When operating onsite, trucks shall not be left idling for prolonged periods.
 4. Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
 5. Use catalytic converters on gasoline-powered equipment.
 6. Where applicable, high-pressure fuel injector nozzles shall be used.
 7. Diesel engine timing will be retarded by 4 degrees.
- 

8. Use reformulated, low-emission diesel fuel.

Biota

The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Beavertail Cactus (*Opuntia basilaris* var. *brachyclada*) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Beavertail Cactus shall be replanted to an open space area of similar habitat not intended to be mined. An annual report of compliance shall be submitted to the DRP for review/file.

The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Coast Horned Lizard (*Phrynosoma coronatum*) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Lizard shall be captured and released to a similar habitat within the Forest Service land but at least ¼ mile from the active mining area. An annual report of compliance shall be submitted to the DRP for review/file.

Potential impacts on the Santa Clara River biological resources such as unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*) from uncontrolled surface runoff from the site will be mitigated through implementation of the Project SWPPP and SPCCP.

Site revegetation shall be consistent with the parameters of the Reclamation Plan.

Water Quality

The applicant shall implement provisions of the Storm Water Pollution Prevention Program (SWPPP) including the National Pollutant Discharge Elimination System (NPDES) to the satisfaction of the California Regional Water Quality Control Board (CRWQCB) and the Los Angeles County Department of Public Works (DPW).

The applicant shall implement provisions of the Spill Prevention Control and Countermeasure Plan (SPCCP) to the satisfaction of the DPW.

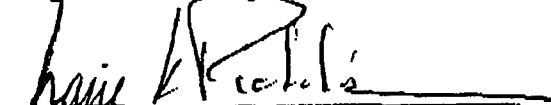
The use of chloride-based dust palliative on-site shall be prohibited as long as the Santa Clara River is listed as impaired for chlorides on the California 303(d) List, unless specifically agreed to by the Los Angeles Sanitation Districts and the CRWQCB.

LR

Archaeology/Cultural Resource

A qualified archaeologist shall be retained to monitor site activities prior to moving mining operation to a previously undisturbed area. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. The applicant shall inform the DRP, in writing, the name, qualification, and contact information of the archaeologist within 30 days of project approval. The qualified archaeologist must obtain a permit from the USFS prior to conducting any survey.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as changed/conditioned.


Applicant

09/04/02
Date

9 No response with 10 days. Environmental Determination requires that these changes/conditions be included in the project.

Staff

Date



**MITIGATION MONITORING PROGRAM
SURFACE MINING PERMIT NO. 00-21**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Air Quality				
Standard measures as required by South Coast Air Quality Management District (SCAQMD) Rules 402 and 403 shall be implemented to control fugitive dust emission during site operation.	Submittal and approval of an annual fugitive dust plan for both on-site operation and off-site truck. A copy of the said report shall be forwarded to the DRP for file.	Within 30 days of project approval by the DRP. Review of annual report	Applicant	SCAQMD Regional Planning
The equipment/vehicle utilized in the project operation shall conform to the manufacturer's specifications and SCAQMD requirements and be maintained to provide an efficient operation and a minimum of air contaminants.	Routine maintenance of equipment and vehicles according to the manufacturer's specifications and SCAQMD requirements	According to schedule recommended by the manufacturer or required by the SCAQMD	Applicant	SCAQMD Regional Planning
Trucking shall be performed on a 12-hour-per-day basis. This will reduce emissions by allowing trucks to operate during non-peak hours, increasing truck speeds, and eliminating prolonged idling in traffic, thereby decreasing truck emission	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
When operating onsite, trucks shall not be left idling for prolonged periods	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Use catalytic converters on gasoline-powered equipment.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Where applicable, high-pressure fuel injector nozzles shall be used.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Diesel engine timing will be retarded by 4 degrees.	Applicant shall maintain a log demonstrating compliance	Routine inspection	Applicant	SCAQMD Regional Planning
Use reformulated, low-emission	Applicant shall maintain a log	Routine inspection	Applicant	SCAQMD

**MITIGATION MONITORING PROGRAM
SURFACE MINING PERMIT NO. 00-21**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
diesel fuel.	demonstrating compliance			Regional Planning
Biota The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Beavertail Cactus (<i>Opuntia basilaris</i> var. <i>brachyclada</i>) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Beavertail Cactus shall be replanted to an open space area of similar habitat not intended to be mined.	Submittal and approval of annual report	Prior to moving mining operation to a currently undisturbed or previously reclaimed area.	Applicant	Regional Planning US Forest Services
The applicant shall retain a biologist acceptable to the DRP and USFS to conduct a survey on Coast Horned Lizard (<i>Phrynosoma coronatum</i>) prior to moving mining operation to a currently undisturbed or previously reclaimed area. Any found Lizard shall be captured and released to a similar habitat within the Forest Service land but at least 1/4 mile from the active mining area	Submittal and approval of annual report	Prior to moving mining operation to a currently undisturbed or previously reclaimed area.	Applicant	Regional Planning US Forest Services
Site revegetation shall be consistent with the parameters of the Reclamation Plan	Site revegetation	DRP routine inspection	Applicant	Regional Planning
Water Quality The applicant shall implement provisions of the Storm Water Pollution Prevention Program (SWPPP) including the National Pollutant Discharge Elimination System (NPDES)	Submittal and approval of project SWPPP	Within 30 days of permit approval Annual inspection after project approval	Applicant	Public Works Regional Water Quality Control Board

MITIGATION MONITORING PROGRAM
SURFACE MINING PERMIT NO. 00-21

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
The applicant shall implement provisions of the Spill Prevention Control and Countermeasure Plan (SPCCP)	Submittal and approval of project SPCCP	Within 30 days of permit approval	Applicant	Public Works
The use of chloride-based dust palliative on-site shall be prohibited as long as the Santa Clara River is listed as impaired for chlorides on the California 303(d) List, unless specifically agreed to by the Los Angeles Sanitation Districts and the CRWQCB	Submittal and approval of the fugitive dust plan	Prior to use of dust suppressants containing chloride	Applicant	Sanitation Districts Regional Water Quality Control Board
Cultural Resources A qualified archaeologist shall be retained to monitor site activities prior to moving mining operation to a previously undisturbed area. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. The applicant shall inform the DRP, in writing, the name, qualification, and contact information of the archaeologist within 30 days of project approval. The qualified archaeologist must obtain a permit from the USFS prior to conducting any survey.	Remit information of the retained archaeologist to DRP Submittal and approval of Archaeology Monitoring Report Obtain a permit from USFS	Within 30 days of project approval Within 30 days from the completion of the ground-disturbing activities to submit the report.	Applicant	Regional Planning US Forest Services



Los Angeles County
Department of Regional Planning
 Director of Planning James E. Hartl, AICP



December 31, 2001

Larie Richardson
 North Star Minerals Inc.
 715 East Mission Drive, #M
 San Gabriel, CA 91776

SUBJECT: INITIAL STUDY DETERMINATION LETTER
PROJECT NO. SMP 00-21

On December 24, 2001, the staff of the Department of Regional Planning completed its review of the Environmental Questionnaire and other data regarding your project and made the following determination as to the type of environmental document required.

- ☐ Use of previously prepared EIR
- ☐ Categorical Exemption
- ☐ Negative Declaration
- ☒ Mitigated Negative Declaration
- ☐ Other: _____
- ☐ Environmental Impact Report (EIR)

Please have your client signed the enclosed "project changes/conditions due to environmental evaluation" and return or fax it to:

Department of Regional Planning
 Impact Analysis Section
 320 West Temple Street, Room 1348
 Los Angeles, CA 90012

If you have any questions regarding the above determination or environmental document preparation, please contact Hsiao-ching Chen of the Impact Analysis Section at (213) 974-6461, Monday to Thursday between 7:30 a.m. and 6 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
 James E. Hartl, AICP
 Director of Planning

[Signature]
 Kevin Smith, Supervising Regional Planner
 Impact Analysis Section

JEH:KCC:hcc

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MITIGATED NEGATIVE DECLARATION

PROJECT NUMBER: SMP 00-21

1. DESCRIPTION:

This is an application for a Surface Minging Permit for the existing surface mining operation. The project currently has a permit from the U.S. Forest Service and is valid until December 31, 2005. Mining area remains maximum 5.0 acres out of the area which is about 10 acres depicting on the site plan.

2. LOCATION:

31375 North Aliso Canyon Road, Acton

3. PROPONENT:

North Star Minerals Inc.
715 East Mission Drive, #M
San Gabriel, CA 91776

4. FINDINGS OF NO SIGNIFICANT EFFECT:

BASED ON THE INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:

THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012

PREPARED BY: Impact Analysis Section, Department of Regional Planning

DATE: December 31, 2001

STAFF USE ONLY

PROJECT NUMBER: 00-21

CASES: SMP



***** INITIAL STUDY *****

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING

GENERAL INFORMATION

I.A. Map Date: February 23, 2000

Staff Member: Hsiao-ching Chen

Thomas Guide: 4555 C-2

USGS Quad: Acton

Location: 31375 North Aliso Canyon Road (between Soledad Canyon Road and Forest Service Road 4N32),
Acton

Description of Project: This is an application for a Surface Mining Permit for the existing surface mining operation. The project currently has a permit from the U.S. Forest Service and is valid until 12/31/2005. Mining area remains maximum 5.0 acres out of the area which is about 10 acres depicted on the site plan.

Gross Area: 320 acres

Environmental Setting: The project site is located in the San Gabriel Mountains and approximately 4 miles south of Acton and surrounded by rolling terrain with Mount Gleason to the southeast. Vegetation at the site is primarily desert phase chaparral. Pinyon pines and Junipers occur occasionally in less exposed areas. Riparian vegetation occurs along a small drainage on the west boundary of the project site.

Zoning: Watershed

General Plan: Open Space

Community/Area Wide Plan: Open Space (Antelope Valley Areawide General Plan)

Major projects in area:

<u>Project Number</u>	<u>Description & Status</u>
_____	_____
_____	_____
_____	_____
_____	_____

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- ☐ None
- ☒ Regional Water Quality Control Board
- ☒ Los Angeles Region
- ☐ Lahontan Region
- ☐ Coastal Commission
- ☒ Army Corps of Engineers
- ☒ AQMD

Trustee Agencies

- ☐ None
- ☒ State Fish and Game
- ☐ State Parks
- ☒ US Fish & Wildlife Service
- ☐ _____

Special Reviewing Agencies

- ☐ None
- ☐ Santa Monica Mountains Conservancy
- ☐ National Parks
- ☒ National Forest
- ☐ Edwards Air Force Base
- ☐ Resource Conservation District of the Santa Monica Mtns.
- ☒ DOC OMR
- ☒ BLM
- ☒ Air Resource Board
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Regional Significance

- ☒ None
- ☐ SCAG Criteria
- ☐ Air Quality
- ☐ Water Resources
- ☐ Santa Monica Mtns Area
- ☐ _____

County Reviewing Agencies

- ☐ Subdivision Committee
- ☒ DPW: G&L, D&G, T&L, Environmental Programs
- ☒ Health Services: Env. Hygiene
- ☒ FD
- ☐ _____

IMPACT ANALYSIS MATRIX

		ANALYSIS SUMMARY (See individual pages for details)			
CATEGORY	FACTOR	Pg	Less than Significant Impact/No Impact		
			Less than Significant Impact with Project Mitigation		Potential Concern
			☐	☐	
HAZARDS	1. Geotechnical	5	☒	☐	☐
	2. Flood	6	☒	☐	☐
	3. Fire	7	☒	☐	☐
	4. Noise	8	☒	☐	☐
RESOURCES	1. Water Quality	9	☐	☒	☒ runoff, erosion
	2. Air Quality	10	☐	☒	☒ air pollution generated from mining activities
	3. Biota	11	☐	☒	☒ potential Beavertail cactus, stickleback
	4. Cultural Resources	12	☐	☒	☒ known sites
	5. Mineral Resources	13	☒	☐	☐
	6. Agriculture Resources	14	☒	☐	☐
	7. Visual Qualities	15	☒	☐	☐
SERVICES	1. Traffic/Access	16	☒	☐	☐
	2. Sewage Disposal	17	☒	☐	☐
	3. Education	18	☒	☐	☐
	4. Fire/Sheriff	19	☒	☐	☐
	5. Utilities	20	☒	☐	☐
OTHER	1. General	21	☒	☐	☐
	2. Environmental Safety	22	☒	☐	☐
	3. Land Use	23	☒	☐	☐
	4. Pop./Hous./Emp./Rec.	24	☒	☐	☐
	Mandatory Findings	25	☐	☒	☐

DEVELOPMENT MONITORING SYSTEM (DMS) *

As required by the Los Angeles County General Plan, DMS shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

- Development Policy Map Designation: Non-urban open space
- ☒ Yes ☐ No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
- ☐ Yes ☒ No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

☐ Check if DMS printout generated (attached)

☐ Date of printout: _____

☐ Check if DMS overview worksheet completed (attached)

*EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

☐ **NEGATIVE DECLARATION**, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

☒ **MITIGATED NEGATIVE DECLARATION**, inasmuch as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

☐ **ENVIRONMENTAL IMPACT REPORT***, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant."

☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by: Hsiao-ching Chen

Date: 1/3/2002

Approved by: Kerwin Chik

Date: 1/3/2002

☐ Determination appealed--see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|--------------------------|-------------------------------------|--------------------------|--|
| a. | ☐ | ☒ | ☐ | Is the project site located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone?

_____ |
| b. | ☐ | ☒ | ☐ | Is the project site located in an area containing a major landslide(s)?

_____ |
| c. | ☐ | ☒ | ☐ | Is the project site located in an area having high slope instability?

_____ |
| d. | ☐ | ☒ | ☐ | Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?

_____ |
| e. | ☐ | ☒ | ☐ | Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?

_____ |
| f. | ☐ | ☒ | ☐ | Will the project entail substantial grading and/or alteration of topography including slopes of more than 25%?

_____ |
| g. | ☐ | ☒ | ☐ | Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

_____ |
| h. | ☐ | ☐ | ☐ | Other factors? _____ |

STANDARD MITIGATION MEASURES

☐ Building Ordinance No. 2225 C Sections 308B, 309, 310 and 311 and Chapters 29 and 70.

OTHER CONSIDERATIONS/MITIGATIONS

☐ Lot Size
 ☐ Project Design
 ☐ Approval of Geotechnical Report by DPW

DPW memo of 5/31/00 concluded that the project would not have significant impacts.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

HAZARDS - 2. Flood

SETTING/IMPACTS

- Yes No Maybe
- a. ☒ ☐ ☐ Is a major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site?
Arrastre Creek and a number of seasonal drainage courses
- b. ☒ ☒ ☐ Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone?

- c. ☒ ☒ ☐ Is the project site located in or subject to high mudflow conditions?

- d. ☒ ☐ ☐ Could the project contribute or be subject to high erosion and debris deposition from run off?
exposure of several acres of land will create a potential of high to extreme erosion.
- e. ☒ ☒ ☐ Would the project substantially alter the existing drainage pattern of the site or area?

- f. ☐ ☐ ☐ Other factors (e.g., dam failure)? _____

STANDARD MITIGATION MEASURES

- ☐ Building Ordinance No. 2225 C Section 308A ☐ Ordinance No. 12,114 (Floodways)
- ☐ Approval of Drainage Concept by DPW

OTHER CONSIDERATIONS/MITIGATIONS

- ☐ Lot Size ☐ Project Design

To be addressed under Water Quality

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | ☒ | ☐ | ☐ | Is the project site located in a high fire hazard area (Fire Zone 4)?

<u>Fire Zone 4</u> |
| b. | ☐ | ☒ | ☐ | Is the project site in a high fire hazard area and served by inadequate access due to lengths, widths, surface materials, turnarounds or grade?

_____ |
| c. | ☐ | ☒ | ☐ | Does the project site have more than 75 dwelling units on a single access in a high fire hazard area? _____ |
| d. | ☐ | ☒ | ☐ | Is the project site located in an area having inadequate water and pressure to meet fire flow standards? _____ |
| e. | ☐ | ☒ | ☐ | Is the project site located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?

_____ |
| f. | ☐ | ☒ | ☐ | Does the proposed use constitute a potentially dangerous fire hazard?

_____ |
| g. | ☐ | ☐ | ☐ | Other factors? _____

_____ |

STANDARD MITIGATION MEASURES

- ☒ Water Ordinance No. 7834
 ☒ Fire Ordinance No. 2947
 ☒ Fire Prevention Guide No. 46

OTHER CONSIDERATIONS/MITIGATIONS

- ☐ Project Design ☒ Compatible Use

Fire fighting training program given to on-site employees by the Fire Department.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

- ☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | ☒ | ☒ | ☐ | Is the project site located near a high noise source (airports, railroads, freeways, industry)?
_____ |
| b. | ☒ | ☒ | ☐ | Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity?
_____ |
| c. | ☒ | ☐ | ☐ | Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project?

<u>Surface mining activities</u> _____ |
| d. | ☒ | ☐ | ☐ | Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?
_____ |
| e. | ☒ | ☐ | ☐ | Other factors? _____
_____ |

STANDARD MITIGATION MEASURES

- ☒ Noise Ordinance No. 11,778 ☐ Building Ordinance No. 2225--Chapter 35

OTHER CONSIDERATIONS/MITIGATIONS

- ☐ Lot Size ☐ Project Design ☒ Compatible Use

Surrounding areas are open space. DHS letter of 7/17/2000 concluded the project would not significant impacts.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

- Yes No Maybe
- a. ☒ ☒ ☐ Is the project site located in an area having known water quality problems and proposing the use of individual water wells?
- b. ☒ ☒ ☐ Will the proposed project require the use of a private sewage disposal system?
- ☒ ☐ ☐ If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the project proposing on-site systems located in close proximity to a drainage course?
- c. ☒ ☐ ☐ Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies?
- NPDES permit required
- d. ☒ ☐ ☐ Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies?
- NPDES permit required.
- e. ☐ ☐ ☐ Other factors? _____

STANDARD MITIGATION MEASURES

- ☐ Industrial Waste Permit ☐ Health Code Ordinance No. 7583, Chapter 5
- ☐ Plumbing Code Ordinance No. 2269 ☒ NPDES Permit CAS614001 Compliance (DPW)

OTHER CONSIDERATIONS/MITIGATIONS

- ☐ Lot Size ☐ Project Design

See attached mitigation measures.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **water quality** problems?

- ☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|---|
| a. | ☒ | ☒ | ☐ | <p>Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential uses or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for nonresidential uses)?</p> <p><u>5 acres of active mining area</u></p> |
| b. | ☒ | ☒ | ☐ | <p>Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?</p> |
| c. | ☒ | ☒ | ☐ | <p>Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure, or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook?</p> <p><u>Per Air Quality Report on file.</u></p> |
| d. | ☒ | ☐ | ☒ | <p>Will the project generate or is the site in close proximity to sources which create obnoxious odors, dust, and/or hazardous emissions?</p> <p><u>Mining activities</u></p> |
| e. | ☒ | ☒ | ☐ | <p>Would the project conflict with or obstruct implementation of the applicable air quality plan?</p> |
| f. | ☒ | ☒ | ☐ | <p>Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> |
| g. | ☒ | ☒ | ☐ | <p>Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p> |
| h. | ☒ | ☐ | ☐ | <p>Other factors: _____</p> |

STANDARD MITIGATION MEASURES

☐ Health and Safety Code Section 40506

OTHER CONSIDERATIONS/MITIGATIONS

☐ Project Design ☒ Air Quality Report

See attached mitigation measures.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **air quality**?

☒ Potentially significant
 ☒ Less than significant with project mitigation
 ☐ Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|---|
| a. | ☐ | ☒ | ☐ | Is the project site located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?

_____ |
| b. | ☒ | ☐ | ☐ | Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas?

<u>Displacing native vegetation on a maximum of 10 acres of plants and animal habitat.</u> |
| c. | ☒ | ☐ | ☐ | Is a major drainage course, as identified on USGS quad sheets by a blue, dashed line, located on the project site?

<u>Arrastre Creek and a number of seasonal drainage courses on-site</u> |
| d. | ☐ | ☒ | ☐ | Does the project site contain a major riparian or other sensitive habitat (e.g., coastal sage scrub, oak woodland, sycamore riparian woodland, wetland, etc.)?

_____ |
| e. | ☒ | ☐ | ☐ | Does the project site contain oak or other unique native trees (specify kinds of trees)?

<u>Live oaks, but not within the proposed mining areas</u> |
| f. | ☐ | ☐ | ☒ | Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?

<u>Beavertail cactus is about 600 feet from the active mining areas.</u> |
| g. | ☐ | ☐ | ☐ | Other factors (e.g., wildlife corridor, adjacent open space linkage)? _____

_____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

- ☐ Lot Size
 ☐ Project Design
 ☐ Oak Tree Permit
 ☐ ERB/SEATAC Review

See attached mitigation measures

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on biotic resources?

- ☒ Potentially significant
 ☒ Less than significant with project mitigation
 ☐ Less than significant/No impact

RESOURCES - 4. Archaeological / Historical / Paleontological

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | ☒ | ☐ | ☐ | Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) which indicate potential archaeological sensitivity?

<u>drainage courses, oaks</u> |
| b. | ☐ | ☒ | ☐ | Does the project site contain rock formations indicating potential paleontological resources?

_____ |
| c. | ☒ | ☐ | ☐ | Does the project site contain known historic structures or sites?

<u>One known site within the study area but not within the proposed mining areas</u> |
| d. | ☐ | ☒ | ☐ | Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?

_____ |
| e. | ☐ | ☒ | ☐ | Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

_____ |
| f. | ☐ | ☐ | ☐ | Other factors? _____
_____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

- ☐ Lot Size
 ☒ Project Design
 ☒ Phase I Archaeology Report

See attached mitigation measures.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical, or paleontological** resources?

- ☒ Potentially significant
 ☒ Less than significant with project mitigation
 ☐ Less than significant/No impact

RESOURCES - 5.Mineral Resources

SETTING/IMPACTS

- Yes No Maybe
- a. ☒ ☒ ☐ Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b. ☒ ☒ ☐ Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
- c. ☒ ☒ ☐ Other factors? The site is a designated surface mining area by US National Forest.

MITIGATION MEASURES/OTHER CONSIDERATIONS

☐ Lot Size

☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

☒ Potentially significant

☐ Less than significant with project mitigation

☒ Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

- Yes No Maybe
- a. ☒ ☒ ☐ Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b. ☒ ☒ ☐ Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c. ☒ ☒ ☐ Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
- d. ☒ ☐ ☐ Other factors?

MITIGATION MEASURES/OTHER CONSIDERATIONS

- ☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **agriculture** resources?

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | ☒ | ☒ | ☐ | Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?
_____ |
| b. | ☒ | ☒ | ☐ | Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail?
_____ |
| c. | ☒ | ☒ | ☐ | Is the project site located in an undeveloped or undisturbed area, which contains unique aesthetic features? _____
_____ |
| d. | ☒ | ☒ | ☐ | Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?
_____ |
| e. | ☒ | ☒ | ☐ | Is the project likely to create substantial sun shadow, light or glare problems?
_____ |
| f. | ☒ | ☐ | ☐ | Other factors (e.g., grading or land form alteration): _____
_____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

- ☐ Lot Size ☒ Project Design ☐ Visual Report ☐ Compatible Use

Reclamation activities after mining.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on scenic qualities?

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

- Yes No Maybe
- a. ☒ ☒ ☐ Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (mid-block or intersections)?
- b. ☒ ☒ ☐ Will the project result in any hazardous traffic conditions?
production: 50,000 tons per year
- c. ☒ ☒ ☐ Will the project result in parking problems with a subsequent impact on traffic conditions?
- d. ☒ ☒ ☐ Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area?
- e. ☒ ☒ ☐ Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?
- f. ☒ ☒ ☐ Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
- g. ☒ ☐ ☐ Other factors? _____

MITIGATION MEASURES/OTHER CONSIDERATIONS

- ☐ Project Design ☐ Traffic Report ☒ Consultation with Traffic & Lighting Division

No significant impact per DPW Traffic & Lighting letter dated 6/22/00.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **traffic/access** factors?

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 2. Sewage Disposal

N/A

SETTING/IMPACTS

Yes No Maybe

a. ☒ ☐ ☐ If served by a community sewage system, could the project create capacity problems at the treatment plant?

b. ☒ ☐ ☐ Could the project create capacity problems in the sewer lines serving the project site?

c. ☒ ☐ ☐ Other factors?

STANDARD MITIGATION MEASURES

☐ Sanitary Sewers and Industrial Waste Ordinance No. 6130

☐ Plumbing Code Ordinance No. 2269

OTHER CONSIDERATIONS/MITIGATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☒ Potentially significant

☐ Less than significant with project mitigation

☒ Less than significant/No impact

SERVICES - 3. Education

N/A

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|--------------------------|--------------------------|--|
| a. | ☒ | ☐ | ☐ | Could the project create capacity problems at the district level?
_____ |
| b. | ☒ | ☐ | ☐ | Could the project create capacity problems at individual schools which will serve the project site?
_____ |
| c. | ☒ | ☐ | ☐ | Could the project create student transportation problems?
_____ |
| d. | ☒ | ☐ | ☐ | Could the project create substantial library impacts due to increased population and demand?
_____ |
| e. | ☒ | ☐ | ☐ | Other factors? _____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

- ☐ Site Dedication ☐ Government Code Section 65995 ☐ Library Facilities Mitigation Fee
- _____

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational facilities/services**?

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | ☒ | ☒ | ☐ | Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?
_____ |
| b. | ☒ | ☒ | ☐ | Are there any special fire or law enforcement problems associated with the project or the general area?

_____ |
| c. | ☒ | ☐ | ☐ | Other factors? _____

_____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

☐ Fire Mitigation Fees

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | ☐ | ☒ | ☐ | Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells?
_____ |
| b. | ☒ | ☒ | ☐ | Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs?
_____ |
| c. | ☒ | ☒ | ☐ | Could the project create problems with providing utility services, such as electricity, gas, or propane?
_____ |
| d. | ☒ | ☒ | ☐ | Are there any other known service problem areas (e.g., solid waste)?
_____ |
| e. | ☒ | ☒ | ☐ | Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?

_____ |
| f. | ☒ | ☐ | ☐ | Other factors? _____
_____ |

STANDARD MITIGATION MEASURES

- ☐ Plumbing Code Ordinance No. 2269 ☐ Water Code Ordinance No. 7834

OTHER CONSIDERATIONS/MITIGATIONS

- ☐ Lot Size ☐ Project Design
- _____

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities/services**?

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | ☒ | ☒ | ☐ | Will the project result in an inefficient use of energy resources?
_____ |
| b. | ☒ | ☒ | ☐ | Will the project result in a major change in the patterns, scale, or character of the general area or community?
_____ |
| c. | ☒ | ☒ | ☐ | Will the project result in a significant reduction in the amount of agricultural land?
_____ |
| d. | ☒ | ☐ | ☐ | Other factors? _____
_____ |

STANDARD MITIGATION MEASURES

- ☐ State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

OTHER CONSIDERATIONS/MITIGATIONS

- ☐ Lot size ☐ Project Design ☐ Compatible Use
- _____

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors? _____

- ☒ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | ☒ | ☐ | ☐ | Are any hazardous materials used, transported, produced, handled, or stored on-site?
<u>Disel fuel, petroleum-based lubrucants</u> |
| b. | ☒ | ☐ | ☐ | Are any pressurized tanks to be used or any hazardous wastes stored on-site?
<u>Acetylene & oxygen tanks for metal fabrication on on-site service trucks.</u> |
| c. | ☒ | ☒ | ☐ | Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected? |
| d. | ☒ | ☒ | ☐ | Have there been previous uses which indicate residual soil toxicity of the site? |
| e. | ☒ | ☒ | ☐ | Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment? |
| f. | ☒ | ☒ | ☐ | Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? |
| g. | ☒ | ☒ | ☐ | Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment? |
| h. | ☒ | ☒ | ☐ | Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip? |
| i. | ☒ | ☒ | ☐ | Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? |
| j. | ☒ | ☐ | ☐ | Other factors? _____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

☐ Toxic Clean up Plan

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

- Yes No Maybe
- a. ☒ ☒ ☐ Can the project be found to be inconsistent with the plan designation(s) of the subject property?
This property is federal land designated as surface mining area.
- b. ☒ ☒ ☐ Can the project be found to be inconsistent with the zoning designation of the subject property?

- c. _____ Can the project be found to be inconsistent with the following applicable land use criteria:
- ☒ ☒ ☐ Hillside Management Criteria?
- ☒ ☒ ☐ SEA Conformance Criteria?
- ☒ ☐ ☐ Other? _____
- d. ☒ ☒ ☐ Would the project physically divide an established community?

- e. ☒ ☐ ☐ Other factors? _____

MITIGATION MEASURES/OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | ☒ | ☒ | ☐ | Could the project cumulatively exceed official regional or local population projections?
_____ |
| b. | ☒ | ☒ | ☐ | Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)?
_____ |
| c. | ☒ | ☒ | ☐ | Could the project displace existing housing, especially affordable housing?
_____ |
| d. | ☒ | ☒ | ☐ | Could the project result in a substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?
_____ |
| e. | ☒ | ☒ | ☐ | Could the project require new or expanded recreational facilities for future residents?
_____ |
| f. | ☒ | ☒ | ☐ | Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
_____ |
| g. | ☒ | ☐ | ☐ | Other factors? _____
_____ |

MITIGATION MEASURES/OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational** factors?

☒ Potentially significant
 ☐ Less than significant with project mitigation
 ☒ Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

- | | Yes | No | Maybe | |
|-------|-------------------------------------|-------------------------------------|-------------------------------------|--|
| a. | ☒ | ☐ | ☒ | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? |
| <hr/> | | | | |
| b. | ☒ | ☒ | ☐ | Does the project have possible environmental effects which are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. |
| <hr/> | | | | |
| c. | ☒ | ☒ | ☐ | Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly? |
| <hr/> | | | | |

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

☒ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

North Star Minerals, Inc.**Acton Clay Quarries****Plan of Operations for Mining Activities on National Forest System Lands**

Submitted by:  Title: President Date: 12-11-2008
North Star Minerals Inc

Plan Received by:  Title: Resource Officer Date: 12.11.2008
SCMRD

I. General Information

North Star Minerals, Inc. (NSM) owns and operates the Acton Clay Quarries (the "Gray Quarry" and the "White Quarry"), located about four miles south of the town of Acton, California within the Angeles National Forest. The quarries are situated in portions of Township 4 North, Range 13 West, Sections 24 and 25, and Range 12 West, Sections 19 and 30, SBBM (see Appendix 2). The site is accessed from Aliso Canyon Road via Forest Service Road 4N32. The Gray Quarry is about 0.7 miles south of FS Road 4N32, in the southeast corner of Section 24. The White Quarry is immediately north and down-slope from FS Road 4N32, about 0.4 miles east of Moody Canyon. Both quarries are accessed via unpaved roads, gated at their junctions with FS Road 4N32. NSM has mined the quarries since 1991.

Los Angeles County has granted a 20-year Surface Mining Permit (June 19, 2002) for the operation and approved NSM's Reclamation Plan, as required by the California Surface Mining and Reclamation Act (SMARA). Under the California Environmental Quality Act (CEQA) requirements, the County adopted a Mitigated Negative Declaration and a Mitigation Monitoring Program for the proposed project, as part of the SMARA permitting process.

The County's permit for NSM's mining operation and reclamation plan included certain conditions and mitigations, to avoid or mitigate potentially significant effects of the project on water quality, air quality, biota, and cultural resources identified during an Initial Study under CEQA (see Appendix 11). NSM made or agreed to revisions in the project which would avoid the effects or mitigate the effects to a point where no significant effects would occur. According to County records, the Initial Study and project revisions showed that there is no substantial evidence that the project as revised may have a significant effect on the environment.

Proposed start-up date of this Plan Of Operation is: 01/01/2009

Expected total duration of this operation: 20-years

Expected date for completion of all required reclamation: Final reclamation will occur upon termination of mining operations and is scheduled to be completed by December 31, 2029.

Vegetation establishment for reclamation will be monitored at the Gray and White Quarries on an annual basis for five years. This will be to insure successful vegetation establishment for the protection of the site and surrounding ecosystem.

II. Principals

A. Operator: North Star Minerals, Inc., Larie K. Richardson, General Manager, 501 S. First Ave., Arcadia, California 91006. Tel: 626-821-9630.

B. Authorized Field Representative: Dave Stewart, Superintendent, 661-269-5616 [mine office].

C. Owners of claims: The operator owns the claims which will be mined pursuant to this Plan. There are no other lessees, assigns, agents, etc.

D. In the event of incapacity or unavailability of the General Manager, or of Dave Stewart, contact Yen Richardson, Treasurer of the corporation, 626-254-8686.

III. Property or Area

Name and description of claims: see Appendix 1.

IV. Description of the Operation

A. Access: Access is via Forest Service Road 4N32. (The street address of the mine is 31375 Aliso Canyon Road, Acton, California 93510). See map in Appendix 2.

B. Maps, Sketches, or Drawings:

See Appendix 2.

C. Project Description.

North Star operates two separate quarries at this mine, the Gray Quarry (principally in "Bertha #4") and the White Quarry (principally in "Star #2"). Please refer to the quarry diagrams attached in connection with this project description.

The anticipated personnel requirement is up to eight miners working up to seven days a week.

Both Quarries

- It is estimated that the operation would process approximately 5 million tons of clay over the life of the plan (20 years). Combine production for both quarries may reach 1,500 tons per day, and annual production may reach approximately 200,000 tons.
- Total surface area to be mined over the 20-year period would be 24 acres, with 14 acres in the Gray Quarry and 10 acres in the White Quarry. The Plan of Operations would allow no more than 5 acres of actively mined area at any one time in each quarry (10 acres total). All mined acres within the quarries not being actively mined would be concurrently reclaimed, as described in the Reclamation Plan Summary (see Appendix 8).
- Exploration sampling will be conducted by taking soil samples or outcrop samples. Exploration holes may be drilled to further define subsurface geology. Drill holes will be completed or abandoned in accordance with applicable laws.
- While quarry operations would include some blasting of hard rock formations, most material would be mined by ripping with a track-mounted dozer. Mined material would then go through a crushing and screening process. This product is screened for two reasons. First, screening separates the product into the various size grades dictated by customers and the market. Second, screening de-aggregates the product and lowers the moisture content from over 12% to under 7%, a level required for customer and market acceptance. It is also necessary to crush material in order to produce a commercially acceptable product, because some rocky material cannot be properly processed to size requirements by the screening plant.
- Mining operations would occur year-round, except during periods of heavy rain. Both quarries will operate about five days per week. Seasonal and weather conditions will affect the scheduling of all aspects of this operation. A typical working day will be sixteen hours. Shipments will typically take place five days a week, but weather and other conditions may require shipments seven days a week. Shipments on more than five days a week will be a rare occurrence, but occasionally will be necessary where weather or other factors have prevented shipments pursuant to the regular schedule, or on account of emergency orders from customers.
- Commercial material would be hauled off-site by 18-wheel highway trucks (GVW 80,000 lbs.) to various markets, traveling on FS Road 4N32 to Aliso Canyon Road, then on to Soledad Canyon Road toward markets in the Mojave Desert. On average, approximately 39 truckloads of material would be shipped per 12-hour day.
- All access roads, including interior roads, would be maintained to Forest Service standards (see Mitigation Measures in Appendix 12). Roads will be watered or treated with a dust-control agent.
- Non-commercial material excavated during mining operation will be deposited in overburden sites within the two quarries.
- The overall mining strategy is to develop the quarries by excavating in a downward and northward direction, into the existing quarry floor and face. However, as changes in

commercial demand for various types of clay occur, previously mined and reclaimed areas within the quarries may be re-excavated to remove clay ore previously left behind.

- Back slopes of the mined area during and following active mining operations will range from 1:1 to 2:1 (one to two feet of horizontal run for every one foot of vertical rise) overall, with up to twenty-foot high and forty-foot wide benches, in accordance with State and federal mining regulations.
- All topsoil removed during mining will be stockpiled and used for reclamation. The location of such stockpiles is shown on the quarry diagrams (see reclamation discussion immediately below, and Reclamation Plan Summary in Appendix 8).
- A processing plant for screening and crushing will be located within each quarry, typically on a low, flat area of the quarry floor.

Gray Quarry

The Gray Quarry will be mined by ripping with a track-mounted dozer. Because of the geological characteristics of this quarry, blasting occasionally may be necessary. Mined product will be transported to a screening plant by a wheel loader or haul truck. The screening plant can produce up to 300 tons of screened product per hour.

The Gray Quarry will operate year-round except during periods of heavy rain. Production and shipping may reach at 1,500 tons per day. Anticipated annual production will be between 80,000 - 200,000 tons. This quarry may produce waste, which will be used for reclamation.

White Quarry

The White Quarry will be mined by ripping with a track-mounted dozer. After ripping, the product will be selectively mined using a wheel loader. Oversized material will be crushed. This product may be processed by various separators to recover some iron from the material. In addition the material is ordinarily screened. Some material may require additional drying and fine screening. Primary screening production is possible at rates of around 300 tons per hour. Up to 50% of the mined material may not meet certain customers' requirements.

The White Quarry will operate year-round except during periods of heavy rain. Production and shipping may reach 1,500 tons per day. Anticipated annual production will be between 80,000 – 200,000 tons.

Reclamation Activities

Appendix 13 includes a Reclamation Plan that describes in detail measures that would be taken to reclaim the quarries during ongoing operations and at the end of the 20-year operating period when mining activity ceases (see the Reclamation Plan Summary, Appendix 13).

D. Equipment and Vehicles.

The following is a list of equipment on-site at the effective date of this plan.

- Bulldozer, Caterpillar D-9 or equivalent
- Bulldozer, Caterpillar D-8 or equivalent
- Front End Loader, Caterpillar 988B or equivalent
- Front End Loader, Caterpillar 980F or equivalent
- Front End Loader, Caterpillar 966C or equivalent
- Road Grader, Dresser 870
- 18-ton All Terrain Crane, Drott 1800
- Man-lift
- Water Truck, Euclid (green)
- Water Truck, Euclid (white)
- Truck-tractor, pulling doubles or water trailer
- Mechanic's boom truck, 5-ton
- Mechanic's Service Truck, with welder and misc equipment
- Portable Screen Plant (3)
- Screen, drying-trommel, and baghouse (dry screening operation)
- Crusher, Jaw, 10x36
- Crusher, Jaw, 10x24
- Crusher, Jaw, 30x42
- Crusher, Cone, 3-ft
- Air classification unit
- Baghouse
- Portable generators (5)
- Portable Truck Scales (2)
- Diesel, gas, & oil storage truck, on containment

E. Structures.

The following is a list of on-site structures at the effective date of this plan.

Structures at the Gray Quarry

- Beverage trailer used for storage (8x26')
- Water tanks
- Generator van (8x24')
- Plant control room
- Storage container (8x40')
- Storage container (6x6x6) (2)

Structures at the White Quarry

- Portable trailer used as office (8x24')
- Office trailer (8x26')
- Scale house
- Lab trailer (8x26')
- Land-Sea container (8x24')
- Storage vans (8x24')
- Water Tanks

V. Environmental Protection Measures

Mitigation Measures

Mitigation measures have been developed to avoid or lessen adverse environmental impacts of the proposed mining activities. These measures appear in detail in section VI of this Plan of Operation and in Appendices 11, 12 and 13 and include conditions and mitigations which are part of Surface Mining Permit 00-21-(5) issued to North Star Minerals, Inc. by the County of Los Angeles.

A. Air Quality Mitigation Measures

Mitigation measures regarding Air Quality appear in detail in section VI of this Plan of Operation and in Appendices 11, 12 and 13 of this document.

B. Soil and Water Quality Mitigation Measures

Mitigation measures regarding Soil and Water Quality appear in detail in section VI of this Plan of Operation and in Appendices 11, 12 and 13 of this document.

C. Scenic Management Mitigation Measures

Mitigation measures regarding Scenic Management appear in detail in section VI of this Plan of Operation and in Appendices 11, 12 and 13 of this document.

D. Avoidance and Mitigation Measures for Wildlife and Plants

Mitigation measures regarding Wildlife and Plants appear in detail in section VI of this Plan of Operation and in Appendices 11, 12 and 13 of this document.

E. Cultural Resources Mitigation Measures

Mitigation measures regarding Cultural Resources appear in detail in section VI of this Plan of Operation and in Appendices 11, 12 and 13 of this document.

F. Hazardous Substances

The only potentially hazardous material used in this mining operation is diesel fuel and petroleum-based lubricants. Waste lubricant will be disposed of to a licensed recycler. Trucks dispensing fuel will be placed on a containment facility designed to hold the entire amount of fuel in case of a spill.

In accordance with the Spill Prevention, Control, and Countermeasures Plan on file for this operation and incorporated into this Plan of Operations, storage facilities for materials capable of causing water pollution if accidentally discharged will be located to prevent any spillage into waters or channels leading into water that would result in harm to fish or wildlife or to human water supplies.

North Star's mining operations do not require frequent blasting. When blasting is called for by conditions at the quarries, it will be conducted by a licensed contractor pursuant to permit. No blasting materials will be maintained at the site.

Please see also the Spill Response Plan (Appendix 5).

G. Reclamation

Reclamation is the process that minimizes adverse environmental effects of surface mining, so that, at the end of mining operations, the land can be returned to other suitable uses as specified in the Forest Plan.

The reclamation plan presented in Appendix 13 includes reclamation processes that are concurrent with ongoing mining operations and final reclamation processes at the end of mining the site.

For a detail Reclamation Plan see Appendix 13.

H. Miscellaneous Provisions

The following miscellaneous mitigation provisions were proposed as part of the SMARA approval process and are hereby incorporated into this Plan of Operations.

- Surface mining operations and related structures shall not be located within fifty feet of any public street or highway or any lot or parcel of land in other than the permittee's ownership unless the written consent of the owner of such property is first secured and recorded (Appendix 11).
- The outer boundaries of property used or intended to be used for surface mining shall be posted with signs giving notice of the use or intent to use such land in the surface mining operation (Appendix 11).
- Prior to the commencement of any surface mining operation the area to be used shall be enclosed by a fence (Appendix 11).
- The operator is responsible to assure that exiting trucks are legally loaded (Appendix 11).
- Any blasting events shall be permitted by all required agencies, including, but not limited to, the Forest Service, and the County of Los Angeles. All blasting operations are prohibited between 7 PM and 7 AM (Appendix 11).
- All operations are restricted to the hours of 6 AM to 10 PM (Appendix 11).

VI. Forest Service Evaluation of Plan of Operations

A. Required mitigation measures and conditions:

Air Quality Mitigation Measures

The following mitigation measures are derived from a variety of regulatory sources and are proposed to reduce air quality impacts from the project. If the proposed activities are modified at some future date, the mitigation measures may need to be revised in order to address effects that are not covered under the current assessment.

- The equipment and vehicles used during operations shall conform to the manufacturer's specifications and South Coast Air Quality Management District (SCAQMD) requirements and be maintained to provide efficient operation and a minimum of air contaminants (California Surface Mining and Reclamation Act; SMARA).
- Trucking shall be performed on a 12-hour-per-day basis. This will reduce emissions by allowing trucks to operate during non-peak hours, increasing truck speeds, and eliminating

prolonged idling in traffic, thereby decreasing truck emissions. Similarly, when operating on-site, trucks shall not be left idling for long periods (SMARA).

- Electric and gasoline equipment shall be substituted for diesel where feasible (SMARA).
- Catalytic converters will be used on gasoline equipment (SMARA).
- Where applicable, high-pressure fuel injector nozzles will be used (SMARA).
- Diesel engine timing will be retarded by four degrees (SMARA).
- Reformulated, low-emission diesel fuel will be used (SMARA).
- All mining, screening, and production transportation shall not be commenced during any second stage smog alert (SMARA).
- All activities of mining and processing minerals shall be conducted in a manner such that dust, smoke, and dirt do not exceed levels compatible with uses of adjacent lands (SMARA).
- All private roads shall be watered while being used, or shall be treated with a dust control agent in order to prevent the emanation of dust. A chemical stabilizer will be applied to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface. Dust suppression measures shall be undertaken on all unpaved roads providing access to the site (SMARA, SCAQMD Rules 403, 1157, & 1186).
- Watering shall be conducted as necessary to prevent visible emissions from extending more than 100 feet beyond the mine site, except for areas that are inaccessible to watering vehicles (SCAQMD Rule 403).
- Water or dust suppressants shall be applied to inactive disturbed surface areas when there is evidence of wind blown fugitive dust, or vegetative ground cover shall be established within 21 days after active operations have ceased (SCAQMD Rule 403).
- Material shall be watered prior to crushing /screening operations, as well as during loading and transport (SCAQMD Rules 403 & 1157).
- Six inches of freeboard shall be maintained on haul vehicles (SCAQMD Rule 403).
- Water will be applied to open storage piles on a daily basis when there is evidence of wind driven fugitive dust (SCAQMD Rule 403 & 1157).
- When instantaneous wind speeds exceed 25 miles per hour, the dust suppression contingency measures listed in SCAQMD Rule 403 Table 3 shall be applied, or active mining operations shall be temporarily suspended (SCAQMD Rule 403).

Soil and Water Quality Mitigation Measures

Forest Plan Direction, Strategies and Tactics for Protection of Soil and Water Quality Resources

All applicable Angeles National Forest Land Management Plan (Forest Plan) standards and guidelines will be followed (refer to plan standards in Forest Plan, Part 3).

See also Table A-2 in Appendix Sub-section 12.4, Avoidance and Mitigation Measures for Wildlife and Plants, for Angeles National Forest program strategies and tactics relevant to mining and soil/water resource management. These include WAT 1 - Watershed function, WAT 3 - Hazardous Materials, and ME 1 - Minerals management.

Best Management Practices

All applicable Best Management Practices (BMPs) will be identified and followed in all ground-disturbing activities within the quarries. These include, but are not limited to, Practice 3-1 (Water Resources Protection on Locatable Mineral Operations), as described in Section 12.32, *Water Quality Management for Forest System Lands in California*, September 2000.

Additional Minimization and Avoidance Measures

To mitigate for impacts to soil and water quality, the following measures will be followed. These are in addition to or complementary to mitigation measures and reclamation activities listed for other resources and required by other agencies in Appendices 8, 11, and 12.

- In accordance with the Spill Prevention, Control, and Countermeasures Plan on file for this operation and incorporated into this Plan of Operations, storage facilities for materials capable of causing water pollution if accidentally discharged will be located to prevent any spillage into waters or channels leading into water that would result in harm to fish or wildlife or to human water supplies. The only potentially hazardous material used in this mining operation is diesel fuel and petroleum-based lubricants. Waste lubricant will be disposed of to a licensed recycler. Trucks dispensing fuel will be placed on a containment facility designed to hold the entire amount of fuel in case of a spill.
- Operator will take precautions to control runoff and erosion and to prevent entry into surface water for all disturbed areas, including waste dumps. Waste dumps will be located within the quarry boundaries, and runoff will be routed away from waste dumps.
- Operator will perform road maintenance to protect surface resources and prevent erosion. Maintenance of access roads will be done in accordance with Forest Service "Minimum Standards for Road Construction" (included in this Plan of Operations), which provides for the following actions to protect water quality:
 - No material will be sidecast unless included as a part of the road fill.
 - Fill material will be appropriately compacted where road remains open during winter months.
 - Appropriate road surface drainage techniques will be employed, including waterbars diverting flow to undisturbed surface in order to reduce runoff erosion.
- Benches will be provided wherever necessary to control drainage on slopes.
- Operator will shape quarries and locate stockpiled topsoil and excavated non-commercial material to minimize the passage of runoff across disturbed surfaces. Stockpiles will be stabilized by compaction if necessary to prevent erosion. Stockpiled topsoil will be seeded as necessary to stabilize the soil.
- Disturbed areas will be reclaimed and revegetated at the earliest opportunity (and in no event less than once a year in the fall growing season).
- Treat berms at edges of mining quarries and along access road fill slopes (for example, using mulching, seeding, etc.), to prevent erosion and sedimentation travel onto adjacent areas.
- Settling ponds, where sediment is collected within the quarries, should be cleaned out and sediment deposited and stabilized in areas of the quarry that will prevent sediment from being

transported away from the quarry site to adjacent lands. Designate debris/sediment disposal sites within the quarries, and follow soil stabilization procedures outlined by the Reclamation Plan and State/federal reclamation standards.

- Where needed, install silt fencing or other sediment trapping materials to minimize the transport of sediment off site.
- Operator will maintain and operate the quarries in full compliance with all State conditions of the Surface Mining Permit issued under SMARA, including State requirements for stormwater runoff and other water pollution plans and all mitigation measures in the Mitigation Monitoring Program (see Appendix 11).
- Quarries and Plan of Operations will be inspected annually to ensure that protection of soil and water quality resources is provided.

Scenic Management Mitigation Measures

To mitigate for visual impacts, the measures will be taken:

- All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, and signs. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
- Vehicles, buildings, barriers, signs, equipment, etc. that will remain or will be used on any of the proposed or current mining sites for more than 3 consecutive 24 hour periods, should be colored, designed, painted or covered with patterns or colors that complement, blend in with, or emulate the surrounding native vegetation. This includes fencing and containers.
- All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors and bright lights do not exceed levels compatible with uses of adjacent lands. If night lighting is used, it shall be directed downward in order that the sources of the lighting will not be visible from the Town of Acton.
- Over the 20 year period of this Plan, the operator will reclaim and re-vegetate mined areas at the earliest practicable opportunity, and will continuingly reclaim inactive areas. Also, where not immediately used in ongoing reclamation, topsoil and brush will be set aside as new areas are mined and segregated into separate piles to be used as needed for future reclamation.
- Cover sites of high-brightness waste with neutral colored or darker material from the site, to reduce the visual contrast between the disturbed areas and the natural background.
- Previously mined/disturbed areas that fall outside of the 5 designated acres currently being mined in each quarry, will be concurrently reclaimed as stated in the Reclamation Plan for this plan. Emphasis should be taken on north facing slopes, which are more prone to be seen from the community of Acton and travelers on the Interstate 14 freeway.
- If a north facing slope that is not being actively mined can not feasibly be reclaimed concurrently, efforts must be made to mask the exposed light colored material in a manner by which it blends in with the native top soil or the surrounding native vegetation until the

reclamation process can be implemented. Potential temporary “quick fix” solutions include continuous surface applications of topsoil, camouflage netting, jute mesh, etc. All materials used will be approved by the Angeles National Forest

- The operator will control the amount of sediment and material from the operation that is being pushed towards the site boundaries and eventually over the sides, to avoid causing erosion and loss of vegetation.
- The Restoration Plan includes the revegetation and stabilization of eroded site boundary and road edges. Restoration of these areas and the implementation of proper erosion control methods are vital to improving and meeting the Scenic Integrity Objectives (SIO’s) for this site. Potential sediment control methods include mulching, silt fences and rock checks in drainage lines along the road alignment to arrest sediment. A concurrent solution would be to include a minimum 5’ wide vegetative edge along the project boundaries to provide natural screening and some erosion protection. In areas of constant vehicle traffic, provide vehicle barriers to protect raised vegetative edges from accidental vehicle contact.

Avoidance and Mitigation Measures for Wildlife and Plants

All applicable Angeles National Forest Land Management Plan (Forest Plan) standards and guidelines will be followed (refer to plan standards in Forest Plan, Part 3).

This section lists minimization and avoidance measures developed in the Biological Evaluation/Biological Assessment (BE/BA) for this project. The BE/BA will be updated and reviewed as new information becomes available and as needed to incorporate species status changes or new information regarding species occurrences or life history.

Measures to reduce potential impacts include the following:

1. The USFS staff will provide photographs and descriptions for work crews of the following TESP species potentially occurring at the site.
2. All cacti will be transplanted. Depending on the number found, they will be transplanted to another location or taken to Rancho Santa Ana Botanic Garden.

North Star Minerals, Inc. (NSM) will comply with re-vegetation and reclamation requirements as outlined in the Mining and Reclamation Plan reviewed and approved under SMARA by Los Angeles County. All re-vegetation plans will be approved by a ANF botanist prior to implementation. Before removing soils or vegetation within 100 meters of the known short-jointed beavertail cactus occurrence near the existing quarry, NSM will contract with ANF botanist.

3. To prevent the spread of noxious weeds, an invasive species avoidance plan will be developed and agreed to by the Forest Service and NSM. The action items will range from washing vehicles and equipment when they have been taken to an infested area to periodic vegetation checks when on the trucks regular routes.
4. NSM and the Forest Botanist will conduct yearly meetings to review noxious weed issues. This includes discussing new infestations in nearby areas (both on and off project areas),

reviewing the past year successes and failures and altering the plans as needed for monitoring noxious weeds.

5. The Forest Service will provide NSM with laminated photos of weeds of concern. These are weeds not yet found in the area. It will be the responsibility of NSM to look for these weeds or any other unusual looking vegetation. If anything unusual is found then the Forest Botanist will come and identify these plants.
6. The Forest Botanist will identify areas currently infested with weeds. When infested areas are being cleared, efforts must be made not to spread the seeds of invasive species such as ripgut brome (*Bromus diandrus*) outside of an already infested area. In addition cleaning of equipment as mentioned above, workers should take care to inspect, remove, and properly dispose of weed seed and plant parts found on their clothing between work sites. Proper disposal means bagging the seeds and plant parts and incinerating them or removing them from site.
7. To prevent the spread of noxious weeds:
 - a) Follow up noxious weed surveys will be conducted.
 - b) The timing and duration of the invasive weed surveys will be up to the discretion of the Forest Service Botanist and NSM. Ideally, weed surveys will be conducted bi-monthly between March and July. These surveys will be quick in nature and intended to detect new infestation.
 - c) Any new or expanding infestation of invasive species will be removed.
8. A restoration plan will be developed and approved by the Forest Service Botanist and NSM.
9. For excavations outside of active workings, measures must be taken to avoid the entrapment of small mammals, reptiles or amphibians. If excavations are to remain open for more than 12 hours, they must include some means for small mammals, reptiles and amphibians to escape. This can be accomplished by placement of any material (log, branch, long piece of wood etc.) that will effectively function as a ramp that will reasonably allow trapped individuals to crawl or walk out. Before an excavation is backfilled, it must be checked to ensure that there are no live individuals inside. Backfilling cannot occur until the excavation is clear of all live individuals.
10. All appropriate BMP's will be followed to minimize sediment into water courses.
11. If any work is done in riparian areas, the 5 step screening process outlined in the Forest Plan for Riparian Conservation Areas (RCA) will be followed.
12. Soil and Water Conservation Practices Handbook, FSH 2509.22 will be followed to minimize impacts to soil and riparian areas.
13. Except for materials hauling and access to the site along Forest Service Road 4N32, neither NSM nor its employees or contractors shall use mechanized equipment of any kind to disturb soils or vegetation outside the bounds of the project area.

Cultural Resources Mitigation Measures

The 20 year operation permit requires management measures that are necessary for the protection of cultural resources. The Angeles National Forest has provided archaeological clearance (07SCM16PISP, dated January 10, 2007), which details the archaeological inventory, consultation with the Forest Heritage Program Manager (HPM), and the determination of "No Adverse Effect" in compliance with the National Historic Preservation Act of 1966, as amended. The document contains site-specific Standard Protection Measures (SPMs) for implementation under carefully controlled conditions, and monitoring requirements stipulated by the Forest Service, under agreement with the State Historic Preservation Officer.

Activities performed under the Plan of Operation will be undertaken within the boundaries of cultural resources, referenced in the Brock 2000 Report (Heritage Resource Assessment for North Star Minerals' 20-Year Mining Plan, Acton Clay Quarries, Angeles National Forest, Los Angeles County, California). At the activation of the permit, North Star Minerals will coordinate with the Angeles National Forest HPM to make on-site identification of the locations that require SPMs. The maintenance of these measures and periodic monitoring by the Forest Service will be followed throughout the duration of permit.

In the course of implementation, should any additional (and presently unknown) cultural artifacts or features be detected, all work will cease at that location until appropriate consultation with the Forest HPM occurs. In all cases, if impacts are anticipated to occur on designated cultural resources, then coordination will be made with the Forest HPM, in order to plan for mitigation or other management of the resources.

B. Bond. Reclamation of all disturbances connected with this Plan of Operations is covered by Reclamation Performance Bond No. (numbered account 07018-00454), dated December 13, 1995, signed by North Star Minerals, Inc. (Principal) and Bank of America (Surety), for the sum of (as of September 30, 2006) \$56,617.43. This Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed below, and with the reclamation requirements agreed upon in the Plan of Operations. This Reclamation Performance Bond also extends to and includes any unauthorized activities conducted in connection with this operation.

The bond amount for this Reclamation Performance Bond was based on a bond calculation worksheet. The bond amount may be adjusted during the term of this Plan of Operations in response to changes in the operations or to changes in the economy. Both the Reclamation Performance Bond (Appendix 9) and the bond calculation worksheet are attached to and made part of this Plan of Operations.

Acceptable bond securities include:

1. Negotiable Treasury bills and notes which are unconditionally guaranteed as to both principle and interest in an amount equal at their par value to the penal sum of the bond; or
2. Certified or cashier's check, bank draft, Post Office money order, cash, assigned certificate of deposit, assigned savings account, blanket bond, or an irrevocable letter of credit equal to the penal sum of the bond.

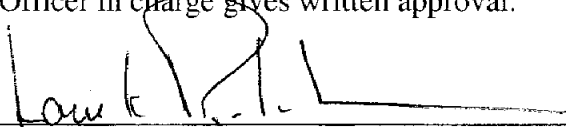
VII. Terms and Conditions

- A. If a bond is required, it must be furnished before approval of this Plan of Operations.
- B. Information provided with this plan marked confidential will be treated in accordance with the agency's laws, rules, and regulations.
- C. Approval of this Plan does not constitute certification of ownership to any person named herein and/or recognition of the validity of any mining claim named herein.
- D. Approval of this plan does not relieve the Operator of its responsibility to comply with other applicable state or federal laws, rules, or regulations.
- E. If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed as a result of operations, those operations will not proceed until notification is received from the Authorized Officer that provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800 have been complied with.
- F. This Plan of Operations has been approved for a period of twenty years from the date of approval. A new or revised Plan must be submitted in accordance with 36 CFR part 228, subpart A, if operations are to be continued after that time period.
- G. Once a year an annual inspection of the mining operation will take place to determine the Operator's compliance with this Plan Of Operations. If needed this Plan Of Operations will be amended annually to adjust the Reclamation Performance Bond or any other requirements.

VIII. Operating Plan Acceptance

On behalf of North Star Minerals, Inc., I have reviewed and agree to comply with all conditions in this Plan of Operations including any required changes, modifications, special mitigation, and reclamation requirements. Furthermore, I understand that the bond will not be released until the Authorized Officer in charge gives written approval.

Operator: _____


Laurie Richardson

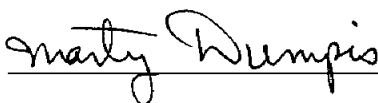
Date: 12/24/08

IX. Operating Plan Approval

Name: MARTY DUMPIS

Title: DEPUTY FOREST SUPERVISOR

Authorized Officer: _____



Date: 12/24/2008

Appendices

1. List of Claims
2. Maps, Sketches, Drawings
3. List of Vehicles
4. List of Structures
5. Spill Response Plan
6. Minimum Standards of Road Construction and Road Maintenance Plan
 - 6.1 Minimum Standards of Road Construction
 - 6.2 Road Maintenance Plan
7. Revegetation Seed Selection and Rates of Application (“Landscape and Revegetation Plan”)
8. Bond Calculation
9. Copy of Reclamation Performance Bond
10. Emergency Road Repair Plan
11. State and Local (County of Los Angeles) Conditions and Mitigations
 - 11.1 County of Los Angeles Mitigations and Conditions
 - 11.2. State Mining & Geology Board Regulations: Article 9, Reclamation Standards
12. Mitigation Measures
13. Reclamation Plan Summary

Appendix 1: List of Claims

The following claims are in Sections 24, Township 4 North, Range 13 West, SBB, Los Angeles County, California:

Claim Name	Location Size/Type	Original Sec; Descr ; Meridian	CAMC No.	Date	County No.
Bertha #1 1508273	80ac Placer	24 ; NW1/4 ; SBB	214056	08/31/88	88-
Bertha #2 1508272	80ac Placer	24 ; NE1/4 ; SBB	214057	08/02/88	88-
Bertha #3 1508271	160ac Placer	24 ; SW1/4 ; SBB	214058	08/25/88	88-
Bertha #4 1508270**	160ac Placer	24 ; SE1/4 ; SBB	214059	08/25/88	88-
Star 1 1083378	80ac Placer*	24 ; E1/2 NW1/4 ; SBB	269597	08/26/96	97-
Star 2 1083377**	80ac Placer*	24 ; E1/2 SW1/4 ; SBB	269598	08/26/96	97-

[* Star 1 and Star 2 are subdivisions of Bertha #1 and Bertha #3 respectively.]

** Claims where mining covered under this Plan of Operations will take place.

The following claims are in Section 25, Township 4 North, Range 13 West, SBB, Los Angeles County, California:

Claim Name	Location Size/Type	Original Sec; Descr ; Meridian	CAMC No.	Date	County No.
GB 1	20ac Placer	25 ; N1/2 NW1/4 NE1/4 ; SBB	251363	12/17/91	92-273665
GB 2	20ac Placer	25 ; N1/2 NE1/4 NE1/4 ; SBB	251372	12/17/91	92-273666
GB 3	20ac Placer	25 ; S1/2 NW1/4 NE1/4 ; SBB	251365	12/17/91	92-273667
GB 4	20ac Placer	25 ; S1/2 NE1/4 NE1/4 ; SBB	251366	12/17/91	92-273668

The following claims are in Sections 20, Township 4 North, Range 12 West, SBB, Los Angeles County, California:

Claim Name	Location Size/Type	Original Sec; Descr ; Meridian	CAMC No.	Date	County No.
GB 9	20ac Placer	20 ; N1/2 NW1/4 NW1/4 ; SBB	251371	12/23/91	92-273673
GB 10	20ac Placer	20 ; N1/2 NE1/4 NW1/4 ; SBB	251372	12/23/91	92-273674
GB 11	20ac Placer	20 ; S1/2 NW1/4 NW1/4 ; SBB	251373	12/23/91	92-273675

The following claims are in Sections 16 and 17, Township 4 North, Range 12 West, SBB, Los Angeles County, California:

Claim Name	Location Size/Type	Original Sec; Descr ; Meridian	CAMC No.	Date	County No.
GL #6 2062542	160ac Placer	16 ; NW1/4 ; SBB	219546	12/21/88	88-
GL #6 Amended				01/20/89	89-185366
GL #7 2062543	160ac Placer	16 ; SW1/4 ; SBB	219547	12/21/88	88-
GL #6 Amended				01/20/89	89-185367
GL #1 2062540	160ac Placer	17 ; NE1/4 ; SBB	219542	12/21/88	88-
GL #1 Amended				01/19/89	89-96928
GL #2 2062539	160ac Placer	17 ; NW1/4 ; SBB	219543	12/21/88	88-

GL #2 Amended				01/19/89	89-96929
GL #3	160ac Placer	17 ; SW1/4 ; SBB	219544	12/21/88	88-
2062538					
GL #3 Amended				01/19/93	89-96930
GL #4	160ac Placer	17 ; SE1/4 ; SBB	219545	12/21/88	88-
2062537					
GL #4 Amended				01/20/89	89-96931

The following claims are in Section 18 and 19, Township 4 North, Range 12 West, SBB, Los Angeles County, California:

Claim Name	Size/Type	Location Sec; Descr ; Meridian	Original CAMC No.	Date	County No.
AR #7	40ac Placer	18 ; S1/2 S1/2 SW1/4 ; SBB	219549	12/28/88	89-46093
AR #7 Amended				01/18/89	89-90100
AR #8	40ac Placer	18 ; SW1/4 of SE1/4 ; SBB	219550	12/28/88	89-46094
AR #8 Amended				01/18/89	89-90101
AR #9	40ac Placer	18 ; SE1/4 of SE1/4 ; SBB	219551	12/28/88	89-46095
AR #9 Amended				01/18/89	89-90102
AR #10	40ac Placer	18 ; NW1/4 of SE1/4 ; SBB	219552	12/28/88	89-96926
AR #11	40ac Placer	18 ; NE1/4 of SE1/4 ; SBB	219553	12/28/88	89-46097
AR #11 Amended				01/18/89	89-90104
AR #1	160ac Placer	19 ; NE1/4 ; SBB	219548	12/28/88	88-
2062547					
AR #1 Amended				01/19/89	89-96931

The following claims are in Sections 19 and 30, Township 4 North, Range 12 West, SBB, Los Angeles County, California. These claims are 20 acres each.

Claim Name	Size/Type	Location Sec; Descr ; Meridian	Original CAMC No.	Date	County No.
AN 17	-- Lode	19 ; N1/2 SE1/4 NW1/4; SBB	251551	01/07/92	92-273616
AN 20	-- Lode	19 ; S1/2 SE1/4 NW1/4; SBB	251554	01/07/92	92-273619
AN 23	-- Lode	19 ; N1/2 NE1/4 SW1/4; SBB	251557	01/07/92	92-273622
AN 26	-- Lode	19 ; S1/2 NE1/4 SW1/4; SBB	251560	01/07/92	92-273625
AN 28	-- Lode	19 ; N1/2 SW1/4 SW1/4; SBB	251562	01/04/92	92-273627
AN 29	-- Lode	19 ; S1/2 SW1/4 SW1/4; SBB	251563	01/04/92	92-273628
AN 30	-- Lode	19,30; N1/2 NW1/4 NW1/4; SBB	251564	01/04/92	92-273629
AN 31	-- Lode	19 ; W1/2 SE1/4 SW1/4; SBB	251565	01/06/92	92-273630

Appendix 2: Maps, Sketches, and Drawings

Figure 1. Vicinity and Location Map: Acton Clay Quarries

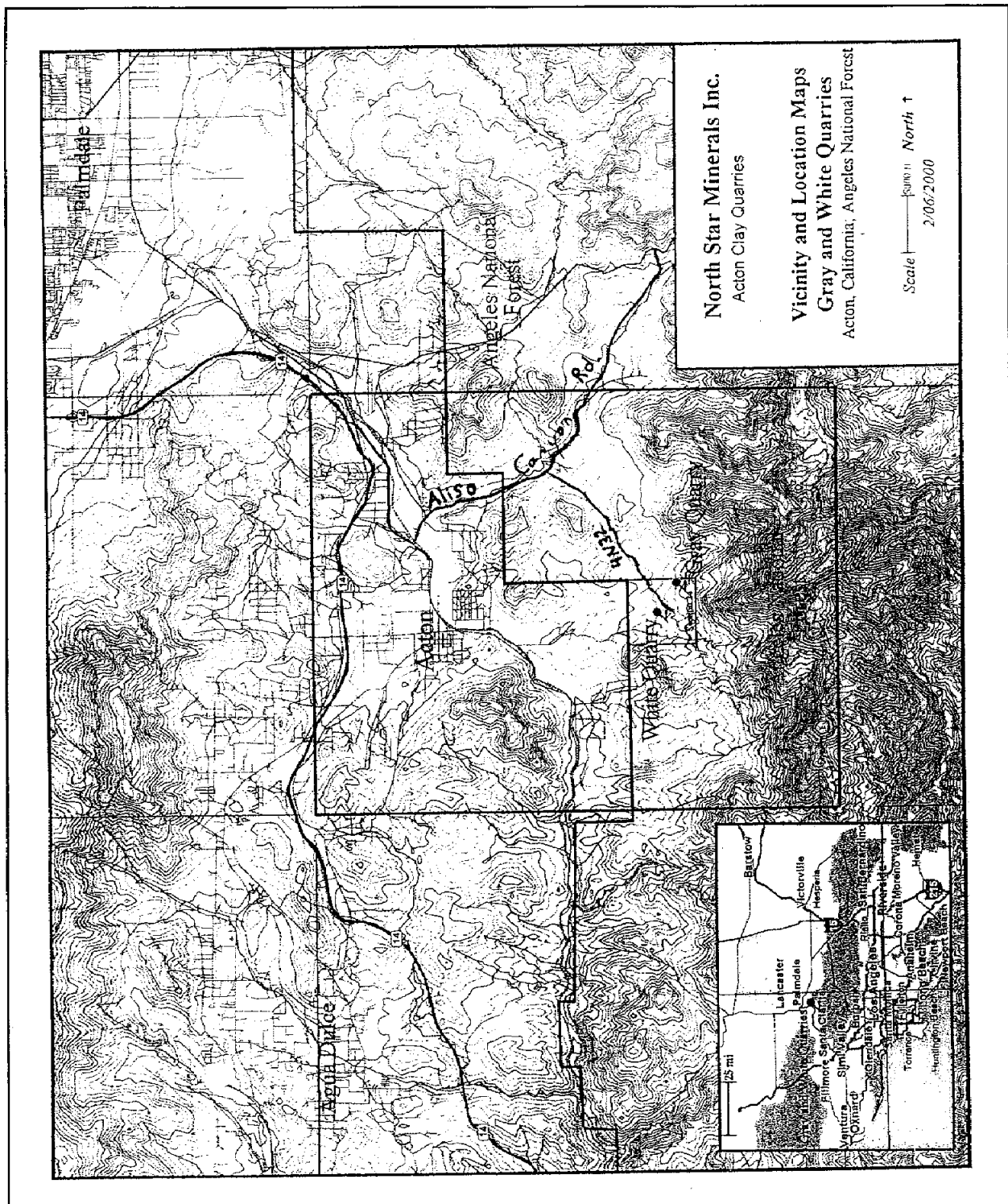
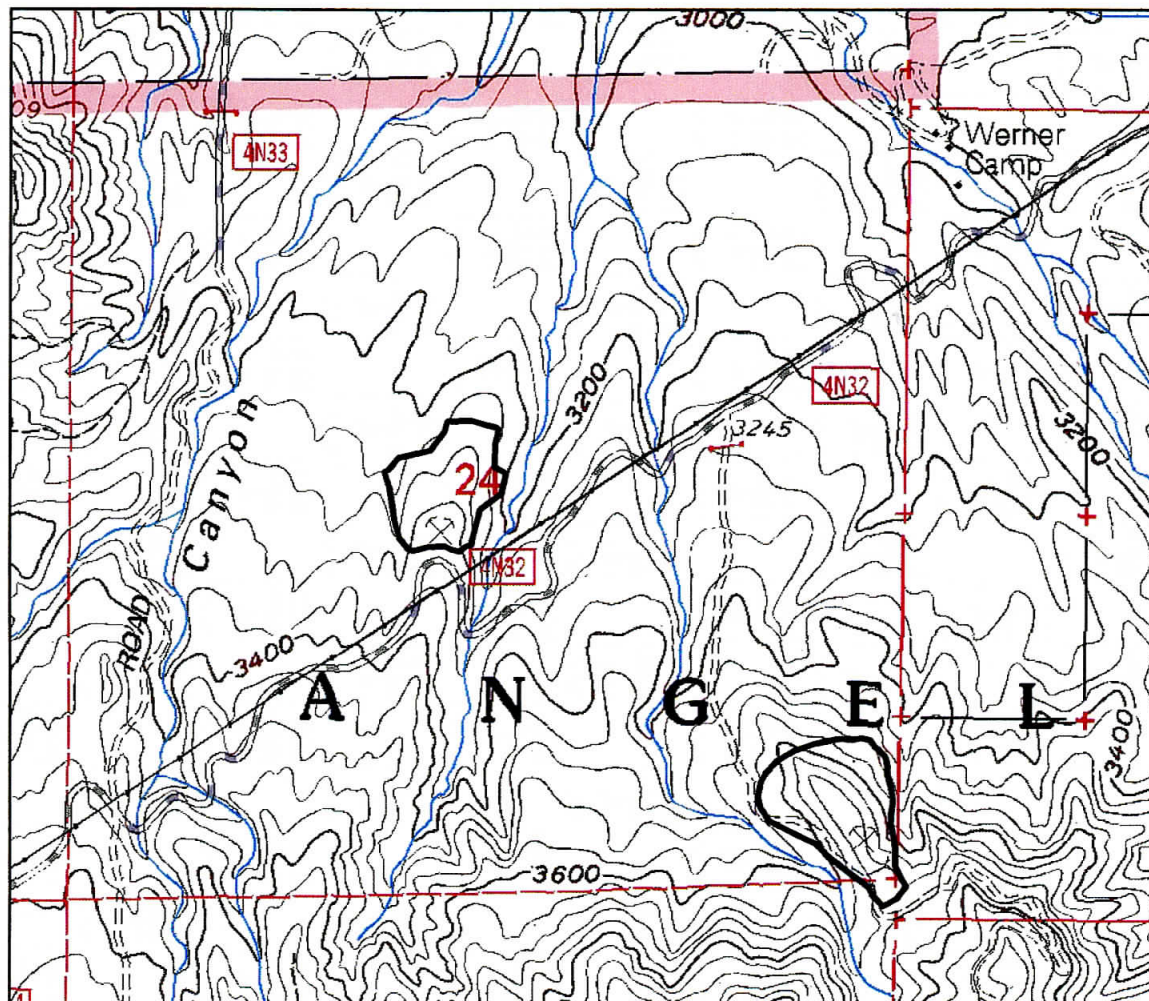


Figure 2. Acton Clay Quarries Expansion (Alternative 2, Proposed Action)

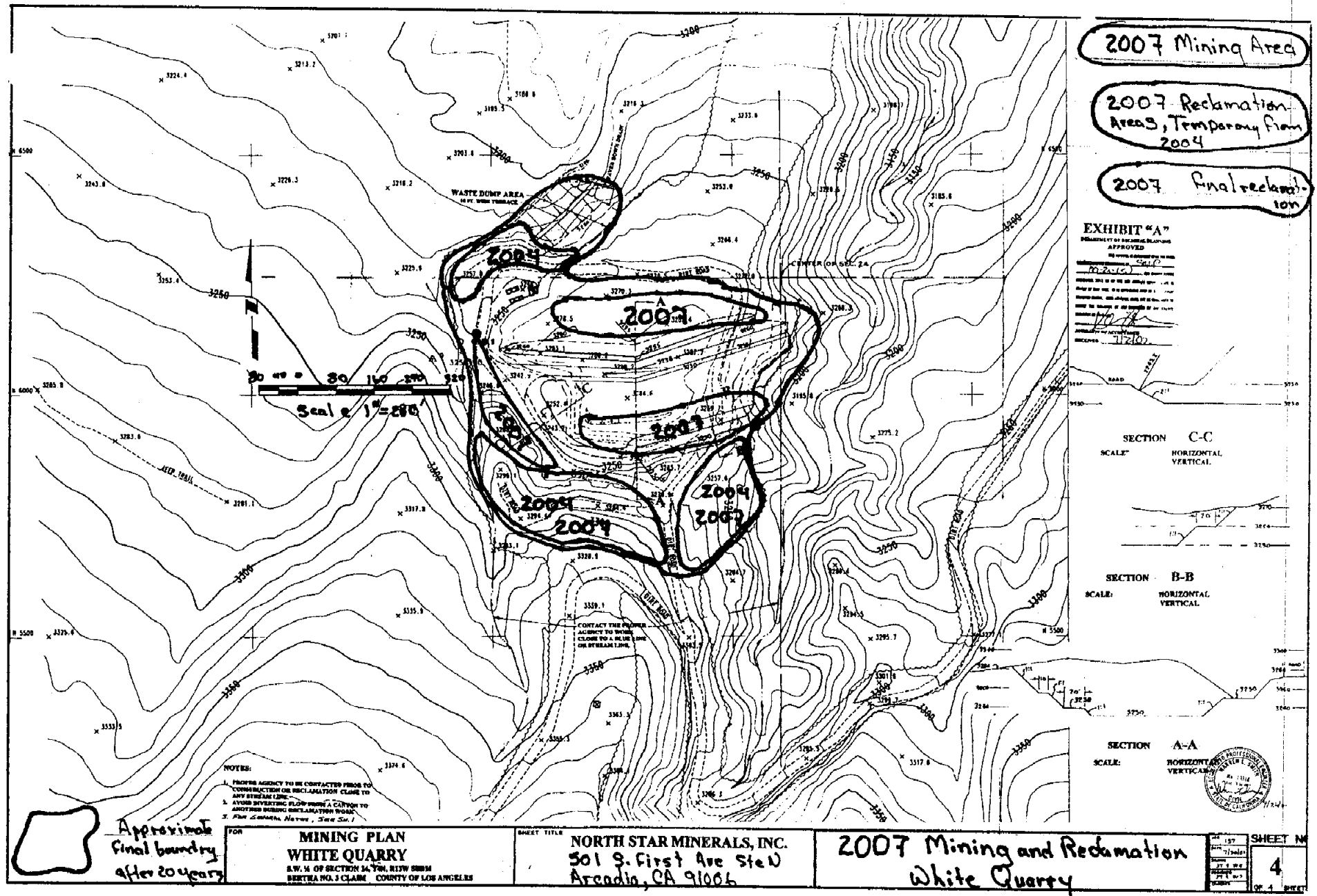


T4N, R13W, Sections 24 and 25;
T4N, R12W, Section 19 and 30, SBBM

- = Angeles National Forest Boundary
- = Area of Disturbance *







REFERENCES

• **Wanted: A good one**

- [illegible]

5. *Implications*

[illegible]

- [illegible]



Appendix 3: List of Equipment

The following is a list of equipment on-site at the effective date of this plan.

- Bulldozer, Caterpillar D-9 or equivalent
- Bulldozer, Caterpillar D-8 or equivalent
- Front End Loader, Caterpillar 988B or equivalent
- Front End Loader, Caterpillar 980F or equivalent
- Front End Loader, Caterpillar 966C or equivalent
- Road Grader, Dresser 870
- 18-ton All Terrain Crane, Drott 1800
- Man-lift
- Water Truck, Euclid (green)
- Water Truck, Euclid (white)
- Truck-tractor, pulling doubles or water trailer
- Mechanic's boom truck, 5-ton
- Mechanic's Service Truck, with welder and misc equipment
- Portable Screen Plant (3)
- Screen, drying-trommel, and baghouse (dry screening operation)
- Crusher, Jaw, 10x36
- Crusher, Jaw, 10x24
- Crusher, Jaw, 30x42
- Cursher, Cone, 3-ft
- Air classification unit
- Baghouse
- Portable generators (5)
- Portable Truck Scales (2)

Diesel, gas, & oil storage truck, on containment

Appendix 4: List of Structures

The following is a list of on-site structures at the effective date of this plan.

Structures at the Gray Quarry

- Beverage trailer used for storage (8x26')
- Water tanks
- Generator van (8x24')
- Plant control room
- Storage container (8x40')
- Storage container (6x6x6) (2)

Structures at the White Quarry

- Portable trailer used as office (8x24')
- Office trailer (8x26')
- Scale house
- Lab trailer (8x26')
- Land-Sea container (8x24')
- Storage vans (8x24')
- Water Tanks

Appendix 5: Spill Prevention Control and Countermeasures Plan

I. Description of materials at the site

A. Diesel Fuel

- i. Inventories: Fuel Truck. Contains 1,200 gallons of off-road red-dyed diesel fuel used primarily in heavy equipment such as the loaders and dozers.
- ii. Supplier: supplied by licensed vendor, who pumps fuel from their truck into the Fuel Truck. Currently the vendor is Petro Lock, P.O. Box 2226, Lancaster, California 93539.
 - a) Tel: 661.948.6044

B. Gasoline

- i. Inventories: 100 gallons, in a tank.
- ii. Supplier: Petro Lock (above)
 - a) Tel: 661.948.6044

C. Solvents

- i. Inventories: 55 gal. drum
- ii. Supplier: Petro Lock (above)
- iii. Used solvent disposal: American Oil Company, 14649 Lanark Street, Panorama City, California 91402
 - a) Tel: 800.464.8297

D. Lubricants

- i. Inventories
 - a) Waste Oil, stored in 55 gal. drums (usually 3 or 4 of them)
 - Picked up by American Oil Company (above)
 - b) Hydraulic Fluid (55 gal. drum)
 - c) Gear Oil (55 gal. drum)
 - d) Motor Oil (55 gal. drum)
 - e) Grease
 - 5 gal. pail (generally 2)
 - 25 gal. pail tubes (2 or 3 cases @ ~12 per case)
 - Supplier: Petro Lock (above)

E. Batteries

- i. Disposal: North Star personnel take the batteries to AV Battery Specialists, 1134 West Avenue I, Lancaster, California 93534
 - a) Tel: 661.949.7500

F. Oil and Fuel Filters

- i. Inventories: Used inventory stored in heavy-duty special drum, 30-40 gal. capacity, with locking lid, two of which are usually on site.
- ii. Disposal: American Oil Company, above

G. Anti-freeze

- i. Inventories: 1 55-gal. drum
- ii. Supplier: Petro Lock, (above)
- iii. Disposal: American Oil Company, (above)

II. Plans for prevention of spills

A. Diesel Fuel

- i. Fuel Truck is located above a containment
- ii. Fuel Truck is refilled on its containment
- iii. Fueling of equipment takes place above a containment

B. Gasoline Fuel – same as diesel

C. Solvents

- i. Stored on back of Fuel Truck, above a containment
- ii. Use of solvents takes place over working containment area

D. Lubricants

- i. Stored in truck (“red beverage truck”) surrounded by berm
- ii. Use of lubricants during maintenance takes place over containment

E. Anti-Freeze

- i. Storage is in area surrounded by berm to contain any spill
- ii. Use is in maintenance containment area

III. Details of containment and diversionary structures

A. Construction: containments are constructed of high-density 40-mil special plastic supplied by Serrot Corp., 5401 Argosy Drive, Huntington Beach, California 92649 (800.624.2437). This is the material commonly used by major oil companies for spill containment.

B. Three Containments:

- i. Fuel Truck Containment – The containment consists of the plastic laid on top of clay, with conveyor-belt strips on top of the plastic for the truck tires to drive and park on. Capacity: approx. 5,000 gals. Dimensions: 15 ft. x 30 ft., 18 in. deep.
- ii. Service Area Containment– Construction is similar to the Fuel Truck containment, but fine clay is piled on top of the membrane to protect it from the equipment. Capacity: approx. 2,000 gals.
- iii. Fueling Area Containment – Similar to Service Area containment.

C. Heavy Rainfall Protection: during periods of heavy rainfall, tarps are used to deflect rainwater from the containment areas for fuel and oil.

D. Location: see diagram attached.

E. Contingency plan for control of discharges which do not occur on the containment.

(This kind of spill would occur from a unit of heavy equipment or a truck, on the road or mine area, and could involve diesel or gasoline.)

i. Procedure

- a) Immediately notify Dave Stewart, John Klinge, and Larie Richardson.
- b) Retrieve the Customized Spill Containment Kit (in a red 55-gal. drum by the Mine Office).
- c) Retrieve First Aid Kit from Mine Office if appropriate.
- d) If any injuries or fire, call 911 from Mine Office or cell phone.
- e) Erect a berm to prevent further migration of any spill into a drainage.
- f) Do any repairs necessary to prevent additional spillage.
- g) Notify Forest Service (see Telephone Numbers section below) if the spill is over 20 gals.

- h) Contact Hazardous Waste Contractor regarding removal of contaminated material.
- Hazardous Waste Contractor:
- i) Evacuation plan: If evacuation of the area is necessary, the only escape route from the mine site is Forest Service Road 4N32 to Aliso Canyon Road.

Telephone Numbers

<u>Name</u>	<u>Tel.</u>
Jonathan Schwartz	661-296-9710
Tom Guzman (Forest Service, Fire Patrol-31)	661-296-3845
Steve Bear (Forest Service)	818-899-1900
Joe Gonzalez (Forest Service, Spills)	626-574-5288
Petro Lock	661-948-6044
American Oil Company	800-464-8297
A V Battery Specialists	661-949-7500

The site is hooked up for 911 services, so in event of emergency, dial 911 and give the address as: 31375 Aliso Canyon Road, Acton, California 93510.

Appendix 6: Minimum Standards of Road Construction & Road Maintenance Plan

Appendix 6.1: Minimum Standards of Road Construction

EXHIBIT 1

MINIMUM STANDARDS FOR ROAD CONSTRUCTIONMaintenance and Obliteration

1983

I. PURPOSE

The purpose of this document is to outline acceptable standards for constructing, maintaining, and obliterating access roads on the Tujunga Ranger District, Angeles National Forest.

II. OBJECTIVE

The objective of this document is to bring about road construction on the Tujunga Ranger District that will meet the needs of the permittee and satisfy good management of National Forest resources.

III. ROAD CONSTRUCTION STANDARDSA. General Standard

1. Some road construction has little or no impact on the Forest resources. These roads briefly fit the following description:
 - a. They are short in length (up to 1/4 mile) and narrow in width (10 to 16 feet).
 - b. They are constructed in suitable soil types that provide stable slopes.
 - c. They generally follow natural contours, shelves and ridges at a slight grade (less than 5%).
 - d. They are located in a Management Zone or Management Unit that is adapted to this use. (Refer to the Tujunga District Multiple Use Management Plan on file at the Tujunga Ranger District Office).

The type of road may be approved at the discretion of the Forest Service without submitting detail design drawings. A flagged centerline may be approved on the ground by the Forest Officer in charge of construction inspection. Culverts will be flagged at the time of this inspection. Overside drains, if required, can be spotted by this Forest Officer after the road has been constructed. Other stipulations from this document may be noted with pencil check marks as additional requirements.

2. Some roads are complex in design and construction and will have varying degrees of impacts on the Forest resources. To offset these impacts will require study of detail design drawings showing the following information:

- a. Profiles.
- b. Borrow and waste sites.
- c. Drainage structures.
- d. Typical sections.
- e. Horizontal alignment (general).

Also required are staked centerlines, toe of fills and tops of cuts. Sections B and C this document outline minimum standards for construction.

3. All roads will be maintained to the standards specified in Section D of this document.
4. Road obliteration, when required, will be done as specified in Section E of this document.
5. Landscape and Vegetative Erosion Control measures are outlined in a separate document.

B. Minimum Standards for Temporary Access Road Construction

Temporary roads are defined as roads having a use expectancy of less than one year. They will be obliterated to the standards specified in this document.

1. Preparation.
 - a. A centerline, flagged by the permittee, will be approved in advance by the Forest Service. At this time, the Forest Service will make a determination as to need of detail design drawings.
 - b. The road alignment will be plotted on a USGS Topographic Quadrangle map (7-1/2 minute series) by the permittee and submitted to the Forest Service with his application.
2. Clearing.
 - a. The road right-of-way to be occupied by the top of cut or toe of fill sections will be cleared of woody vegetation prior to pioneering.
 - b. Mechanical clearing on slopes 50% and greater will not be permitted.

- c. Vegetation from clearing operations will be disposed of as designated by the Forest Service. Chipping, burying or hauling to a public or commercial dump are common methods of disposal. Burning may be permitted after first obtaining a Forest Service burning permit.

3. Road Width.

Minimum usable width of roadbed will be ten feet. Berm width will not be considered usable width. Extra width may be required on curves in an amount in feet equal to $400/R$, where R is the radius of the curve.

4. Grade.

A maximum grade up to 15% is permitted. Steeper grades may be approved.

5. Fill Sections.

- a. Fill sections will not be allowed on natural slopes steeper than 50%.
- b. Fill slopes will normally be 1-1/2:1 in steepness.
- c. No material will be sidecast unless included as a part of the road fill. Some pioneering sidecast is necessary, but it shall be kept to a reasonable minimum to meet the objective of reducing stream pollution. Sidecasting will not be used solely as an expedient method to waste surplus soil over a natural slope or road fill slope.
- d. All fill material will be compacted to 95% as per AASHTO T99. if road remains during winter months.

6. Cut Sections.

- a. Cut slopes may not exceed a vertical height equivalent to three times the width of the road surface not including additional berm width). This is a soil disturbance - visual effect mitigation. Exceptions may be approved on specific site basis.
- b. Vertical cuts may be approved where fill dirt is to be reshaped into the cut as a part of road obliteration. (See Section E.).

7. Drainage.

- a. Where obliteration is planned before October 15, drainage structures need not be installed at the time of construction. Otherwise, the following drainage will be provided.
- b. The road surface will be insloped at 2% with cross drains constructed for every 20 feet of vertical difference in elevation or 300 feet of road distance (whichever occurs first). Cross drains will be placed to a depth of 4 inches and rolling dips will be placed to a depth of 8 inches in natural ground and drained into a natural channel.
- c. Overside drains will be required where road surface drainage is released onto fill dirt.
- d. Culverts, "Arizona crossing" or overside drains will be used to handle natural cross channel drainage.
- e. Minimum culvert size is 18 inches.

8. Signing.

Roads will be adequately signed to warn the public of any hazards that may exist. Wording of these signs will be approved by the Forest Service.

9. Erosion Control.

If the road is to winter-over, erosion control measures will be required to reduce soil loss and stream pollution. A separate Erosion Control Plan will be approved by the Forest Service.

C. Minimum Standards for Permanent Road Construction.

1. Preparation.

- a. The permittee may be required to submit detail design drawings for Forest Service approval, showing profiles, borrow and waste sites, drainage structures, horizontal alignment, and typical sections.
- b. The permittee will provide centerline and slope stakes.

2. Clearing.

- a. The road right-of-way to be occupied by cut and fill sections will be cleared of woody vegetation prior to pioneering.

- b. Vegetation specified by the Forest Officer will be cleared 4 feet back from the top of the cut bank.
 - c. Mechanical clearing on slopes 50% and greater will not be permitted.
 - d. Vegetation from clearing operations will be disposed of as designated by the Forest Service. Chipping, burying, or hauling to a public or commercial dump are common methods of disposal. Burning may be permitted after first obtaining a Forest Service burning permit.
3. Road Width.
- a. Minimum usable width of roadbed will be 12 feet. Berm width will not be considered usable width. Extra width will be added on curves in an amount in feet equal to $400/R$, where R is the radius of the curve.
 - b. Turnarounds of at least 100 feet in diameter will be constructed at intervals of approximately one mile and at the end of the road.
 - c. Turnouts of 10 extra feet of width and 50 feet along with 25 feet tapers will be constructed at least every 700 feet or intervisibly, whichever distance is least.
4. Grade.
- For all permanent roads, the normal maximum sustained grade allowable is 8% with pitched grades of 10% for a distance of 300 feet or less, unless the road is surfaced to standards approved by the Forest Service Sustained grades or pitched grades greater than designated above may be approved on a case-by-case basis. (Special mitigations may be required).
5. Fill Sections.
- a. Fill sections will not be allowed on slopes steeper than 50% unless it can be shown that there is an acceptable "catch point". Retaining walls may be used to hold the fill at a prescribed location. The construction of any retaining wall is subject to Forest Service approval.
 - b. Fill slopes will not normally exceed 1-1/2:1 in steepness.
 - c. On both sides of full fills on tangent alignment, a berm will be installed of sufficient size to prevent slope damage. No through fills will be constructed on slopes greater than 15%.

- d. No material will be sidecast unless included as a part of the road fill. Some pioneering sidecast is necessary, but it shall be kept to a reasonable minimum to meet the objective of reducing stream pollution. Sidecasting will not be used solely as an expedient method to waste surplus soil over a natural slope or road fill slope.
 - e. All road fill material will be compacted to 95% as per AASHTO T99.
6. Cut Sections.
- a. Cut slopes may not exceed a vertical height equivalent to three times the width of the road surface (not including additional berm width). This is a soil disturbance - visual effect mitigation. Exceptions may be approved on a specific site basis.
 - b. Cut slopes may not exceed a steepness of 1:1. However, if during construction solid rock is encountered, 1/4:1 slopes may be permitted.
 - c. Tops of cut slopes will be rounded.
7. Drainage.
- a. The roadbed will be insloped at 2%. Except in unusual cases, road surface drainage will be accomplished by transverse dips in the road way with overside rains of approved design.
 - b. Overside drains and culverts will extend to the nearest natural drainage or to some point of low erosion potential. In cases where the outlet is over material subject to erosion, energy dissipaters of rock rip-rap or other Forest Service approved materials will be installed.
 - c. All drainage structures will be entrenched and backfilled, or securely anchored to the slope.
 - d. Shotgun drains are not permitted.
 - e. Natural drainage courses will be carried across the road by means of dips and downslope drains or under the road with culverts.
 - f. Debris trash racks may be required upstream of culverts to prevent culvert restriction and road washout.
 - g. Culvert inlets will be protected against side cutting or under cutting.

h. Drainage structure flow capacities will be based on hydrology of 25 year storm frequency.

8. Signing.

Roads will be adequately signed to warn the public of any hazards that may exist. Wording of these signs and standards will be approved by the Forest Service.

9. Landscaping and Erosion Control.

A landscape and erosion control plan will be prepared for each permanent road. It will be attached to and considered a part of the road permit.

D. Road Maintenance

1. Slides.

Slide material to be removed as a maintenance measure, either during construction or on roads after construction is completed, will be disposed of by end hauling to approved disposal areas. Sidecasting will not be tolerated. Extensive slide correction requiring additional right-of-way, stabilization by buttress fills or alteration of slopes will require advance Forest Service approval of design drawings.

2. Slipouts, Washouts, Slumps and Other Road Failures.

a. Slipouts, washouts, slumps and other failures will be repaired by first correcting the cause of failures. Measures taken to regain immediate access without correcting the problems will not be allowed without prior Forest Service approval.

b. Relocating will not be permitted without Forest Service approval of design drawings.

c. Working outside of the approved right-of-way will require Forest Service approval.

d. Steepening cut slopes to obtain borrow material will require Forest Service approval.

e. Borrow or waste areas must be approved in advance.

3. Drainage Structure Maintenance.

Culverts, cross drains, trash racks, and overside drains will be kept in operational conditions at all times.

4. Grading.

- a. The roadbed will be periodically graded to retain insloping transverse dips, and a smooth surface. Care will be exercised to avoid sidecasting or undercutting road cut banks.
- b. Additional widening will not be permitted without specific approval from the Forest Service.
- c. Grading muddy roadbeds for continued wet weather access is not permitted. When the roadbed becomes impassable, vehicle use will be discontinued.

5. Watering.

Watering the roadbed under heavy use will be performed often enough to prevent soil erosion and driving hazards from dusting.

6. Herbicides.

Application of herbicides must be approved by the Forest Service.

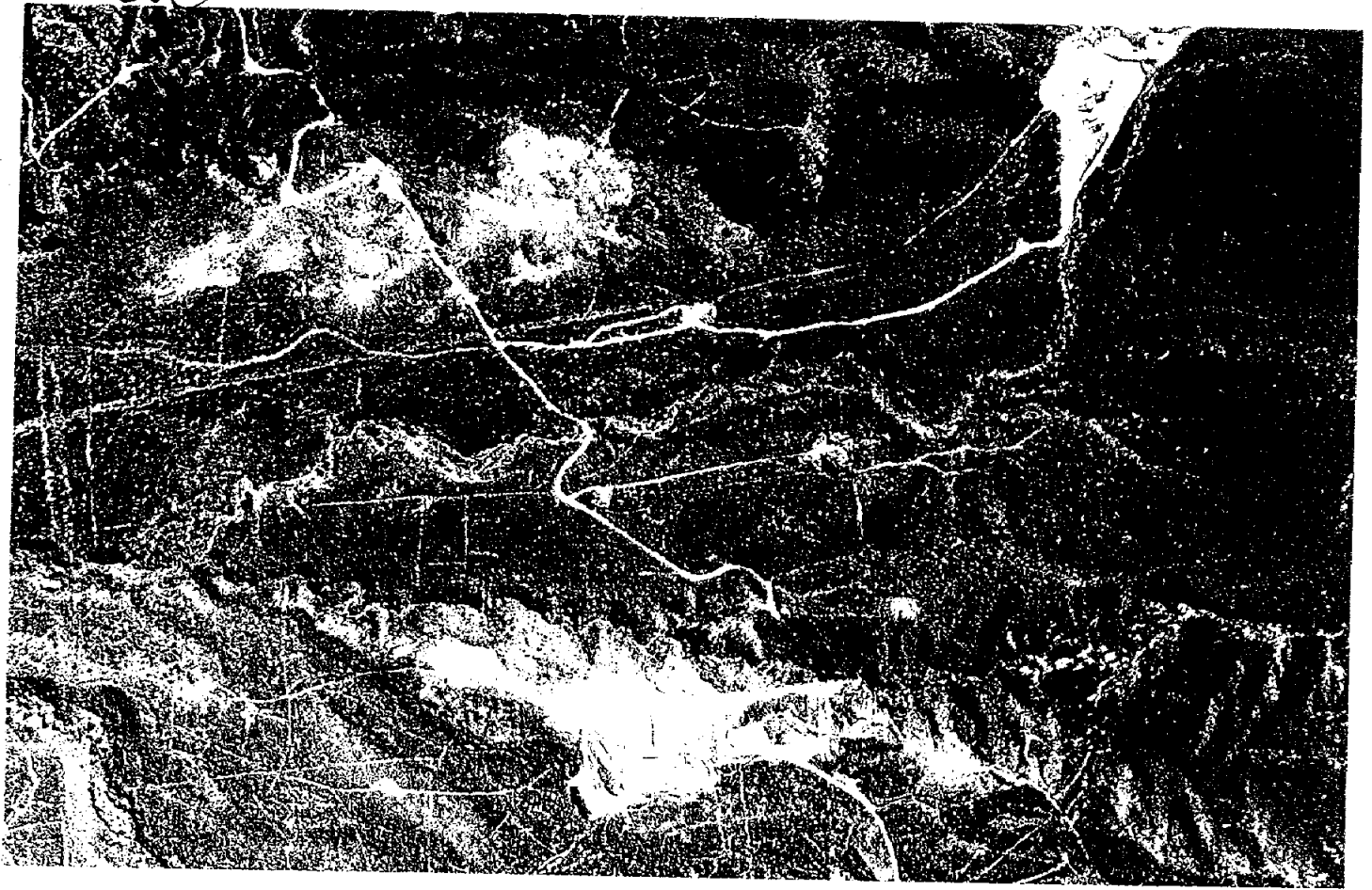
E. Obliteration Standards for Access Roads.

Road obliteration renders the road totally unusable and restores conditions as near as possible to original ground configurations.

1. All roads no longer required for construction or maintenance of permittee owned and operated improvements will be completely obliterated.
2. All roads constructed in Forest Service Travel Influence Zones, Water Influence Zones or Special Management Units which conflict with management directions for these zones will be completely obliterated.
3. Access roads in the zones and units mentioned above, which do not conflict with management directions, and access roads in other zones and units may be retained in fully serviceable conditions or revegetated and drained for emergency access.
4. Complete Obliteration.
 - a. Remove all culverts and overside drains.
 - b. Restore natural drainages to original profiles.

- c. On natural slopes that 50% or less, reshape road fills back into road cuts, and restore as near as possible to the original ground configuration.
 - d. Trackwalk compact restored fill dirt.
 - e. Scarify road surface on ridges and flats to prepare a suitable seed bed. Leave no road berm.
 - f. Apply erosion control methods to re-establish vegetation on disturbed soils.
 - g. On natural slopes that are greater than 50%, obliterate by outsloping and installing waterbars.
 - h. Remove signs.
 - i. Obliterate access to travel surface at termini.
5. Emergency Access Standards.
- a. Remove specifies culverts and overside drains, in natural drainages and restore these areas to original profiles.
 - b. Retain insloping and overside drains elsewhere. Outsloping for sheet drainage may be permitted as an alternate method.
 - c. Install waterbars as directed.
 - d. Install double earth barriers to prevent 4-wheel or motorcycle access on the roadway.
 - e. Scarify the road surface to establish a suitable seedbed.
 - f. Apply erosion control measures to re-establish a vegetative cover.
 - g. Remove signs.
 - h. After the road has been fully treated to these standards, only emergency vehicle and equipment access will be allowed. When the emergency has been corrected, the road will be restored to the standards specified above.

Appendix 6.2: Road Maintenance Plan

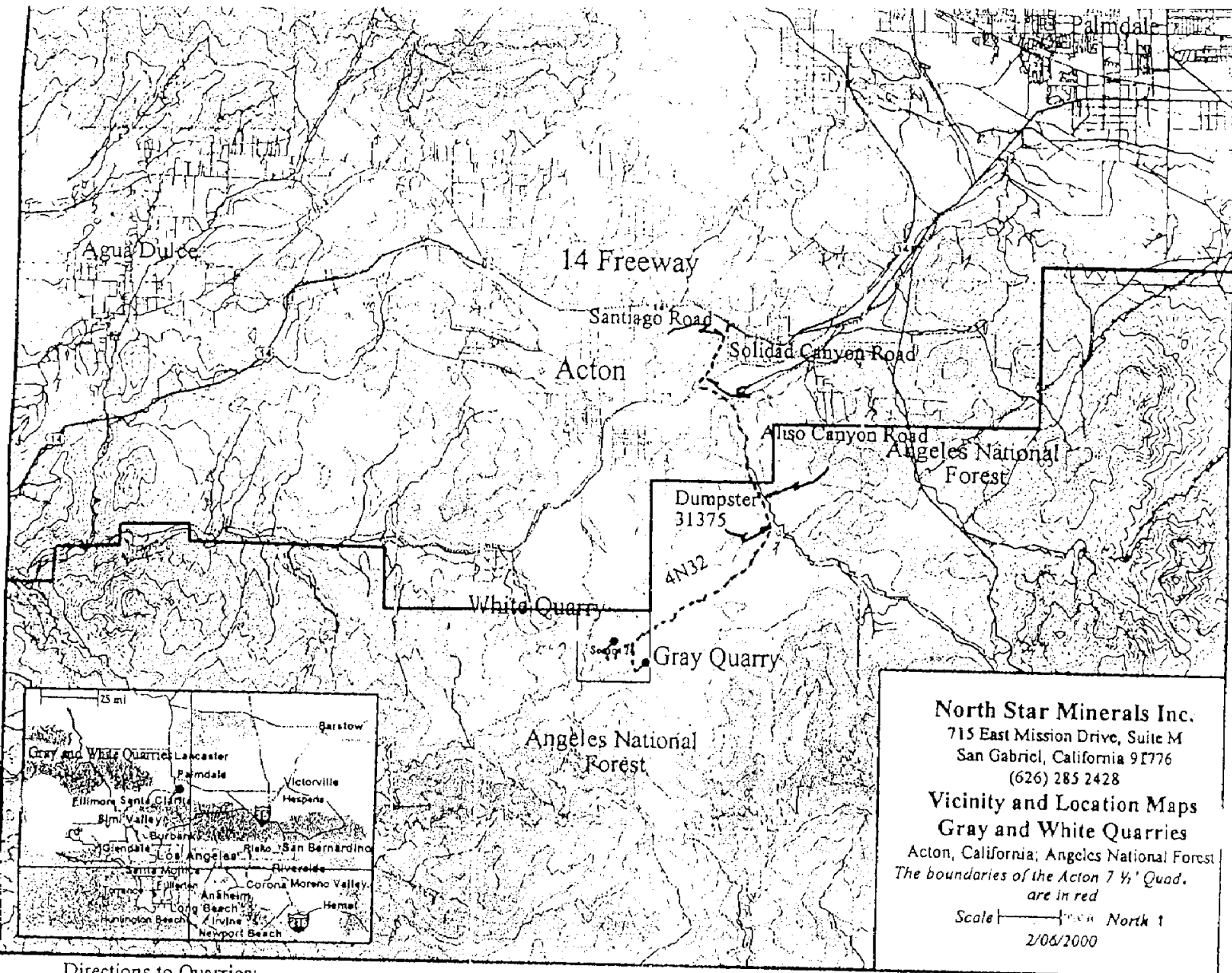


North Star Minerals, Inc.

Acton Clay Quarries

Road Maintenance Plan

May 2001



Directions to Quarries:

1. Traveling between Acton and Palmdale on Freeway 14, exit freeway at Santiago Road. Go south 3/4 mile to Solidad Canyon Road
2. Turn right (west) on Solidad Canyon Road proceed 1/4 mile to Aliso Canyon Road.
3. Turn Left (south) on Aliso Canyon Road proceed 2 1/2 Miles to the "Y" just past the Forest Service signs.
 Note the Trash dumpster on the right with the number 31375 on it. Turn Right on to the dirt road (Forest Service Road 4N32)

USE CAUTION ON THIS ROAD. It is single lane and has blind corners.

There is Frequent Tractor Trailer Traffic on this Road.

If you have a CB radio use channel ONE to check on truck traffic.

4. Proceed 3 miles west on road (4N32). To the gate (31375) on the left side of the road.

Turn left and proceed south on this road 1/2 mile to the GRAY QUARRY. *

5. For the WHITE QUARRY continue west on (4N32) 1/2 mile to the gate on the right.

Phone Numbers:

Mine Phone (661) 269-5616

Mine Dave Stewart (626) 390-7447 Cell

Pager Larie Richardson (626) 301-7107

North Star Minerals, Corporate Office (626) 285-2428 Fax (626) 285-3211

Larie Richardson cell phone (818) 601-8723

Road Maintenance Plan
Submitted to USDA Forest Service
May 2001

I. Summary

This plan of operations provides for continued maintenance of 4N32 by North Star Minerals from the quarries to the highway, and for cooperation between the Forest Service and North Star in the identification and protection of areas of potential or actual archaeological interest along the portion of the road thus maintained.

II. History

North Star Minerals, Inc. has operated its mine since 1992, and has operated under various revisions of a Plan of Operations received from the USFS - Tujunga Ranger District on December 12, 1995, which has been extended. The road, which the Forest Service calls "4N32", is used as an access road to North Star's Acton Clay Quarries. North Star is not the sole user of this road. The road is believed to have originated in part in the course of various mining operations which have taken place in the vicinity since the 1800's. More recently it seems to have taken its present form primarily as an access road to power transmission towers. In addition, it serves as an access road to the Forest by the general public. Nevertheless, North Star maintains the road to the point of its active mining operations.

Prior to 2000, North Star was informed only once that a site of potential archaeological interest had been located in the road. North Star assisted the Forest Service in protecting the site by burying it under a layer of clay.

In connection with its road maintenance activities, and pursuant to a request by Steve Bear of the USDA Forest Service, North Star employed an archaeologist, James Brock, to survey the road and the area immediately alongside the road. In the course of this survey, one site which impinged into the area of the road was identified. Since that time, North Star has sought definitive guidance for protection of this location.

In December 2001 [sic], the USDA Forest Service apparently mailed a letter to North Star stating as follows:

The forest archaeologist has informed me that maintenance of the access road into the North Star Quarry has a potential to impact additional archaeological sites other than those identified in the Cultural Resource Assessment attached to your Plan of Operation.

The letter further requests that North Star cease maintenance of 4N32, specifically those areas that have been identified on the Cultural Resource Assessment. The Cultural Resource Assessment (see appendix) identifies only one site that has the potential to be impacted by road maintenance. That is the so-called "Deep Site".

North Star had discontinued maintenance activities that would have affected the Deep Site after it had been identified, and before the Forest Services December letter. Nevertheless, since a protocol for protecting the portion of Deep Site that impinges on the road, nor identification and protection of other sites nearby the road have been devised by North Star and the Forest Service, arrangements were made for the Forest Service and North Star to meet, to identify the sites, and to agree on protocols for their protection.

III. Current Forest Service - L. A. County Maintenance Requirements

The Forest Service has always insisted on appending the document "Minimum Standards for Road Construction" which was authored by the County of Los Angeles to North Star's Plan of Operations. This document was to provide the guidelines for maintenance of 4N32 by North Star from the highway to its quarries. Implicit in this requirement is a requirement that North Star in fact perform maintenance on the road.

With the approval and, indeed, insistence of the Forest Service, North Star has performed such maintenance, including dust control, grading, replacement of conduits, and provision of erosion control measures along the road.

IV. Current Dept. of Labor - MSHA Requirements

As an operator of a mine, North Star is subject to the requirements of the U.S. Dept. of Labor - Mine Safety and Health Administration. MSHA has stringent requirements for maintenance of roads. To adhere to these requirements, North Star must perform proper grading, dust control, and maintain berms.

V. Current CalOSHA Requirements

CalOSHA similarly has requirements for road maintenance. Its inspectors were emphatic about the necessity for road grading as a safety measure.

VI. Maintenance Plan

North Star will continue to maintain 4N32 from its quarries to the end of the road at the highway. Such maintenance includes grading, maintenance of berms, maintenance of culverts, maintenance of erosion control, and provision for dust control. North Star will cease maintenance operations in the vicinity of potential archaeological sites as notified by the Forest archaeologist and as identified by the Forest archaeologist. North Star will assist the Forest Service in implementation of measures to protect any such sites.

North Star emphasizes that it is necessary as a matter of practicality and fairness that lines of communication be open between

North Star Management and the Forest Service so that concerns about impacts by North Star's activities can be addressed expeditiously. Reports and directives concerning such matters should be made to North Star's General Manager, who may be reached by pager when not at company offices.

Larrie Richardson, General Manager
626-285-2428 (Company Office)
626-301-7107 (Pager)

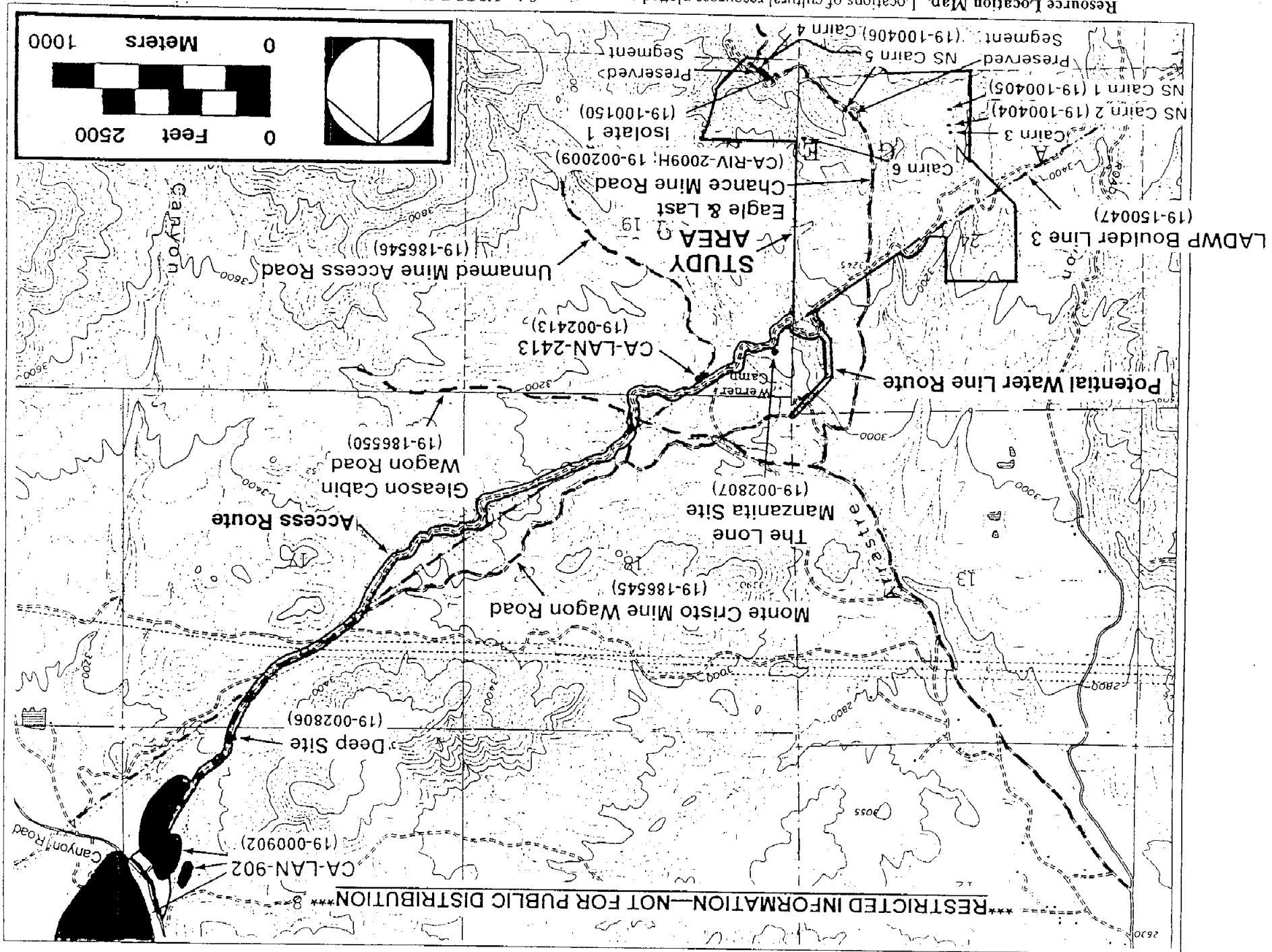
In the event of the complete unavailability of the General Manager, reports of problems should be made to:

Dave Stewart, foreman
661-269-5616 (Mine Office)
626-390-4447 (cell phone)

VII. Appendices

Letter from Forest Service dated December 22, 2001 (received by North Star May 2000).

Map from Report of James Brock, Archaeological Advisory Group, showing known site locations (Confidential), Nov. 2000



Resource Location Map. Locations of cultural resources plotted on a portion of the USGS 7.5' Acton, California topographic quadrangle.

Acton Clay Quarries

Appendix "C"

June 2001

1. (Alert) CAUTION TRUCK TRAFFIC
2. SPEED LIMIT 20
3. EMPTY TRUCKS USE CB CH. 1 CHECK FOR LOADED TRUCKS & CALL TURNOUT
4. LOADED TRUCKS HAVE RIGHT OF WAY
5. SPEED LIMIT 20
6. T.O. (TURNOUT) #1
7. WARNING ONE LANE ROAD AHEAD
8. T.O. #2
9. CAUTION TRUCK TRAFFIC
10. CAUTION TRUCK TRAFFIC
11. T.O. #3
12. SPEED LIMIT 20
13. CAUTION TRUCK TRAFFIC
14. CAUTION TRUCK TRAFFIC
15. T.O. #4
16. ALERT CAUTION TRUCK TRAFFIC (2 sided)

17 T.O. # 5

18 T.O. # 6

19 T.O. # 7

20 ALERT CAUTION TRUCK TRAFFIC (2 sided)

21 T.O. # 8

22 CAUTION TRUCK TRAFFIC

23 NOTICE MINING EQUIPMENT HAS RIGHT OF WAY

24 THESE PREMISES ARE MONITORED & VANDALS WILL BE PROSECUTED

25 NO TARGET SHOOTING

26 T.O. # 9

27 T.O. # 10

28 T.O. # 11

29 T.O. # 12

30 ALERT CAUTION TRUCK TRAFFIC (2 sided)

31 SPEED LIMIT 20

32 ALERT CAUTION TRUCK TRAFFIC TURNING

33 ← GRAY QUARRY / WHITE QUARRY ↑

34 ALERT CAUTION TRUCK TRAFFIC TURNING

35 T.O. # 13

36 ROAD CLOSED MINE TRAFFIC ONLY

37 DANGER AUTHORIZED PERSONNEL ONLY

38 ALERT CAUTION TRUCK TRAFFIC

39 ↑ MOODY CANYON

40 SPEED LIMIT 10

41 ALERT ALL VISITORS, VENDORS, TRUCK DRIVERS, SERVICE PERSONS
MUST READ SITE SPECIFIC HAZARDS BEFORE ENTERING
MINE

(SITE SPECIFIC HAZARDS - ACTON CLAY QUARRIES)

42 BURIED CABLE

43 ROAD CLOSED NOTICE AUTHORIZED PERSONNEL ONLY

44 SPEED LIMIT 10

45 DO NOT ENTER

46 STOP

47

47 ALL VISITORS, VENDORS, SERVICE PERSONS & TRUCK DRIVERS MUST
READ SITE HAZARDS BEFORE ENTERING MINE
(SITE SPECIFIC HAZARDS - ACTON CLAY MINE)

48 ROAD CLOSED

49 WARNING STEEP GRADE USE LOW GEAR OR TAKE BRAKE DO NOT SHIFT

50 LOADERS HAVE RIGHT OF WAY
CAUTION HARD HAT AREA
SAFETY STARTS HERE

51 NO ALCOHOL, FIREARMS, OR DRUGS ALLOWED ON SITE

52 NO BUMPING OVER WALL

53 NO FOOT TRAFFIC PAST THIS POINT

54 NO FOOT TRAFFIC PAST THIS POINT

55 TOP SOIL

56 ~~DANGER~~ NO TRESPASSING

57 TOP SOIL

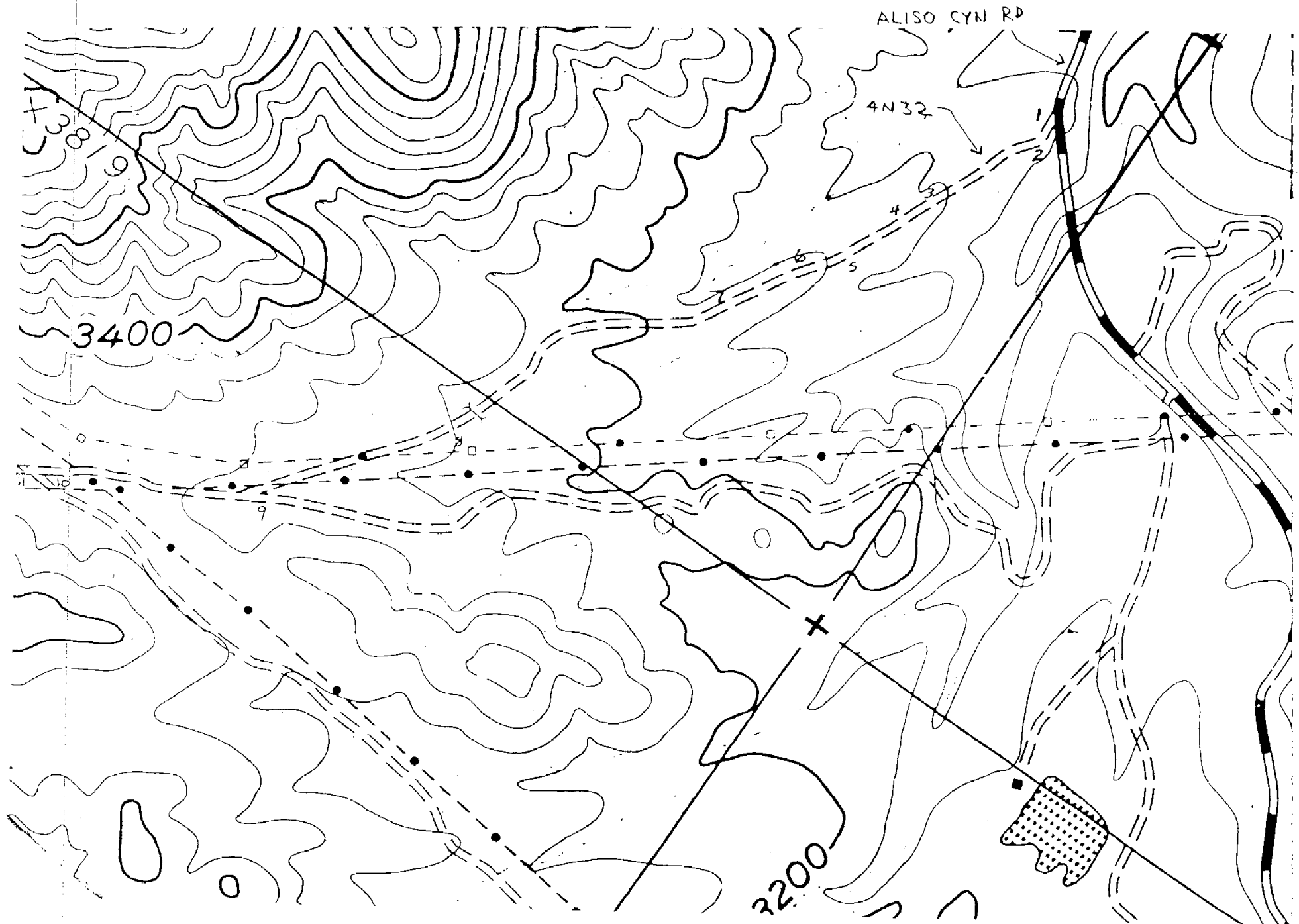
LEGEND

 Cut point

 on line

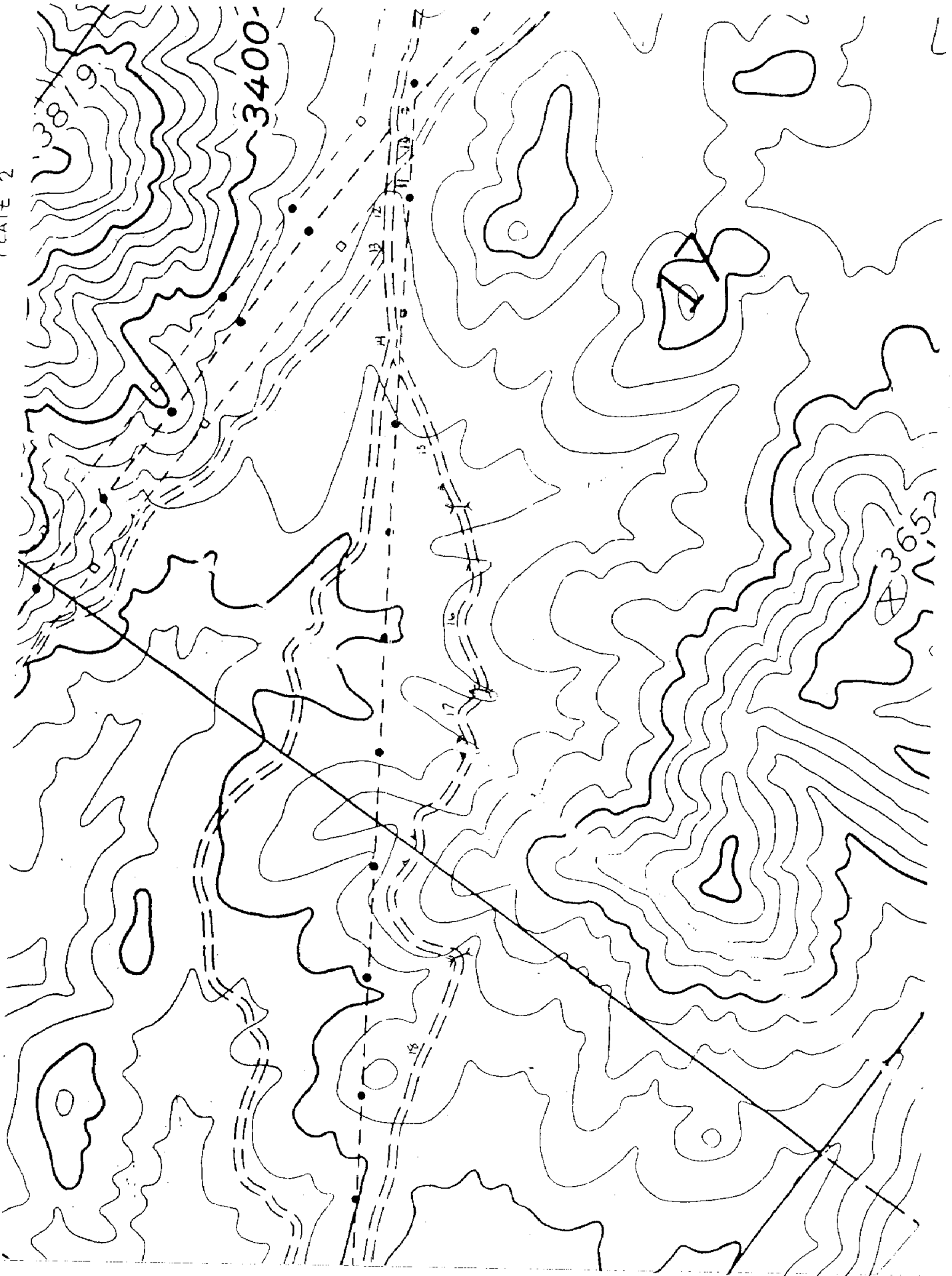
ACTON CLAY QUARRIES - ACCESS ROAD (4N32) JUNE 2001

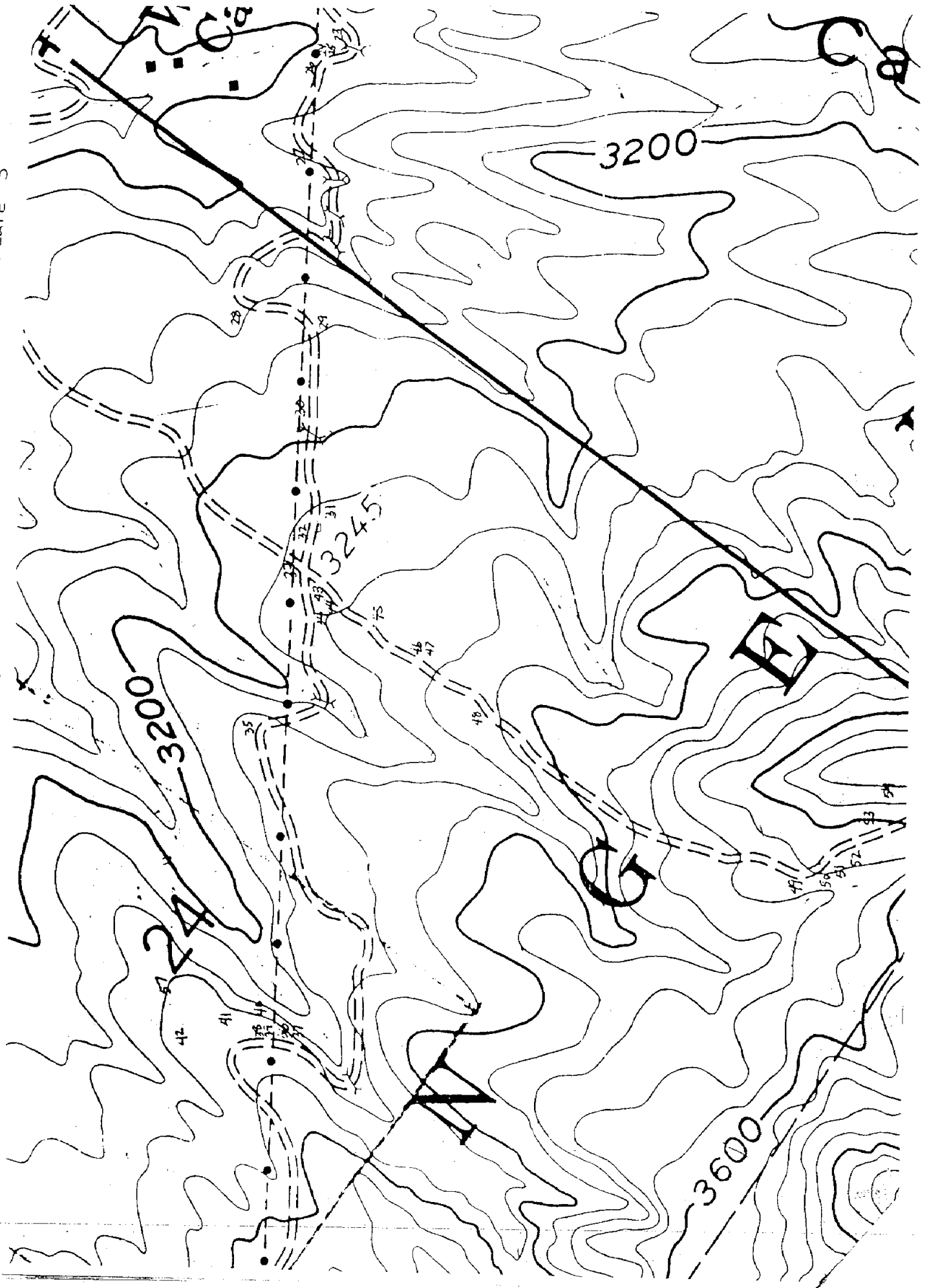
PLATE 1



ASTON CLAY QUARRIES - ACCESS ROAD (4N32) JUNE 2001

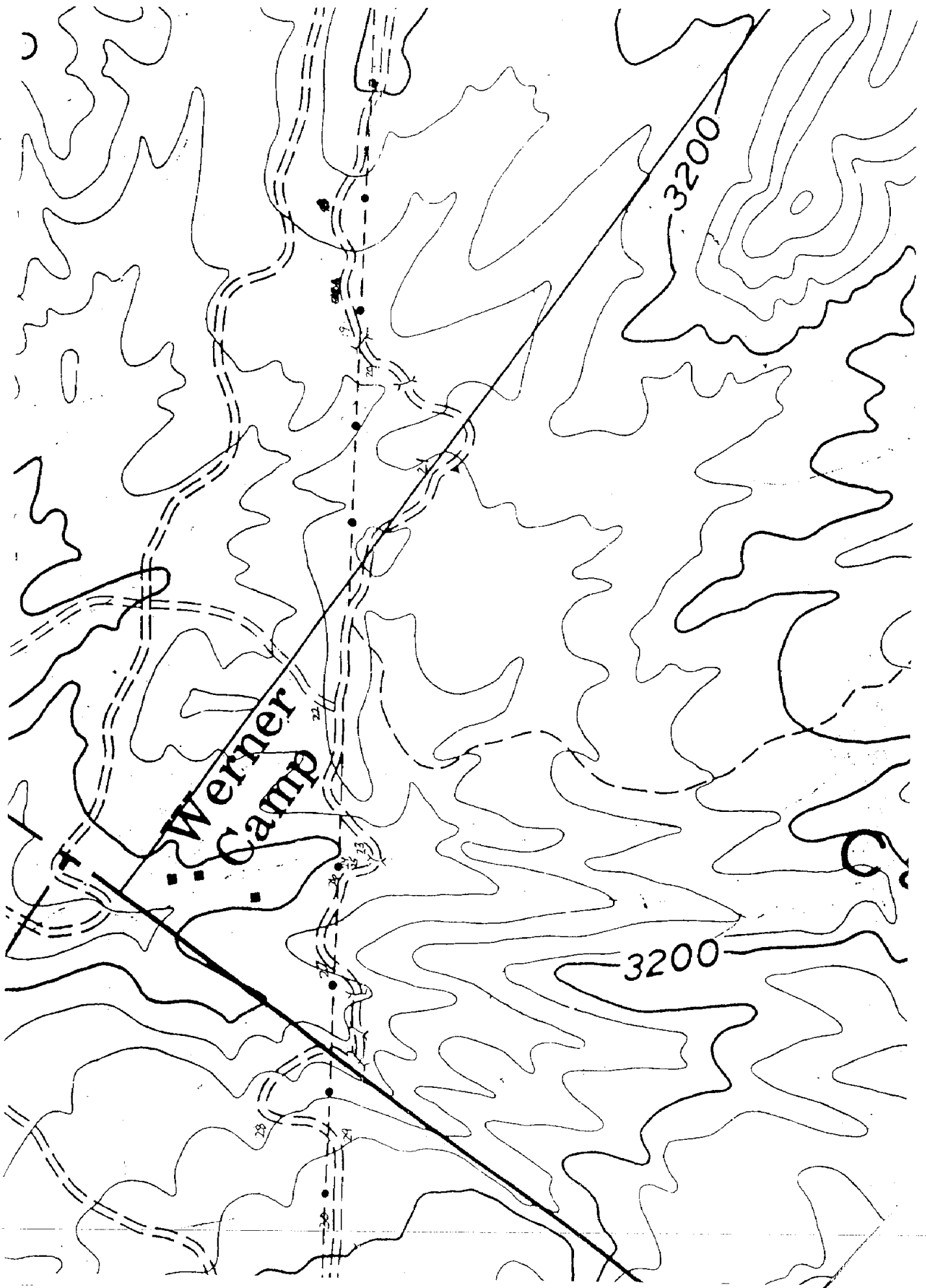
PLATE 2





ACTON CLAY QUARRIES - ACCESS ROAD (4N32) JUNE 2001

PLATE 4



Appendix 7: Revegetation Seed Selection and Rates of Application

Seed mix composition

Common Name	Scientific Name	Application Rate (Lbs per Acre)
Desert Needlegrass	Achantherum speciosum	2
Melic	Melica imperfecta	5
Chimese	Adenostoma fasciculatum	3
Mountain Mahogany	Cercocarpus betuloides	4
California Buckwheat	Erigonum fasciculatum	12
Golden Yarrow	Eriophyllum certiflorum	3
Our Lord's Candle	Yucca whipplei	2

Appendix 8: Bond Calculation (“Financial Assurance Cost Estimate”)

State of California

DEPARTMENT OF CONSERVATION
Financial Assurance Cost Estimate
Form OMR-23 (New 06/96)

APPENDIX A-1

FINANCIAL ASSURANCE COST ESTIMATE
FOR

ACTON CLAY QUARRIES

CA MINE ID # 91-19-0047

Prepared by:

Larrie K. Richardson

North Star Minerals, Inc.

Date: 23 June 2006

Note: This worksheet was developed by the Office of Mine Reclamation to assist lead agencies and operators prepare a reclamation cost estimate and determine an appropriate amount for the financial assurance in conformance with Section 2773.1 of SMARA. It should be used in conjunction with the *Financial Assurance Guidelines* adopted by the State Mining and Geology Board.

Instructions

The worksheet is divided into seven sections to simplify the cost analysis process. Below is a list of instructions for each section. Please read them carefully before filling out the form. If a section is not applicable, please indicate so with a brief statement. An equipment list is provided after Section 7 for summarizing equipment used for reclamation. In addition, a page is provided at the end of the form for notes and calculations. Copies of supporting documentation such as contractor estimates should also be attached.

Section I - Primary Reclamation Activities

This section should be used to calculate direct costs associated with primary reclamation activities. These activities include, but are not limited to: establishing final slopes on all cuts and fills, removal of haul/access roads, constructing drainage/erosion controls, decompacting staging/stockpile areas, demolition and disposal of building foundations and other debris as well as underground structures (i.e. storage tanks and septic systems), cleanup of boneyard areas, well closure, topsoil replacement/redistribution, finish grading, remediation of any soil contamination, and establishing access restrictions.

Refer to the approved reclamation plan to determine the various tasks required to reclaim the site. If the reclamation plan is not specific enough to provide this information, the lead agency should be consulted to help determine your reclamation requirements. Using the form provided, estimate the costs for each task by: 1) briefly describing the reclamation task to be performed and the methods to be implemented; 2) completing the calculation tables; and 3) adding the results at the bottom of the page. It may make it easier to break large mine sites into smaller areas and address each area separately. If this is done, make copies of the worksheet page and fill them out for each reclamation task and area. Page numbers were intentionally left off for this purpose so be sure to number the pages as they are completed.

Section II - Revegetation

This section should be used to calculate direct costs associated with revegetating disturbed areas. Revegetation activities include, but are not limited to: soil preparation/amendment, mulching, installation of irrigation systems, custom seed/plant collection, nursery services, hydroseeding, seed/plant installation, plant protection, and remediation.

Refer to the approved reclamation plan or revegetation program to determine the various tasks and materials required to revegetate the site. Follow the procedures discussed in Section I to estimate the costs for each task. Be sure to provide the unit of measure (i.e. pallet, pound, ton) in the materials table for the type of material to be used.

Section III - Plant Structures and Equipment Removal

This section should be used to calculate the costs associated with dismantling and removal of plant structures and equipment. The Financial Assurance Guidelines adopted by the State Mining and Geology Board provide that the cost to reclaim the plant site may be net of the surplus/salvage value of the facilities to be reclaimed. Please note however, that the value of mined material stockpiles located within the plant site area cannot be used to offset the cost of their removal. This reclamation cost should be provided in the primary reclamation activities section.

Financial Assurance Guidelines

Refer to the approved reclamation plan to determine the tasks required to reclaim and remove the plant structures and equipment. Estimate these costs using the tables provided. To establish the salvage value of the plant site an estimate, bid or cost calculation from an impartial company or contractor which provides industrial dismantling or equipment salvage services, or is in the business of buying and selling scrap metals or similar products, must be provided. The estimate, bid or cost calculation should contain the following information:

- | | |
|--|--|
| a. Name & location of company or contractor | e. Cost of such work |
| b. Statement of qualifications and experience | f. Net salvage value of equipment/material |
| c. Location of mine site & California Mine ID# | g. Effective period of estimate or bid |
| d. Description of work to be done | h. Signature of responsible party |

Follow the directions provided in subsection E to determine if the cost to remove the plant equipment may be offset by its salvage value.

Section IV - Miscellaneous Costs

This section should be used to list any miscellaneous costs for materials, labor or services required to complete final reclamation and closure of the site (i.e. plant decommissioning, lead agency final inspections, reclamation mitigation measures, etc.). Using the table provided, list the item or service needed, the quantity, its unit cost (if appropriate) and total cost. Indicate the sum of these costs at the bottom of the page.

Section V - Monitoring

This section should be used to list the costs associated with any required monitoring of the site once initial reclamation has been completed. This could include monitoring for successful revegetation and habitat establishment, slope stability, erosion control, access controls, or site remediation (i.e. process reagents/hydrocarbons). Monitoring required by other agencies (i.e. California Regional Water Quality Control Board) and covered under a separate financial assurance need not be listed. Using the table provided, list the monitoring task, the cost per site visit, the number of site visits per year, the number of monitoring years and total cost. Indicate the sum of these costs in the space provided below the table. If a consultant will be conducting the monitoring, provide a copy of his/her estimate or contract.

Section VI - Supervision / Profit & Overhead / Contingencies / Mobilization

This section includes the costs associated with supervision of reclamation activities, profit and overhead, contingencies (unforeseen costs) and mobilization (the cost of moving equipment to and from the site). These costs are based on a percentage of the total direct costs and normally decline as the value of the operation increases. Refer to Graph 1 and Graph 2 to determine the percentage rates to be used.

Section VII - Summary of Costs

This section should be used to determine the total cost of reclamation and the amount of the financial assurance. Add all the cost sheets from each section together and place their totals in the spaces provided. The lead agency should determine how much, if any, administrative cost is to be added.

I. PRIMARY RECLAMATION ACTIVITIES

Page ____ of ____

Description of Task: Cleanup & removal. Areas contoured to US Forest Service standards. Work includes lowering banks, filling holes with material, and distribution of loose material to smooth contours; final distribution of topsoil by casting on surface.

Methods to be Used: All primary reclamation activities performed by two-man crew. Use CAT 320 excavator w/ 36" bucket. Excavator used to lower banks, fill holes, and cast material; also to load and cast the topsoil.

Miscellaneous Information:

Overburden (cubic yards): 24,165 Topsoil (cubic yards): 1,329 Acres: 5
 Production Rate (cubic yards/hour): 1. 201 2. NA 3. 60 4. _____
 Haul Distance (feet): 1. * 2. NA 3. gray:800 4. _____

*cast in proximity to machine. white:960
 A. Equipment - List all equipment required to complete identified task. For large reclamation jobs separate mine areas for ease of accounting.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)
1. Cat model 320 excavator	1	55	120	6,600
2. pickup truck (support)	1	50.87/day	16 days	814
3. highway truck (semi)	3	85	8 ea	2,040
4. Bottom Dump				

Total Equipment Cost for this Task \$ 9,454

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

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
equipment operator	1	42	120	5,040
laborer	1	30	120	3,600

Total Labor Cost for this Task \$ 8,640

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

Item	Quantity	\$/Unit	Cost (\$)
dumpster	5	300	1,500
dyed diesel	500 gal	2.69	1,345
mob/de-mob of excavator	2	125 ea. way	150

Total Materials Cost for this Task \$ 2,995

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost = \$ 21,089

Financial Assurance Cost Estimate

Page 4

Financial Assurance Guidelines

II. REVEGETATION

Page ____ of ____

Description of Task: Seed and straw-cover newly placed soil in the reclamation area.

Methods to be Used: Seed spreaders used by two laborers under one supervisor.
Cover by raking with hand tools.

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)
Hand tools - rakes & shovels	2 ea.			80
Seed spreader	2			40

Total Equipment Cost for this Task \$ 120

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

Labor Category	Quantity	\$/Hour	# of Hours	Cost (\$)
Labor to distribute seed	2	30	8	480

Total Labor Cost for this Task \$ 480

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

Item / Plant Species	Unit of Measure	# of Units	\$/Unit	Cost (\$)
Desert needlegrass	lbs/acre	10	110	1,100
Melic (grass)	lbs	25	65	1,625
Chamise	lbs	10	20	200
Mountain mahogany	lbs	20	50	1,000
California buckwheat	lbs	60	3	180
Golden yarrow	lbs	15	40	600
Yucca	lbs	10	35	350
Straw (June 2006 price)	bales	100	3	300

Total Materials Cost for this Task \$ 5,355

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost

\$ 5,955

Financial Assurance Cost Estimate

Page 5

III. PLANT STRUCTURES AND EQUIPMENT REMOVAL

Page ____ of ____

Description of Task: North Star Minerals' agreement with the US Forest Service is that there are no permanent structures on the property. All the equipment is portable. Therefore this task is equipment removal only, for which North Star has an agreement with Mead Equipment as described below.

Methods to be Used: In July 2001 North Star signed an Agreement with Mead Equipment to remove and dispose of all the equipment and clean up the site - for 50% of the value of the equipment. Under our facts and circumstances, the net salvage value so realized should greatly exceed the reclamation cost.

A. Equipment - List all equipment required to complete identified task. See, 2001 Equipment Removal Agreement.

Equipment	Quantity	\$/Hour	# of Hours	Cost (\$)

Total Equipment Cost for this Task \$ _____

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

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

Total Labor Cost for this Task \$ _____

C. Demolition - List all structures and equipment to be dismantled or demolished.

Structure / Equipment	Type of Material	Volume (cubic feet)	Unit Cost Basis	Disposal Cost	Cost (\$)

Total Materials Cost for this Task \$ _____

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Demolition Cost = \$ _____

Financial Assurance Cost Estimate

Page 6

Financial Assurance Guidelines

Page ____ of ____

E. Surplus / Salvage Value

1. Total cost to reclaim plant structures and equipment pursuant to the approved reclamation plan. \$ 300,000
2. Net salvage value of the plant structures and equipment.* \$ 600,000
3. Subtract Line 2 from Line 1 \$ (300,000)
4. If Line 3 is greater than \$0, enter this amount on the total plant structures and equipment removal cost line under Section VIII (Summary of Costs). If Line 3 is less than \$0, enter \$0 on the appropriate line in Section VIII.

*NOTE This is the value of plant structures, buildings and equipment on a salvage basis -- e.g. after the structures and equipment have been removed for sale or use off-site. In order to include net salvage value in the financial assurance calculation, the operator must provide a letter of agreement, signed contract, bid or quote from an independent company which provides industrial dismantling or equipment salvage services, or is in the business of buying and selling scrap metals or similar products.

IV. MISCELLANEOUS COSTS

Page ____ of ____

Examples of this type of cost could include temporary storage of equipment and materials off site, special one-time permits (i.e. transportation permits for extra wide or overweight loads, etc.), decommissioning a process mill (i.e. decontamination of equipment), or disposal of warehouse inventories.

Item / Task	Quantity	\$/Unit	Cost (\$)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Total Miscellaneous Costs \$ _____

V. MONITORING

Monitoring Task	\$/Visit	# Visits/Year	# of Monitoring Years	Cost (\$)
1. Monitor revegetation, repair seed & patch as necessary, biologist & labor 8 hrs	800	1	4	3,200
2.				
3.				
4.				
5.				

Total Monitoring Costs \$ 3,200

Page ____ of ____

VI. SUPERVISION/PROFIT & OVERHEAD/CONTINGENCIES/MOBILIZATION

A. Supervision - Supervision or reclamation management includes project inspection and supervision. These activities are usually performed by a consultant or staff member with experience in reclamation of disturbed lands. Reclamation management may include recommending change orders, verifying completed work, verifying compliance with project specifications, and other reclamation management oversight activities. Please refer to Graph No. 1 to determine the supervision cost factor.

5.5% (see graphs)

B. Profit and Overhead - Where it becomes necessary for the Lead Agency or the Department of Conservation to complete reclamation of the mining site, a third party will be retained to do the actual reclamation work. Because profit and overhead costs are not included in the reclamation cost sheets, these costs must be added to the total reclamation estimate. Please refer to Graph No. 2 to determine the profit and overhead cost factor.

13.5% (see graphs)

C. Contingencies - A contingency cost should be included in the financial assurance estimate to provide for project uncertainties and unexpected natural events. The U. S. Department of the Interior, Office of Surface Mining publishes the Handbook for Calculation of Reclamation Bond Amounts which recommends contingency percentages be based upon the level of direct costs, as shown below:

<u>Total Direct Cost (\$)</u>	<u>Contingency (%)</u>
0 - \$500,000	10
\$500,00 - 5 million	7
5 million - 50 million	4
Greater than 50 million	2

D. Mobilization - Mobilization costs are attributed to moving equipment to the project site for reclamation purposes. These costs normally range between one and five percent of the total direct cost of the reclamation operations. These costs will vary depending upon the site location and the total value of the reclamation operations to be performed. Please insert the percentage used to estimate mobilization costs under Section VIII - Summary of Costs.

1 %

Page ____ of ____

VII. SUMMARY OF COST

Total of all Primary Reclamation Activities Costs	\$ 21,089
Total of all Revegetation Costs	\$ 5,955
Total of all Plant Structures & Equipment Removal Costs	\$ 0
Total of all Miscellaneous Costs	\$ 0
Total of all Monitoring Costs	\$ <u>3,200</u>
Total of Direct Costs	\$ 30,244
Supervision (<u>5.5</u> %)	\$ 1,663
Profit/Overhead (<u>13.5</u> %)	\$ 4,083
Contingencies (<u>10</u> %)	\$ 3,024
Mobilization (<u>1</u> %)	\$ <u>302</u>
Total of Indirect Costs	\$ 9,072
Total of Direct and Indirect Costs	\$ 39,316
Lead Agency Administrative Cost* (Determined by the Lead Agency)	\$ _____
Total Estimated Cost of Reclamation	\$ _____

*NOTE The Financial Assurance Guidelines recommend that when reviewing and approving a financial assurance cost estimate, lead agencies should include their administrative cost to draw on the financial assurance and implement the reclamation plan, should it become necessary.

EQUIPMENT LIST

This attachment may be used to list the number and type of equipment to be used during reclamation. Write in the equipment under the general categories provided. If there is no category for the type of equipment to be used, please list it under the category entitled "Other Equipment".

TRACTORS	

MOTOR GRADERS	

LOADERS	

BACKHOES	

SCRAPERS	

EXCAVATORS	
Cat 320 36" bkt	1
ARTICULATED TRUCKS	
HAUL TRUCKS (Off Hwy)	
HAUL TRUCKS (On Hwy)	
Semi - btm dump	3
WATER TRUCKS	

[illegible]

Appendix 9: Bond Documents

P.O. Box 2518
Houston, TX 77252-2518

0020-0909

NORTH STAR MINERALS INC
PLEDGE TO
DEPARTMENT OF CONSERVATION
PO BOX 660448
ARCADIA CA 91066-0448

At Your Service
Call: 626-453-8400
24 hours, 7 days a week

Written Inquiries
Bank of America
ROSEMEAD BRANCH NO. 0701
P. O. Box 37176
San Francisco, CA 94137-5176

Statement as of: September 30, 2006

Page 1 of 2

TIME DEPOSIT SUMMARY

ACCOUNT NUMBER	BEGINNING BALANCE	ENDING BALANCE	MATURITY DATE	INTEREST EARNED YEAR TO DATE
07018-00454	41,444.13	56,617.43	09-04-07	979.35

BANK OF AMERICA NEWS

Not everyone's life travels the same path. That's why we're bringing you more choices. By offering both High Yield and Risk Free CDs, we're helping you invest your money wisely - no matter what your life may look like. Visit us at your nearest banking center today or call 1.800.242.2632 and see why opening a CD with us is such a smart move.

INVESTMENT CD #07018-00454
ACCOUNT TERM: 12 Months
MATURITY/RENEWAL DATE 09-04-07

STATEMENT PERIOD 09-01 through 09-30-06
INT EARNED YEAR TO DATE 979.35

DEPOSIT SUMMARY

DATE DEPOSITED/ RENEWED	CURRENT VALUE	CURRENT INTEREST RATE	ANNUAL PERCENTAGE YIELD
09-01-06	56,617.43	3.73	3.80

BRANCH Rosemead No. 701
PURCHASED BY North Star Minerals, Inc.DATE 3-7-02
INTEREST RATE 3.25%
ANNUAL PERCENTAGE YIELD 3.29%
\$ AMOUNT 4,200.00
ACCOUNT TERM 12 m
MATURITY DATE 3-25-03
ACCOUNT # 0708-0048

FOR BONDING PURPOSES ONLY

PAYABLE TO USDA Forest Serv. County of LA,
Department of Conservation

AUTHORIZED SIGNATURE

The publication(s) you receive contains the terms and conditions of this account. This time deposit will be reinvested automatically for the same account term upon maturity or on the effective date of a deposit or withdrawal made during the grace period. (The grace period begins on the maturity date and is two business days for terms of 29 days or less; five calendar days for terms of 30 days through 69 days; ten calendar days for terms of 90 days or more.) The new interest rate will be the interest rate in effect for the amount and term of your account on the date your funds are reinvested.

If you withdraw all or part of your deposit before it matures an early withdrawal penalty will be imposed. A personal time deposit is not transferable. Please review your statement to determine the status of your account.

FD-22 7-93

NOT NEGOTIABLE



Bank of America NT&SA - Member FDIC

RECLAMATION PERFORMANCE BOND

(Minerals Operating Plan and/or Exploration Permit, Including Geothermal)

(Reference FSM 6506)

North Star Cap

INSTRUCTIONS: (1) This form is authorized for use whenever a Performance Bond is required in connection with National Forest Reclamation Activity. (2) The full legal name and business address of the Principal shall be inserted in the space designated "Principal" on the face of this form. The bond shall be signed by an authorized person. Where such person is signing in a representative capacity (e.g., an attorney-in-fact), but is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved, evidence of his authority must be furnished. (3) Corporations executing the bond as sureties must be among those appearing on the Treasury Department's list of approved sureties and must be acting within the limitations set forth therein. (4) Corporations executing the bond shall affix their corporate seals. Individuals shall execute the bond opposite the word "Seal", and, if executed in Maine or New Hampshire, shall also affix an adhesive seal. (5) The name of each person signing this bond should be typed in the space provided.

Principal (Legal name and business address)

NORTH STAR MINERALS, INC.
715 E. MISSION DR., SUITE M
SAN GABRIEL, CA 91776

Date Bond Executed

DECEMBER 13, 1995

Type of Organization (X Appropriate Box)

☐ Individual

☐ Partnership

☐ Joint Venture

☒ Corporation

Surety(ies) (Name(s) and business address(es))

State of Incorporation

CALIFORNIA

PENAL SUM OF BOND

Million(s) \$	Thousand(s) \$	Hundred(s) \$
	FIFTEEN	FOUR

KNOW ALL MEN BY THESE PRESENTS, That we, the Principal and Surety(ies) hereto, are firmly bound to the United States of America (hereinafter called the Government) in the above penal sum for the payment of which we bind ourselves, and each of our heirs, executors, administrators, and successors, jointly and severally: Provided, That, where the Sureties are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" as well as "severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

SCHEDULE OF OPERATING PLANS - REGION

Name of National Forest	Operating Plan Number	Date	Amount Allocated to Operating Plan (\$)	Amount of Allocated Restored (\$)	Date Restored	Unallocated Balance (\$)
ANGELES						

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas the Principal has an interest in the Operating Plans identified in the Schedule of Operating Plans above; and

WHEREAS, the Principal and Surety agree that, without notice of the surety, the coverage of this bond, in addition to the present operations of the Principal, shall extend to and include:

1. Any operating plan approved by the Forest Service and issued to the Principal in the Region or Forests named above, or later named and under, the coverage to become effective immediately upon approval by the Forest Service.
2. Any operating plan hereafter approved by the Forest Service in the Region or Forests named above, to become effective immediately upon approval by the Forest Service.
3. Any extension of the operating plan, such coverage to continue without interruption due to expiration of the operating plan.
4. Any modification of an operating plan, include obligations thereunder, whether made by agreement, suspension of operations, or otherwise; and

WHEREAS, the Principal and Surety hereby agree that notwithstanding the termination of any operating plan covered by this bond, the bond shall remain in full force and effect as to all remaining operating plans covered by this bond.

NOW, THEREFORE, if the Principal shall: Perform and fulfill all the reclamation provisions of all operating plans referred to in the Schedule of Operating Plans and shall also perform and fulfill all the reclamation provisions of any and all duly authorized modifications of said operating plans that may hereafter be made, then the above obligations are to be void; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the Principal and Surety(ies) have executed this reclamation bond and have affixed their seals on the date set forth above.

PRINCIPAL			
Signature(s)	1. <i>John Klinge</i> (Seal)	2. <i>Larrie K. Richardson</i> (Seal)	Corporate Seal
Printed and Titled (Typed)	1. John Klinge Corporate Secretary	2. Larrie K. Richardson General Manager	
SURETY(IES)			
Name	State of Inc.		Liability Limit
Signature(s)	1.	2.	Corporate Seal
Printed and Titled (Typed)	1.	2.	
Bond Premium	Rate Per Thousand \$		Total \$

Bank of America

Investment CD Receipt

BRANCH Rosemead No. 0701

PURCHASED BY North Star Minerals Inc.

OR BONDING PURPOSES ONLY

PAYABLE TO USDA Forest Service

AUTHORIZED SIGNATURE

The publication you receive contains the terms and conditions of this account. This time deposit will be reinvested automatically for the same account term upon maturity or on the effective date of a deposit or withdrawal made during the grace period. (The grace period begins on the maturity date and is two business days for terms of 29 days or less; five calendar days for terms of 30 days through 89 days; ten calendar days for terms of 90 days or more.) The new interest rate will be the interest rate in effect for the amount and term of your account on the date your funds are reinvested.

If you withdraw all or part of your deposit before it matures an early withdrawal penalty will be imposed. A personal time deposit is not transferable. Please review your statement to determine the status of your account.

DATE 12-13-95

INTEREST RATE 4.88%

ANNUAL PERCENTAGE YIELD 5.00%

\$ AMOUNT \$15,400.00

ACCOUNT TERM 180 days

MATURITY DATE 06-10-1996

ACCOUNT # 07013 - 00689

NOT NEGOTIABLE

Bank of America NT&SA • Member FDIC

original delivered to forest service

12/14/95 Law Richard

41,300 CD

delivered to forest service 8/30/00

Law Richard

Steve Bean

ASSIGNMENT OF CERTIFICATE OF DEPOSIT AGREEMENT
UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service

Assignment Agreement Number _____

1. NORTH STAR MINERALS, INC. (hereinafter referred to as the "Assignor" has entered an agreement with the USDA, Forest Service (hereinafter referred to as "the Service"), ANGELES NATIONAL FOREST. The terms of this agreement are stated in PLAN OF OPERATIONS, BERTHA 1, 2, 3, & 4 MINING CLAIMS 1/. In order to fulfill the Service requirement for a Reclamation Bond 2/. Assignor does hereby assign, transfer, and set over to the Service all right, title, and interest in the Assignor's Certificate of Deposit No. 07013 - 00689 (hereinafter referred to as "Assigned Certificate of Deposit" purchased at Bank of America located at 8856 Valley Blvd., Rosemead, CA 91770 (hereinafter referred to as "Bank"), which is a member of the Federal Deposit Insurance Corp. 3/. For FIFTEEN THOUSAND FOUR HUNDRED dollars (\$15,400.00). 4/
2. The Service may, anytime after giving written notice to the Assignor, demand payment from the Bank who issued the assigned Certificate of Deposit by presenting the Certificate of Deposit or, where the Bank holds the Certificate of Deposit or, by presenting this Assignment Agreement. The amount paid will be the face value of the Certificate of Deposit plus accrued interest less any penalties for early withdrawal.
3. The Service will refund direct to the Assignor any funds derived from paragraph 2 above, not needed to satisfy the purpose for which this assignment is made.
4. The Assigned Certificate of Deposit shall be physically held by the Forest Service or in trust for the Service by Bank of America located at 8856 Valley Blvd., Rosemead, CA 91770 which shall not surrender the Certificate of Deposit to the assignor or any other person.
5. The Assignor authorizes and directs the Bank to pay the negotiable value of the Assigned Certificate of Deposit, as instructed by the Service as described in paragraph 7 of this agreement. The Bank shall not be liable to inquire whether there has been performance or payment or notice given the Assignor.
6. The Bank and Assignor agree that in the event the Bank closes or is placed in receivership, any Federal Deposit Insurance Corp. 5/ account maintained with the Bank shall be applied to cover the Service assignment first.

7. This assignment remains in effect until the date the Service representative signs the Release outlined in paragraph 13 and forwards the Release to the Assignor for signature.

8. Signed and dated at Acton, California the 14th day of December, 1995.

Lane K. Richardson
Signature

715 East Mission Drive Suite M
San Gabriel CA 91776
Address

Corporate Acknowledgement

9. I, John Kinge, certify that I am the Corporate Secretary of North Star Minerals Inc, the corporation named as principal to this assignment, that Lane K. Richardson, who signed this agreement on behalf of the principal was the general manager, that said agreement was duly signed on behalf of the corporation by authority of its governing body and is within the scope of its corporate powers.

Corporate Seal

John Kinge Corp Sec.
Signature/and Title



North Star Minerals, Inc.

Equipment Removal

Costs and Financial Assurances

2004-07-10

North Star Minerals, Inc.
715 East Mission Road, Suite M
San Gabriel California 91776

626-285-2428

COSTS AND FINANCIAL ASSURANCES FOR EQUIPMENT REMOVAL
ACTON CLAY QUARRIES - California Mine ID Number: 91-19-0047
July 2001

Summary

This analysis of the costs and necessary financial assurances relating to the cost of equipment removal at the Acton Clay Quarries, a mine owned and operated by North Star Minerals, Inc., was prepared in connection with North Star's efforts to secure SMARA approval of this mining operation, and submitted to the County of Los Angeles, the Lead Agency in the SMARA process. This analysis shows that the value of the equipment owned by the operator at the mine is sufficient to assure that it will be removed, and to pay for the costs of general site clean-up and pre-reclamation grading.

Discussion

North Star Minerals, Inc. has established a bond to provide financial assurances that its reclamation obligations resulting from a close-out of its operations at Acton Clay Quarries will be fulfilled. In part, these obligations require the removal of all equipment and structures at the site, site clean-up, and preparation of the site for revegetation activities.

All of the equipment and structures at the site are portable. A consequence of this is that these items all have material salvage value, because nothing has to be destroyed. Several items, such as the major pieces of rolling stock, generators, crushers, and screen plants, have substantial value and can be resold easily.

Overall, the value of the equipment at close-out would far exceed the cost of its removal. Accordingly, an

LKR

(equipment salvage company with considerable experience in dealing with the kinds of equipment at the Acton Clay Quarries to appraise the items at the site, and to enter into an agreement for equipment removal, site clean-up, and preparation for re-vegetation. This agreement should provide the financial assurance necessary for approval of this component of the SMARA process.

LET

MEAD EQUIPMENT CO.

"WHEN IN NEED - SEE MEAD"

Daryl Mead (805) 256-4642
P.O. Box 577 • Rosamond, CA 93560

July 11, 2001

North Star Minerals, Inc.
Larie Richardson, General Manager
715 East Mission Road, Suite M
San Gabriel, California 91776

Dear Mr. Richardson:

Please find enclosed an "Appraisal of Salvage Value of Personal Property at Acton Clay Quarries," a signed contract titled "Agreement for Equipment Disposal and Site Clean-Up," and a document titled "Statement of Mead's Qualifications," all of which relate to and describe our agreement providing for equipment removal and site preparation at the Acton Clay Quarries by Mead Equipment Co. should you cease operations there within the next five years.

Yours truly,



Item	Description	Appraised Amount
1	Dozer, Caterpillar D9-L	100,000
2	Dozer, Caterpillar D8-K	35,000
3	Wheel Loader, Caterpillar 988-B	80,000
4	Wheel Loader, Caterpillar 966-C	25,000
5	Wheel Loader, Caterpillar 966-C	25,000
6	Road Grader, Galion T500M	10,000
7	Crane, 14 Ton	10,000
8	Water Truck, Euclid, 8,000 Gals	15,000
9	Water Truck, Mack	12,000
10	Generator, Caterpillar 3306, 225kw	15,000
11	Generator, Caterpillar 300 kw	20,000
12	Generator, Kato 100 kw	5,000
13	Electrical switchgear	35,000
14	Water pump	2,000
15	Service Truck & Associated Equipment	8,000
16	- Welder & Compressor	2,000
17	Simplicity Screen Plant	45,000
18	Old screen plant - gray quarry	35,000
19	Small Jaw Crusher 10x24	5,000
20	Cone crusher 3 foot	10,000
21	New screen plant incl kue-ken 30x42 jaw	90,000
22	Various conveyors	20,000
23	Sheeps foot	1,000
24	Various trailers (6) used for storage & offices	6,000
25	Truck scale	3,000
26	All other miscellaneous equipment	1,000
TOTAL		<u>615,000</u>

Appraisal Prices are
approved by
Jayl Mead 7/11/01

hcr

Agreement for Equipment Disposal and Site Clean-Up

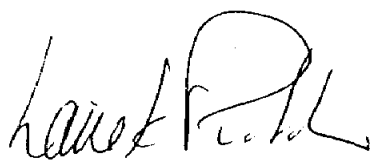
This Agreement is between Mead Equipment Co. (hereinafter "Mead") of Rosamond, California, and North Star Minerals, Inc., (hereinafter "North Star") of San Gabriel, California. The parties hereby agree and contract as follows regarding the disposition of certain personal property owned by North Star and used at its Acton Clay Quarries mine, located near Acton, California, and regarding the provision of certain services by Mead at that mine.

The term of this Agreement shall be five years from the Effective Date. The Effective Date shall be July 1, 2001.

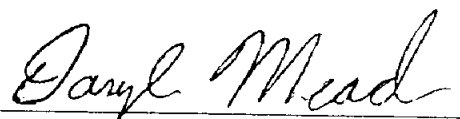
In consideration of the payment of \$5 by North Star to Mead, and for various other consideration, receipt of which is hereby acknowledged, Mead and North Star hereby agree as follows.

If North Star ceases operations at Acton Clay Quarries during the term of this agreement, North Star may elect to have Mead to perform the removal of equipment and portable structures from the site, clean-up of any remaining supplies, materials, waste, trash, or equipment from the site, and the performance of the grading and earthwork at the site necessary to bring it into SMARA-mandated grading condition and as preparation for planting and re-vegetation. If North Star so elects, then on its part, North Star shall transfer good and sufficient evidence of title to Mead, upon Mead's request. Mead shall complete removal and grading operations within 90 days of being notified of North Star's election, or as soon thereafter as practicable, if prevented from performance by reasonable cause. Upon completion of operations, Mead shall submit a statement to North Star of the items removed for salvage, and of Mead's costs ("Costs") for the performance of the aforementioned services. After such removal, Mead shall exercise its best efforts to dispose of the salvaged items at a fair price in a timely manner. As further consideration for its services, Mead shall keep all revenues from the sale of the equipment, except that after Mead has recouped its Costs from the revenue from the sales, North Star shall receive a share of the proceeds consisting of [50%] per-cent of revenues.

Notices to Mead shall be by first class mail to Mead Equipment Co., P.O. Box 577, Rosamond, California 93560. Notices to North Star shall be to North Star Minerals, Inc., 715 East Mission Road, San Gabriel, California 91776.

 7/11/01

North Star Minerals, Inc.
by Larie Richardson
General Manager

 7/11/01

Mead Equipment Co.
by Daryl Mead

Statement of Qualifications - Mead Equipment Co.

Daryl Mead of Mead Equipment Co. is a second generation equipment salvage professional, with 35 years experience in removal and salvage of equipment used in mining and minerals processing industries. Representative projects include the following:

1. Calaveras Cement (1991-1993): total removal of old kiln and associated equipment.
2. Cal Portland Cement (1996): removal of trunion rollers and ball mill.
3. Montana Power Plant (1999): removal of complete hydrating lime system plant.
4. Chemical Lime Co., Alex Mine, Las Vegas, NV, Henderson Plant: removal of 3 kilns and 5 large ovens.
5. Universal Atlas Cement Co., Penn Hills, PA: complete cement plant.
6. Gulf States Paper, Demopolis, AL: removal of 2 kilns and related equipment.

Appendix 10: Emergency Road Repair Plan



United States
Department of
Agriculture

Forest
Service

Santa Clara/Mojave
Rivers Ranger District

30800 Bouquet Canyon Rd
Saugus, CA 91390
661-296-9710 Voice
626-447-8992 TTY

File Code: 2810

Date: January 30, 2006

Larie Richardson
General Manager
North Star Minerals, Inc.
501 First Avenue, Suite N
Arcadia, CA 91006

Dear Larie,

After reviewing the Emergency Road Repair Plan for Road 4N32 located near the North Star Mineral's quarry and reviewing the Wildlife Biology and Botany reports as well as the Archeology report. I have determined that the Emergency Road Repair that you have requested may be carried out as described in the "Emergency Road Repair Plan" dated January 21, 2005.

Please submit a repair schedule along with a repair plan prior to commencing work.

If you have any questions please call Martin Esparza at 818/899-1900 x230.

Sincerely,

CID H. MORGAN
District Ranger



Caring for the Land and Serving People

Printed on Recycled Paper



North Star Minerals, Inc.

501 SOUTH FIRST AVENUE - SUITE N
ARCADIA CALIFORNIA 91006

email: vi4tedo@hotmail.com
voice: 626-821-9630
fax: 626-821-9635

2005-01-21

Mr. Martin Esparza
U.S.D.A. Forest Service
12371 Little Tujunga Cyn Rd
San Fernando CA 91342-6303

Emergency Road Repair Plan

Pursuant to your instructions I am submitting this Emergency Road Repair Plan.

Recent rains December 2004 and January 2005 have caused significant damage to Road 4N32 and North Stars quarries. This includes failures of the steeper road cuts along sections of 4N32 leading to North Star's quarries. Both Glen Skaggs and Martin Esparza have noted that these road sections have been a consistent problem. The recent rainfalls caused failures where immanent problems had been noted before. Fortunately no losses occurred because of these failures. As a result of input from both Glen Skaggs and Martin Esparza, we are submitting this plan for emergency work to stabilize steep road cuts which have failed in the recent storm or which may fail in the future.

Scope of Work

Work site 1. Work here will involve the use of a dozer and loader to cut 20-foot tall, 25-foot wide benches. These are safety catch benches, so if there are future failures in the area, the benches will catch the material. Proper construction of these benches requires work to begin at the top of the work area and to proceed down. This work will effectively move the road to the west about 20 feet and will give us the ability to put in a safety berm. The material cut from these benches will be hauled away and not cast over the side.

Work site 2. This is the bigger of the two work sites. Work here will involve the creation of up to four benches of similar dimensions as described above. The work will be performed with the same kind of equipment. Again, the material will be hauled away, although some may be stockpiled temporarily on a flat area.

Because mining is our primary activity, this work may be carried out as scheduling permits, and it is not possible to complete all work in a single campaign.

Attachments

1. Index Map. January 2005 Emergency Road Repair Plan General Location Map. This map shows where the mudslides and landslides occurred along 4N32 and shows the area of the enlargement for the Detail Map.
2. ("Plate 2") Cross Section. Shows three cross-sections near the entrance to the White Quarry. One cross section of the main failure area on 4N32.

cc: 818 601 8723

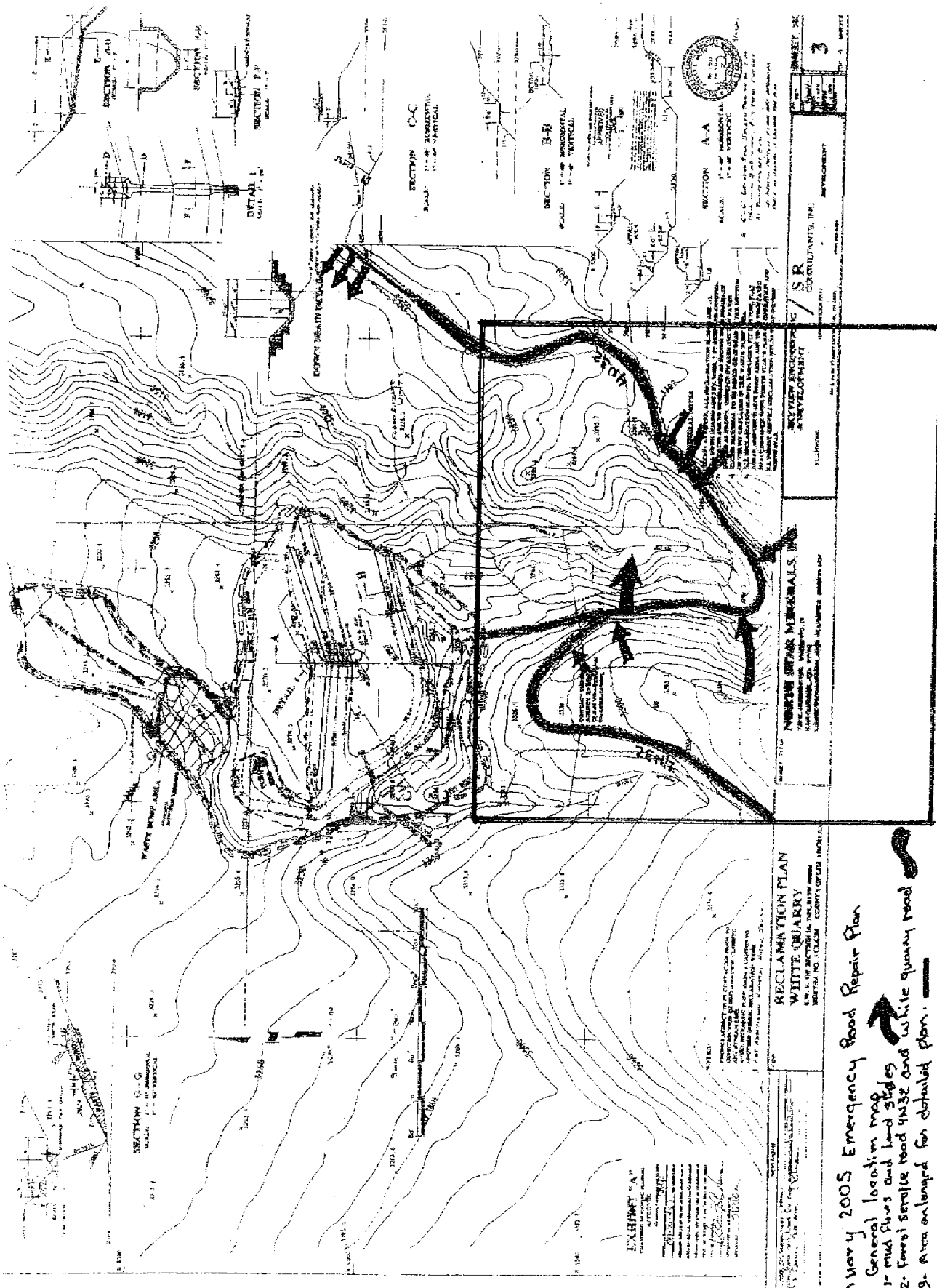
3. ("Plate 3") Cross Section. Shows three more cross-sections of the main slip area on 4N32.
4. ("Plate 1") Detail Map for emergency road repair. This map shows the cross section and the area to be disturbed during the stabilization of the slopes.

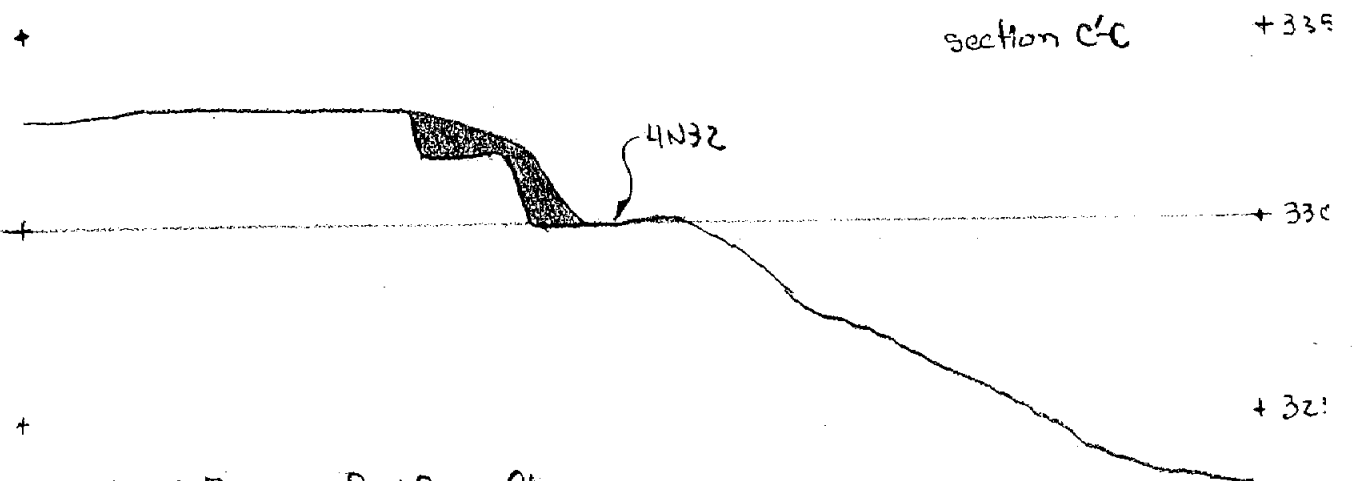
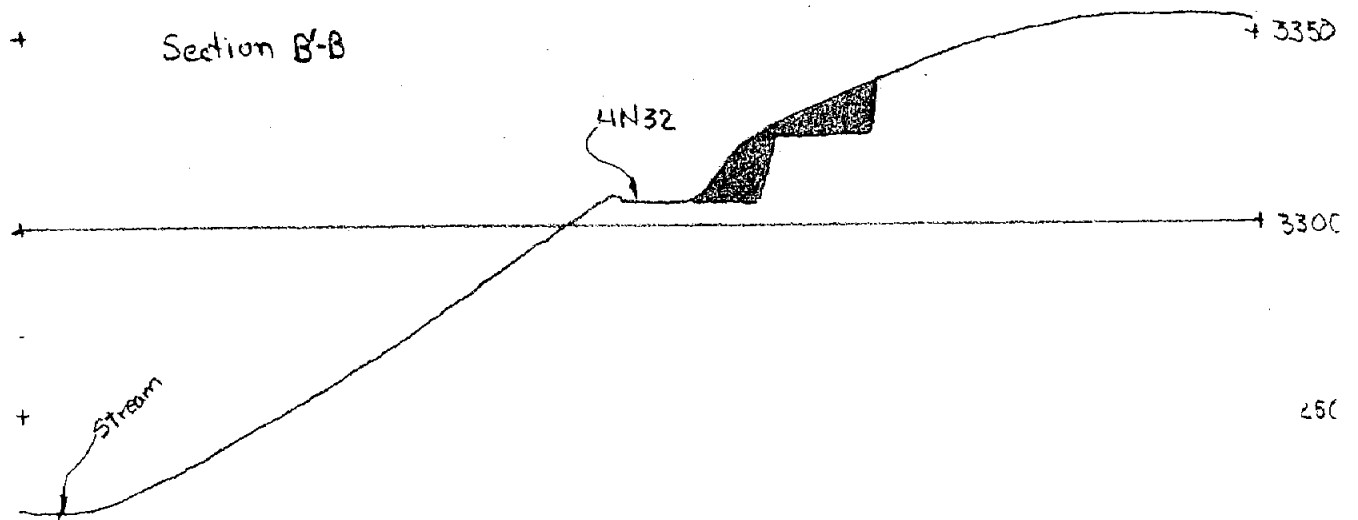
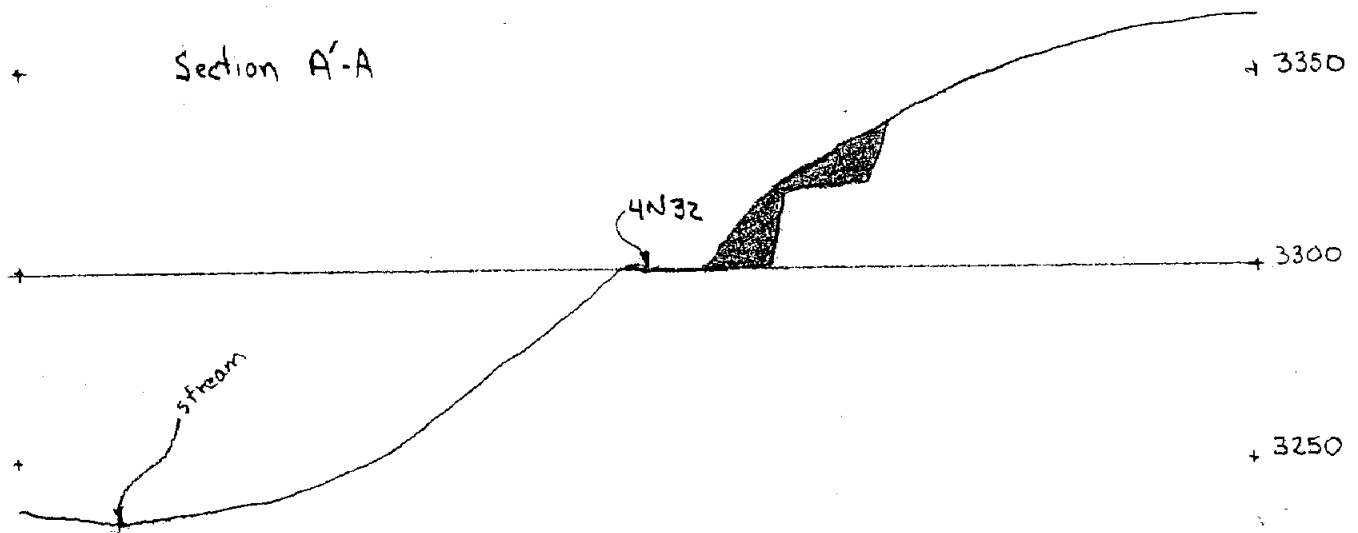
Martin, as you know, these are significant safety hazards the way the road stands today, and failures could occur at any time on account of alterations and slippage caused by the excessive rainfall. Work needs to start right away. The Forest Service needs to proceed with approval of this plan with due haste, and not shelve it until disaster occurs.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Larie K. Richardson', written over a horizontal line.

Mr. Larie K. Richardson





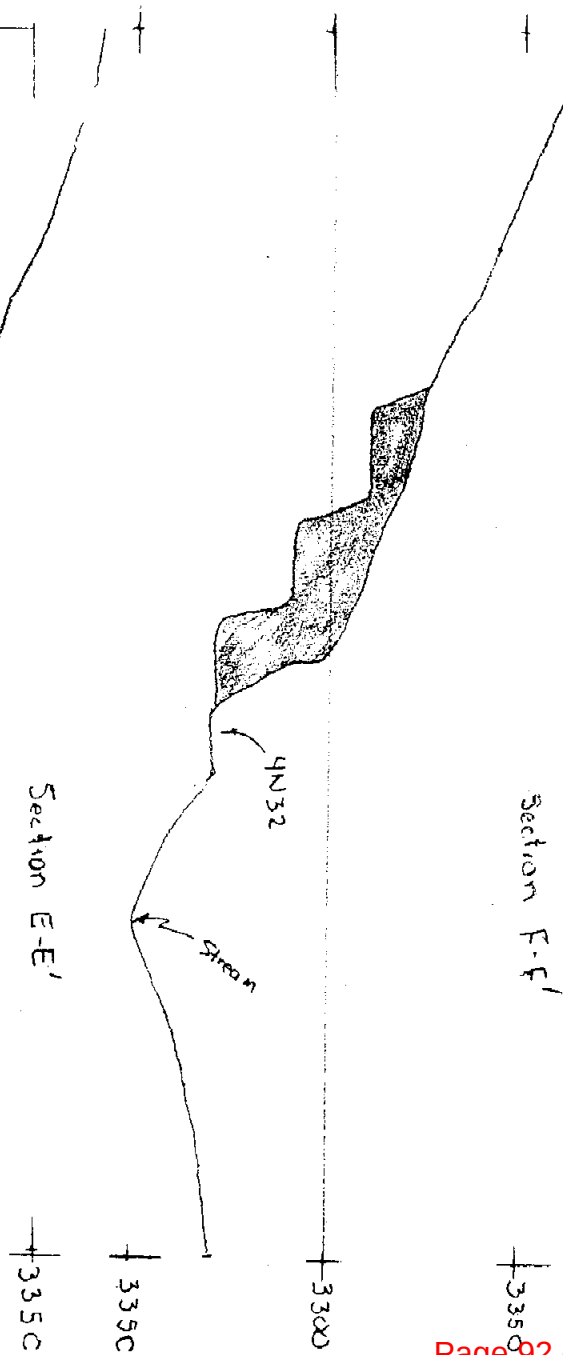
January 2005 Emergency Road Repair Plan
 Cross-Section
 Vertical + Horizontal Scale 1"=50'

North Star Minerals Inc.
 501 S. First Ave. HN
 Arcadia CA 91006

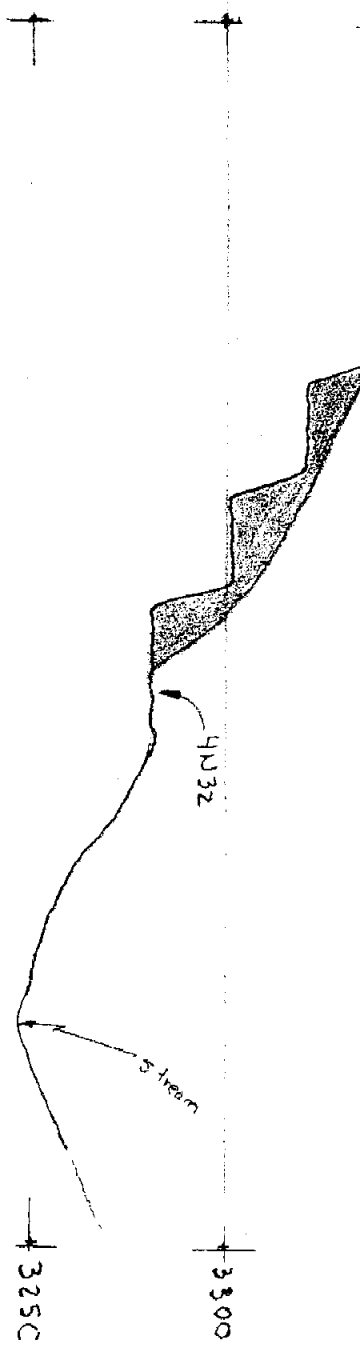
Plate 7

 Material to be removed
 for Slope Stabilization

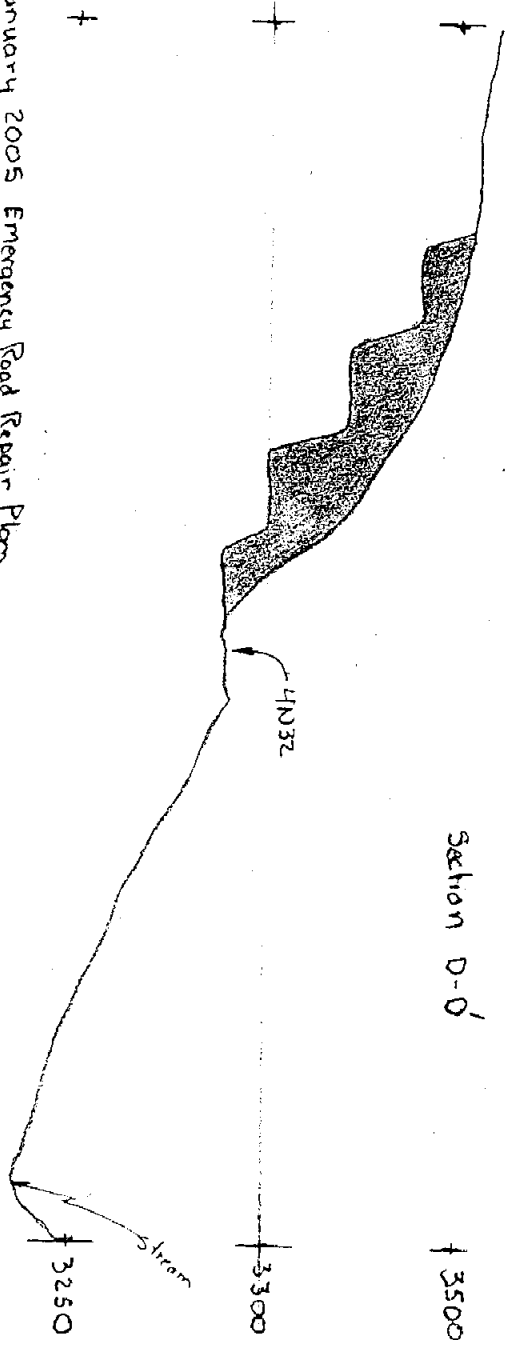
Section F-F'



Section E-E'



Section D-D'



January 2005 Emergency Road Repair Plan
Cross-Section
Vertical + Horizontal Scale 1"=50'

North Star Minerals Inc.
501 S. First Ave. #111
Arcadia, CA 91606

Material to be removed
for Slope Stabilization

11.1 County of Los Angeles Mitigations and Conditions

The following conditions and stipulations to mitigate adverse environmental impacts were proposed by the County of Los Angeles and made part of the conditions under which the County issued a 20-year permit (Surface Mining Permit 00-21-(5)) to North Star Minerals, Inc. authorizing mining operations in the Acton Clay Quarries. (See the project record for the complete listing of all conditions and stipulations in the SMARA permit.)

These measures are incorporated into the proposed Plan of Operations to be considered for approval by the Forest Service, in accordance with the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), the California Surface Mining and Reclamation Act (SMARA) and all other applicable federal, State, and local laws and regulations. (See also the Memorandum of Understanding (MOU) for surface mining and reclamation coordination between the State of California, the Forest Service, and the Bureau of Land Management, signed on October 19, 1992. The MOU is filed in the project record.)

NSM is required to comply with these and all other conditions listed and made part of the SMARA permit issued by the County.

1. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings and signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not pertinent information about said premises [Condition #12].
2. The permittee [NSM] shall comply with all of the mitigation measures included in the attached Mitigation Monitoring Program and Project Changes/Conditions due to Environmental Evaluation. (See Appendix Subsection D.3 of this EA.)
3. Temporary slopes shall not be created that will interfere with the construction of the finished slopes conforming to the requirements of the reclamation plan [Condition #16].
4. The permittee shall implement measures as approved by the Los Angeles County Director of Public Works to prevent erosion of adjacent lands by waters discharged from the site of mining operations and the off-site discharge of sediment [Condition #18].
5. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion [Condition #19].
6. The removal of vegetation and overburden in advance of surface mining shall be kept to a minimum [Condition #20].
7. The permittee shall implement all reasonable and practicable measures to protect the habitats of fish and wildlife during surface mining operations [Condition #22].
8. No surface mining operation or structure shall be located within 50 feet of any stream bed without approval of the Los Angeles County Flood Control District or the county engineer, whichever agency has jurisdiction. Where approval is requested, a comprehensive flood-hazard analysis evaluating the effect surface-mining operations will have on drainage and erosion on adjacent property shall also be submitted. [Condition #24, excerpt].

9. All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors and bright lights do not exceed levels compatible with uses of adjacent lands [Condition #26].
10. Dust suppression measures shall be undertaken on all unpaved roads providing access to the site pursuant to the approved Reclamation Plan [Condition # 27].
11. All topsoil removed in surface mining operations shall be stored at the site of mining operations and shall be used in future reclamation of the site [Condition #30].
12. Benches shall be provided wherever necessary to control drainage on slopes, or to provide for access, or for public safety [Condition #31].
13. Prior to the commencement of any surface mining operation, the area to be used for such operations shall be enclosed with a fence as required by Chapter 11.48 of the County Code. Such fencing may be limited to the area currently being used for such operations; provided, however, that the operation shall be continuously enclosed as excavation progresses. [Condition #32].
14. Permittee shall be responsible for assuring that exiting trucks are legally loaded. [Condition #34].
15. Unless otherwise specified in the approved reclamation plan, the permittee shall complete reclamation of land affected by surface mining operations within one year of completion of mining operations on such lands [Condition #35].
16. Blasting operations are prohibited between the hours of 7:00 p.m. and 7:00 a.m. in conformance with the provisions of the County Noise Ordinance [Condition #37].
17. If night lighting is used, all lighting must be directed downward and not visible from the town of Acton [Condition #38].
18. Operations shall be conducted in such a manner as to prevent or minimize flooding or alteration of the natural drainage system [Condition #39].
19. Mining, screening, and product transportation shall not be commenced during a second state smog alert [Condition #53].

11. State and Local (County of Los Angeles) Conditions and Mitigations

11.1 County of Los Angeles Mitigations and Conditions

The following conditions and stipulations to mitigate adverse environmental impacts were proposed by the County of Los Angeles and made part of the conditions under which the County issued a 20-year permit (Surface Mining Permit 00-21-(5)) to North Star Minerals, Inc. authorizing mining operations in the Acton Clay Quarries. (See the project record for the complete listing of all conditions and stipulations in the SMARA permit.)

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NSM is required to comply with these and all other conditions listed and made part of the SMARA permit issued by the County.

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18. Operations shall be conducted in such a manner as to prevent or minimize flooding or alteration of the natural drainage system [Condition #39].
19. Mining, screening, and product transportation shall not be commenced during a second state smog alert [Condition #53].

11.2 State Mining & Geology Board Regulations: Article 9, Reclamation Standards

(Excerpts, as Applicable to Acton Clay Quarries)

Pursuant to a formally adopted Memorandum of Understanding (MOU) entered into by the State of California, the USDA Forest Service, and the Bureau of Land Management (October 19, 1992), it is agreed that "Lead agencies and the Forest Service and/or BLM will work cooperatively to insure that conditions required of operators (as defined by Federal law, and by SMARA and any other relevant regulations and ordinances) in minimizing adverse environmental impacts conform to all applicable local, State, and Federal regulations" (MOU, Item (1) at page 4).

The Surface Mining and Reclamation Act (SMARA) requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources. **Following are excerpts of reclamation standards** required by SMARA that are applicable to the Reclamation Plan for the Acton Clay Quarries. These policies are found in California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1.

NSM's mining operations and reclamation activities will be conducted in compliance with these standards, as well as all other applicable State, federal, and local laws, and mitigation measures included as part of the Proposed Action.

§ 3700. Applicability. Reclamation of mined lands shall be implemented in conformance with the standards in this Article.

(a) The standards shall apply to each surface mining operation to the extent that:

(1) they are consistent with required mitigation identified in conformance with the California Environmental Quality Act, provided that such mitigation is at least as stringent as the standards; and

(2) they are consistent with the planned or actual subsequent use or uses of the mining site.

(b) Where an applicant demonstrates to the satisfaction of the lead agency that an exception to the standards specified in this article is necessary based upon the approved end use, the lead agency may approve a different standard for inclusion in the approved reclamation plan. Where the lead agency allows such an exception, the approved reclamation plan shall specify verifiable, site-specific standards for reclamation. The lead agency may set standards which are more stringent than the standards set forth in this Article; however, in no case may the lead agency approve a reclamation plan which sets any standard which is less stringent than the comparable standard specified in this Article.

§ 3702. Financial Assurances

Lead agencies shall require financial assurances for reclamation in accordance with Public Resources Code section 2773.1 to ensure that reclamation is performed in accordance with the approved reclamation plan and with this article.

§ 3703. Performance Standards for Wildlife Habitat.

Wildlife and wildlife habitat shall be protected in accordance with the following standards:

- (a) Rare, threatened or endangered species as listed by the California Department of Fish and Game, (California Code of Regulations, Title 14, sections 670.2 - 670.5) or the U. S. Fish and Wildlife Service, (50 CFR 17.11 and 17.12) or species of special concern as listed by the California Department of Fish and Game in the Special Animals List, Natural Diversity Data Base, and their respective habitat, shall be conserved as prescribed by the federal Endangered Species Act of 1973, 16 U.S.C. section 1531 et. seq., and the California Endangered Species Act, Fish and Game Code section 2050 et seq. If avoidance cannot be achieved through the available alternatives, mitigation shall be proposed in accordance with the provisions of the California Endangered Species Act, Fish and Game Code section 2050 et seq., and the federal Endangered Species Act of 1973, 16 U.S.C. section 1531 et seq.
- (b) Wildlife habitat shall be established on disturbed land in a condition at least as good as that which existed before the lands were disturbed by surface mining operations, unless the proposed end use precludes its use as wildlife habitat or the approved reclamation plan establishes a different habitat type than that which existed prior to mining.

§ 3704. Performance Standards for Backfilling, Regrading, Slope Stability, and Recontouring.

Backfilling, regrading, slope stabilization, and recontouring shall conform with the following standards:

- (b) Where backfilling is required for resource conservation purposes (e.g., agriculture, fish and wildlife habitat, and wildland conservation), fill material shall be backfilled to the standards required for the resource conservation use involved.
- (c) Piles or dumps of mining waste shall be stockpiled in such a manner as to facilitate phased reclamation. They shall be segregated from topsoil and topsoil substitutes or growth media salvaged for use in reclamation.
- (d) Final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, shall not exceed 2:1 (horizontal:vertical), except when site specific geologic and engineering analysis demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the proposed end use, and when the proposed final slope can be successfully revegetated.
- (e) At closure, all fill slopes, including permanent piles or dumps of mine waste and overburden, shall conform with the surrounding topography and/or approved end use.
- (f) Cut slopes, including final highwalls and quarry faces, shall have a minimum slope stability factor of safety that is suitable for the proposed end use and conform with the surrounding topography and/or approved end use.

§ 3705. Performance Standards for Revegetation.

Revegetation shall be part of the approved plan, unless it is not consistent with the approved end use.

(a) A vegetative cover suitable for the proposed end use and capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer shall be established on disturbed land unless an artificially maintained landscape is consistent with the approved reclamation plan. Vegetative cover or density, and species-richness shall be, where appropriate, sufficient to stabilize the surface against effects of long-term erosion and shall be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover and species richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of mining activities. However, for areas that will not be reclaimed to prior conditions, the use of data from reference areas in lieu of baseline site data is permissible.

(c) Where surface mining activities result in compaction of the soil, ripping, disking, or other means shall be used in areas to be revegetated to eliminate compaction and to establish a suitable root zone in preparation for planting.

(d) Prior to closure, all access roads, haul roads, and other traffic routes to be reclaimed shall be stripped of any remaining roadbase materials, prepared in accordance with subsection 3705(g), covered with suitable growth media or topsoil, and revegetated. When it is not necessary to remove roadbase materials for revegetative purposes, lead agencies may set a different standard as specified in section 3700(b) of this Article.

(g) Native plant species shall be used for revegetation, except when introduced species are necessary to meet the end uses specified in the approved reclamation plan. Areas to be developed for industrial, commercial, or residential use shall be revegetated for the interim period, as necessary, to control erosion. In this circumstance, non-native plant species may be used if they are not noxious weeds and if they are species known not to displace native species in the area.

(h) Planting shall be conducted during the most favorable period of the year for plant establishment.

(i) Soil stabilizing practices shall be used where necessary to control erosion and for successful plant establishment.

(k) Noxious weeds shall be managed: (1) when they threaten the success of the proposed revegetation; (2) to prevent spreading to nearby areas; and (3) to eliminate fire hazard.

(m) Success of revegetation shall be judged based upon the effectiveness of the vegetation for the approved end use, and by comparing the quantified measures of vegetative cover, density, and species-richness of the reclaimed mined-lands to similar parameters of naturally occurring vegetation in the area.

§ 3706. Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control.

(a) Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control

Act, Water Code section 13000, seq., and the Federal Clean Water Act, 33 U.S.C. section 1251, et seq.

(b) The quality of water, recharge potential, and storage capacity of ground water aquifers which are the source of water for domestic, agricultural, or other uses dependent on the water, shall not be diminished, except as allowed in the approved reclamation plan.

(c) Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of a surface mining operation to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board or the State Water Resources Control Board.

(d) Surface runoff and drainage from surface mining activities shall be controlled by berms, silt fences, sediment ponds, revegetation, hay bales, or other erosion control measures, to ensure that surrounding land and water resources are protected from erosion, gulying, sedimentation and contamination. Erosion control methods shall be designed to handle runoff from not less than the 20 year/1 hour intensity storm event.

§ 3709. Performance Standards for Building, Structure, and Equipment Removal.

(a) All equipment, supplies and other materials shall be stored in designated areas (as shown in the approved reclamation plan). All waste shall be disposed of in accordance with state and local health and safety ordinances.

(b) All buildings, structures, and equipment shall be dismantled and removed prior to final mine closure except those buildings, structures, and equipment approved in the reclamation plan as necessary for the end use.

§ 3710. Performance Standards for Stream Protection, Including Surface and Groundwater.

(a) Surface and groundwater shall be protected from siltation and pollutants which may diminish water quality as required by the Federal Clean Water Act, sections 301 et seq. (33 U.S.C. section 1311), 404 et seq. (33 U.S.C. section 1344), the Porter-Cologne Act, section 13000 et seq., County anti-siltation ordinances, the Regional Water Quality Control Board or the State Water Resources Control Board.

§ 3711. Performance Standards for Topsoil Salvage, Maintenance, and Redistribution.

When the approved reclamation plan calls for revegetation or cultivation of disturbed lands, the following performance standards shall apply to topsoil salvage, maintenance, and redistribution activities:

(a) All salvageable topsoil suitable for revegetation shall be removed as a separate layer from areas to be disturbed by mining operations. Topsoil and vegetation removal shall not precede surface mining activities by more than one year, unless a longer time period is approved by the lead agency.

- (b) Topsoil resources shall be mapped prior to stripping and the location of topsoil stockpiles shall be shown on a map in the reclamation plan. If the amount of topsoil needed to cover all surfaces to be revegetated is not available on site, other suitable material capable of sustaining vegetation (such as subsoil) shall be removed as a separate layer for use as a suitable growth media. Topsoil and suitable growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation purposes.
- (c) Soil salvage operations and phases of reclamation shall be carried out in accordance with a schedule that: (1) is set forth in the approved reclamation plan; (2) minimizes the area disturbed; and (3) is designed to achieve maximum revegetation success allowable under the mining plan.
- (d) Topsoil and suitable growth media shall be used to phase reclamation as soon as can be accommodated by the mining schedule presented in the approved reclamation plan following the mining of an area. Topsoil and suitable growth media that cannot be utilized immediately for reclamation shall be stockpiled in an area where it will not be disturbed until needed for reclamation. Topsoil and suitable growth media stockpiles shall be clearly identified to distinguish them from mine waste dumps. Topsoil and suitable growth media stockpiles shall be planted with a vegetative cover or shall be protected by other equally effective measures to prevent water and wind erosion and to discourage weeds. Relocation of topsoil or suitable growth media stockpiles for purposes other than reclamation shall require prior written approval from the lead agency.
- (e) Topsoil and suitable growth media shall be redistributed in a manner that results in a stable, uniform thickness consistent with the approved end use, site configuration, and drainage patterns.

§ 3712. Performance Standards for Tailing and Mine Waste Management.

State Water Resources Control Board mine waste disposal regulations in Article 1, Subchapter 1, Chapter 7 of Title 27, California Code of Regulations, shall govern mine waste and tailings, and mine waste disposal units shall be reclaimed in conformance with this article.

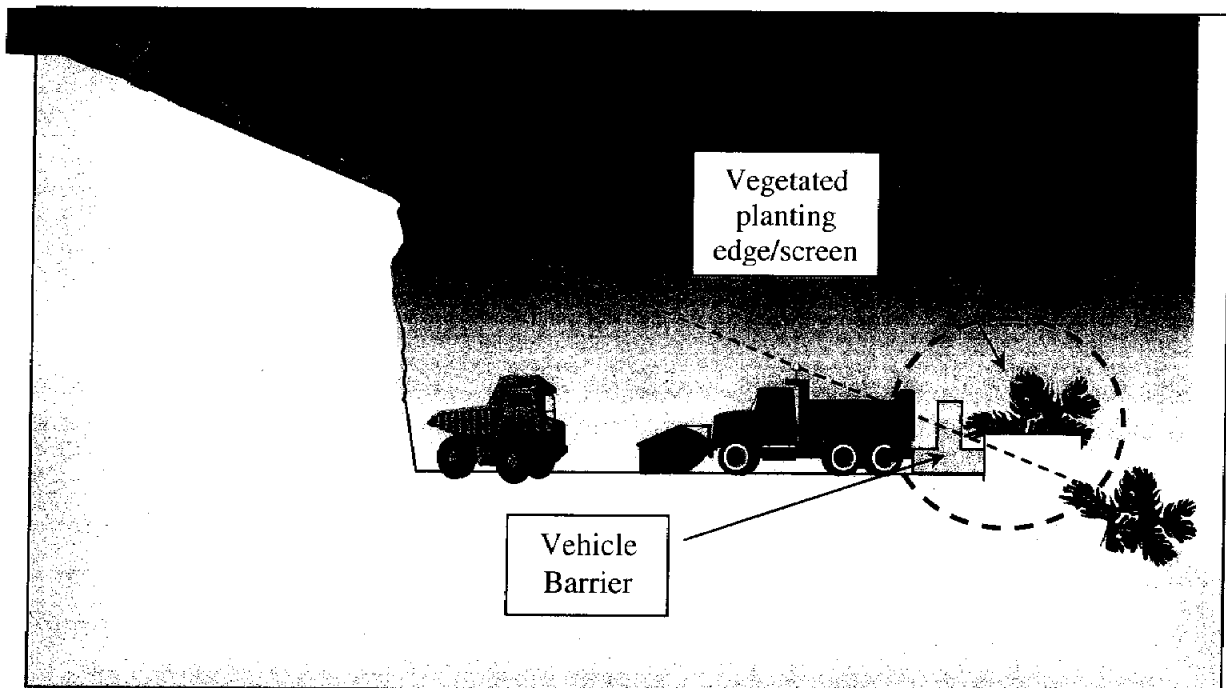
Appendix 12: Mitigation Measures

12.1 Scenic Management Mitigation Measures

To mitigate for visual impacts, the following measures are included in the Proposed Action:
(Note: All mitigation activities must be approved by the Angeles National Forest and must be in compliance with local, state and federal safety laws or regulations)

- Adhere to the final Plan of Operations and Reclamation Plan for the Acton Clay Quarries, to be approved following the Responsible Official's decision authorizing implementation of the Proposed Action.
- All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, and signs. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
- Vehicles, buildings, barriers, signs, equipment, etc. that will remain or will be used on any of the proposed or current mining sites for more than 3 consecutive 24 hour periods, should be colored, designed, painted or covered with patterns or colors that complement, blend in with, or emulate the surrounding native vegetation. This includes fencing and containers.
- All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors and bright lights do not exceed levels compatible with uses of adjacent lands. If night lighting is used, it shall be directed downward in order that the sources of the lighting will not be visible from the Town of Acton.
- Over the 20 year period of this proposed Plan, the operator will reclaim and re-vegetate mined areas at the earliest practicable opportunity, and will continuously reclaim inactive areas. Also, where not immediately used in ongoing reclamation, topsoil and brush will be set aside as new areas are mined and segregated into separate piles to be used as needed for future reclamation.
- Cover sites of high-brightness waste with neutral colored or darker material from the site, to reduce the visual contrast between the disturbed areas and the natural background.
- Previously mined/disturbed areas that fall outside of the 5 designated acres currently being mined in each quarry, as described in the proposed action, must be concurrently reclaimed as stated in the Reclamation Plan for this proposal. Emphasis should be taken on north facing slopes, which are more prone to be seen from the community of Acton and travelers on the Interstate 14 freeway.
- If a north facing slope that is not being actively mined can not feasibly be reclaimed concurrently, efforts must be made to mask the exposed light colored material in a manner by which it blends in with the native top soil or the surrounding native vegetation until the reclamation process can be implemented. Potential temporary "quick fix" solutions include continuous surface applications of topsoil, camouflage netting, jute mesh, etc. All materials used must first be approved by the Angeles National Forest, and once applied, must be maintained in good working order until no longer needed. Any synthetic material that is no longer needed to preserve the scenic integrity of the site must be disposed of properly off the Forest.

- The operator will control the amount of sediment and material from the operation that is being pushed towards the site boundaries and eventually over the sides, to avoid causing erosion and loss of vegetation.
- The Restoration Plan shall include the revegetation and stabilization of eroded site boundary and road edges. Restoration of these areas and the implementation of proper erosion control methods are vital to improving and meeting the SIO's for this site. Potential sediment control methods include mulching, silt fences and rock checks in drainage lines along the road alignment to arrest sediment. A concurrent solution would be to include a minimum 5' wide vegetative edge along the project boundaries to provide natural screening and some erosion protection. In areas of constant vehicle traffic, provide vehicle barriers to protect raised vegetative edges from accidental vehicle contact. See illustration below.



12.2 Cultural Resources Mitigation Measures

The 20 year operation permit requires management measures that are necessary for the protection of cultural resources. The Angeles National Forest has provided archaeological clearance (07SCM16PISP, dated January 10, 2007), which details the archaeological inventory, consultation with the Forest Heritage Program Manager (HPM), and the determination of “No Adverse Effect” in compliance with the National Historic Preservation Act of 1966, as amended. The document contains site-specific Standard Protection Measures (SPMs) for implementation under carefully controlled conditions, and monitoring requirements stipulated by the Forest Service, under agreement with the State Historic Preservation Officer.

Activities performed under the Plan of Operation will be undertaken within the boundaries of cultural resources, referenced in the Brock 2000 Report (Heritage Resource Assessment for North Star Minerals’ 20-Year Mining Plan, Acton Clay Quarries, Angeles National Forest, Los Angeles County, California). At the activation of the permit, North Star Minerals will coordinate with the Angeles National Forest HPM to make on-site identification of the locations that require SPMs. The maintenance of these measures and periodic monitoring by the Forest Service will be followed throughout the duration of permit.

In the course of implementation, should any additional (and presently unknown) cultural artifacts or features be detected, all work will cease at that location until appropriate consultation with the Forest HPM occurs. In all cases, if impacts are anticipated to occur on designated cultural resources, then coordination will be made with the Forest HPM, in order to plan for mitigation or other management of the resources.

12.3 Air Quality Mitigation Measures

The following mitigation measures are derived from a variety of regulatory sources and are proposed to reduce air quality impacts from the project. If the proposed activities are modified at some future date, the mitigation measures may need to be revised in order to address effects that are not covered under the current assessment.

- The equipment and vehicles used during operations shall conform to the manufacturer's specifications and South Coast Air Quality Management District (SCAQMD) requirements and be maintained to provide efficient operation and a minimum of air contaminants (California Surface Mining and Reclamation Act; SMARA).
- Trucking shall be performed on a 12-hour-per-day basis. This will reduce emissions by allowing trucks to operate during non-peak hours, increasing truck speeds, and eliminating prolonged idling in traffic, thereby decreasing truck emissions. Similarly, when operating on-site, trucks shall not be left idling for long periods (SMARA).
- Electric and gasoline equipment shall be substituted for diesel where feasible (SMARA).
- Catalytic converters will be used on gasoline equipment (SMARA).
- Where applicable, high-pressure fuel injector nozzles will be used (SMARA).
- Diesel engine timing will be retarded by four degrees (SMARA).
- Reformulated, low-emission diesel fuel will be used (SMARA).
- All mining, screening, and production transportation shall not be commenced during any second stage smog alert (SMARA).
- All activities of mining and processing minerals shall be conducted in a manner such that dust, smoke, and dirt do not exceed levels compatible with uses of adjacent lands (SMARA).
- All private roads shall be watered while being used, or shall be treated with a dust control agent in order to prevent the emanation of dust. A chemical stabilizer will be applied to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface. Dust suppression measures shall be undertaken on all unpaved roads providing access to the site (SMARA, SCAQMD Rules 403, 1157, & 1186).
- Watering shall be conducted as necessary to prevent visible emissions from extending more than 100 feet beyond the mine site, except for areas that are inaccessible to watering vehicles (SCAQMD Rule 403).
- Water or dust suppressants shall be applied to inactive disturbed surface areas when there is evidence of wind blown fugitive dust, or vegetative ground cover shall be established within 21 days after active operations have ceased (SCAQMD Rule 403).
- Material shall be watered prior to crushing /screening operations, as well as during loading and transport (SCAQMD Rules 403 & 1157).
- Six inches of freeboard shall be maintained on haul vehicles (SCAQMD Rule 403).
- Water will be applied to open storage piles on a daily basis when there is evidence of wind driven fugitive dust (SCAQMD Rule 403 & 1157).
- When instantaneous wind speeds exceed 25 miles per hour, the dust suppression contingency measures listed in SCAQMD Rule 403 Table 3 shall be applied, or active mining operations shall be temporarily suspended (SCAQMD Rule 403).

12.4 Avoidance and Mitigation Measures for Wildlife and Plants

Forest Plan Direction, Strategies and Tactics for Protection of Wildlife Species/Habitats

All applicable Angeles National Forest Land Management Plan (Forest Plan) standards and guidelines will be followed (refer to plan standards in Forest Plan, Part 3).

The project site is located within the Soledad Front Country region of the Angeles National Forest. The Forest Plan desired condition for this area, relevant to wildlife and plants, emphasizes wildlife linkages to mountain ranges farther north and west, improving conditions for threatened, endangered, and sensitive (TES) species, and reduction and control of invasive species, (LMP Part 2: p. 70).

The Gray Quarry is in the Back Country Non-motorized Land Use Zone, and the White Quarry is in the Back Country Motorized Use Restricted Zone (see Forest Plan, Part 2: pp 3-9). Mineral extraction (mining) is considered suitable “by exception” in both these land use zones (i.e., “not generally compatible with the land use zone but may be appropriate under certain circumstances”).

Angeles National Forest Program Strategies, Tactics, and Standards relevant to mining and biological resource management in these land use zones within the Soledad Canyon Front Country are summarized in Table 1, below:

Table A-2: Relevant Forest Plan Strategies, Tactics, and Standards

Plan Strategy/Tactic/Standards	Project relationship to strategy/tactic	Project consistent w/ strategy/tactic?
WL 1 - TES species management (LMP Part 2: pp 93-96)		
Priority Conservation Strategies (LMP Part 2: Table 528, pp. 94-96)		
Habitat restoration/improvement: Control of invasive non-natives	Soil disturbance tends to favor invasive plants, to be addressed through reclamation	Yes (pending reclamation)
Habitat protection: project planning	Project subject to review under NEPA and SMARA	Yes
Habitat protection: coordination w/ other agencies	Mining & Reclamation Plans reviewed & approved by Los Angeles Co. per SMARA	Yes
Habitat protection: prevent spread of invasive non-natives	To be addressed through reclamation	Yes (pending reclamation)
Habitat protection: fire prevention and suppression	Fire safety requirements for personnel and equipment	Yes
IS 1 - Invasive Species Prevention & Control (LMP Part 2: p 98)		
Implement Noxious Weed Strategy		
Limit ground disturbance to minimum necessary	Project design minimizes disturbance area for overburden, processing, stockpiling, etc.; project subject to reclamation	Yes
FH 1 - Vegetation Restoration (LMP Part 2: p 99)		

Implement reforestation as needed	Project subject to reclamation	Yes
Air 1 - Minimize smoke & dust (LMP Part 2: p 101)		
Emission reduction techniques	Project subject to air quality regulations per SMARA and other legislation	Yes
WAT 1 - Watershed function (LMP Part 2: p 102)		
Maintain or restore soil properties	Project subject to reclamation	Yes
Dispose of displaced soil & rock in approved sites	Mining plan (incl. overburden areas) subject to review by Forest minerals staff & other regulatory agencies	Yes
WAT 3 - Hazardous Materials (LMP Part 2: p 104)		
Maintain written Hazardous Materials Response Plan	Mining operation subject to state and federal hazardous materials regulation	Yes
Link 1 - Habitat linkage planning (LMP Part 2: p 105)		
Manage use & activities for compatibility w/ habitat linkages	Project site outside any critical linkage areas, surrounded by extensive public land areas	Yes
LM 1& LM 2 - Landscape aesthetics & restoration (LMP Part 2: p 113)		
Mitigate ground disturbance, prioritize restoration	Project subject to reclamation	Yes
Lands 2 - Non-recreational special use authorizations (LMP Part 2: p 119)		
Special uses comply w/ law, regulation & policy; restore area upon termination	Mining operation subject to Forest Service minerals policy, various other state and federal policy, subject to reclamation	Yes
ME 1 - Minerals management (LMP Part 2: p 121)		
Use operating plan terms & conditions to offset mining effects	Mining plan subject to ANF Minerals staff review & approval	Yes
Facilitate environmentally sensitive production of mineral resources	Mining plan subject to ANF Minerals staff review & approval	Yes
Monitor mining operations as needed	Mining operation subject to Forest Service minerals policy	Yes
Fire 1 - Fire prevention (LMP Part 2: p 124)		
Implement forest fire restriction & closure plan as appropriate	Mining operation subject to fire closure	Yes
Vegetation Management Standards (LMP Part 3: pp 3-5)		
S6: Seed to be certified free of noxious weeds	See reclamation plan	Yes
S11: Species guidance documents	None applicable	Yes

Additional Minimization and Avoidance Measures

This section lists minimization and avoidance measures developed in the Biological Evaluation/Biological Assessment (BE/BA) for this project. The BE/BA should be updated and reviewed as new information becomes available and as needed to incorporate species status changes or new information regarding species occurrences or life history. Should the proposed activities be modified in the future, this evaluation may need to be revised to address potential effects not presently covered.

The following list includes only the Forest Service's requirements to minimize or avoid impacts to biological resources. Other measures may be required for compliance with other National Forest management policies or guidelines (e.g., visual impacts, recreation impacts) as well as other local, state, or federal statutes or policies addressing land uses, vehicles, mining, and any other aspects of the proposed project.

Measures to reduce potential impacts include the following:

1. The USFS staff will provide photographs and descriptions for work crews of the following TESP species potentially occurring at the site.
2. All cacti will be transplanted. Depending on the number found, they will be transplanted to another location or taken to Rancho Santa Ana Botanic Garden.

North Star Minerals, Inc. (NSM) will comply with re-vegetation and reclamation requirements as outlined in the Mining and Reclamation Plan reviewed and approved under SMARA by Los Angeles County. All re-vegetation plans will be approved by a ANF botanist prior to implementation. Before removing soils or vegetation within 100 meters of the known short-jointed beavertail cactus occurrence near the existing quarry, NSM will contract with the ANF botanist.

3. To prevent the spread of noxious weeds, an invasive species avoidance plan will be developed and agreed to by the Forest Service and NSM. The action items will range from washing vehicles and equipment when they have been taken to an infested area to periodic vegetation checks when on the trucks regular routes.
4. NSM and the Forest Botanist will conduct yearly meetings to review noxious weed issues. This includes discussing new infestations in nearby areas (both on and off project areas), reviewing the past year successes and failures and altering the plans as needed for monitoring noxious weeds.
5. The Forest Service will provide NSM with laminated photos of weeds of concern. These are weeds not yet found in the area. It will be the responsibility of NSM to look for these weeds or any other unusual looking vegetation. If anything unusual is found then the Forest Botanist will come and identify these plants.
6. The Forest Botanist will identify areas currently infested with weeds. When infested areas are being cleared, efforts must be made not to spread the seeds of invasive species such as ripgut brome (*Bromus diandrus*) outside of an already infested area. In addition cleaning of equipment as mentioned above, workers should take care to inspect, remove, and properly dispose of weed seed and plant parts found on their clothing between work sites. Proper disposal means bagging the seeds and plant parts and incinerating them or removing them from site.

7. To prevent the spread of noxious weeds:
 - a) Follow up noxious weed surveys will be conducted.
 - b) The timing and duration of the invasive weed surveys will be up to the discretion of the Forest Service Botanist and NSM. Ideally, weed surveys will be conducted bi-monthly between March and July. These surveys will be quick in nature and intended to detect new infestation.
 - c) Any new or expanding infestation of invasive species will be removed.
8. A restoration plan will be developed and approved by the Forest Service Botanist and NSM.
9. For excavations outside of active workings, measures must be taken to avoid the entrapment of small mammals, reptiles or amphibians. If excavations are to remain open for more than 12 hours, they must include some means for small mammals, reptiles and amphibians to escape. This can be accomplished by placement of any material (log, branch, long piece of wood etc.) that will effectively function as a ramp that will reasonably allow trapped individuals to crawl or walk out. Before an excavation is backfilled, it must be checked to ensure that there are no live individuals inside. Backfilling cannot occur until the excavation is clear of all live individuals.
10. All appropriate BMP's will be followed to minimize sediment into water courses.
11. If any work is done in riparian areas, the 5 step screening process outlined in the Forest Plan for Riparian Conservation Areas (RCA) will be followed.
12. Soil and Water Conservation Practices Handbook, FSH 2509.22 will be followed to minimize impacts to soil and riparian areas.
13. Except for materials hauling and access to the site along Forest Service Road 4N32, neither NSM nor its employees or contractors shall use mechanized equipment of any kind to disturb soils or vegetation outside the bounds of the project area.

12.5 Soil and Water Quality Mitigation Measures

Forest Plan Direction, Strategies and Tactics for Protection of Soil and Water Quality Resources

All applicable Angeles National Forest Land Management Plan (Forest Plan) standards and guidelines will be followed (refer to plan standards in Forest Plan, Part 3).

See also Table A-2 in Appendix Sub-section C.4, Avoidance and Mitigation Measures for Wildlife and Plants, for Angeles National Forest program strategies and tactics relevant to mining and soil/water resource management. These include WAT 1 - Watershed function, WAT 3 - Hazardous Materials, and ME 1 - Minerals management.

Best Management Practices

All applicable Best Management Practices (BMPs) should be identified and followed in all ground-disturbing activities within the quarries. These include, but are not limited to, Practice 3-1 (Water Resources Protection on Locatable Mineral Operations), as described in Section 12.32, *Water Quality Management for Forest System Lands in California*, September 2000.

Additional Minimization and Avoidance Measures

To mitigate for impacts to soil and water quality, the following measures are included in the Proposed Action. These are in addition to or complementary to mitigation measures and reclamation activities listed for other resources and required by other agencies in Appendices A, C, and D of this EA. For example, certain mitigations to reduce impacts to scenery resources such as mulching and silt fences will also reduce soil erosion.

- In accordance with the Spill Prevention, Control, and Countermeasures Plan on file for this operation and incorporated into the Plan of Operations (April 2007), storage facilities for materials capable of causing water pollution if accidentally discharged will be located to prevent any spillage into waters or channels leading into water that would result in harm to fish or wildlife or to human water supplies. The only potentially hazardous material used in this mining operation is diesel fuel and petroleum-based lubricants. Waste lubricant will be disposed of to a licensed recycler. Trucks dispensing fuel will be placed on a containment facility designed to hold the entire amount of fuel in case of a spill.
- Operator will take precautions to control runoff and erosion and to prevent entry into surface water for all disturbed areas, including waste dumps. Waste dumps will be located within the quarry boundaries, and runoff will be routed away from waste dumps.
- Operator will perform road maintenance to protect surface resources and prevent erosion. Maintenance of access roads will be done in accordance with Forest Service "Minimum Standards for Road Construction" (included in the Plan of Operations), which provides for the following actions to protect water quality:
 - No material will be sidecast unless included as a part of the road fill.
 - Fill material will be appropriately compacted where road remains open during winter months.
 - Appropriate road surface drainage techniques will be employed, including waterbars diverting flow to undisturbed surface in order to reduce runoff erosion.
- Benches will be provided wherever necessary to control drainage on slopes.

- Operator will shape quarries and locate stockpiled topsoil and excavated non-commercial material to minimize the passage of runoff across disturbed surfaces. Stockpiles will be stabilized by compaction if necessary to prevent erosion. Stockpiled topsoil will be seeded as necessary to stabilize the soil.
- Disturbed areas will be reclaimed and re-vegetated at the earliest opportunity (and in no event less than once a year in the fall growing season).
- Treat berms at edges of mining quarries and along access road fill slopes (for example, using mulching, seeding, etc.), to prevent erosion and sedimentation travel onto adjacent areas.
- Settling ponds, where sediment is collected within the quarries, should be cleaned out and sediment deposited and stabilized in areas of the quarry that will prevent sediment from being transported away from the quarry site to adjacent lands. Designate debris/sediment disposal sites within the quarries, and follow soil stabilization procedures outlined by the Reclamation Plan and State/federal reclamation standards.
- Where needed, install silt fencing or other sediment trapping materials to minimize the transport of sediment off site.
- Operator will maintain and operate the quarries in full compliance with all State conditions of the Surface Mining Permit issued under SMARA, including State requirements for storm-water runoff and other water pollution plans and all mitigation measures in the Mitigation Monitoring Program (see Appendix D).
- Quarries and Plan of Operations will be inspected annually to ensure that protection of soil and water quality resources is provided.

Appendix 13: Reclamation Plan Summary

Introduction

Reclamation is the process that minimizes adverse environmental effects of surface mining, so that, at the end of mining operations, the land can be returned to other suitable uses as specified in the Forest Plan.

As stated in Section 1.4 of the Environmental Assessment EA of this project (Forest Plan Consistency), the quarries are located within the Soledad Front Country Place, in either Back Country Non-motorized or Back Country Motorized Use Restricted land use zones. The Forest Plan, in Part 2, specifies a variety of suitable uses within these zones that may occur following completion of the mining operations. The Scenic Integrity Objective designated for this area is High (landscape appears unaltered). The desired condition as stated in the Forest Plan is that the area would function as a scenic backdrop and transitional landscape, with dramatic canyon and rugged mountain views preserved. Successful reclamation would ensure that these goals and objectives are attainable following completion of mining activity at the Acton Clay Quarries as described in the Proposed Action.

Following is a summary of the reclamation plan to be used by North Star Minerals, Inc. (NSM) for reclamation of the Acton Quarries over the life of the proposed 20-year Plan of Operations. The plan includes reclamation processes that are concurrent with ongoing mining operations and final reclamation processes at the end of mining the site. A final Reclamation Plan will be prepared by NSM and approved by the District Ranger following the Responsible Official's issuance of a decision regarding the Proposed Action. The plan will be on file in the project record.

Revegetation planning, implementation, and monitoring as described in the Reclamation Plan are designed to meet the requirements of the California Surface Mining and Reclamation Act (SMARA) as well as federal laws and standards (see Appendix 11 for relevant excerpts of State Mining and Geology Board regulations: Article 9, California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1).

Concurrent Reclamation

Concurrent reclamation will occur as the mineral is extracted from the quarries, and includes those ongoing processes or activities that would occur as mining operations proceed during the operating period, so that adverse effects from mining are minimized. The primary goal of concurrent reclamation in the Acton Clay Quarries is to provide erosion control and mitigation of visual impacts during the 20-year life of the mining operation.

Concurrent reclamation activities may include grading, re-contouring, topsoil replacement and revegetation (using native plant species) of land that is disturbed by mining activities. Reclamation would also include additional processes listed as mitigation measures in Appendix 12, such as measures to minimize erosion, protect water quality, and reduce visual impacts (see Appendix 12).

All areas within the quarries that have been mined will be concurrently reclaimed, so that at any one time only 5 acres in each quarry will be actively mined. Whenever possible, such as in areas of the quarry that are mined out, long-term reclamation will occur as described below under *Final Reclamation*.

As mining excavation proceeds northward, slopes toward the southern end of the quarries will be

reclaimed. All quarry surfaces visible from Acton will be reclaimed as soon as practicable, using methods to reduce visual contrasts with surrounding landscapes. These methods may include placement of darker soils, mulch, re-vegetation of benches, vegetative barriers, camouflage netting, or other visual mitigation measures described in Appendix 12.

As mineral extraction proceeds, mined slopes which have been left devoid of vegetation will be revegetated as soon as practicable. Revegetation of these slopes must occur at the time of year when planted material has the greatest chance of germinating or becoming established. In order to take maximum advantage of winter precipitation, all seeding will take place between October to December, depending on the weather patterns for specific years.

Concurrent revegetation will be considered successful when seeded areas do not require significant maintenance measures. Significant maintenance measures include planting seeds, irrigation if necessary, erosion control, or weed control.

See *Revegetation Specifications* in this Appendix for further details.

Final Reclamation

The Gray Quarry and the White Quarry will be finally reclaimed at the conclusion of the proposed 20-year Plan of Operations (POO), unless an extension of the POO is subsequently approved. In the event of an extension, the reclamation plan would be modified.

When the ore body is “mined out” (all marketable clay removed) or at the end of the 20-year operating period, NSM will take long-term measures to reclaim the mining area, as required by federal and State law (see Appendix 11, State Reclamation Standards, Article 9).

At the commencement of final reclamation, NSM will remove its plant facilities and all equipment from the site and will reclaim these areas by removing any foundations and roads. These areas will be ripped, if necessary, and regarded to conform with the local topography, and then re-vegetated. NSM will also initiate its long-term protection of all mined slopes and disturbed areas that are not already re-vegetated.

Steep quarry faces in the mine area will be benched and stabilized; roads not needed for other resource use will be closed and reclaimed; disturbed areas will be re-contoured and re-vegetated, and permanent erosion control and water quality protection measures will be implemented.

Primary activities as a part of final reclamation will include the general grading of quarry surfaces, roads, and processing area within the quarry. The area will be shaped to conform to surrounding topography, to facilitate revegetation, and to prevent erosion that would be caused by the flow of runoff across disturbed surfaces. Stockpiled neutral-colored or darker material will be placed to cover any sites within the quarry of high-brightness waste material, to reduce visual contrast with the surrounding landscape.

The slope ratio of final quarry faces (cut slopes) will range from 1:1 to 2:1 (one to two feet of horizontal run for every one foot of vertical rise) overall, with up to twenty-foot high and forty-foot wide benches, in accordance with State and federal mining regulations. Mine waste (excavated non-commercial material) will be used as fill, as necessary, to achieve the desired slope ratios. The pit floors will be graded with a very slight slope to prevent ponding of water.

Similar methods will be used for the final revegetation as those used for concurrent revegetation, including the timing of revegetation applications. Final revegetation will be considered successful

when seeded areas do not require significant maintenance measures (including planting seeds, irrigation if necessary, erosion control, or weed control). The goal of final revegetation is to provide erosion control and approach the patterns of cover and dominant species distribution across the existing, surrounding landscape. See *Revegetation Specifications* below for further details.

Revegetation Specifications

Revegetation is defined as establishing vegetation on disturbed land. The goals of revegetation include erosion control, restoration of scenic integrity, return of ecological functions to a site, and mitigation as required by State and federal mining laws.

Approximately 24 acres will be disturbed by the proposed mining operation at the Acton Clay Quarries during the 20-year operating period, all of which will be reclaimed and re-vegetated. Revegetation will occur concurrently over a period of 20 years, as areas of the quarries are “mined out.”

When mining is complete, and nothing further is planned for the disturbed areas within the quarry, these areas will be re-vegetated consistent with the preexisting density of vegetation in the area. This planting will occur in the first wet season after the mining is completed.

Site Preparation

Topsoil will be salvaged as practicable, as mining operations proceed. Revegetation activities will include replacing stockpiled topsoil, preparing soil for seeding, placing mulch if necessary, and re-vegetating slopes and general mining areas with approved natural vegetation species.

Stockpiled topsoil will be applied where applicable. The ground surface will be scarified, if necessary, and the stockpiled topsoil will be distributed with an average depth of 3 inches on slopes and 1 ½ inches on flat areas. Prior to revegetation, the disturbed areas will be free of invasive, noxious weeds. The areas covered with topsoil will then be seeded.

Revegetation plans and species lists have been developed by the Angeles National Forest Botanist. The composition of the seed mix to be used is presented in the tables below:

Table A-1: Seed mix composition

Common Name	Scientific Name	Application Rate (Lbs per Acre)
Desert Needlegrass	<i>Achantherum speciosum</i>	2
Melic	<i>Melica imperfecta</i>	5
Chimese	<i>Adenostoma fasciculatum</i>	3
Mountain Mahogany	<i>Cercocarpus betuloides</i>	4
California Buckwheat	<i>Erigeron fasciculatus</i>	12
Golden Yarrow	<i>Eriophyllum certiflorum</i>	3
Our Lord's Candle	<i>Yucca whipplei</i>	2

Seedling trees and shrubs will be planted on the flat areas. One tree island will be planted on each acre of disturbed land, and each tree island will include no less than 4 trees and 4 shrubs

Maintenance

All plantings and seeding will be maintained for a period of 5 years, or until State revegetation standards have been met (see State Reclamation Standards, Article 9, § 3705, in Appendix 11).

Protection of Fish, Wildlife, and Habitat

Mitigation measures included as part of the Proposed Action to protect existing wildlife and habitat values are incorporated into the Reclamation Plan by reference (see Appendix 12.) These include Angeles National Forest Land Management Plan standards, and additional minimization and avoidance measures.

Final Assurance Performance Bond

Final assurances to assure reclamation of mining sites are required by the federal government, the State of California, and the County of Los Angeles. Pursuant to a formally adopted Memorandum of Understanding (MOU) entered into by the State of California, the USDA Forest Service, and the Bureau of Land Management (October 19, 1992), it is agreed that “any federally required financial assurance may be used to satisfy local and State surety requirements” (MOU, item 19, p. 7).

A reclamation bond will be required from NSM to cover the full costs of reclamation. This bond would be held until all reclamation is performed according to the Reclamation Plan attached to the final approved Plan of Operations. (See State Reclamation Standards, Article 9, § 3702. Financial Assurances, in Appendix 11).

Monitoring

On an annual basis monitoring of the site will take place to insure successful protection of ecosystem health while providing mineral resource development (refer to Angeles National Forest 2005 Land Management Plan, Part 3, Appendix 12, Monitoring Requirements).

Decision Notice
And
Finding of No Significant Impact

Acton Clay Quarries
Twenty-Year Plan of Operation
North Star Minerals, Inc.

USDA Forest Service
Santa Clara/Mojave River Ranger District,
Angeles National Forest
Los Angeles County, California

Section 24 and 25 of township 4 North, Range 13 West, SBBM; and
Section 19 and 30 of Township 4 North, Range 12 West, SBBM

Decision and Reasons for the Decision

Background

The United States Forest Service has conducted an environmental analysis and prepared an Environmental Assessment (EA) to disclose the direct, indirect, and cumulative environmental effects that would result from approving a 20-year plan of operations for the continuation and expansion of mining operations at the Acton Clay Quarries by North Star Minerals, Inc. (NSM).

The purpose for this action is to make locatable mineral material available, as provided by statute. The statutes authorizing this use of National Forest System lands and resources include the 1872 Mining Law, as amended (30 U.S.C. 21-54), and its implementing regulations at 36 CFR part 228; the Mining and Minerals Policy Act of 1970; the Federal Land Policy and Management Act of 1976, and Forest Service policy as described in Forest Service Manual 2800.

This action responds to the proposed Plan of Operations submitted by NSM to expand their operations at the Acton Quarry, while protecting surface resources. Under U.S. mining laws, NSM has a statutory right to extract locatable minerals (clay) as proposed in accordance with the General Mining Law of 1872, as amended. The Forest Service has the responsibility to protect surface resources of National Forest System lands to the extent practicable. Forest Service mining regulations state that "operations shall be conducted so as, where feasible, to minimize adverse impacts on National Forest System surface resources (36 CFR 228.8)."

The action also contributes to meeting the goal of supporting environmentally sound minerals development and reclamation. The Mining and Minerals Policy Act of 1970 states that it is the policy of the Federal Government to foster and encourage the development of economically sound and stable domestic mining, minerals, metal, and mineral reclamation industries; and the orderly and economic development of domestic mineral resources, reserves, and reclamation of metals and minerals to help assure satisfaction of industrial, security, and environmental needs.

The current Plan of Operation (POO) for Acton Clay Quarries, as amended and extended several times since 1991, allows for the active mining of only 5 acres of NSM's 2,260 acres of claims at one time. Operations over the years have seen development reach the limit of the area available. Under the proposed 20-year POO, mining would be allowed on 24 acres of North Star's claims, although not all allowed acreage would be mined at any given time (see Section 1.5, Proposed Action in the environmental assessment (EA)).

The EA documents the analysis of four alternatives to meet this need. Two alternatives were considered by an interdisciplinary team of resource specialists, but eliminated from detailed evaluation in this EA because of their infeasibility to attain aspects of the Purpose and Need, or failure to attain benefits greater than the Proposed Action. Two other alternatives were considered and evaluated; Alternative 1, the No Action alternative and Alternative 2, the Proposed Action alternative.

Decision

Based upon my review of all alternatives, I have decided to implement Alternative 2 which is the Proposed Action alternative. Under this alternative, the Forest Service would approve a modification of the proposed Plan of Operations initially submitted by North Star Minerals, Inc. to expand the company's current clay mining operations within the quarries at two sites (the "Gray Quarry" and the "White Quarry") over a period of 20 years.

Modifications incorporated by the Forest Service include reclamation activities, design features, and mitigation measures to reduce or eliminate undesirable impacts, including impacts to the scenic integrity of the area (see Appendices A, C, and D in this EA).

For a more detailed description of the Proposed Action (Alternative 2), see the "Alternatives Considered" section of this decision and the EA (pages 12-14).

When compared to the other alternatives, this alternative (the Proposed Action) will meet the Purpose and Need for Action in a more comprehensive manner than the No Action alternative.

Mitigations and project design features are necessary and have been incorporated into the Proposed Action to allow the proposed mining activity to occur without negatively impacting Forest Plan goals related to public enjoyment of natural, scenic views of the Forest (Goal 3.1, Forest Plan, Part 1, p. 33), as well as other resource protection goals.

In respect to resources, the Proposed Action (Alternative 2):

- Would meet Forest Plan scenic standards, as opposed to the No Action Alternative, which does not meet Forest Plan scenic standards.
- Would be well below the *de minimus* and regional significance thresholds established by the General Conformity Rule.
- Would not affect any threatened, endangered, proposed, or candidate plant species or any designated or proposed critical habitat for listed plants.
- Could have limited adverse impacts to some Forest Service sensitive plant and animal species, but is not likely to result in a trend toward federal listing of any plant recognized as sensitive by the Angeles National Forest.
- Would regain some components of native habitat suitability following reclamation.
- Would have minimal impacts from noise and light disturbance, and some fugitive dust.
- Would potentially improve MIS habitat, with re-establishment of native vegetation during reclamation.
- Would potentially have lower impacts to soil and surface water resources than would occur under the No Action Alternative.
- Would have no significant measurable effect to ground water quality or quantity.
- Would have no significant effect to cultural resources following required treatment measures (see EA pages 25-26).

For a more detailed comparison of the alternatives, see table 1 "Comparison of Alternatives", in the EA, (page15).

This alternative (The Proposed Action, Alternative 2) is consistent with the objectives of federal, regional, State, and local land use plans, policies, and controls for the project area. Applicable laws, regulations, policies, and the Angeles National Forest Land Use Plan have been addressed throughout the analysis of the Proposed Action in the EA. In addition, under Environmental Justice, Executive Order 12898, none of the alternatives would have a discernible effect on minorities, American Indians, or women, or the civil rights of any United States citizen. The Proposed Action would not have a disproportionate adverse impact on minorities or low-income individuals.

Other Alternatives Considered

The EA documents the analysis of four alternatives to meet this need. Two alternatives were considered by an interdisciplinary team of resource specialists, but eliminated from detailed evaluation in this EA because of their infeasibility to attain aspects of the Purpose and Need, or failure to attain benefits greater than the Proposed Action. These two alternatives include the: Visually Enhanced Alternative and Reduced Operating Period Alternative (see EA page 11). Two other alternatives were considered and evaluated; Alternative 1, the No Action alternative and Alternative 2, the Proposed Action alternative. A comparison of these alternatives can be found in the EA on page 15.

Alternative 1, No Action

Under the No Action alternative, current management plans would continue to guide management of the project area.

In situations involving an ongoing operation authorized by law or statute, CEQ regulations and interpretations of NEPA allow the No Action alternative to be considered as "no change" from current management direction or level of management intensity (see "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations," Question 3, available on the internet at <http://ceq.eh.doe.gov/nepa/regs/40/40p3.htm>). This is the case with the Acton Clay Quarries operation, in which NSM has a statutory right to extract minerals from its claims at the Acton Clay Quarries. The Forest Service does not have the discretion to deny statutory rights to mine locatable minerals subject to the 1872 Mining Law.

Therefore, the No Action Alternative analyzed in this EA is defined as "no change" from the current Plan of Operations (POO) in effect. The current POO allows for active mining in the Gray and White Quarries to occur on a total of 5 acres at one time. Under the No Action Alternative, the proposed 20-year Plan of Operations would not be authorized.

For the purposes of environmental analysis in the EA, it is assumed that the current POO would be renewed by annual extensions, with active mining continuing as presently authorized. In reality, however, operating the quarries indefinitely under year-to-year approvals is not desirable and likely not possible, in that it would hamper long-term planning and market development

considered essential to a viable mining operation as provided for under federal mining laws governing locatable mineral development.

Alternative 2, Proposed Action

Under this alternative, the Forest Service would approve a modification of the proposed Plan of Operations initially submitted by North Star Minerals, Inc. to expand the company's current clay mining operations in the quarries at two sites (the "Gray Quarry" and the "White Quarry") over a period of 20 years.

Modifications incorporated by the Forest Service include reclamation activities, design features, and mitigation measures to reduce or eliminate undesirable impacts, including impacts to the scenic integrity of the area (see Appendices A, C, and D in the EA).

The Plan of Operations, as proposed by North Star Minerals and modified by the Forest Service is summarized as follows:

- It is estimated that the operation would process approximately 5 million tons of clay over the life of the plan (20 years). Peak production may reach 1,500 tons per day, and annual production may reach approximately 200,000 tons.
- Total surface area to be mined over the 20-year period would be 24 acres - 14 acres in the Gray Quarry and 10 acres in the White Quarry. Much of this area has been mined by previous owners (see discussion in Background section of the EA); the current and proposed operation is a re-entry, to remove remaining clay ore. The Plan of Operations to be approved would allow no more than 5 acres of actively mined area at any one time in each quarry (10 acres total). All mined acres within the quarries not being actively mined would be concurrently reclaimed, as described in the Reclamation Plan Summary (see Appendix A in the EA) and briefly summarized below under the heading "Proposed Action – Reclamation Activities").
- While quarry operations would include some blasting of hard rock formations, most material would be mined by ripping with a track-mounted dozer. Mined material would then go through a crushing and screening process.
- Mining operations would occur year-round, except during periods of heavy rain. Both quarries would operate about five days per week.
- Commercial material would be hauled off-site by 18-wheel highway trucks (GVW 80,000 lbs.) to various markets, traveling on FS Road 4N32 to Aliso Canyon Road, then on to Soledad Canyon Road toward markets in the Mojave Desert. On average, approximately 39 truckloads of material would be shipped per 12-hour day.
- All access roads, including interior roads, would be maintained to Forest Service standards. Additional measures specific to road maintenance can be found in Appendix C of the EA, and the proposed Plan of Operations in the project record for measures specific to road maintenance). Roads would be watered or treated with a dust-control agent.
- Non-commercial material excavated during mining operation would be deposited in overburden sites within the two quarries.

- The overall mining strategy would be to develop the quarries by excavating in a downward and northward direction, into the existing quarry floor and face. However, as changes in commercial demand for various types of clay occur, previously mined and reclaimed areas within the quarries may be re-excavated to remove clay ore previously left behind.
- Back slopes of the mined area during and following active mining operations would range from 1:1 to 2:1 (one to two feet of horizontal run for every one foot of vertical rise) overall, with up to twenty-foot high and forty-foot wide benches, in accordance with State and federal mining regulations.
- All topsoil that is removed during mining would be stockpiled and used for reclamation (see reclamation discussion immediately below, and Reclamation Plan Summary in Appendix A of the EA).
- A processing plant for screening and crushing would be located within each quarry, typically on a low, flat area of the quarry floor.

Proposed Action - Reclamation Activities

The proposed Plan of Operations includes a Reclamation Plan that describes in detail measures that would be taken to reclaim the quarries during ongoing operations and at the end of the 20-year operating period when mining activity ceases (see the EA Reclamation Plan Summary in Appendix A). The Reclamation Plan is incorporated into the Proposed Action by reference.

The purpose of the Reclamation Plan is to ensure that surface resources are protected during mining operations, and that lands mined for clay are adequately reclaimed after mining is completed. The plan includes a description of the strategy to be used to achieve acceptable reclamation, including revegetation with native species on quarry benches and areas disturbed by mining operations.

Reclamation would be ongoing, with progressive, “segmental” reclamation occurring concurrently with mining operations over the 20-year period of the proposed Plan of Operations. The mined areas would be contoured and reclaimed as the product is extracted. The final land surface would have natural contours and benches that blend with the surrounding topography. Final reclamation would be completed one year after mining has been completed.

The Reclamation Plan Summary, in Appendix A of the EA, describes the concurrent and final reclamation processes in detail.

Public Involvement

The need for this action arose in December 2005, when a 5-year extension to NSM’s original Plan of Operation expired.

On April 23, 2007 scoping and public notification were conducted to inform the public of NSM’s proposed 20-year Plan of Operation, and to provide them an opportunity to raise any issues associated with this action. A scoping letter describing the details of the Proposed Action was mailed to 358 agencies, groups, and individuals. A legal notice informing the public of this project proposal (with a 30-day comment period) was published April 23, 2007 in the *Los Angeles Daily News*. On April 25, 2007 a news release was published in *The Los Angeles Daily*

News, Acton-Agua Dulce News and the Antelope Valley Press, Daily News. The scoping letter was also posted on the Forest website.

The project has been listed in the Angeles National Forest web-posted quarterly Schedule of Proposed Actions (SOPA), beginning in April 2007.

The Council for Environmental Quality (CEQ) NEPA regulations require that environmental issues associated with the Proposed Action be identified at an early stage of the environmental analysis, and evaluated for possible significance (see 40 CFR 1501.1(d)). The regulations also require that these issues be classified as either significant or non-significant in terms of their effect on the human environment (40 CFR 1501.7). Issues that would have a significant effect on the human environment were addressed in the environmental analysis. For the analysis done under this EA, "significance" was determined in terms of length of time the effect would last, the geographic extent of the effect, and/or the intensity of the effect (see 40 CFR 1508.27). Non-significant issues were identified as those: 1) outside the scope of the Proposed Action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; 4) conjectural and not supported by scientific or factual evidence; or, 5) could be resolved through mitigation. The NEPA regulations require the environmental analysis to "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)..."

The Forest Service received and analyzed letters from 4 individuals/groups during the 30-day scoping period for NSM's proposed 20-year Plan of Operations. One letter from a Santa Clarita resident expressed concern that trucks hauling clay from the quarries would result in increased traffic on the Interstate 14 freeway in the vicinity of Santa Clarita. This issue was determined by the Forest Service interdisciplinary team to be non-significant ("irrelevant to the decision to be made"), since trucks leaving the quarries would not travel toward Santa Clarita on Interstate 14, but rather along Soledad Canyon Road toward markets in the Mojave Desert area.

No significant issues were identified by the public as a result of scoping.

Angeles National Forest resource specialists who reviewed and analyzed NSM's proposed Plan of Operations identified a potentially significant issue related to visual impacts. Mitigation measures and design features were subsequently developed to resolve this issue, and have been incorporated into the Proposed Action as analyzed in the EA (see Appendix C of the EA).

Los Angeles County Department of Regional Planning, in its Initial Study under CEQA (December 31, 2001), identified no significant issues for the proposal with project mitigations included. As stated in the Background section of the EA, the County adopted a Mitigated Negative Declaration and a Mitigation Monitoring Program for the proposed project in 2002 (see Appendix D in the EA).

On August 12, 2008, 294 letters were mailed to various agencies, groups, and individuals announcing a 30-day review period for the environmental assessment. On August 12, 2008 this same letter and the EA were posted on the Angeles National Forest website. A Legal Notice was posted on August 12, 2008, in the *Los Angeles Daily News* announcing the 30-day public review period.

Two comment letters were received in response to the public review period. The letter from the Director of Community Development for the City of Santa Clarita stated no objection as long as the trucks haul the ore toward the Mojave Desert. The letter from the Native American Heritage Commission stated that no Native American cultural resources are in the immediate project area.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. Implementing the Proposed Action would not cause significant adverse effects on the health and safety of the public. Mining and removal of clay ore from the Acton Clay Quarries would require the use of industrial mining equipment and trucks. While operations are active, Forest users in the vicinity of the quarries and local residents may experience some noise, traffic, and dust. These effects would last for the duration of the operation period (20 years), and would not be significant (see analysis of air quality effects, in Section 4.4 of the EA).
3. The project area is located in the San Gabriel Mountains, on the north slope of Mount Gleason at a point where the mountains drop off into Soledad Canyon. The vegetation surrounding the project area is predominantly chaparral. The scenic characteristics of the area are natural-appearing views of the forest landscape, in contrast to the developed areas and communities along the Interstate 14 freeway in the Soledad Front Country. Seasonal drainages run north to south through the area. Arrastre Creek, the nearest perennial stream, runs southeast to northwest and is located north of the project area. Geologic features at or near the project area include lighter colored clays, interspersed with granitic and meta-volcanic rock.

The project area does not constitute a substantial portion of the geographic area having these characteristics. There would be no significant adverse effects on characteristics considered to be unique.

There would be no significant adverse effects on ecologically critical areas such as historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or the like (see Sections 4.2 through 4.6 in the EA for discussion of effects on various resources).

4. The effects on the quality of the human environment are not likely to be highly controversial. There is no known scientific controversy over the impacts of the project (see Section 4.7.3 in the EA for discussion of controversy over effects).

5. We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA pages 37).
6. The action is not likely to establish a precedent for future actions with significant effects, because this project would not set a precedent for future actions that would have significant effects. One of the objectives for this project is to approve and facilitate production of mineral and energy resources while minimizing adverse impacts to surface and groundwater resources and protecting or enhancing ecosystem health and scenic values. No significant effects are expected from this proposed action.

Extraction of locatable minerals on 24 acres within the Acton Clay Quarries, as authorized by federal mining laws, is not a precedent-setting action. (see EA page 37).

7. The cumulative impacts are not significant (see EA Sections 4.2 through 4.6 pages 22-36).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because it will be undertaken with required site-specific resource protection measures for implementation and monitoring, which will be followed throughout the duration of permit. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources; because implementation under the required restrictions is not expected to have any direct effects on known cultural resources located within the project area (see EA pages 25-26). (Section 106 document 07SCM16PISP, dated January 10, 2007, administered under the PA).
9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973. The discussion of potential effects to wildlife and plants in the EA is in sub-section 4.5. This sub-section is based on the Biological Evaluation/Biological Assessment (BE/BA) prepared by the Forest Service for this project.

The BE/BA determined that implementation of the Proposed Action would not affect any threatened, endangered, proposed, or candidate plant species or any designated or proposed critical habitat for listed plants. Endangered Species Act Section 7 consultation for wildlife is not required for this project. The BE/BA further determined that the Proposed Action could have limited adverse impacts to some Forest Service sensitive plant and animal species, but is not likely to result in a trend toward federal listing of any plant recognized as sensitive by the Angeles National Forest. The project would not interfere with maintaining viable populations well distributed across the forest (36 CFR 219.19). (see EA pages 28-34). No correspondence took place with the US Fish and Wildlife Service (USFWS) since there are no threatened, endangered, proposed, or candidate plant species or any designated or proposed critical habitat for listed plants in the project area.

10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the

EA (see EA pages 37-38). The action is consistent with the Angeles National Forest Land and Resource Management Plan (See EA pages 6-7).

Findings Required by Other Laws and Regulations

This decision to approve a modification of the proposed Plan of Operations initially submitted by North Star Minerals, Inc. to expand the company's current clay mining operations in their Acton Quarries at two sites (the "Gray Quarry" and the "White Quarry") over a period of 20 years, is consistent with the forest plan's long term goals and objectives outlined in the revised Angeles National Forest Land Management Plan (LMP 2005), and helps move the project area towards desired conditions described in that plan. Specifically, by allowing NSM to extract and provide clay ore to industry markets, this proposal meets Forest Plan Goal 4.1a for energy and mineral production:

Administer Minerals and Energy Resources Development while protecting ecosystem health.... The national forests have an essential role in contributing to an adequate and stable supply of minerals and energy resources while continuing to sustain the land's productivity for other uses and its capability to support biodiversity goals. The desired condition is that approved minerals and energy developments are managed to facilitate production of mineral and energy resources while minimizing adverse impacts to surface and groundwater resources and protecting or enhancing ecosystem health and scenic values (Angeles NF Land Management Plan, Part 1, p. 37).

The proposed project is located within the Soledad Front Country Place of the Angeles National Forest, which functions as a scenic backdrop and transitional landscape for people who live in or travel through the rapidly urbanizing area between the Mojave Desert and the Los Angeles Basin. The Forest Plan categorizes the Soledad Front Country as a "Key Place" for providing scenic views of the San Gabriel Mountains. The Forest Plan's Desired Condition includes the preservation of these landscape attributes over time (see Forest Plan, Part 2, p. 73).

Mitigations and project design features are necessary and have been incorporated into the Proposed Action to allow the proposed mining activity to occur without negatively impacting Forest Plan goals related to public enjoyment of natural, scenic views of the Forest (Goal 3.1, Forest Plan, Part 1, p. 33), as well as other resource protection goals.

The Acton Clay Quarries are located within two land use zones, as described in the Forest Plan (Part 2, pp. 3-9). The Gray Quarry is in the Back Country Non-motorized Land Use Zone, and the White Quarry is in the Back Country Motorized Use Restricted Zone. Mineral extraction (mining) is considered suitable "by exception" in both of these land use zones. The exception, in this case, is the federal law that authorizes NSM to mine for locatable mineral material on its mining claims within these land use zones.

As discussed in the "Reasons for the Decision" section of this decision, the Acton Quarries 20-Year Plan of Operations EA has been completed pursuant to and consistent with applicable federal laws, national policy and regulations, and agency objectives and direction (Forest Service Handbook 1909.15). The Proposed Action selected for implementation is consistent with the long-term goals and objectives, and complies with all applicable Standards and Guidelines, of the Angeles National Forest Plan.

Implementation Date

Implementation of this decision may occur immediately after publication of the decision notice (Notice of Decision) in the newspaper of record, the Los Angeles Daily News.

Administrative Review or Appeal Opportunities

This decision is not subject to administrative review (appeal) pursuant to 36 CFR Part 215.12

Under 36 CFR 215.12 "Decisions and actions not subject to appeal (1) No substantive comments expressing concerns or only supportive comments are received during the comment period for a proposed action analyzed and documented in an EA".

Contact

For additional information concerning this decision or the Forest Service appeal process, contact:
Jonathan Schwartz, Resources Officer
Santa Clara/Mojave Rivers Ranger District
28245 Avenue Crocker, Suite 220
Valencia, CA 91355

Phone: 661-296-9710



Michael McIntyre
Acting District Ranger
Santa Clara/Mojave River District
Angeles National Forest

12/1/08
Date

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Agriculture

Forest
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R5-MB-164

August 2008



Environmental Assessment

Twenty-Year Plan of Operation North Star Mineral, Inc. Acton Clay Quarries

**Santa Clara/Mojave Rivers Ranger District, Angeles National Forest
Los Angeles County, California**

Sections 24 and 25 of Township 4 North, Range 13 West, SBBM; and
Sections 19 and 30 of Township 4 North, Range 12 West, SBBM

For Further Information Contact:

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SUMMARY

The Santa Clara/Mojave Rivers Ranger District of the Angeles National Forest is considering a proposal from North Star Minerals, Inc. (NSM) to expand its clay mining operations in the Acton Clay Quarries, located about four miles south of the town of Acton, California (see Figure 1.) The site is accessed from Aliso Canyon via Forest Service Road 4N32.

Acton Clay Quarries is a surface mine that NSM has operated since 1991 under permit from the U.S. Forest Service. Various mining operations have taken place in the vicinity since the 1800's. The current Plan of Operations, approved in 1995 and renewed yearly, provides for actively mining a total of 5 acres within two quarries (the "Gray Quarry" and the "White Quarry"). NSM has proposed a 20-year Plan of Operations that would expand the operation to 10 acres being actively mined at any one time (5 acres each in two quarries) within 24 acres. Over the 20-year period, approximately 10 acres would be mined in the White Quarry and 14 acres would be mined in the Gray Quarry (see Figure 2, Map of Proposed Action).

Under the proposed Plan of Operations, activities at the operation would continue to consist of crushing and screening ore, and transporting the ore by truck from Forest Service Road 4N32 onto Aliso Canyon Road. The proposal provides for maintenance of 4N32, dust control on the road and at the quarries, restrictions on hours of operations depending on conditions, and concurrent reclamation of areas as they are mined, together with planned and bonded final reclamation.

This action is needed in order to make locatable mineral material available to NSM, as provided by federal mining laws. The action also contributes to the national goal of supporting environmentally sound minerals development and reclamation.

This Environmental Assessment (EA) addresses the potential environmental effects of implementing the Plan of Operation as submitted by North Star Minerals. Two alternatives are analyzed in detail in this EA: the No-Action Alternative (Alternative 1) and the proposed action (Alternative 2), which is based on North Star's proposed Plan of Operations and Forest-Service-initiated mitigations to reduce impacts to forest resources.

During public scoping for this proposal, no significant issues were identified. Concerns identified by Forest Service resource specialists during analysis of NSM's proposal included impacts to visual resources. Mitigation measures and design features that lessened visual impacts were added to the proposal in developing the final Proposed Action analyzed and documented in this EA.

Based upon consideration of the effects of the alternatives, the Responsible Official will decide whether or not to approve the Proposed Action, and if so, under what conditions.

1. INTRODUCTION

1.1 Document Structure

The Forest Service has prepared this environmental assessment (EA) in compliance with the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations, the National Forest Management Act (NFMA), and other relevant Federal and State laws and regulations. This EA discloses the direct, indirect, and cumulative environmental impacts that would result from the proposed action and alternatives. It also provides the supporting information for a determination to prepare either an Environmental Impact Statement or a Finding of No Significant Impact. The document is organized into the following sections:

- *Introduction (Chapter 1)*: This section presents information on the history of the project proposal, the purpose and need for the project, and the agency's proposal for achieving that purpose and need. It also details how the Forest Service informed and involved the public, and how the public responded.
- *Alternatives, including the Proposed Action (Chapter 2)*: This section provides a more detailed description of the Proposed Action, including mitigation measures that were developed in response to visual and other resource concerns identified by the agency during analysis. The section also provides a discussion of alternatives considered but eliminated, and a brief comparison of the environmental consequences associated with each alternative.
- *Affected Environment and Environmental Consequences (Chapters 3 and 4)*: These sections describe the environmental effects of implementing the No Action Alternative (Alternative 1) and the Proposed Action (Alternative 2) on various surface resources. Chapter 3 describes the affected environment for each resource, and Chapter 4 describes the effects on these resources.
- *References and Consultation (Chapters 5 and 6)*: These sections provide a list of preparers and agencies consulted during the development of the environmental assessment, as well as a list of references used in the analysis.
- *Appendices*: The appendices provide detailed information to further describe or support the analysis. These include a summary of the Reclamation Plan, and mitigation measures incorporated into the Proposed Action by reference.

Additional documentation, including more detailed analyses of project-area resources, may be found in the project file located at the Santa Clara Mojave Rivers Ranger District Office, at 28245 Avenue Crocker, Suite 220, Valencia, California 91355.

1.2 Background

North Star Minerals, Inc. (NSM) owns and operates the Acton Clay Quarries (the “Gray Quarry” and the “White Quarry”), located about four miles south of the town of Acton, California within the Angeles National Forest. The quarries are situated in portions of Township 4 North, Range 13 West, Sections 24 and 25, and Range 12 West, Sections 19 and 30, SBBM (see Figure 1). The site is accessed from Aliso Canyon Road via Forest Service Road 4N32. The Gray Quarry is about 0.7 miles south of FS Road 4N32, in the southeast corner of Section 24. The White Quarry is immediately north and downslope from FS Road 4N32, about 0.4 miles east of Moody Canyon. Both quarries are accessed via unpaved roads, gated at their junctions with FS Road 4N32.

NSM has mined the quarries since 1991, and has operated under various revisions of and amendments to a 5-year Plan of Operations (POO) approved by the Forest Service on December 12, 1995. A 5-year extension to the original POO was granted in 2000, and expired in December 2005. Since then, NSM has operated under 1-year extensions to the POO.

When the owners of NSM originally sought a permit to mine the quarries, the Forest Service was not certain that the mining of the gray and white clay would result in an economically viable product. Accordingly, the area upon which mining was initially permitted was kept to a minimum. Since that time the operator has developed an active market for the product, and seeks a long-term permit to ensure an ongoing source to meet market demand.

NSM is now seeking approval of a 20-year POO, to continue its mining operations in the two quarries. The Proposed Action, analyzed as Alternative 2 in this EA, describes the 20-year POO and related reclamation plan.

Los Angeles County has already granted a 20-year Surface Mining Permit (June 19, 2002) for the operation and approved NSM’s Reclamation Plan, as required by the California Surface Mining and Reclamation Act (SMARA). Under the California Environmental Quality Act (CEQA) requirements, the County adopted a Mitigated Negative Declaration and a Mitigation Monitoring Program for the proposed project, as part of the SMARA permitting process.

The County’s permit for NSM’s mining operation and reclamation plan included certain conditions and mitigations, to avoid or mitigate potentially significant effects of the project on water quality, air quality, biota, and cultural resources identified during an Initial Study under CEQA (see Appendix D in this EA). NSM made or agreed to revisions in the project which would avoid the effects or mitigate the effects to a point where no significant effects would occur. According to County records, the Initial Study and project revisions showed that there is no substantial evidence that the project as revised may have a significant effect on the environment.

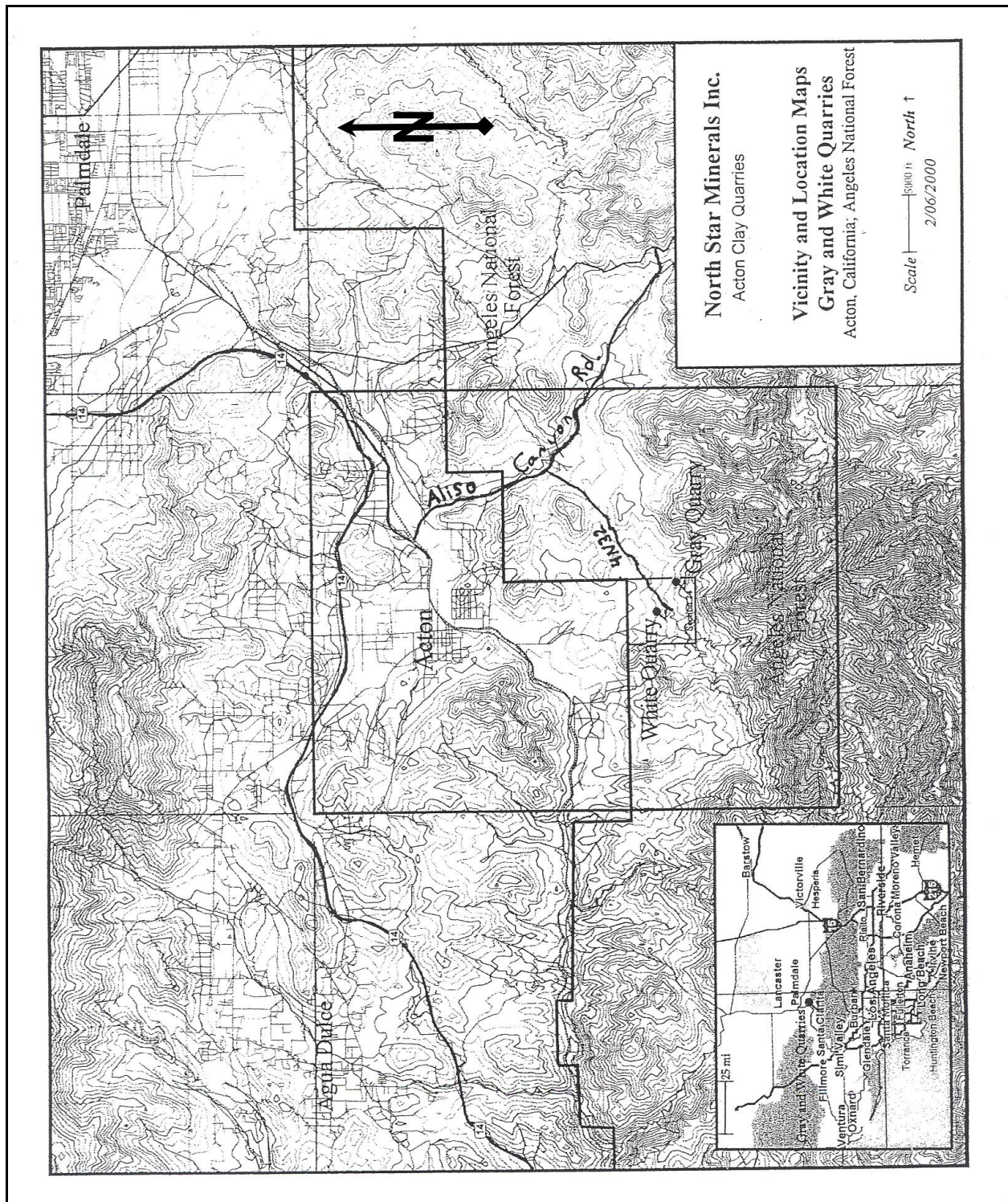
The conditions and mitigations identified by the County and agreed to by NSM are incorporated into the Proposed Action analyzed in this EA, in compliance with NEPA and in accordance with the Memorandum of Understanding for surface mining and reclamation coordination between the State of California, the Forest Service and the Bureau of Land Management (October 1992).

History

The town of Acton was established in the late 1800's as a mining town, and the area has a long history of mining activity. Early mining operations in the late 1800's and early 1900's focused on extraction of precious metals such as gold, silver, and copper. In the late 1950's, valuable clay deposits were found in the area. A number of claims were subsequently filed, including the claims in which the Acton Clay Quarries are located.

The Acton Clay Quarries have been in existence prior to ownership by NSM. Red clay was removed in earlier mining operations during the 1970's in and adjacent to the quarries. The areas disturbed by these earlier operations have been reclaimed, other than the area located within NSM's active mining operations. The current and proposed operations to extract gray and white clay are considered reentries into a previously disturbed site.

Figure 1. Vicinity and Location Map: Acton Clay Quarries



1.3 Purpose & Need for Action

The purpose for this action is to make locatable mineral material available, as provided by statute. The statutes authorizing this use of National Forest System lands and resources include the 1872 Mining Law, as amended (30 U.S.C. 21-54), and its implementing regulations at 36 CFR part 228; the Mining and Minerals Policy Act of 1970; the Federal Land Policy and Management Act of 1976, and Forest Service policy as described in Forest Service Manual 2800.

This action responds to the proposed Plan of Operations submitted by NSM to expand their operations at the Acton Quarry, while protecting surface resources. Under U.S. mining laws, NSM has a statutory right to extract locatable minerals (clay) as proposed in accordance with the General Mining Law of 1872, as amended. The Forest Service has the responsibility to protect surface resources of National Forest System lands to the extent practicable. Forest Service mining regulations state that “operations shall be conducted so as, where feasible, to minimize adverse impacts on National Forest System surface resources (36 CFR 228.8).”

The action also contributes to meeting the goal of supporting environmentally sound minerals development and reclamation. The Mining and Minerals Policy Act of 1970 states that it is the policy of the Federal Government to foster and encourage the development of economically sound and stable domestic mining, minerals, metal, and mineral reclamation industries; and the orderly and economic development of domestic mineral resources, reserves, and reclamation of metals and minerals to help assure satisfaction of industrial, security, and environmental needs.

The current Plan of Operation (POO) for Acton Clay Quarries, as amended and extended several times since 1991, allows for the active mining of only 5 acres of NSM’s 2,260 acres of claims at one time. Operations over the years have seen development reach the limit of the area available. Under the proposed 20-year POO, mining would be allowed on 24 acres of North Star's claims, although not all allowed acreage would be mined at any given time (see Section 1.5, Proposed Action).

1.4 Forest Plan Consistency

This action responds to the goals and objectives outlined in the revised Angeles National Forest Land Management Plan (LMP 2005), and helps move the project area towards desired conditions described in that plan. Specifically, by allowing NSM to extract and provide clay ore to industry markets, this proposal meets Forest Plan Goal 4.1a for energy and mineral production:

Administer Minerals and Energy Resources Development while protecting ecosystem health.... The national forests have an essential role in contributing to an adequate and stable supply of minerals and energy resources while continuing to sustain the land’s productivity for other uses and its capability to support biodiversity goals. The desired condition is that approved minerals and energy developments are managed to facilitate production of mineral and energy resources while minimizing adverse impacts to surface and groundwater resources and protecting or enhancing ecosystem health and scenic values (Angeles NF Land Management Plan, Part 1, p. 37).

The proposed project is located within the Soledad Front Country Place of the Angeles National Forest, which functions as a scenic backdrop and transitional landscape for people who live in or travel through the rapidly urbanizing area between the Mojave Desert and the Los Angeles Basin. The Forest Plan categorizes the Soledad Front Country as a “Key Place” for providing

scenic views of the San Gabriel Mountains. The Forest Plan's Desired Condition includes the preservation of these landscape attributes over time (see Forest Plan, Part 2, p. 73).

Mitigations and project design features are necessary and have been incorporated into the Proposed Action to allow the proposed mining activity to occur without negatively impacting Forest Plan goals related to public enjoyment of natural, scenic views of the Forest (Goal 3.1, Forest Plan, Part 1, p. 33), as well as other resource protection goals.

The Acton Clay Quarries are located within two land use zones, as described in the Forest Plan (Part 2, pp. 3-9). The Gray Quarry is in the Back Country Non-motorized Land Use Zone, and the White Quarry is in the Back Country Motorized Use Restricted Zone. Mineral extraction (mining) is considered suitable "by exception" in both of these land use zones. The exception, in this case, is the federal law that authorizes NSM to mine for locatable mineral material on its mining claims within these land use zones.

1.5 Proposed Action

The Forest Service proposes to approve a 20-year Plan of Operation (POO) submitted by North Star Minerals, Inc. (NSM) to expand its current clay mining operations in the Acton Clay Quarries (the Gray Quarry and the White Quarry) and to reclaim the disturbed land as directed in Forest Service Surface Use Regulations, 36 CFR 228, SubPart A and in the California Surface Mining and Reclamation Act (SMARA). The Proposed Action includes mitigation measures for land and resource protection, which are disclosed in the Appendices of this EA.

The current and proposed mining operations are a re-entry into land mined by previous owners, to remove remaining high-alumina clay ore. The proposal would result in a total disturbance of approximately 24 acres of National Forest System (NFS) land over a period of 20 years. Approximately 14 acres would be disturbed in the Gray Quarry, and 10 acres in the White Quarry. The Plan of Operations (POO) proposed to be approved would allow no more than 5 acres of actively mined area at any one time in each quarry (10 acres total).

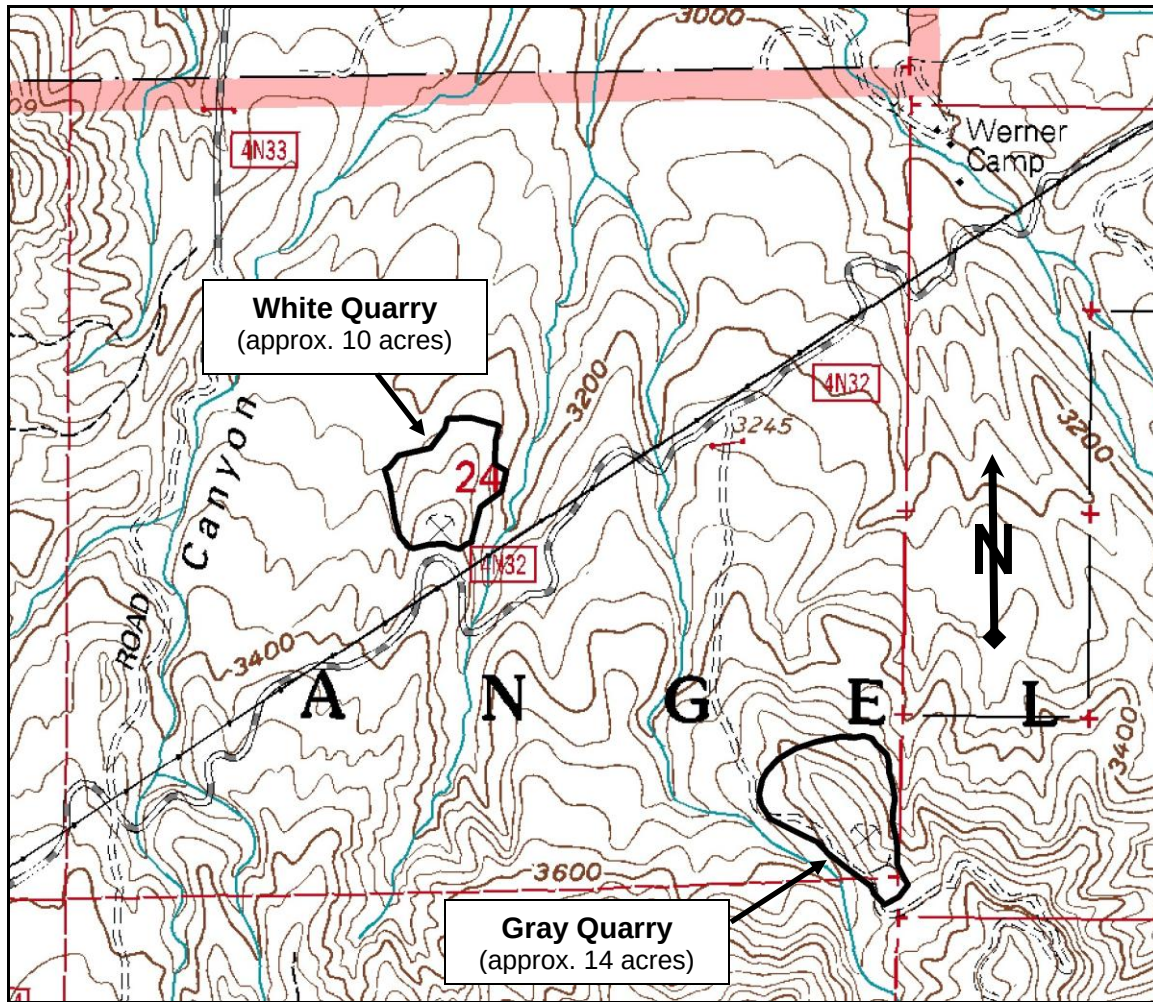
Activities at the operation would continue to consist of crushing and screening ore, and hauling ore out Forest Service Road 4N32 onto Aliso Canyon Road. The proposed POO provides for maintenance of Road 4N32, dust control on the road and at the quarries, restrictions on hours of operations depending on conditions, and concurrent reclamation of areas as they are mined, together with planned and bonded final reclamation.

The proposed POO incorporates detailed reclamation activities that would prevent or control damage to the environment and forest surface resources during and at the conclusion of the mining operation. These activities include control of erosion and water runoff, reshaping and revegetation of disturbed areas, and various measures to reduce impacts to scenery resources throughout the life of the POO (see Reclamation Plan Summary in Appendix A of this EA).

The Proposed Action includes no new construction of haul or access roads nor would it change the prescribed management for the area as described in the Angeles National Forest Land and Resource Management Plan (LRMP) (USDA 2005).

A more detailed description of this proposal can be found in Section 2.2.2 Alternative 2, Proposed Action, in this EA. The proposal is detailed in NSM's proposed Plan of Operations, which is filed in the project record.

Figure 2. Acton Clay Quarries Expansion (Alternative 2, Proposed Action)



T4N, R13W, Sections 24 and 25;
T4N, R12W, Section 19 and 30, SBBM

 = Angeles National Forest Boundary

 = Area of Disturbance *

* No more than 5 acres would be actively mined at any one time in each quarry (10 acres total). All mined areas within the quarries would be concurrently reclaimed (see Reclamation Plan Summary in the Appendix).

1.6 Decision Framework

The District Ranger of the Santa Clara/Mojave Rivers Ranger District is the Responsible Official for this project. Based on the purpose and need for this action as well as the results of the environmental analysis, the District Ranger will decide whether to approve the proposed Plan of Operations (i.e., the Proposed Action), or to select the No Action Alternative (in which case NSM would continue to operate under their existing POO, with annual extensions).

His decision will include approval of a Reclamation Plan for ongoing operations and final reclamation at the closeout of mining operations. He will also decide which recommended mitigation measures and monitoring requirements will be applied for protection of surface resources.

Finally, he will decide if a Forest Plan Amendment is required for implementation of his decision. His decision will be consistent with the Angeles National Forest Land Management Plan (2005).

1.7 Public Involvement

Scoping and public notification were conducted to inform the public of NSM's proposed 20-year Plan of Operation, and to provide them an opportunity to raise any issues associated with this action. A scoping letter describing the details of the Proposed Action was mailed to 358 agencies, groups, and individuals on April 23, 2007. A legal notice informing the public of this project proposal (with a 30-day comment period) was published April 23, 2007 in the *Los Angeles Daily News*. On April 25, 2007 a news release was published in *The Los Angeles Daily News*, *Acton-Agua Dulce News* and the *Antelope Valley Press, Daily News*. The scoping letter was also posted on the Forest website.

The project has been listed in the Angeles National Forest web-posted quarterly Schedule of Proposed Actions (SOPA), beginning in January 2008.

1.8 Issues

The Council for Environmental Quality (CEQ) NEPA regulations require that environmental issues associated with the Proposed Action be identified at an early stage of the environmental analysis, and evaluated for possible significance (see 40 CFR 1501.1(d)). The regulations also require that these issues be classified as either significant or non-significant in terms of their effect on the human environment (40 CFR 1501.7). Issues that would have a significant effect on the human environment are to be addressed in the environmental analysis. For this analysis, "significance" was determined in terms of length of time the effect would last, the geographic extent of the effect, and/or the intensity of the effect (see 40 CFR 1508.27).

Non-significant issues are identified as those: 1) outside the scope of the Proposed Action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; 4) conjectural and not supported by scientific or factual evidence; or, 5) could be resolved through mitigation. The NEPA regulations require the environmental analysis to "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)..."

The Forest Service received and analyzed letters from 4 individuals/groups during the 30-day scoping period for NSM's proposed 20-year Plan of Operations. One letter from a Santa Clarita resident expressed concern that trucks hauling clay from the quarries would result in increased traffic on the Interstate 14 freeway in the vicinity of Santa Clarita. This issue was determined by the Forest Service interdisciplinary team to be non-significant ("irrelevant to the decision to be made"), since trucks leaving the quarries would not travel toward Santa Clarita on Interstate 14, but rather along Soledad Canyon Road toward markets in the Mojave Desert area.

No significant issues were identified by the public as a result of scoping.

Angeles National Forest resource specialists who reviewed and analyzed NSM's proposed Plan of Operations identified a potentially significant issue related to visual impacts. Mitigation measures and design features were subsequently developed to resolve this issue, and have been incorporated into the Proposed Action as analyzed in this EA (see Appendix C).

Los Angeles County Department of Regional Planning, in its Initial Study under CEQA (December 31, 2001), identified no significant issues for the proposal with project mitigations included. As stated in the Background section of this EA, the County adopted a Mitigated Negative Declaration and a Mitigation Monitoring Program for the proposed project in 2002 (see Appendix D in this EA).

2. ALTERNATIVES, INCLUDING THE PROPOSED ACTION

This chapter describes and compares the alternatives considered to achieve the Purpose and Need discussed in Section 1.3 of this EA. Alternative 1 is the No Action Alternative. Alternative 2 is the Proposed Action. A brief discussion of alternatives that were considered but eliminated from detailed analysis is also included.

Mitigation measures to avoid or minimize impacts to surface resources, and reclamation activities for ongoing operations and final close-out of the mine, are incorporated into the Proposed Action. These measures are included in this section by reference and are located in the Appendix of this EA. These measures include conditions required by the State of California as part of the SMARA approval process for this proposed mining operation.

2.1. Alternatives Considered but Eliminated

The following alternatives were considered by an interdisciplinary team of resource specialists, but eliminated from detailed evaluation in this EA because of their infeasibility to attain aspects of the Purpose and Need, or failure to attain benefits greater than the Proposed Action.

2.1.1 Visually Enhanced Alternative

The original design/reclamation concept in NSM's proposed Plan of Operations did not adequately meet the Purpose and Need or Forest Plan goals and objectives related to protection or attainment of scenic integrity objectives. One option the ID team considered to reduce the potentially significant visual impact of the proposed mining activity was to develop an alternative to NSM's proposal that would consist of visual enhancement measures to protect and improve the scenic resource.

Following further analysis and a field review of the quarries, the ID team instead identified opportunities to incorporate mitigations and design/reclamation features into NSM's original proposal that would lessen impacts to visual resources while meeting NSM's mining objectives. The team modified the original concept, and incorporated visual enhancement measures into the Proposed Action that would protect the visual resource and provide an opportunity to improve the scenic integrity of the area.

2.1.2 Reduced Operating Period Alternative

This alternative considered authorizing a 5- or 10-year Plan of Operations, rather than the 20-year term presented in NSM's proposal, with an opportunity at the end of this period to extend the POO for an additional period following further environmental analysis. The purpose of this alternative would be to reduce the potential for unforeseen environmental impacts that might occur over a longer, 20-year period, and to provide a means for correcting such impacts. The alternative would thus provide a safeguard to ensure that visual impacts would not exceed those analyzed in this EA and approved in the POO.

Following further analysis, the ID team determined that the protections sought by this alternative are adequately provided for by State and federal mining laws and regulations, by means other than shorter approval timeframes. These laws, along with Forest Plan monitoring requirements, provide for periodic State and Forest Service inspections of mining operations and concurrent reclamation activities. Changes and modifications to a 20-year POO could be implemented at

any time as deemed necessary. The ID team concluded that the shorter time frames considered in this alternative would unnecessarily interfere with and reduce the opportunity for long-term, orderly extraction from a mining claim authorized by statute, and subsequently dropped the alternative from further analysis.

2.2. Alternatives

2.2.1 Alternative 1, No Action

In situations involving an ongoing operation authorized by law or statute, CEQ regulations and interpretations of NEPA allow the No Action alternative to be considered as “no change” from current management direction or level of management intensity (see “Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations,” Question 3, available on the internet at <http://ceq.eh.doe.gov/nepa/regs/40/40p3.htm>). This is the case with the Acton Clay Quarries operation, in which NSM has a statutory right to extract minerals from its claims at the Acton Clay Quarries. The Forest Service does not have the discretion to deny statutory rights to mine locatable minerals subject to the 1872 Mining Law.

Therefore, the No Action Alternative analyzed in this EA is defined as “no change” from the current Plan of Operations (POO) in effect. The current POO allows for active mining in the Gray and White Quarries to occur on a total of 5 acres at one time. Under the No Action Alternative, the proposed 20-year Plan of Operations would not be authorized.

For the purposes of environmental analysis in this EA, it is assumed that the current POO would be renewed by annual extensions, with active mining continuing as presently authorized. In reality, however, operating the quarries indefinitely under year-to-year approvals is not desirable and likely not possible, in that it would hamper long-term planning and market development considered essential to a viable mining operation as provided for under federal mining laws governing locatable mineral development.

2.2.2 Alternative 2, Proposed Action

Under this alternative, the Forest Service would approve a modification of the proposed Plan of Operations initially submitted by North Star Minerals, Inc. to expand the company’s current clay mining operations in their Acton Quarries at two sites (the “Gray Quarry” and the “White Quarry”) over a period of 20 years. The proposed Plan of Operations, as modified, is included in the project record, on file in the Santa Clara/Mojave Rivers Ranger District Office.

Modifications incorporated by the Forest Service include reclamation activities, design features, and mitigation measures to reduce or eliminate undesirable impacts, including impacts to the scenic integrity of the area (see Appendices A, C, and D in this EA).

The Plan of Operations, as proposed by North Star Minerals and modified by the Forest Service is summarized as follows:

- It is estimated that the operation would process approximately 5 million tons of clay over the life of the plan (20 years). Peak production may reach 1,500 tons per day, and annual production may reach approximately 200,000 tons.
- Total surface area to be mined over the 20-year period would be 24 acres, with 14 acres in the Gray Quarry and 10 acres in the White Quarry. Much of this area has been mined by

previous owners (see discussion in Background section); the current and proposed operation is a re-entry, to remove remaining clay ore. The Plan of Operations to be approved would allow no more than 5 acres of actively mined area at any one time in each quarry (10 acres total). All mined acres within the quarries not being actively mined would be concurrently reclaimed, as described in the Reclamation Plan Summary (see Appendix A in this EA) and briefly summarized below under the heading “Proposed Action – Reclamation Activities”).

- While quarry operations would include some blasting of hard rock formations, most material would be mined by ripping with a track-mounted dozer. Mined material would then go through a crushing and screening process.
- Mining operations would occur year-round, except during periods of heavy rain. Both quarries would operate about five days per week.
- Commercial material would be hauled off-site by 18-wheel highway trucks (GVW 80,000 lbs.) to various markets, traveling on FS Road 4N32 to Aliso Canyon Road, then on to Soledad Canyon Road toward markets in the Mojave Desert. On average, approximately 39 truckloads of material would be shipped per 12-hour day.
- All access roads, including interior roads, would be maintained to Forest Service standards (see Mitigation Measures in Appendix C of this EA, and the proposed Plan of Operations in the project record for measures specific to road maintenance). Roads would be watered or treated with a dust-control agent.
- Non-commercial material excavated during mining operation would be deposited in overburden sites within the two quarries.
- The overall mining strategy would be to develop the quarries by excavating in a downward and northward direction, into the existing quarry floor and face. However, as changes in commercial demand for various types of clay occur, previously mined and reclaimed areas within the quarries may be re-excavated to remove clay ore previously left behind.
- Back slopes of the mined area during and following active mining operations would range from 1:1 to 2:1 (one to two feet of horizontal run for every one foot of vertical rise) overall, with up to twenty-foot high and forty-foot wide benches, in accordance with State and federal mining regulations.
- All topsoil that are removed during mining would be stockpiled and used for reclamation (see reclamation discussion immediately below, and Reclamation Plan Summary in Appendix A of this EA).
- A processing plant for screening and crushing would be located within each quarry, typically on a low, flat area of the quarry floor.

Proposed Action - Reclamation Activities

The proposed Plan of Operations includes a Reclamation Plan that describes in detail measures that would be taken to reclaim the quarries during ongoing operations and at the end of the 20-year operating period when mining activity ceases (see the Reclamation Plan Summary in Appendix A). The Reclamation Plan is incorporated into the Proposed Action by reference.

The purpose of the Reclamation Plan is to ensure that surface resources are protected during mining operations, and that lands mined for clay are adequately reclaimed after mining is completed. The plan includes a description of the strategy to be used to achieve acceptable reclamation, including revegetation with native species on quarry benches and areas disturbed by mining operations.

Reclamation would be ongoing, with progressive, “segmental” reclamation occurring concurrently with mining operations over the 20-year period of the proposed Plan of Operations. The mined areas would be contoured and reclaimed as the product is extracted. The final land surface would have natural contours and benches that blend with the surrounding topography. Final reclamation would be completed one year after mining has been completed.

The Reclamation Plan Summary, in Appendix A of this EA, describes the concurrent and final reclamation processes in detail.

2.3. Mitigation Measures Common to All Action Alternatives

Mitigation measures have been developed to avoid or lessen adverse environmental impacts of the proposed mining activities as proposed in Alternative 2 (Proposed Action). These measures are located in Appendices C and D of this EA, and include conditions and mitigations which are part of Surface Mining Permit 00-21-(5) issued to North Star Minerals, Inc. by the County of Los Angeles.

2.4. Comparison of Alternatives

This section provides a summary of the effects of implementing each alternative. Information in the table is focused on activities and effects where different levels of effects or outputs can be distinguished quantitatively or qualitatively among alternatives.

Table 1. Comparison of Alternatives

Resource/Issue	No Action Alternative (Alternative 1)	Proposed Action (Alternative 2)
Scenic Integrity	Does not meet Forest Plan scenic standards. - Would not meet High Scenic Integrity Objective (SIO). Landscape views would continue to be below desired characteristics. - Foreground views: White Quarry: Low SIO Gray Quarry: Moderate SIO	With mitigations, would meet Forest Plan scenic standards. - Implementation & strict enforcement of mitigations would reduce visual impacts and could potentially meet High SIO from background and middleground views. - Foreground views for both quarries: Moderate SIO
Air Quality	Emissions of all criteria pollutants for both alternatives would be well below the <i>de minimus</i> & regional significance thresholds established by the General Conformity Rule.	
Wildlife and Botanical Resources	Type of effects similar to Proposed Action. Intensity/magnitude of effects would be somewhat less, due to slower rate of mining activity over a longer period of time. No impacts to management indicator species (MIS).	Would not affect any threatened, endangered, proposed, or candidate plant species or any designated or proposed critical habitat for listed plants. Could have limited adverse impacts to some Forest Service sensitive plant and animal species, but is not likely to result in a trend toward federal listing of any plant recognized as sensitive by the Angeles National Forest. 24 acres of habitat unavailable for 20 years. Would regain some components of native habitat suitability following reclamation. Impacts from noise & light disturbance, and some fugitive dust. Potential improvement of MIS habitat, with re-establishment of native vegetation in reclamation.
Water Quality and Soils	Because of small area affected, and mitigations currently required by State and federal mining laws, effects to soil and surface water resources would not be significant. No significant measurable effect to ground water quality or quantity.	Because of small area affected, and increased mitigations incorporated into the Proposed Action, impacts to soil and surface water resources would potentially be lower than would occur under the No Action Alternative. No significant measurable effect to ground water quality or quantity.

3. AFFECTED ENVIRONMENT

This chapter summarizes the physical, biological, social and economic environments of the affected project area. Within each subsection of this chapter, the affected environment is briefly described by resource. Detailed descriptions of the affected environment for each resource are located in the specialist reports, on file in the project record, which can be found at the Santa Clara/Mojave Rivers District Ranger Office.

3.1. General Description of the Project Area

The Acton Clay Quarries operation is located in the Angeles National Forest, on the north slopes of the San Gabriel Mountains, about 4 miles south of the town of Acton (south of the Interstate 14 freeway), Los Angeles County, California (see Figure 1). The site is accessed from Aliso Canyon via Forest Service Road 4N32.

The project area is located within the Soledad Front Country "Place" of the Angeles National Forest (see the Angeles National Forest Land Management Plan (LMP), Part 2, p 71-74). The Soledad Front Country runs northeast to southwest along both sides of the Interstate 14 freeway along the Santa Clara and Soledad Rivers.

The Aliso-Arrastre Special Interest Area (SIA) is located within the Soledad Front Country, and highlights the heritage resource values of the area (see LMP Part 2, p.71; also the LMP Final Environmental Impact Statement, Vol. 2, pp. 265-269). The SIA is located northeast of the project area.

Average precipitation in this area is about 11 inches per year. During the hottest months of the year (June, July and August), temperatures may reach 104 degrees. During the coldest months of the year (December, January and February), temperature lows are about 49 degrees (NSM, Air Quality Determination Report, 2001).

The broad floodplain of the Soledad River dominates this landscape. In this area, all but the large streams are dry through the summer. The mostly hot to sometimes temperate climate affects vegetation types and water availability. The predominant plant community at the lower elevations is mixed chaparral. Elevation within the quarry area ranges from about 3,200 feet to 3,600 feet above sea level.

3.2. Scenic Management

The predominant vegetation surrounding the project area is chamise chaparral. As shown in the Scenic Integrity Objectives (SIO) map in the LMP, Part 2, the proposed 24-acre mining operation is located in an area of the Forest that falls under the classification of "High" Scenic Integrity. Under this classification, the landscape would appear unaltered (see scenic management definitions in Appendix B of this EA).

The Soledad Front Country Place, in which the quarries are located, is identified as a "Key Place" for its natural appearing area that functions as a scenic backdrop and transitional landscape. The valued landscape attributes to be preserved over time, according to the LMP, are the dramatic canyon and rugged mountain views, the presence of pine and juniper stands, and a well-defined age class mosaic with patches in chaparral (LMP 2005). The White Quarry is at the

margin of a 20-acre site that was mined before 1990 and has since been reclaimed. Another mined and reclaimed area of about 45 acres is located directly down slope from the Gray Quarry.

When viewed as a background from the community of Acton, the Forest mountain vegetation immediately surrounding the two quarries appears, for the most part, intact. Currently a large section of the Gray Quarry is screened from the community of Acton and the Interstate 14 freeway by natural land forms. The mining effects of the White Quarry, however, are visible from parts of Acton and spans of Interstate 14. Despite the fact that it is the smaller of the two quarries, the White Quarry is the most noticeable disturbance on Forest land in the area, even when viewed from a distance.

Currently the quarries do not meet the desired SIO of High as designated by the LMP. Wherever the topsoil is disturbed within either quarry, a very light colored material is exposed. This exposed material is more reflective than and contrasts with the much darker vegetative cover that encompasses the rugged mountain backdrop. The mining operations at the quarries currently expose this material in several acres of land. The mining disturbances visible from Acton and the Interstate 14 freeway are too large to appear natural (especially on the White Quarry), and disrupt the continuity of the natural patterns seen on the immediate Forest landscape. The visual disturbance caused by the quarries, even as viewed from a distance, is increased by mined areas to the rear (south) of each quarry that have not yet been revegetated or reclaimed.

If the two quarry sites were to be given an SIO classification as they currently appear from the background view, the White Quarry would meet a Low SIO (landscape appears moderately altered) and the Gray Quarry a Moderate SIO (landscape appears slightly altered).

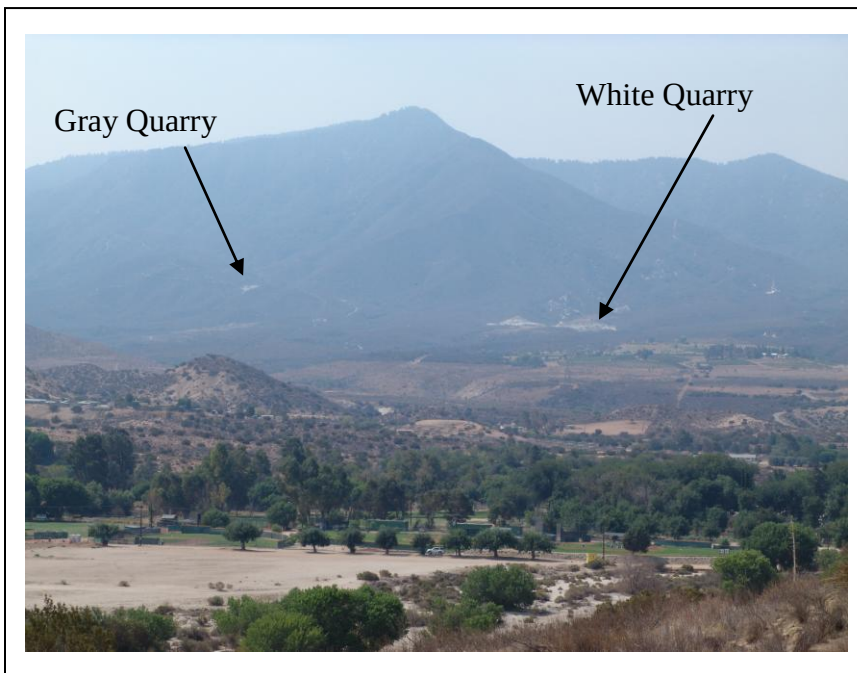


Figure 3. Middleground view looking Southeast towards North Star Minerals, Inc. Acton Clay Quarry mining operations, from Crown Valley Road (8/16/07). **Note** Forest boundary is delineated by vegetative clearing on private lands.

When viewed from a middle-ground setting (the area located from a 1/2 mile to 4 miles from the observer), the same issues arise as when viewing the site from a background setting, except that the quarries are much more prevalent (see Figure 3).

When viewing the quarries from a foreground setting, many more factors detract from the scenic integrity of the natural landscape. Slope face cuts, soil erosion, vehicles and equipment, storage facilities, modular buildings, etc., all are visible from the project sites. Currently, both quarries would only meet a Very Low (Heavily Altered) SIO when viewed from a foreground setting.

In addition to the quarries, there are adjacent disturbances in the landscape such as Forest roads and utility maintenance routes, which can be seen sporadically from middle-ground and foreground view sheds that detract from the natural-appearing scenic landscape of the Forest. Private and agricultural lands line the base of the Forest boundary, and create a contrast between vegetated and non-vegetated areas (see photo in Figure 3 above).

3.3. Cultural Resources

Cultural resources consist of archaeological resources, architectural resources (buildings and structures), and properties of importance to Native Americans and other ethnic groups. The project area contains a variety of non-renewable historic and prehistoric archaeological sites that reflect past land uses. Archival and field reconnaissance cultural resource surveys have resulted in the identification of a total of 13 sites within the Area of Potential Effect (APE).

Of these sites, 6 sites are prehistoric (Native American), and 5 are historic. There are additionally several likely historic mining-related features in the project area of undetermined age that have no associated artifact or temporal materials. Most of the sites within the project area have not been formally evaluated, and therefore must be treated as if they are eligible for inclusion in the National Register of Historic Places.

None of the identified sites are within the Gray Quarry or the White Quarry proper. However, one site is located under the access road leading to the quarries. Under the direction and supervision of the Forest Service, the mine operator covered the site with two feet of material to protect it.

3.4. Air Quality

The Acton Clay Quarries study area is located in the South Coast Air Basin, and is under the jurisdiction of the South Coast Quality Management District (SCAQMD). Overall, the District is currently in attainment for the National Ambient Air Quality Standards (NAAQS) for nitrogen dioxide (NO₂), carbon monoxide (CO), and sulfur dioxide (SO₂). The District is designated as in extreme nonattainment for the 8-hour ozone (O₃) standard, serious nonattainment for particulate matter less than ten microns in diameter (PM₁₀), and nonattainment for particulate matter less than 2.5 microns in diameter (PM_{2.5}) (SCAQMD, 2007).

The SCAQMD is the agency mandated by law to adopt and enforce rules designed to achieve and maintain ambient air quality standards. SCAQMD rules directly applicable to this project are Rules 402 (Nuisance), 403 (Fugitive Dust), 1157 (PM₁₀ Emission Reductions from Aggregate and Related Operations) and 1186 (PM₁₀ Emissions from Paved and Unpaved Roads).

Portable generators and screening/crushing plants at the study site are also subject to registration under the California Air Resources Board Portable Equipment Statewide Registration Program. In 1996, the SCAQMD issued permits for NSM's operation at the Acton Clay Quarries (see the NSM SMARA environmental analysis); these permits were subsequently put under the statewide portable equipment under CARB. Once registered with the program, portable engines and their associated equipment units can operate without the need for additional permits from the local Air District. All applicable equipment located at the quarry is currently registered with the CARB.

3.5. Wildlife and Botanical Resources

The Acton Clay Quarries are located about 7 miles east of the Soledad Canyon Critical Biological Land Use Zone (LMP Part 2, p. 85). The two actively mined areas of the Gray Quarry and the White Quarry are less than 3 acres each in size. The White Quarry is at the margin of a 20-acre site that was mined before 1990 and has since been reclaimed. Another mined and reclaimed area of about 45 acres is located directly down slope from the Gray Quarry.

The surrounding vegetation is predominantly chaparral, generally dominated by chamise (*Adenostoma fasciculatum*), birchleaf mountain mahogany (*Cercocarpus betuloides*), thick-leaf yerba santa (*Eriodictyon crassifolius*), and California buckwheat (*Eriogonum fasciculatum*). Other characteristic or conspicuous species include California bush poppy (*Dendromecon rigida*), chaparral yucca (*Yucca whipplei*), Great Basin sagebrush (*Artemisia tridentata*), bigberry manzanita (*Arctostaphylos glauca*), narrowleaf goldenbush (*Ericameria linearifolia*), and deerweed (*Lotus scoparius*). California juniper (*Juniperus californicus*) occurs occasionally in the chaparral, though not at high enough density to classify the vegetation as juniper woodland.

A solitary Coulter pine (*Pinus coulteri*) occurs in an ephemeral stream channel along the western margin of the White Quarry area. Sheltered slopes above the channel support small stands of oak woodland dominated by canyon live oak (*Quercus chrysolepis*) and interior live oak (*Q. wislizenii*). The channel held running surface water in some reaches above about 3400 ft. elevation during May 2000.

Vegetation associated with the channel is generally chaparral (in the open wash), but a narrow belt of riparian vegetation occurs along the channel above about 3400 ft. elevation. This vegetation is generally dominated by arroyo willow (*Salix lasiolepis*), with scattered patches of mulefat (*Baccharis salicifolia*) and a few Fremont cottonwood trees (*Populus fremontii*). The small volume of running and standing water seen in May 2000 (following a relatively dry winter, but with high rainfall in March and April) suggests that surface water is not present in the channel during late summer of an average year. Riparian vegetation immediately along the stream suggests that water may be available in the root zone immediately adjacent to the channels year-around even during dry years. (See Section 3.6, Water and Soils, for more information regarding channels near the quarries.)

Based on elevation range, geographic range, and habitat requirements, no listed threatened or endangered plants occur on the site. One listed bird (southwestern willow flycatcher) could occur in the riparian habitat, though the probability is low. The project avoids this habitat, and no impacts to southwestern willow flycatchers are anticipated.

Several Forest Service sensitive species, particularly short-jointed beavertail cactus, San Diego horned lizard, and a few other plants and reptiles, could occur on the site. Forest Service Management Indicator Species may also occur on the site.

A summary of threatened, endangered, or sensitive (TES) species occurrence, federally listed, proposed, and candidate species and the Angeles National Forest sensitive species list can be found in the North Star Minerals BE/BA (2007), which is on file in the project record.

3.6. Water Quality and Soils

This subsection discusses existing soil, surface water and groundwater conditions at the proposed project area. Environmental consequences to each of these resources for each of the alternatives is discussed in Chapter 4.

Soil

The soil type in the region surrounding the Acton Clay Quarries is identified in the *Soil Survey of the Angeles National Forest Area, California* as Map Unit 86—Pismo family-Rock outcrop complex, 50 to 80 percent slopes (USDA, USFS, and the University Of California 1980). The map unit is designated as a Typic Xeropsamment, consisting of very shallow/shallow, somewhat excessively drained soils with a relatively low water-holding capacity that formed in material weathered from granitic and anorthosite rocks. This map unit is characterized by sandy soils that have little or no evidence of the development of soil horizons. These soils are usually found in Mediterranean climates, such as occurs in southern California. Annual precipitation in the project area ranges from 10 to 20 inches, with most precipitation occurring in the winter and very little in the summer. This soil unit has a very shallow, gravely loamy sand (4 to 20 inches to paralithic bedrock), which has a very high erosion hazard and a moderately high runoff potential.

Field research has shown that the project area itself is located within a belt of crystalline Precambrian rocks referred to as the San Gabriel Anorthosite-syenite complex, which has intruded into previously metamorphosed, granulite-grade Mendenhall gneiss. The rocks forming the layered complex underlying the claims are comprised of early anorthositic and leucogabbroic phases, then mixed gabbroic suites overlain by a syenitic suite with 10 to 40 percent ferromagnesian minerals. Next is a jotunitic phase with gabbroic and pegmatitic members, with some rocks rich in iron and titanium oxides and apatite with generally more than 65% ferromagnesian minerals. The uppermost layer is a hornblende-bytownite gabbro with occasional layers or inclusions of bytownite anorthosite (Carter, 1980).

The diverse layers and rich calcium and alumina mineralogy within the complex have produced natural segregations of a variety of marketable mineral materials, including several types of red, gray, and white clay. NSM's current mining operations involve extracting the gray and white clay material. Red clay was mined from the quarries for sale to the cement industry prior to NSM's ownership of the claim.

Water Quality

Surface Water

The Acton Clay Quarries are within the Arrastre Creek Watershed (Hydrologic Unit Code (HUC) 1807010201), which is part of the larger Santa Clara River Watershed (HUC 18070102).

The quarries are located approximately one mile south of Arrastre Creek. Flow measurements were taken on Arrastre Creek in December 2000 and January 2001 (Barto, 1999). Reports indicate that it is a perennial stream with non-storm/base flow ranging from 30 to 400 gallons per minute. Arrastre Creek is not listed as an impaired water for any water quality parameters (alterations in water quality factors typically associated with temperature, sediment, and

chemicals), as defined by the federal Clean Water Act, Section 303(d) (California Water Resources Control Board, 2006 List).

The Gray Quarry is bordered on the west boundary by an intermittent drainage and on the east by an ephemeral drainage. The White Quarry is bordered on the east by an intermittent drainage and on the west by a ephemeral drainage. Intermittent streams are defined as streams that flow only at certain times of the year, when they receive water from springs or from melting snow. Ephemeral streams are streams that flow only in direct response to precipitation, and whose channel is at all times above the water table (Angeles National Forest supplement to FSH 2509.22, Soil and Water Conservation Practices Handbook).

According to GIS analysis completed as part of the Soils and Watershed Report, all four drainages are tributary to Arrastre Creek, and are further than 98 feet (30 meters) from the boundaries of the quarry areas to be disturbed under the Proposed Action. By definition, the areas to be disturbed are not within a Riparian Conservation Area (see the Soil and Water Conservation Practices Handbook and the Forest Plan Part 3, Standard S47 and Appendix E, Five Step Project Screening Process for Riparian Conservation Areas).

Ground Water

The Acton Clay Quarries are located near but outside the boundary of the Antelope Valley Groundwater Basin, (see map 3) (SCE PEA, Section 4.9.6.6.1, 2007). The basin is the principal groundwater basin for southeastern Kern County and the portion of Los Angeles County surrounding the City of Lancaster. It is recharged by runoff which percolates through the head of alluvial fan systems at the foot of surrounding mountains, including the San Gabriel Mountains on the Angeles National Forest. Big Rock and Little Rock Creeks, on the Angeles, contribute about 80 percent of runoff into the basin (California's Groundwater Bulletin 118, 2006).

The water table is estimate to be several hundred feet below the ground surface of both quarries (Barto, 1999). Well log data indicates the ground water elevation is at 2,960 feet approximately 4,500 feet north of the Gray Quarry and 4,000 feet northeast of the White Quarry. The ground surface elevations taken from topographical maps at White and Gray Quarries are 3320 and 3680 feet respectively.

4. ENVIRONMENTAL CONSEQUENCES

4.1 Introduction

An environmental assessment (EA) is a concise public document that serves to briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement (EIS) or a finding of no significant impact (FONSI) (40 CFR 1508.9). This chapter provides the basis for making this determination, through analysis of direct, indirect, and cumulative effects (both beneficial and adverse) of implementing the alternatives.

The impacts noted in this section are a summary of information taken from resource specialists' reports produced for this project. For additional information, the individual reports can be reviewed in the project planning record located at the Santa Clara/Mojave Rivers Ranger District Office.

Cumulative Effects

A cumulative impact is defined under federal regulations as "...the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" (40 CFR 1508.7).

The cumulative effects analysis in this EA evaluates the significance of the No Action's and Proposed Action's contributions to cumulative impacts on environmental resources within specified cumulative effects analysis areas. The boundaries of these areas will vary with each resource, based on the geographic or biologic limits of that resource being considered in the analysis. In addition, the length of time considered in the cumulative effects analysis will vary according to the duration of impacts from the Action on a particular resource.

4.2. Scenic Management

Following is a summary of effects of the alternatives on the visual quality of the project area. These effects are discussed in detail in the visual assessment specialists' report (May 1, 2008), which is on file in the project record.

Alternative 1 (No Action)

Direct and Indirect Effects

The Angeles National Forest LMP has designated a scenic integrity objective (SIO) of High for much of the Soledad Front Country Place, including all of the area surrounding the Acton Clay Quarries. As stated in the Affected Environment section of this EA, the quarries do not currently meet this objective. This is due to the exposure of light-colored material and the delay time required for revegetation and reclamation to occur, particularly toward the southern edges of both quarries. These segments of the quarries are not screened by the natural landforms to the north of the quarries and thus are visible from Acton and sections of the Interstate 14 freeway.

Under the No Action Alternative, the condition of the scenic resource would continue to be below the desired High SIO. Active mining would continue to occur as presently authorized under the current, annually renewed Plan of Operations (POO). The maximum area authorized to be mined

at one time is 2.9 acres at the Gray Quarry and 1.8 acres at the White Quarry. Most mining activity in both quarries would take place below the top of the exposed face of the ore, with the result that the majority of the continuing mining activity would not be immediately visible from Acton, though clearly visible from relatively inaccessible portions of Mt. Gleason to the south.

Over time, however, even under the No Action Alternative, the northern land forms that screen both quarries would be gradually lowered and reduced as excavation proceeds in a northerly direction. This, along with any delays in reclamation activity and revegetation of mined areas, would expose more of the project to the community of Acton and travelers on Interstate 14 (background view).

Regarding impacts to foreground views, the main roads near or adjacent to the quarry sites are Forest OHV routes or transmission-line access roads, neither of which are likely to receive heavy traffic on a regular basis by Forest visitors whose main concern is scenery. This allows for a slight variance in regards to the scenic value as seen in the foreground by recreationalists around the quarry sites, but does not negate the desired SIO designated for that area in the Forest Plan.

Cumulative Effects

The cumulative effects analysis area for the visual resource includes the middle-ground and foreground views of the quarry, and the background views of the national forest as seen from the community of Acton and the Interstate 14 freeway. Several projects that cumulatively do or may impact the scenic integrity of these views are described below.

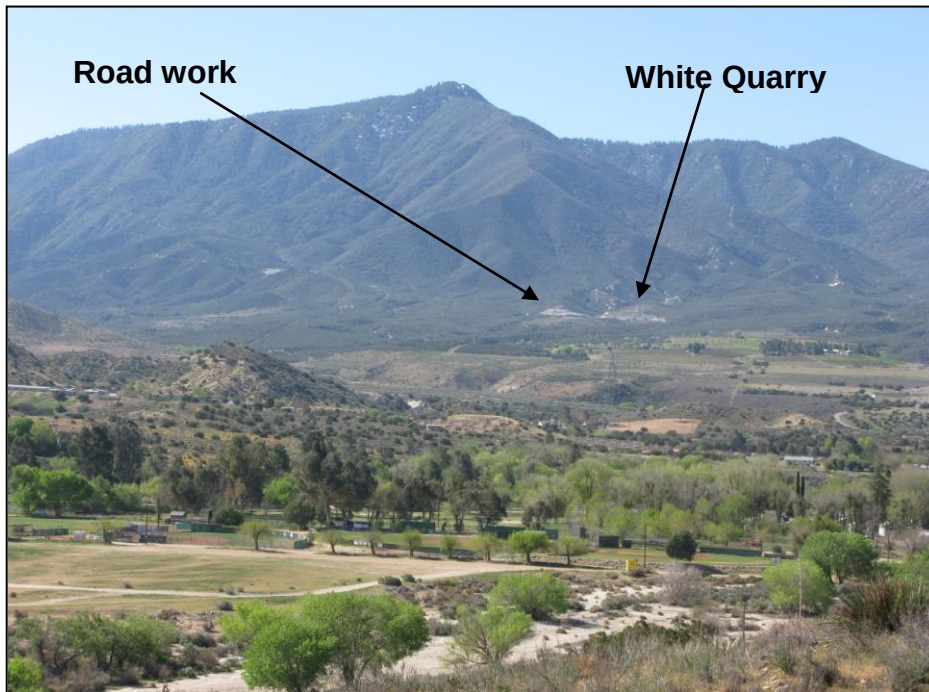


Figure 4. Middleground view of road repair work on Forest Road 4N32, and the White Quarry (3/27/08).

Currently, repair work is being done by NSM on Forest Road 4N32 to reduce the slope of a potentially hazardous vertical road cut near the White Quarry. The road repair has exposed lighter material that is visible from a distance. When viewed from a background and middle-ground distance, the road work and the White Quarry disturbed areas appear to combine and create a much larger visual disturbance (see Figure 4).

Urban sprawl also contributes to cumulative effects on scenic integrity in the area. Like the entire

L.A. County Sub-region, the community and population of Acton are steadily growing. As this growth continues, housing developments will begin to be established closer and closer to the Forest

boundary, thus making the current and proposed mining operations at the Acton Clay Quarries increasingly visible from the Acton community.

The population increase would likely also increase recreation use of this area of the national forest (e.g., OHV use, horseback riding, mountain biking, hiking, etc.), making the quarries visible to more people in the middle-ground and foreground distances.

An existing transmission line traverses the national forest near the project area. Currently, in response to Federal and State policies, power companies are upgrading several of their transmission lines throughout the state of California, including several segments that run through the Forest. Recent events and future trends point to the very likely possibility that this existing line that traverses near the Acton Clay Quarries may also be upgraded sometime in the reasonably foreseeable future. This would contribute to visual impacts, and to further digressions from the desired High SIO for the area

Alternative 2 (Proposed Action)

Direct and Indirect Effects

Under the Proposed Action, quarry development would be designed to minimize the visibility of the actual operations from the community of Acton and the Interstate 14 freeway. Most of the mining activities would take place below the top of the exposed quarry faces, and each face would be located behind and below the level of the vegetated, un-mined area facing Acton.

As discussed in the No-Action Alternative effects section, the majority of the Gray Quarry is screened from the community of Acton and the Interstate 14 freeway by natural land forms. However, the mining effects of the White Quarry are visible from parts of Acton and spans of Interstate 14. As also previously stated, the quarries currently do not meet the desired SIO of High for this site, as designated in the Forest LMP.

The Proposed Action would more than double the disturbed and mined areas, over a period of 20 years. As the mining would continue to proceed vertically into the northern land form, the slope would gradually be lowered and potentially removed more quickly than under currently approved operations.

However, the Proposed Action includes mitigations to be applied to NSM's proposed Plan of Operations that would reduce visual impacts (see visual mitigations in Appendix C of this EA). Unless these mitigations are in place and strictly enforced, NSM's proposed mining operation expansion would not only continue to not meet the desired SIO, but with the proposed expansion it would be even more visible from the community of Acton, and become more detrimental to the current scenic character of this "Key Place" (LMP 2005).

With implementation of the mitigation measures throughout the 20-year life of the project, the Proposed Action could potentially meet the established SIO of High from a background and middle-ground view.

From the closer distances in the foreground view, however, the ground disturbances caused by the mining operation and the equipment would become much more evident under the Proposed Action, as compared to the No Action Alternative. The highest SIO the project would achieve for the foreground would be Moderate (landscape character appears slightly altered). This is one SIO level lower than what is desired for the site. The Forest Plan's Aesthetic Management

Standards (LMP, Part 3, p. 6) include an exception that allows for projects to drop one SIO level short of the desired objective with the Forest Supervisor's approval.

Therefore, with the implementation of the mitigation measures included in this EA, and the Forest Supervisor's approval, the Proposed Action could meet the Forest Plan's scenic standards.

Cumulative Effects

The same projects contributing to cumulative effects described for the No Action Alternative (see discussion above) would cumulatively impact the visual resource under the Proposed Action. The impacts in the foreground could be slightly greater, however, due to the larger mining operation at the Acton Clay Quarries proposed under this alternative.

4.3 Cultural Resources

Alternative 1 (No Action)

Direct and Indirect Effects

Under the No Action Alternative, mining in the Gray Quarry and White Quarry would continue under the current Plan of Operations (POO), with annual renewals. The current POO contains provisions to protect cultural resources, and to ensure that negative impacts do not occur. This includes a provision to maintain the 2-foot layer of protection over the cultural resource located under the road accessing the quarries (see the Affected Environment section of this EA). Another provision directs NSM to stop operations immediately and notify the District Ranger if any historical, archaeological, or paleontological artifacts are found during mining operations.

State mining mitigations and protection measures are also in effect in NSM's Surface Mining Permit from the County of Los Angeles (see Appendix D). These complement the Forest Service measures, and include the requirement for notification in the event that a cultural resource is encountered during operations.

With ongoing implementation of these protection measures, it is anticipated that no adverse impacts to cultural resources would occur under this alternative.

Cumulative Effects

Cumulative effects under the No Action alternative would be the same as for the Proposed Action (see below).

Alternative 2 (Proposed Action)

Direct and Indirect Effects

While ground-disturbing activities associated with the Proposed Action have the potential to disturb or destroy cultural resources, implementation under carefully controlled conditions is not expected to have any direct effects on known cultural resource sites located within the project area. The Archaeological Clearance Memo for this project (07SCM16PISP, dated January 10, 2007) contains site-specific standard resource protection measures for implementation and monitoring requirements as stipulated in the Programmatic Agreement between the Forest Service and the State Historic Preservation Officer. These measures and monitoring will be followed throughout the duration of permit. Required standard resource protection measures include a combination of:

- Notify Project Planner, Manager, or Implementer (Stipulation I(B)(2));
- Protect Through Project Modification;
- Redesign or Elimination (Stipulation I (D));
- Monitoring (Stipulation I (E)); and
- Specified work within the boundaries of historic properties as dictated in Attachment B (Stipulation II) of the Programmatic Agreement.

State mining mitigations and protection measures noted in the No Action Alternative discussion above would remain in effect under the Proposed Action as well (see Appendix D).

The Archaeological Clearance Memo documents the archaeological inventory, consultation with the Forest's Heritage Resource Program Manager, and the determination of no adverse effect in compliance with the National Historic Preservation Act of 1966, as amended.

Cumulative Effects

The cumulative effects area for cultural resources consists of the quarry project area, and vehicle travel routes between the project area and Aliso Canyon Road. The proposed project would not contribute to adverse cumulative effects on cultural resources when analyzed with recent past, present and proposed projects within the project area, provided it is undertaken with the protection measures in place.

4.4 Air Quality

Under the current Plan of Operations, the White and Gray quarries contain a combined disturbance area (actively mined area) of 5 acres, with historical peak production of 215,576 tons per year. Under the proposed operating plan, the disturbance area would increase to 5 acres per site (for a total of 10 acres) and annual production may increase to 255,000 tons if justified by market conditions.

The following analysis of impacts to air quality is based on the General Conformity Analysis PM Supplement for the Acton Clay Quarries, and the SMARA/CEQA environmental analysis prepared by NSM (NSM SMARA). Both documents are on file in the project record.

Alternative 1 (No Action)

Direct and Indirect Effects

The *type* of direct and indirect air quality impacts caused by the current mining activity under the No Action Alternative would be the same as for the Proposed Action. One difference between the two alternatives is the rate at which clay would be extracted from the quarries. Less clay per year over a smaller area would be extracted under the No Action Alternative, which would indicate that the *intensity* or *magnitude* of the impacts would be less than those associated with implementing the Proposed Action (see Alternative 2 – Proposed Action below).

Similar air quality mitigation measures as described for the Proposed Action (see Appendices C and D) are currently being applied under the No Action Alternative. These actions reduce or lessen the impacts of emissions generated during the mining process.

Cumulative Effects

The same factors contributing to the cumulative effects described for the Proposed Action (see Alternative 2 – Proposed Action below) would cumulatively impact air quality under the No Action Alternative. The total cumulative effect would be slightly less, because of the slower rate of mining activity over a longer period of time that would occur under the No Action Alternative as compared with the Proposed Action.

Alternative 2 (Proposed Action)

Direct and Indirect Effects

Direct and indirect air quality impacts caused by the current mining activity under the No Action Alternative or under the Proposed Action would result from emissions generated during mining, screening, crushing, handling, and hauling the clay. These emissions fall into four source categories: off-road equipment, on-road vehicles, on-site stationary sources, and fugitive dust. Major off-road equipment used in the mining operation includes dozers, loaders, graders, as well as water and service trucks. On-road mobile sources include heavy duty haul trucks and employee vehicles. Stationary sources include generators and crushing/screening equipment. Fugitive dust is emitted by blasting, dozer operations, as well as product handling and transport.

The quarry expansion under the Proposed Action would directly affect air quality through the increased emission of criteria pollutants. Volatile organic compounds (VOCs), nitrogen dioxide/nitrogen oxides (NO₂/NO_x), sulfur dioxide (SO₂), and carbon monoxide (CO) are emitted by the heavy equipment used in mining operations, water trucks, haul trucks, employee vehicles, and on-site generators. Fugitive dust (PM₁₀ and PM_{2.5}) is emitted from stockpiles, blasting, unvegetated operational areas, travel on dirt industrial roads, as well as product crushing, screening and transport. The primary air quality issue for the project are emissions of ozone precursors (VOCs and NO_x), as well as directly emitted particulate matter (PM₁₀ and PM_{2.5}) and secondary airborne particulate precursors (NO_x and SO₂).

Project emissions for this analysis were calculated using emissions inventory techniques developed by the Mojave Desert AQMD for the mineral handling and processing industry.

Planning thresholds for projects occurring on federal lands are determined by the General Conformity Rule. The federal Clean Air Act (CAA) as amended in 1990, specifies in Section 176(a) that no department, agency, or instrumentality of the Federal Government shall engage in, support in any way, or provide financial assistance for, license or permit, or approve, any activity which does not conform to an implementation plan after it has been approved by the EPA. Conformity is defined in Section 176(c) of the CAA as conformity to the applicable State Implementation Plan (SIP). The SIP is a plan prepared by each state describing how the national ambient air quality standards will be attained and maintained. When the total direct and indirect emissions from a proposed federal action are below the General Conformity rule *de minimis* thresholds and regional significance levels, then the proposed action would be presumed to conform to the SIP and no significant adverse impacts to air quality would be expected.

Emissions of all criteria pollutants for both the Proposed Action and the No Action Alternatives are well below the established *de minimis* and regional significance thresholds, thus the project should be presumed to conform to the applicable State Implementation Plan.

The project does exceed South Coast Air Quality Management District daily emissions thresholds for PM₁₀, PM_{2.5}, and NO_x under both alternatives. Mitigation measures to reduce potential air quality impacts include those mandated by the County of Los Angeles under SMARA as well as applicable SCAQMD rules, and are listed in Appendices C and D of this EA.

The Proposed Action is not anticipated to have significant air quality indirect effects, since it will not cause changes to traffic and land use patterns beyond those already considered in the emissions analysis for this project.

Cumulative Effects

Other Forest Service projects in the vicinity that are either proposed, formally filed, or approved but not yet built or completed were considered for the proposed project's cumulative impacts assessment.

Minerals extraction operations are currently occurring at two sites on the Angeles National Forest in the Soledad Canyon area. The North Star/Acton Clay Quarries operation began operations in 1991. The Triangle Rock sand and gravel quarry has been operating in the Soledad Canyon area for some forty years.

No other mining projects are currently proposed for National Forest lands in or near Soledad Canyon, and all current operations are included in the SIP.

Particulate emissions would be most affected by the change in mining operations. However, the increase is unlikely to make a significant contribution to existing air quality issues in the SCAQMD. Under maximum production conditions, the increase in daily emissions of PM₁₀ and PM_{2.5} above the current baseline under the Proposed Action will account for only .0117% and .0119 % of the regional emissions budget. Additionally, the prevailing westerly winds combined with the project's location near the SCAQMD boundary would tend to carry emissions away from the Basin. Air quality pollutant transport between air quality management districts is mitigated to the extent that the SCAQMD has the most stringent emission control requirements of all the surrounding AQMDs.

4.5 Wildlife and Botanical Resources

The discussion of potential effects to wildlife and plants in this sub-section is based on the Biological Evaluation/Biological Assessment (BE/BA) prepared by the Forest Service for this project. The BE/BA is on file in the project record.

Alternative 1 (No Action)

Direct and Indirect Effects

The No Action Alternative is defined in this EA as “no change” from the current Plan of Operations (see Section 2.2.1). Under the current plan, mining activities that are presently occurring are similar to those that would occur in the Proposed Action, except that the area disturbed at one time is approximately 5 acres total versus 10 acres total under the Proposed Action. Gradually, over a longer period of time, it is conceivable that the same amount of total area (24 acres) would eventually be disturbed.

The *type* of direct and indirect effects to wildlife and plants under the No Action Alternative are thus similar to those described for the Proposed Action (see discussion of Alternative 2 – Proposed

Action below). The *intensity* of effects would be somewhat less, due to the slower rate of mining activity over a longer period of time that would occur under the No Action Alternative.

Cumulative Effects

The same projects contributing to the cumulative effects described for the Proposed Action (see discussion of Alternative 2 – Proposed Action below) would cumulatively impact the wildlife and plant resources under the No Action Alternative. The total cumulative effect would be slightly less, because of the slower rate of mining activity over a longer period of time that would occur under the No Action Alternative as compared with the Proposed Action.

Alternative 2 (Proposed Action)

The BE/BA determined that implementation of the Proposed Action would not affect any threatened, endangered, proposed, or candidate plant species or any designated or proposed critical habitat for listed plants. Endangered Species Act Section 7 consultation for wildlife is not required for this project. The BE/BA further determined that the Proposed Action could have limited adverse impacts to some Forest Service sensitive plant and animal species, but is not likely to result in a trend toward federal listing of any plant recognized as sensitive by the Angeles National Forest. The project would not interfere with maintaining viable populations well distributed across the forest (36 CFR 219.19).

Direct and Indirect Effects

The quarry expansion that would occur under the Proposed Action would remove vegetation and substrate from a 24-acre area of chaparral over the proposed 20-year life of the project, making these acres unavailable as habitat for most special status plants or animals until reclamation activities are done. This would directly and adversely affect any plants or wildlife that may occur on the site. Because the proposed project includes reclamation and re-vegetation of the site after mining, habitat on-site would eventually regain at least some components of native habitat suitability.

The project also would cause continued vehicle traffic on access roads, noise and perhaps lighting disturbance to surrounding areas, and continued fugitive dust around roads and work areas during the operation period. The proposed project would maintain activity and traffic levels on the project site and access roads at levels comparable to current conditions for the proposed 20-year life of the project. Mining-related traffic and disturbance is unlikely to change from present conditions.

The BE/BA prepared for this project states that no direct impacts to federally threatened or endangered wildlife or plant species would result from the proposed project. Based on habitat, elevation and geographic range, there are no listed wildlife species that could occur within the NSM site; no plant species listed, proposed for listing, or a candidate for listing would occur on or near the NSM site. The project area is not within designated or proposed critical habitat for any threatened or endangered wildlife species, nor within designated or proposed critical habitat for any listed threatened or endangered plant.

The BE/BA states that several Forest Service sensitive species, particularly short-jointed beavertail cactus, San Diego horned lizard, and a few other plants and reptiles, could occur on the project site. Pallid bat and Townsend's big-eared bat could occur in the area or on the project site occasionally. Forest Service Management Indicator Species may also occur on the site.

San Diego Horned Lizard

Direct impacts to the San Diego horned lizard would include mortality or injury resulting from crushing by movement of equipment, blasting or work crews. Harassment could also occur due to increased noise, vibration, and human presence. Lizards using the roads could be crushed by traffic that comes into and out of the quarry site. The project area does not constitute a substantial portion of this species geographic range. Similar undisturbed habitat is abundant throughout the region. The loss of habitat or individual animals on-site as a result of the proposed mining activities would unlikely affect regional populations. It is also unlikely the viability of local populations would be affected or result in a trend toward listing these species as threatened or endangered.

Pallid Bat and Townsend's Big-eared Bat

The site is within geographic and elevation ranges of pallid bat, and Townsend's big-eared bat. Both of these bats could occur in the area or on the site, at least occasionally. The proposed quarry expansion would eliminate a 24-acre area of chaparral vegetation over the life of the project, presumably eliminating insect habitat suitability and reducing the local prey-base for foraging bats. The relative importance of chaparral for prey production, and the behavior of insect prey and bat predators in the presence of open quarried land is unknown. Presumably, noise and disturbance would cause some tendency for bats to avoid the work areas, but this cannot be quantified. Following reclamation, the site should ultimately provide at least marginally productive insect habitat.

There is no suitable roosting habitat on the site, though special-status bat species could roost in riparian trees near the site. Issuance of the proposed 20-year mining permit would extend present levels of noise and disturbance on-site over the proposed life of the project. The riparian area is approximately one mile from the existing quarry operation and is within a steep-sided canyon so that it is largely screened from noise, lighting, and visual disturbances, avoiding any direct project-related effects from the quarry.

The project area does not constitute a substantial portion of either of these species geographic ranges. Similar undisturbed habitat is abundant throughout the region. Loss of habitat quality on-site would unlikely affect regional populations and project approval would not affect the long term viability of local populations or create a trend toward listing either species as threatened or endangered.

Sensitive Plant Species

Vegetation removed as part of the proposed quarry expansion could destroy individual sensitive plants, depending on occurrence. One sensitive plant, the short-jointed beavertail cactus, has been documented within the project area. In accordance with the mitigation measures included as part of the Proposed Action, NSM would salvage and transplant short-jointed beavertail from the project area (see Mitigation Measures in Appendix C).

Other sensitive plants that could occur on or near the site (though with only low probabilities) are: Kusche's sandwort, Plummer's mariposa lily and pygmy poppy. Any of them would be susceptible to direct or indirect impacts of dust, soil compaction, or direct loss of plants and seed-banks due to expansion of the mining area. Even with dust control (watering), the project would continue present levels of dust deposition within several meters of the worksite and access roads, and perhaps within 20-50 meters of processing sites. No literature exists that addresses

the effect of dust on the sensitive plants considered in this analysis; however, the mechanisms of known physiological and reproductive effects to common species suggest that any plants, including sensitive species, would be similarly affected. NSM is required by State mining law and air quality law to control dust. As part of the current and proposed Plan of Operations, roads are to be watered as a dust abatement measure to mitigate for the dust. Given this measure, dust levels are expected to adversely affect plants and habitat around the site and roads, but this adverse impact would be less than significant.

Continued vehicle and equipment operations on the project site may cause further soil compaction in the work area and parking areas. No other direct or indirect effects to sensitive plants would result from ongoing mining within the proposed quarry boundary. The operator would reclaim these areas to the extent practicable. Reclamation will include measures as needed to relieve soil compaction.

The project area does not constitute a substantial portion of any of these species geographic ranges. Similar undisturbed habitat is abundant throughout the region. Loss of habitat or individual plants or animals on-site would be unlikely to affect regional populations. Project approval and implementation would not meaningfully affect viability of local populations or create a trend toward listing these species as threatened or endangered.

Noxious Weeds Assessment

Under the Proposed Action, ground disturbance and soil compaction at the expanded quarry site would eliminate native vegetation during the proposed 20-year life of the project. Mining and other soil-disturbing activities tend to favor invasive weedy plants. At similar sites in southern California, similar types of disturbances have tended to favor invasive weedy plants including Russian thistle (*Salsola tragus*) and cheatgrass (*Bromus tectorum*). These and other invasive alien species are already widespread throughout the region and on or near the project site.

Once introduced, these weeds have spread widely and have displaced native shrub lands, altered natural fire regimes, and eliminated natural wildlife habitats throughout much of southern California. In riparian areas, human-related disturbance and plant introductions have led to degradation of native habitat where non-native plants including giant reed (*Arundo donax*), tamarisk (*Tamarix ramossisima*), and tree-tobacco (*Nicotiana glauca*) have become dominant.

No invasive plants or noxious weeds have been identified as likely to be introduced onto the site as a result of this project, however. In general, effective post-mining reclamation efforts can (and has) reintroduced native early-successional shrubland vegetation and reduced cover and abundance of alien weeds during the first few years of well-planned reclamation. The Reclamation Plan for this project, and mitigation measures incorporated into the Proposed Project include measures to minimize noxious weeds on the site (see Appendices A and C). The intention of the Reclamation Plan is to minimize invasive weed cover and replace native shrubland vegetation to the extent practicable.

Indirect or Off-site Effects

Several federally listed threatened or endangered species and Angeles National Forest (ANF) sensitive species occur or could occur in the Santa Clara River watershed, in the Acton area or downstream. These include unarmored three-spine stickleback, arroyo toad, least Bell's vireo, southwestern willow flycatcher, southwestern pond turtle, and two-striped garter snake. Most of these species are aquatic during all or part of their life cycles. The two birds nest in riparian

vegetation along the Santa Clara River and migrate south during winter.

Upstream watershed impacts from the Proposed Action that could affect water quality or quantity in the Santa Clara River could indirectly affect these species by degrading habitat quality or availability (see Section 4.6, Water Quality and Soils in this EA for a discussion of watershed impacts). For example, silt or pollutants generated higher in the watershed could degrade water quality for aquatic species or alter substrates for riparian trees and shrubs, thus altering nesting habitat quality for least Bell's vireo or southwestern willow flycatcher. If the project were to cause substantial erosion or water quality degradation, then it could have detrimental effects to threatened, endangered, and sensitive species habitat in the Santa Clara River lower in the watershed. Correct implementation of BMP's and guidelines from the Soil and Water Conservation Practices Handbook (FSH 2509.22) would ensure protection of water resources from sediment and run-off generated by on-site project activities.

Other sources of sediment or pollution could include erosion or fugitive dust associated with use of access roads or accidental toxic material spills or discharges (e.g., fuels, lubricants, or solvents) that might eventually disperse as runoff or migrate through the soil or groundwater into the Santa Clara River. Road dust abatement requirements, which are incorporated into the Proposed Action, are designed to protect habitats, including water sources, adjacent to roadways.

Accidents and poorly maintained vehicles could result in accidental spills and impacts to adjacent water courses. To prevent the risk associated with this, all vehicles should be properly maintained to ensure that they do not leak fluids. Additionally, a response plan must be in place that outlines the appropriate steps taken to minimize impacts in the event of a vehicle accident or other incident where fluids from the vehicle are discharged. As long as appropriate measures are taken, routine road use should not impact water resources or threatened/endangered species. Based on this, no indirect impacts to listed, threatened or endangered wildlife species would result from the proposed project.

Cumulative Effects

The BE/BA analyzed cumulative effects for the Proposed Action in compliance with the federal Endangered Species Act and National Environmental Policy Act. The analysis addresses two legal definitions of cumulative effects and impacts. Under NEPA, "cumulative impacts" are those impacts caused by past, present, and future federal, state, and private activities within or onto special status plants and their habitats. Under the Endangered Species Act (ESA), "cumulative effects" only consider non-federal activities, because any future federal activities or federally permitted activities would be subject to Section 7 consultation with the US Fish and Wildlife Service.

Following are several past, present and reasonably foreseeable future non-federal activities in the project areas:

Non Federal Activities:

- Private Residences: Private homes with agricultural use on Aliso Canyon Rd.
- LA County, Public Works, road maintenance such as clearing, scraping and vegetation removal on Angeles Forest Highway.
- Utility corridors lines: Existing Edison power transmission lines, upgraded lines such as the Antelope-Pardee Transmission Project.

- Private Residential Developments: More than 100 in the Santa Clarita and Antelope Valleys. They range from an individual home to a single home to a 800,000 development.

Federal Activities:

- Special use permit holders: A wide variety of activities, such as recreation residences, apiary sites, movie location shoots, etc.
- Recreation activities: Off-highway vehicle (OHV) used, hiking, mountain biking, camping, hunting.
- Fuel reduction projects: This consist of activities from complete clearing around existing Forest Service building to fuel breaks many miles long with all vegetation removed.
- Road maintenance: Road clearing, scraping and vegetation removal.

In addition, several new housing developments are proposed for development in the Santa Clarita and Antelope Valleys. Between 2000 and 2030, the Southern California Association of Governments (SCAG) forecasts the North Los Angeles County Sub-region will grow at a rate of 4.2% but employment in that same area will only grow 2% (SCAG 2004). This area covers Santa Clarita, Palmdale and Lancaster and many more people will be commuting over Little Tujunga Canyon road for employment in the greater Los Angeles area. Population increase will result in recreation increase over all of the Angeles National Forest. As development is the shared threat by most TESP species in this area, this is most likely the greatest cumulative effect spatially.

Increase recreation, such as OHV use both on and off of designated trails and roads, may cause increased trail disturbance, erosion, or the introduction of non-native weeds. Illegal OHV activity away from designated trails could result in plants or bulbs being crushed. Other activities such as illegal dumping, hiking, parking, picnicking, mountain biking, etc. can all result in plants and bulbs being crushed. In addition, increased recreation increases the chances of horticultural collecting.

The watershed in which the quarries are located is largely covered by dense chaparral, nearly impenetrable to vehicles and hikers. Forest Service Road 4N32 the primary access throughout the area. NSM access roads have not increased the amount of OHV access in the area. Other Forest Service management activities in the general area are minimal. There are no developed recreation sites in the area, and dispersed recreational uses are minimal. There is also no grazing allotment or timber production in the area. Wildfires and subsequent suppression may damage vegetation and soils on relatively infrequent intervals and would affect sensitive plants and habitats during the post-fire recovery period. There is a power line located along Road 4N32 is managed by Southern California Edison. Maintenance activities do occur as needed and the mine is down slope of the line.

Chaparral plant communities are fire adapted to certain fire intervals. Increased fire frequency will type convert a chaparral community to an annual grassland with isolated shrubs. Air pollution associated with urban development is known to decrease the photosynthetic ability of plants and increase soil nitrogen. This increase in soil nitrogen will encourage type conversion from shrub communities to grasslands. These processes have altered the ecology to a point that the natural, native state will probably never be fully restored. Of all these impacts, increased fire frequency and the introduction of invasive species is the most damaging and is likely to have the longest impacts.

The impacts of the Proposed Action would contribute to the cumulative effects discussed above.

Management Indicator Species

Project-level effects on management indicator species (MIS) are analyzed and disclosed as part of environmental analysis under the NEPA. This involves examining the impacts of the proposed project alternatives on MIS habitat by discussing how direct, indirect and cumulative effects would change the quantity and /or quality of habitat in the analysis area.

A management indicator species (MIS) analysis was completed for the proposed quarry expansion. This analysis considered the twelve MIS for the Angeles National Forest, and identified the following as having suitable habitat present in the project area: mule deer and mountain lion.

The MIS analysis states that mule deer and mountain lions are found within the project area. The amount of habitat for these species affected by the proposed action would be approximately 24 acres. The analysis concludes that implementation of the Proposed Action would not result in any negative impacts to suitable mule deer or mountain lion habitat. As nonnative plants are removed, habitat quality could be improved with the reestablishment of native vegetation.

A detailed discussion of effects to MIS can be found in the Management Indicator Species Analysis for the Acton Clay Quarries Expansion (Sue 2007), which is on file in the project record.

4.6 Water Quality and Soils

The following analysis of impacts to existing soil, surface water and groundwater resources that would result from the Proposed Action and the No Action alternatives is based on the Soil and Water Resources Report prepared by the Angeles National Forest Hydrologist (May 2008), which is on file in the project record. The 2005 Angeles National Forest Land Management Plan (Forest Plan), various soil and water resource inventories and technical reports for the project area, Best Management Practices for USDA Forest Service Region 5, relevant Forest Service manuals and handbooks, and numerous GIS data layers were studied as part of this analysis of effects. An extensive, site-specific hydrogeologic evaluation prepared for North Star Minerals, Inc. (NSM) was also studied and considered (Barto, 1999). A complete list of references is included in the appendix of this report. A field visit to the project area by the Angeles NF Hydrologist occurred in March 2008.

Alternative 1 (No Action)

Direct and Indirect Effects

As a result of current and ongoing mining operations, as would occur under the No Action Alternative, the soil within the quarries would continue to be in various stages of disturbance and reclamation. NSM would continue to remove and stockpile the topsoil in areas to be disturbed by mining, to be used later for reclamation and revegetation. Although revegetation would stabilize the area and minimize loss of soil productivity, restoration of full soil productivity would take many years.

Excavation and contouring of the White Quarry currently proceeds in such a way that runoff from precipitation or dust control watering is prevented from passing across fill slopes. Runoff instead collects in a desilting debris basin located toward the eastern edge of the quarry. An overflow pipe near the top of the western embankment is in place so that in the event water were to overflow the basin, it would be largely free of sediment and would be routed across natural

outcrops. Under the No Action Alternative, this method of handling runoff would continue, and would prevent runoff from carrying sediment to adjacent lands or stream channels. There is no desilting debris basin in the Gray Quarry, as excavation and contouring prevent the transport of sediment into the drainages.

Concurrent reclamation activities for both quarries, which include grading, recontouring, topsoil replacement and revegetation, would continue to stabilize the area and provide erosion control.

Because of the very small area impacted plus the mitigations and reclamation measures required under federal and State mining laws that govern NSM's current operations, the effects to the soil and surface water resources from continuing the current level of operations is not expected to be significant. The analysis of ground water resources concluded that there would be no significant measurable effect to ground water quantity or quality.

Cumulative Effects

Past, present, and reasonably foreseeable future actions to which this action would contribute an incremental impact on soil and water quality resources include road use and maintenance of Forest Service Road 4N32. As road maintenance is performed in compliance with Best Management Practices and other environmental protection measures, cumulative impacts are not expected to be significant.

Alternative 2 (Proposed Action)

Direct and Indirect Effects

Under the Proposed Action, the area disturbed by mining operations would double over a period of 20 years, which could potentially double impacts to soil and water quality. Within the boundaries of the quarries, the proposed expansion could result in temporary increased runoff and erosion of the larger disturbed areas.

However, the soil and water quality mitigation measures incorporated into the Proposed Action (see Appendix C.5), in addition to federal and State mining environmental protection requirements, would reduce these impacts possibly even below those that would occur under the No Action Alternative. Certain design features and mitigations intended to reduce visual impacts under the Proposed Action (see Section Appendix C.1) would also reduce impacts to soil and water quality from erosion.

Under this alternative, both quarries would be benched and contoured to prevent runoff from leaving the site. In the White Quarry, a desilting basin and overflow pipe would prevent even the increased amounts of sediment from being transported to adjacent land and stream channels.

As in the No Action Alternative, concurrent reclamation activities for both quarries under the Proposed Action would include grading, recontouring, topsoil replacement and revegetation. These activities would stabilize the area and provide erosion control.

While it is possible that a small amount of sediment might be moved off the project site during operations to the ephemeral and intermittent stream channels as a result of the proposed expansion of mining activities, it is highly unlikely that this sediment would reach Arrastre Creek. This is related to the distance from Arrastre Creek and to the lack of flow in these intermittent streams.

Final reclamation activities, and ongoing monitoring by County and Forest Service mining program managers would further ensure that mitigation measures and other environmental protections are being implemented.

As with the No Action Alternative, the analysis of ground water resources for the Proposed Action concluded that there would be no significant measurable effect to ground water quantity or quality.

Considering the relatively small area of the watershed impacted plus the mitigations and reclamation measures required under federal and State mining laws, analysis indicates that the effects to the soil and water resources would not be significant under the Proposed Action.

Cumulative Effects

Past, present, and reasonably foreseeable future actions to which this action would contribute an incremental impact on soil and water quality resources include road use and maintenance of Forest Service Road 4N32. Cumulative impacts would be similar to those described for the No Action Alternative, and are not expected to be significant.

4.7 Other Factors of Significance

4.7.1 The Degree of Effects to Public Health and Safety

Implementing the Proposed Action would not cause significant adverse effects on the health and safety of the public. Mining and removal of clay ore from the Acton Clay Quarries would require the use of industrial mining equipment and trucks. While operations are active, Forest users in the vicinity of the quarries and local residents may experience some noise, traffic, and dust. These effects would last for the duration of the operation period (20 years), and would not be significant (see analysis of air quality effects, in Section 4.4 of this EA).

4.7.2 Unique Characteristics of the Geographic Area

The project area is located in the San Gabriel Mountains, on the north slope of Mount Gleason at a point where the mountains drop off into Soledad Canyon. The vegetation surrounding the project area is predominantly chaparral. The scenic characteristics of the area are natural-appearing views of the forest landscape, in contrast to the developed areas and communities along the Interstate 14 freeway in the Soledad Front Country. Seasonal drainages run north to south through the area. Arrastre Creek, the nearest perennial stream, runs southeast to northwest and is located north of the project area. Geologic features at or near the project area include lighter colored clays, interspersed with granitic and metavolcanic rock.

The project area does not constitute a substantial portion of the geographic area having these characteristics. There would be no significant adverse effects on characteristics considered to be unique.

There would be no significant adverse effects on ecologically critical areas such as historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or the like (see Sections 4.2 through 4.6 in this EA for discussion of effects on various resources).

4.7.3 Controversy Over Effect

Over 350 letters were mailed to the public and local agencies during scoping, a notice was posted to the Angeles National Forest web page, and a legal notice was published in the newspaper of record describing the Proposed Action (see Section 1.7, Public Involvement, in this EA).

Comments were received from four individuals/groups. The only concern expressed was from an individual expressing concern that trucks hauling clay from the quarries would result in increased traffic on the Interstate 14 freeway in the vicinity of Santa Clarita. Because trucks hauling clay would not travel toward Santa Clarita on Interstate 14, but rather along Soledad Canyon Road toward markets in the Mojave Desert area, this issue was determined by the Forest Service interdisciplinary team to be non-significant. No significant issues were identified by the public as a result of scoping.

Angeles National Forest resource specialists identified a potentially significant issue related to visual impacts, and modified the Proposed Action to include mitigation measures and design features to resolve this issue (see Appendix C).

Los Angeles County Department of Regional Planning, in its Initial Study under CEQA (December 31, 2001), identified no significant issues for the proposal with project mitigations included.

Based on input from the public, the Forest Service, and other agencies, the potential effects on the quality of the human environment are not highly controversial.

4.7.4 Unique or unknown Risks

No unique risks were found during the analysis for this project (see Sections 4.2 through 4.6 in this EA for discussion of effects on various resources). The proposal involves surface extraction of clay ore in a small geographic area (24 acres), in which unique or unknown risks are unlikely to occur.

4.7.5 Precedence

This project would not set a precedent for future actions that would have significant effects. One of the objectives for this project is to approve and facilitate production of mineral and energy resources while minimizing adverse impacts to surface and groundwater resources and protecting or enhancing ecosystem health and scenic values. No significant effects are expected from this proposed action.

Extraction of locatable minerals on 24 acres within the Acton Clay Quarries, as authorized by federal mining laws, is not a precedent-setting action.

4.7.6 Potential Effect to private Land, Districts, Sites, other resources

The decision will have no significant adverse effect on districts, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places nor will it cause loss or destruction of significant scientific, cultural, or historical resources.

4.7.7 Other Applicable Laws and Regulations, Land Use Plans, Policies and Controls

The Proposed Action analyzed in this EA would be consistent with the objectives of federal, regional, State, and local land use plans, policies, and controls for the project area. Many laws,

regulations, policies, and the Angeles National Forest Land Use Plan have been addressed throughout this analysis. In addition, under Environmental Justice, Executive Order 12898, none of the alternatives would have a discernible effect on minorities, American Indians, or women, or the civil rights of any United States citizen. The Proposed Action would not have a disproportionate adverse impact on minorities or low-income individuals.

5. REFERENCES

USDA, Forest Service, (September 2005), Forest Land Management Plan, Angeles National Forest Parts 1-3. Pacific Southwest Region R5-MB-75, R5-MB-76, R5-MB-76

USDA, Forest Service, (September 2005), Final Environmental Impact Statement, Land Management Plans, Angeles National Forest, Cleveland National Forest, Los Padres National Forest, San Bernardino National Forest. Pacific Southwest Region R5-MB-74-A, R5-MB-74-B

Code of Federal regulations 40 CFR 1500.1(c) (July, 2004)

Code of Federal Regulations (CFR 36 FS) Part 228 subpart A (July, 2004)

Reclamation Plan, North Star Minerals, Inc. County of Los Angeles, Department of Regional Planning (April, 2001)

“Surface Mining permit No. 00-21-(5), Findings and Order of the Regional Planning Commission,” County of Los Angeles [California] (June 19, 2002)

News Release publications in The *Los Angeles Daily News*, *Acton-Agua Dulce News* and the *Antelope Valley Press, Daily News*, (April 25, 2007)

North Star Minerals Acton Area Clay Quarries: Biological Evaluation / Biological Assessment (April, 2007)

(From the BE/BA)

Abrams, L. 1923, 1944, 1951, Abrams and R.S. Ferris 1960. Illustrated Flora of the Pacific States, Vols I-IV. Stanford University Press, Stanford, California.

Allen, E.B. 1996. Characterizing the habitat of slender-horned spineflower (*Dodecahema leptocerus*): Ecological analysis. Unpublished report prepared for California Dept. of Fish and Game, Long Beach, CA (distributed May 1997 by DFG Natural Heritage Division, Sacramento).

Allen, G.J., O. Mistretta, M. Tommerup, K. Blassey, and W.J. Brown. 1995. A field guide to the rare plants of the Angeles National Forest. PSW R5-BOT-TP-002, Pacific Southwest Forest and Range Experiment Station, Berkeley, California.

Angeles National Forest. 2004a. Listed TES species. Unpublished list, ANF Supervisor's Office, Arcadia, Calif.

Angeles National Forest. 2004b. Sensitive Wildlife Species. Unpublished list, ANF Supervisor's Office, Arcadia, Calif.

Angeles National Forest. 2005. Land Management Plan, Part 2. Angeles National Forest, Arcadia, California.

Angeles National Forest. 2006. Sensitive Plant Species. Unpublished list, ANF Supervisor's Office,

Arcadia, Calif.

Barbour, R.W. and W.H. Davis. 1969. Bats of America. University Press of Kentucky, Lexington, Kentucky.

Beier, P. 1993. Determining minimum habitat areas and habitat corridors for Cougars. Conservation Biology 7:94-108.

Boyd, S. 1999. Vascular flora of the Liebre Mountains, western Transverse Ranges, California. Aliso.

California Department of Fish and Game. 2000. Guidelines for assessing the effects of proposed projects on rare, threatened, and endangered plants and plant communities. Unpublished. California Department of Fish and Game, Sacramento, California.

California Department of Fish and Game. 2006a. Rarefind. Records search for special status plants on the USGS 7½-minute Acton, Agua Dulce, Chilao flat, Condor Peak, Pacifico Mountain, and Sunland topographic quads. CDF&G, Sacramento.

California Department of Fish and Game. 2006b. Special Plants. Unpublished report available from CDF&G, Sacramento.

California Department of Fish and Game. 2006c. Special Animals. Unpublished report available from CDF&G, Sacramento.

California Native Plant Society. 2006. On-line Electronic Inventory of Rare and Endangered Vascular Plants of California. Records search for special status plants on the USGS 7½-minute Acton, Agua Dulce, Chilao flat, Condor Peak, Pacifico Mountain, and Sunland topographic quads. CNPS, Sacramento.

Erickson, R.A. and M.A. Patten. 1999. Identification and distribution of spiny pocket mice (*Chaetodipus*) in cismontane southern California. Bull. Southern California Academy of Sciences 98:57-65.

“Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations,” Question 3). [Add to references: <http://ceq.eh.doe.gov/nepa/regs/guidance.html>]

Garrett, K. and J. Dunn. 1981. Birds of Southern California: Status and Distribution. Los Angeles Audubon Society, Los Angeles, California.

Grinnell, J. and A.H. Miller. 1944. The Distribution of the Birds of California. Cooper Ornithological Club, Berkeley (1987 reprint Artemisia Press, Lee Vining, California).

Hall, E.R. 1981. The Mammals of North America. John Wiley and Sons, New York.

Hickman, J. (editor). 1993. The Jepson Manual: Higher Plants of California. University of California Press, Berkeley, California.

Ingles, L. G. 1965. Mammals of the Pacific States. Stanford University Press, Stanford, California.

Jennings, M.R. and M.P. Hayes. 1994. Amphibian and Reptile Species of Special Concern in California. California Department of Fish and Game, Sacramento.

Keeley, J.E., L. Boykin, and A. Massihi. 1997. Phenetic analysis of *Arctostaphylos parryana* I. Two new burl-forming subspecies. Madroño 44:253-267.

- Leslie, T. 1996a (15 May). Baseline biological survey results, North Star Minerals. Unpublished memo provided by L. Richardson.
- Leslie, T. 1996b (8 July). Baseline biological survey results, North Star Minerals. Unpublished memo provided by L. Richardson.
- Mackie, R.J., J.G. Kie, D.F. Pac, and K.L. Hamlin. 2003. Mule Deer: *Odocoileus hemionus*. Pages 889-905 in G.A. Feldhamer, B.C. Thompson and J.A. Chapman (eds.), *Wild Mammals of North America: Biology, Management, and Conservation*. Johns Hopkins University Press, Baltimore, Maryland.
- Mistretta, O. 1991. Sensitive plant survey report, Right Star Mine prospect. Unpublished memo provided by L. Richardson.
- Mistretta, O. 1992. Field survey form, Right Star Mine prospect. Unpublished memo provided by L. Richardson.
- Moyle, P.B. 2002. *Inland fishes of California*. University of California Press, Berkeley.
- Moyle, P., R. Yoshiyama, J. Williams and E. Wikramanayake. 1995. *Fish Species of Special Concern in California*, 2nd ed. California Department of Fish and Game, Sacramento.
- Munz, P.A. 1974. *A Flora of Southern California*. University of California Press, Berkeley, California.
- Parfitt, B.D., and M.A. Baker. 1993. *Opuntia*. In J.C. Hickman (ed.) *The Jepson Manual*. University of California Press, Berkeley, California.
- Patten, M.A., S.J. Myers, C. McGaugh and J.R. Easton. In press. Recovery plan summary: Los Angeles pocket mouse (*Perognathus longimembris brevinasus*). In J.G. Hall (editor). *Rodentia Action Plan*. International Union for the Conservation of Nature and Natural Resources.
- Pierce, B.M. and V.C. Bleich. 2003. Mountain Lion: *Puma concolor*. Pages 744-757 in G.A. Feldhamer, B.C. Thompson and J.A. Chapman (eds.), *Wild Mammals of North America: Biology, Management, and Conservation*. Johns Hopkins University Press, Baltimore, Maryland.
- Remsen, J.V. 1978. *Bird species of special concern in California*. California Department of Fish and Game, Sacramento.
- Ross, T.S. and S. Boyd. 1996. *Arenaria macradenia* var. *kuschii* (Caryophyllaceae), re-collection of an obscure California taxon, with notes on known habitat and morphological variation. *Crossosoma* 22:65-70.
- Skinner, M. 1991. Rare plants of California: Braunton's milk-vetch. *Fremontia* 19(3):6-7.
- Small, A. 1994. *California birds: their status and distribution*. Ibis Publishing Company, Vista, California.
- Sogge, M.K., R.M. Marshall, S.J. Sferra, and T. J. Tibbitts. 1997. A southwestern willow flycatcher natural history summary and survey protocol. Technical Report NPS/NAUCPRS/NRTR-97/12. USDI National Park Service Colorado Plateau Research Station, Flagstaff, Arizona.
- Soulé, M.E. and J. Terborgh (eds.). 1999. *Continental Conservation: Scientific Foundations of Regional Reserve Networks*. Island Press, Washington, D.C.

Soza, V. 2000. Common garden study of morphological variation in Kusche's sandwort (*Arenaria macradenia* var. *kuschii*) (Caryophyllaceae), a rare plant of southern California. *Crossosoma* 26:7-11.

Stebbins, R.C. 1954. Amphibians and reptiles of western North America. McGraw-Hill, New York.

Stebbins, R.C. 2003. Western Reptiles and Amphibians, 3rd ed. Houghton Mifflin Company, Boston Mass.

Stephenson, J. R. and G. M. Calcarone. 1999. Southern California Mountains and Foothills Assessment: Habitat and Species Conservation Issues. PSW-GTR-172. USDA Pacific Southwest Research Station, Albany, California.

Tibor, D. 2001. Inventory of Rare and Endangered Vascular Plants of California, 6th ed. California Native Plant Society, Sacramento.

USDI Fish and Wildlife Service. 1980 (17 Nov). Endangered and threatened wildlife and plants; proposed designation of critical habitat for the endangered unarmored threespine stickleback. Federal Register 45:76012-76015.

USDI Fish and Wildlife Service. 1994 (2 Feb). Endangered and threatened wildlife and plants; designation of critical habitat for the least Bell's vireo. Federal Register 59:4845-4867.

USDI Fish and Wildlife Service. 1994 (16 Dec). Endangered and threatened wildlife and plants; determination of endangered status for the arroyo southwestern toad. Federal Register 59:64859-64866.

USDI Fish and Wildlife Service. 1995 (27 Feb). Endangered and threatened wildlife and plants; final rule determining endangered status for the southwestern willow flycatcher. Federal Register 60:10693-10715.

USDI Fish and Wildlife Service. 1997 (22 Jul). Endangered and threatened wildlife and plants; final determination of critical habitat for the southwestern willow flycatcher. Federal Register 62: 39129-39147.

USDI Fish and Wildlife Service. 1998. Draft recovery plan for the least Bell's vireo (*Vireo bellii pusillus*). US Fish and Wildlife Service, Portland, Oregon.

USDI Fish and Wildlife Service. 2000 (12 Apr). Endangered and threatened wildlife and plants; threatened status for the Santa Ana sucker. Federal Register 65:19686-19698.

USDI Fish and Wildlife Service. 2002 (2 Jul). Endangered and threatened wildlife and plants; designation of endangered status for the southern California distinct vertebrate population segment of the mountain yellow-legged frog (*Rana muscosa*). Federal Register 67:44382-44392.

USDI Fish and Wildlife Service. 2002 (17 Sep). Endangered and threatened wildlife and plants; designation of critical habitat for the unarmored threespine stickleback. Federal Register 67:58580-58582.

USDI Fish and Wildlife Service. 2004 (4 May). Endangered and threatened wildlife and plants; review of species that are candidates or proposed for listing as endangered or threatened. Federal Register 69:24876-24904.

USDI Fish and Wildlife Service. 2005 (13 Apr). Endangered and threatened wildlife and plants; final designation of critical habitat for the arroyo toad (*Bufo californicus*). Federal Register 59:64859-64866.

USDA Forest Service 2000b. *Water Quality Management for Forest System Lands in California: Best Management Practices*. Vallejo, CA: USDA Forest Service, Pacific Southwest Region.

Williams, D.F. 1976. Mammalian species of special concern in California. California Department of Fish and Game, Sacramento.

Wood, Y. and S.G. Wells. No date. Final report: Characterizing the habitat of slender-horned spineflower (*Dodecahema leptocerus*): Geomorphic analysis. Unpublished report prepared for California Dept. of Fish and Game, Long Beach, CA (distributed May 1997 by DFG Natural Heritage Division, Sacramento).

Zedler, P.H. 1995. Fire frequency in southern California shrublands: biological effects and management options. Pages 101-112 in J. E. Keeley and T. Scott (eds.) *Brushfires in California Wildlands: Ecology and Resource Management*. International Association of Wildland Fire, Fairfield, Washington.

Zeiner, D.C., W.F. Laudenslayer and K.E. Mayer (editors). 1988, 1990. *California's Wildlife: Vol. 1, Amphibians and Reptiles; Vol. 2, Birds; Vol. 3, Mammals*. California Department of Fish and Game, Sacramento, California.

SCAQMD. 2007. Final 2007 Air Quality Management Plan.
<http://www.aqmd.gov/aqmp/07aqmp/index.html>.

6. LIST OF AGENCIES AND PERSONS CONSULTED

The Forest Service consulted the following individuals, Federal, State, and local agencies, tribes and non-Forest Service persons during the development of this environmental assessment:

INTERDISCIPLINARY TEAM MEMBERS:

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Paul Gregory – Forest Hydrologist, Angeles National Forest

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FEDERAL, STATE, AND LOCAL AGENCIES:

Los Angeles County, Department of Regional Planning

Air Resources Board

State of California, Department of Conservation

State of California, Regional Water Quality Control Board

APPENDICES

Appendix A: Reclamation Plan Summary

Introduction

Reclamation is the process that minimizes adverse environmental effects of surface mining, so that, at the end of mining operations, the land can be returned to other suitable uses as specified in the Forest Plan.

As stated in Section 1.4 of this EA (Forest Plan Consistency), the quarries are located within the Soledad Front Country Place, in either Back Country Non-motorized or Back Country Motorized Use Restricted land use zones. The Forest Plan, in Part 2, specifies a variety of suitable uses within these zones that may occur following completion of the mining operations. The Scenic Integrity Objective designated for this area is High (landscape appears unaltered). The desired condition as stated in the Forest Plan is that the area would function as a scenic backdrop and transitional landscape, with dramatic canyon and rugged mountain views preserved. Successful reclamation would ensure that these goals and objectives are attainable following completion of mining activity at the Acton Clay Quarries as described in the Proposed Action.

Following is a summary of the reclamation plan to be used by North Star Minerals, Inc. (NSM) for reclamation of the Acton Quarries over the life of the proposed 20-year Plan of Operations. The plan includes reclamation processes that are concurrent with ongoing mining operations and final reclamation processes at the end of mining the site. A final Reclamation Plan will be prepared by NSM and approved by the District Ranger following the Responsible Official's issuance of a decision regarding the Proposed Action. The plan will be on file in the project record.

Revegetation planning, implementation, and monitoring as described in the Reclamation Plan are designed to meet the requirements of the California Surface Mining and Reclamation Act (SMARA) as well as federal laws and standards (see Appendix X for relevant excerpts of State Mining and Geology Board regulations: Article 9, California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1).

Concurrent Reclamation

Concurrent reclamation will occur as the mineral is extracted from the quarries, and includes those ongoing processes or activities that would occur as mining operations proceed during the operating period, so that adverse effects from mining are minimized. The primary goal of concurrent reclamation in the Acton Clay Quarries is to provide erosion control and mitigation of visual impacts during the 20-year life of the mining operation.

Concurrent reclamation activities may include grading, recontouring, topsoil replacement and revegetation (using native plant species) of land that is disturbed by mining activities. Reclamation would also include additional processes listed as mitigation measures in the EA, such as measures to minimize erosion, protect water quality, and reduce visual impacts (see Appendix x).

All areas within the quarries that have been mined will be concurrently reclaimed, so that at any one time only 5 acres in each quarry will be actively mined. Whenever possible, such as in areas of the quarry that are mined out, long-term reclamation will occur as described below under *Final Reclamation*.

As mining excavation proceeds northward, slopes toward the southern end of the quarries will be reclaimed. All quarry surfaces visible from Acton will be reclaimed as soon as practicable, using methods to reduce visual contrasts with surrounding landscapes. These methods may include placement of darker soils, mulch, revegetation of benches, vegetative barriers, camouflage netting, or other visual mitigation measures described in Appendix c.

As mineral extraction proceeds, mined slopes which have been left devoid of vegetation will be revegetated as soon as practicable. Revegetation of these slopes must occur at the time of year when planted material has the greatest chance of germinating or becoming established. In order to take maximum advantage of winter precipitation, all seeding will take place between October to December, depending on the weather patterns for specific years.

Concurrent revegetation will be considered successful when seeded areas do not require significant maintenance measures. Significant maintenance measures include planting seeds, irrigation if necessary, erosion control, or weed control.

See *Revegetation Specifications* in this Appendix for further details.

Final Reclamation

The Gray Quarry and the White Quarry will be finally reclaimed at the conclusion of the proposed 20-year Plan of Operations (POO), unless an extension of the POO is subsequently approved. In the event of an extension, the reclamation plan would be modified.

When the ore body is “mined out” (all marketable clay removed) or at the end of the 20-year operating period, NSM will take long-term measures to reclaim the mining area, as required by federal and State law (see Appendix D, State Reclamation Standards, Article 9).

At the commencement of final reclamation, NSM will remove its plant facilities and all equipment from the site and will reclaim these areas by removing any foundations and roads. These areas will be ripped, if necessary, and regraded to conform with the local topography, and then revegetated. NSM will also initiate its long-term protection of all mined slopes and disturbed areas that are not already revegetated.

Steep quarry faces in the mine area will be benched and stabilized; roads not needed for other resource use will be closed and reclaimed; disturbed areas will be recontoured and revegetated, and permanent erosion control and water quality protection measures will be implemented.

Primary activities as a part of final reclamation will include the general grading of quarry surfaces, roads, and processing area within the quarry. The area will be shaped to conform to surrounding topography, to facilitate revegetation, and to prevent erosion that would be caused by the flow of runoff across disturbed surfaces. Stockpiled neutral-colored or darker material will be placed to cover any sites within the quarry of high-brightness waste material, to reduce visual contrast with the surrounding landscape.

The slope ratio of final quarry faces (cut slopes) will range from 1:1 to 2:1 (one to two feet of horizontal run for every one foot of vertical rise) overall, with up to twenty-foot high and forty-foot wide benches, in accordance with State and federal mining regulations. Mine waste (excavated non-commercial material) will be used as fill, as necessary, to achieve the desired slope ratios. The pit floors will be graded with a very slight slope to prevent ponding of water.

Similar methods will be used for the final revegetation as those used for concurrent revegetation, including the timing of revegetation applications. Final revegetation will be considered successful when seeded areas do not require significant maintenance measures (including planting seeds, irrigation if necessary, erosion control, or weed control). The goal of final revegetation is to provide erosion control and approach the patterns of cover and dominant species distribution across the existing, surrounding landscape. See *Revegetation Specifications* below for further details.

Revegetation Specifications

Revegetation is defined as establishing vegetation on disturbed land. The goals of revegetation include erosion control, restoration of scenic integrity, return of ecological functions to a site, and mitigation as required by State and federal mining laws.

Approximately 24 acres will be disturbed by the proposed mining operation at the Acton Clay Quarries during the 20-year operating period, all of which will be reclaimed and revegetated. Revegetation will occur concurrently over a period of 20 years, as areas of the quarries are “mined out.”

When mining is complete, and nothing further is planned for the disturbed areas within the quarry, these areas will be revegetated consistent with the preexisting density of vegetation in the area. This planting will occur in the first wet season after the mining is completed.

Site Preparation

Topsoil will be salvaged as practicable, as mining operations proceed. Revegetation activities will include replacing stockpiled topsoil, preparing soil for seeding, placing mulch if necessary, and revegetating slopes and general mining areas with approved natural vegetation species.

Stockpiled topsoil will be applied where applicable. The ground surface will be scarified, if necessary, and the stockpiled topsoil will be distributed with an average depth of 3 inches on slopes and 1 ½ inches on flat areas. Prior to revegetation, the disturbed areas will be free of invasive, noxious weeds. The areas covered with topsoil will then be seeded.

Revegetation plans and species lists have been developed by the Angeles National Forest Botanist. The composition of the seed mix to be used is presented in the tables below:

Table A-1: Seed mix composition

Common Name	Scientific Name	Application Rate (Lbs. per Acre)
Desert Needlegrass	Achantherum speciosum	2
Melic	Melica imperfecta	5
Chimese	Adenostoma fasciculatum	3
Mountain Mahagony	Cercocarpus betuloides	4
California Buckwheat	Erigonum fasciculatum	12
Golden Yarrow	Eriophyllum certiflorum	3
Our Lord's Candle	Yucca whipplei	2

[check with Janet.] Seedling trees and shrubs will be planted on the flat areas. One tree island will be planted on each acre of disturbed land, and each tree island will include no less than 4 trees and 4 shrubs

Maintenance

All plantings and seeding will be maintained for a period of 5 years, or until State revegetation standards have been met (see State Reclamation Standards, Article 9, § 3705, in Appendix D).

Protection of Fish, Wildlife, and Habitat

Mitigation measures included as part of the Proposed Action to protect existing wildlife and habitat values are incorporated into the Reclamation Plan by reference (see Appendix C.) These include Angeles National Forest Land Management Plan standards, and additional minimization and avoidance measures.

Final Assurance Performance Bond

Final assurances to assure reclamation of mining sites are required by the federal government, the State of California, and the County of Los Angeles. Pursuant to a formally adopted Memorandum of Understanding (MOU) entered into by the State of California, the USDA Forest Service, and the Bureau of Land Management (October 19, 1992), it is agreed that “any federally required financial assurance may be used to satisfy local and State surety requirements” (MOU, item 19, p. 7).

A reclamation bond will be required from NSM to cover the full costs of reclamation. This bond would be held until all reclamation is performed according to the Reclamation Plan attached to the final approved Plan of Operations. (See State Reclamation Standards, Article 9, § 3702. Financial Assurances, in Appendix D).

Monitoring

On an annual basis monitoring of the site will take place to insure successful protection of ecosystem health while providing mineral resource development (refer to Angeles National Forest 2005 Land Management Plan, Part 3, Appendix C, Monitoring Requirements).

Appendix B: Scenic Management Definitions, Standards, and Program Strategies

“The Scenery Management System (SMS) is a tool for integrating the benefits, values, desires, and preferences regarding aesthetics and scenery for all levels of land and resource management planning. People are concerned about the quality of their environment and the aesthetic values of landscapes, particularly the scenery and spiritual values. Scenic integrity objectives have been designated for all areas of the national forest. At the project level, all national forest activities are subject to review of the scenic integrity objectives” (LMP 2005).

Definitions: Scenery Management System

- **Background** – The distant part of a landscape. The landscape area located from 4 miles to infinity from the viewer (Landscape Aesthetics).
- **Middleground** – The zone between the foreground and the background in a landscape. The area located from a 1/2 mile to 4 miles from the observer (Landscape Aesthetics).
- **Foreground** – Detailed landscape generally found between the point of an observer and up to a 1/2 mile away (Landscape Aesthetics).
- **Scenic Integrity** - State of naturalness or, conversely, the state of disturbance created by human activities or alteration. Integrity is stated in degrees of deviation from the existing landscape character (LMP Part 3 2005).
- **Scenic Integrity Objectives** - The objectives that define the minimum level to which landscapes are to be managed from an aesthetics standpoint. There are five objectives that describe the landscape in varying degrees from naturalness: Very High (Unaltered), High (Appears Unaltered), Moderate (Slightly Altered), Low (Moderately Altered), Very Low (Heavily Altered) (LMP Part 3 2005).
- **High Scenic Integrity** - This classification provides for conditions where human activities are not visually evident. This refers to landscapes where the valued (desired) landscape character “appears” intact. Deviations may be present but must repeat the form, line, color, texture, pattern and scale common to the landscape character. The landscape appears unaltered. This is synonymous with the Retention Visual Quality Objective under the original Visual Management System (LMP Part 3 2005).
- **Moderate Scenic Integrity** - This classification refers to landscapes where the valued (desired) landscape characters “appears slightly altered.” Noticeable deviations must remain subordinate to the landscape character being viewed. The landscape appears slightly altered. This is synonymous with the Partial Retention Visual Quality Objective under the original Visual Management System (LMP Part 3 2005).
- **Low Scenic Integrity** - This classification refers to landscapes where the valued (desired) landscape characters “appears moderately altered.” Deviations begin to dominate the valued landscape character being viewed, but they borrow valued attributes such as size, shape, edge effect and pattern of natural openings, vegetative-type changes or architectural styles outside the landscape being viewed. Deviations must be shaped and blended with the natural terrain (landforms) so that elements such as unnatural edges, roads, landings and structures do not dominate the composition. The landscape appears moderately altered. This is synonymous with the Modification Visual Quality Objective under the original Visual Management System (LMP Part 3 2005).

- **Very Low Scenic Integrity** - This classification refers to landscapes where the valued (desired) landscape character, “appears heavily altered.” Deviations may strongly dominate the valued landscape character. They may not borrow from valued attributes, such as size, shape, edge effect and pattern of natural openings, vegetative-type changes or architectural styles within or outside the landscape being viewed. However, deviations must be shaped and blended with the natural terrain (landforms) so that elements such as unnatural edges, roads, landings and structures do not dominate the composition. The natural landscape character should appear as natural occurrences when viewed at background distances. The landscape appears heavily altered. This is synonymous with the Maximum Modification Visual Quality Objective under the original Visual Management System.

Forest Plan Aesthetic Management Standards

(Southern California National Forests Land Management Plan (LMP), Part 3, p. 6).

Management activities must be managed to meet the Scenic Integrity Objectives (SIOs) shown on the Scenic Integrity Objectives Map, with the following exceptions:

- Minor adjustments not to exceed a drop of one SIO level are allowable with the Forest Supervisor's approval.
- Temporary drops of more than one SIO level may be made during and immediately following project implementation providing they do not exceed three years in duration.

Forest Plan Program Strategies and Tactics Relevant to Aesthetics

(Angeles National Forest Land Management Plan (LMP), Part 2, p. 113). The Forest Plan includes program strategies the Forest may choose to emphasize to progress toward achieving the desired conditions and goals described in the Forest Plan. The Forest prioritizes which strategies they choose to bring forward in any given year using the program emphasis objectives, national and regional direction, and available funding. The strategies listed below are those related to aesthetics.

LM 1 - Landscape Aesthetics

Manage landscapes and built elements to achieve scenic integrity objectives:

- Use best environmental design practices (BEIG) to harmonize changes in the landscape and advance environmentally sustainable design solutions.
- Mitigate ground disturbance to maintain scenic integrity objectives.

LM 2 - Landscape Restoration

Restore landscapes to reduce visual effects of nonconforming features:

- Prioritize landscape restoration activities in key places. Integrate restoration activities with other resource restoration.

LM 3 - Landscape Character

Maintain the character of key places to preserve their intact nature and valued attributes:

- Maintain the integrity of the expansive, unencumbered landscapes and traditional cultural features that provide the distinctive character of the place.
- Promote the planning and improvement of infrastructure along federal and state scenic travel routes.
- Promote the consideration of key landscape character in other landscape analyses such as Fireshed.

Appendix C: Mitigation Measures

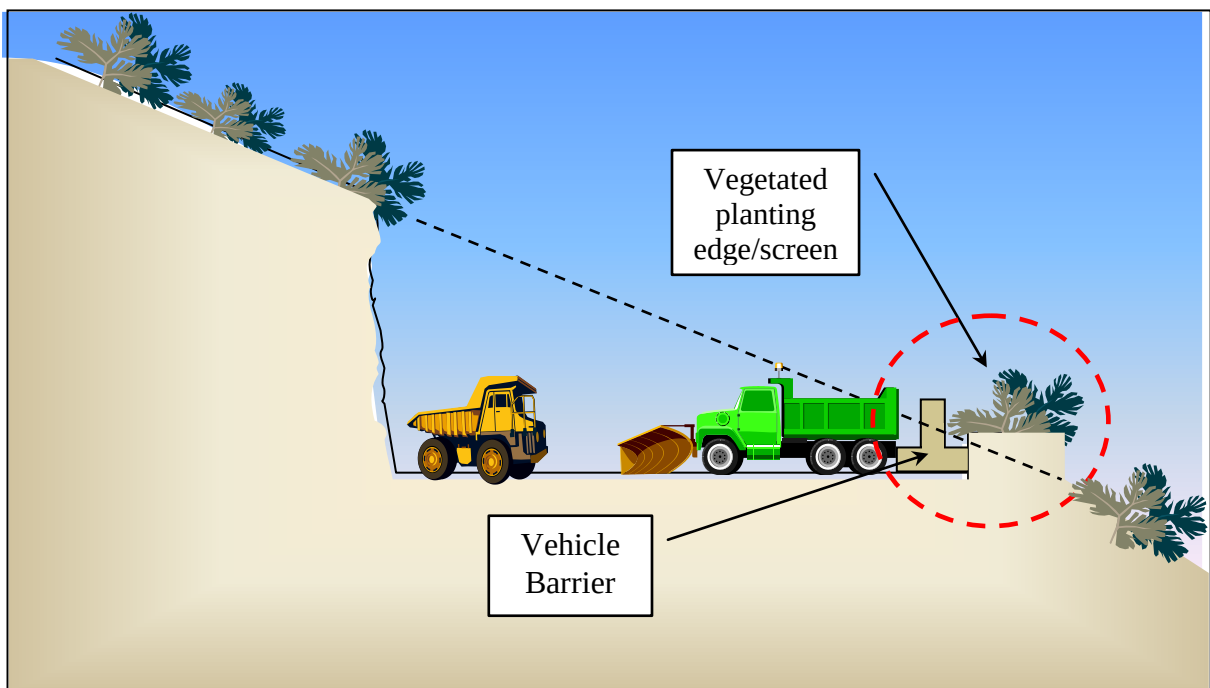
C.1 Scenic Management Mitigation Measures

To mitigate for visual impacts, the following measures are included in the Proposed Action:

(Note: All mitigation activities must be approved by the Angeles National Forest and must be in compliance with local, state and federal safety laws or regulations)

- Adhere to the final Plan of Operations and Reclamation Plan for the Acton Clay Quarries, to be approved following the Responsible Official's decision authorizing implementation of the Proposed Action.
- All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, and signs. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
- Vehicles, buildings, barriers, signs, equipment, etc. that will remain or will be used on any of the proposed or current mining sites for more than 3 consecutive 24 hour periods, should be colored, designed, painted or covered with patterns or colors that complement, blend in with, or emulate the surrounding native vegetation. This includes fencing and containers.
- All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors and bright lights do not exceed levels compatible with uses of adjacent lands. If night lighting is used, it shall be directed downward in order that the sources of the lighting will not be visible from the Town of Acton.
- Over the 20 year period of this proposed Plan, the operator will reclaim and re-vegetate mined areas at the earliest practicable opportunity, and will continually reclaim inactive areas. Also, where not immediately used in ongoing reclamation, topsoil and brush will be set aside as new areas are mined and segregated into separate piles to be used as needed for future reclamation.
- Cover sites of high-brightness waste with neutral colored or darker material from the site, to reduce the visual contrast between the disturbed areas and the natural background.
- Previously mined/disturbed areas that fall outside of the 5 designated acres currently being mined in each quarry, as described in the proposed action, must be concurrently reclaimed as stated in the Reclamation Plan for this proposal. Emphasis should be taken on north facing slopes, which are more prone to be seen from the community of Acton and travelers on the Interstate 14 freeway.
- If a north facing slope that is not being actively mined can not feasibly be reclaimed concurrently, efforts must be made to mask the exposed light colored material in a manner by which it blends in with the native top soil or the surrounding native vegetation until the reclamation process can be implemented. Potential temporary "quick fix" solutions include continuous surface applications of topsoil, camouflage netting, jute mesh, etc. All materials used must first be approved by the Angeles National Forest, and once applied, must be maintained in good working order until no longer needed. Any synthetic material that is no longer needed to preserve the scenic integrity of the site must be disposed of properly off the Forest.

- The operator will control the amount of sediment and material from the operation that is being pushed towards the site boundaries and eventually over the sides, to avoid causing erosion and loss of vegetation.
- The Restoration Plan shall include the revegetation and stabilization of eroded site boundary and road edges. Restoration of these areas and the implementation of proper erosion control methods are vital to improving and meeting the SIO's for this site. Potential sediment control methods include mulching, silt fences and rock checks in drainage lines along the road alignment to arrest sediment. A concurrent solution would be to include a minimum 5' wide vegetative edge along the project boundaries to provide natural screening and some erosion protection. In areas of constant vehicle traffic, provide vehicle barriers (i.e. "K" rails) to protect raised vegetative edges from accidental vehicle contact. See illustration below.



C.2 Cultural Resources Mitigation Measures

The proposed project area requires management measures that are necessary for the protection of cultural resources. Prior to any new implementation, project managers must coordinate with the Angeles National Forest Heritage Program Manager (HPM) to identify site-specific locations that require Standard Resource Protection Measures for compliance with the Regional Programmatic Agreement with the State Historic Preservation Officer (SHPO). Consultation with the HPM will identify specific areas that require no further consultation, areas that require further consultation, and areas of deferred inventory that require post-treatment survey.

The Forest HPM has provided written approval (07SCM16PISP) for the work specified within the boundaries of historic properties, under carefully controlled conditions. Activities performed under the proposed project require specific standard resource protection measures, which have been documented in Archaeological Reconnaissance Reports (e.g., Brock 2000) pursuant to the Regional Programmatic Agreement; none may be performed under exemptions.

- The use of standard resource protection measures, as defined in the Regional Programmatic Agreement (PA) and Interim Protocol, would be applied to all sites within the area of potential effect (APE).
- In the course of project implementation, should any additional (and presently unknown) archaeological artifacts or features be detected, all work will cease at that location until appropriate consultation with the Forest Heritage Resource Program Manager occurs. Unanticipated discoveries would be mitigated using the terms of the Interim Protocol.

C.3 Air Quality Mitigation Measures

The following mitigation measures are derived from a variety of regulatory sources and are proposed to reduce air quality impacts from the project. If the proposed activities are modified at some future date, the mitigation measures may need to be revised in order to address effects that are not covered under the current assessment.

- The equipment and vehicles used during operations shall conform to the manufacturer's specifications and South Coast Air Quality Management District (SCAQMD) requirements and be maintained to provide efficient operation and a minimum of air contaminants (California Surface Mining and Reclamation Act; SMARA).
- Trucking shall be performed on a 12-hour-per-day basis. This will reduce emissions by allowing trucks to operate during non-peak hours, increasing truck speeds, and eliminating prolonged idling in traffic, thereby decreasing truck emissions. Similarly, when operating on-site, trucks shall not be left idling for long periods (SMARA).
- Electric and gasoline equipment shall be substituted for diesel where feasible (SMARA).
- Catalytic converters will be used on gasoline equipment (SMARA).
- Where applicable, high-pressure fuel injector nozzles will be used (SMARA).
- Diesel engine timing will be retarded by four degrees (SMARA).
- Reformulated, low-emission diesel fuel will be used (SMARA).
- All mining, screening, and production transportation shall not be commenced during any second stage smog alert (SMARA).
- All activities of mining and processing minerals shall be conducted in a manner such that dust, smoke, and dirt do not exceed levels compatible with uses of adjacent lands (SMARA).
- All private roads shall be watered while being used, or shall be treated with a dust control agent in order to prevent the emanation of dust. A chemical stabilizer will be applied to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface. Dust suppression measures shall be undertaken on all unpaved roads providing access to the site (SMARA, SCAQMD Rules 403, 1157, & 1186).
- Watering shall be conducted as necessary to prevent visible emissions from extending more than 100 feet beyond the mine site, except for areas that are inaccessible to watering vehicles (SCAQMD Rule 403).
- Water or dust suppressants shall be applied to inactive disturbed surface areas when there is evidence of wind blown fugitive dust, or vegetative ground cover shall be established within 21 days after active operations have ceased (SCAQMD Rule 403).
- Material shall be watered prior to crushing /screening operations, as well as during loading and transport (SCAQMD Rules 403 & 1157).
- Six inches of freeboard shall be maintained on haul vehicles (SCAQMD Rule 403).
- Water will be applied to open storage piles on a daily basis when there is evidence of wind driven fugitive dust (SCAQMD Rule 403 & 1157).
- When instantaneous wind speeds exceed 25 miles per hour, the dust suppression contingency measures listed in SCAQMD Rule 403 Table 3 shall be applied, or active mining operations shall be temporarily suspended (SCAQMD Rule 403).

C.4 Avoidance and Mitigation Measures for Wildlife and Plants

Forest Plan Direction, Strategies and Tactics for Protection of Wildlife Species/Habitats

All applicable Angeles National Forest Land Management Plan (Forest Plan) standards and guidelines will be followed (refer to plan standards in Forest Plan, Part 3).

The project site is located within the Soledad Front Country region of the Angeles National Forest. The Forest Plan desired condition for this area, relevant to wildlife and plants, emphasizes wildlife linkages to mountain ranges farther north and west, improving conditions for threatened, endangered, and sensitive (TES) species, and reduction and control of invasive species, (LMP Part 2: p. 70).

The Gray Quarry is in the Back Country Non-motorized Land Use Zone, and the White Quarry is in the Back Country Motorized Use Restricted Zone (see Forest Plan, Part 2: pp 3-9). Mineral extraction (mining) is considered suitable “by exception” in both these land use zones (i.e., “not generally compatible with the land use zone but may be appropriate under certain circumstances”).

Angeles National Forest Program Strategies, Tactics, and Standards relevant to mining and biological resource management in these land use zones within the Soledad Canyon Front Country are summarized in Table 1, below:

Table A-2: Relevant Forest Plan Strategies, Tactics, and Standards

Plan Strategy/Tactic/Standards	Project relationship to strategy/tactic	Project consistent w/ strategy/tactic?
WL 1 - TES species management (LMP Part 2: pp 93-96)		
Priority Conservation Strategies (LMP Part 2: Table 528, pp. 94-96)		
Habitat restoration/improvement: Control of invasive non-natives	Soil disturbance tends to favor invasive plants, to be addressed through reclamation	Yes (pending reclamation)
Habitat protection: project planning	Project subject to review under NEPA and SMARA	Yes
Habitat protection: coordination w/ other agencies	Mining & Reclamation Plans reviewed & approved by Los Angeles Co. per SMARA	Yes
Habitat protection: prevent spread of invasive non-natives	To be addressed through reclamation	Yes (pending reclamation)
Habitat protection: fire prevention and suppression	Fire safety requirements for personnel and equipment	Yes
IS 1 - Invasive Species Prevention & Control (LMP Part 2: p 98)		
Implement Noxious Weed Strategy		
Limit ground disturbance to minimum necessary	Project design minimizes disturbance area for overburden, processing, stockpiling, etc.; project subject to reclamation	Yes

FH 1 - Vegetation Restoration (LMP Part 2: p 99)		
Implement reforestation as needed	Project subject to reclamation	Yes
Air 1 - Minimize smoke & dust (LMP Part 2: p 101)		
Emission reduction techniques	Project subject to air quality regulations per SMARA and other legislation	Yes
WAT 1 - Watershed function (LMP Part 2: p 102)		
Maintain or restore soil properties	Project subject to reclamation	Yes
Dispose of displaced soil & rock in approved sites	Mining plan (incl. overburden areas) subject to review by Forest minerals staff & other regulatory agencies	Yes
WAT 3 - Hazardous Materials (LMP Part 2: p 104)		
Maintain written Hazardous Materials Response Plan	Mining operation subject to state and federal hazardous materials regulation	Yes
Link 1 - Habitat linkage planning (LMP Part 2: p 105)		
Manage use & activities for compatibility w/ habitat linkages	Project site outside any critical linkage areas, surrounded by extensive public land areas	Yes
LM 1& LM 2 - Landscape aesthetics & restoration (LMP Part 2: p 113)		
Mitigate ground disturbance, prioritize restoration	Project subject to reclamation	Yes
Lands 2 - Non-recreational special use authorizations (LMP Part 2: p 119)		
Special uses comply w/ law, regulation & policy; restore area upon termination	Mining operation subject to Forest Service minerals policy, various other state and federal policy, subject to reclamation	Yes
ME 1 - Minerals management (LMP Part 2: p 121)		
Use operating plan terms & conditions to offset mining effects	Mining plan subject to ANF Minerals staff review & approval	Yes
Facilitate environmentally sensitive production of mineral resources	Mining plan subject to ANF Minerals staff review & approval	Yes
Monitor mining operations as needed	Mining operation subject to Forest Service minerals policy	Yes
Fire 1 - Fire prevention (LMP Part 2: p 124)		
Implement forest fire restriction & closure plan as appropriate	Mining operation subject to fire closure	Yes
Vegetation Management Standards (LMP Part 3: pp 3-5)		
S6: Seed to be certified free of noxious weeds	See reclamation plan	Yes
S11: Species guidance documents	None applicable	Yes

Additional Minimization and Avoidance Measures

This section lists minimization and avoidance measures developed in the Biological Evaluation/Biological Assessment (Be/BA) for this project. The BE/BA should be updated and reviewed as new information becomes available and as needed to incorporate species status changes or new information regarding species occurrences or life history. Should the proposed activities be modified in the future, this evaluation may need to be revised to address potential effects not presently covered.

All components of the proposed project relating to habitat conservation and environmental protection in this EA will be explicitly stated as project requirements in the Decision Notice. The following list includes only the Forest Service's requirements to minimize or avoid impacts to biological resources. Other measures may be required for compliance with other National Forest management policies or guidelines (e.g., visual impacts, recreation impacts) as well as other local, state, or federal statutes or policies addressing land uses, vehicles, mining, and any other aspects of the proposed project.

Measures to reduce potential impacts include the following:

1. The USFS staff will provide photographs and descriptions for work crews of the following TESP species potentially occurring at the site.
2. All cacti will be transplanted. Depending on the number found, they will be transplanted to another location or taken to Rancho Santa Ana Botanic Garden.

North Star Minerals, Inc. (NSM) will comply with re-vegetation and reclamation requirements as outlined in the Mining and Reclamation Plan reviewed and approved under SMARA by Los Angeles County. All re-vegetation plans will be approved by a ANF botanist prior to implementation. Before removing soils or vegetation within 100 meters of the known short-jointed beavertail cactus occurrence near the existing quarry, NSM will contract with a qualified horticulturist (e.g., Rancho Santa Ana Botanic Garden) to salvage and transplant short-tailed beavertail cactus to a previously mined and reclaimed land east of the operating quarries, or another site as directed by ANF staff.

3. To prevent the spread of noxious weeds, an invasive species avoidance plan will be developed and agreed to by the Forest Service and NSM. The action items will range from washing vehicles and equipment when they have been taken to an infested area to periodic vegetation checks when on the trucks regular routes.
4. NSM and the Forest Botanist will conduct yearly meetings to review noxious weed issues. This includes discussing new infestations in nearby areas (both on and off project areas), reviewing the past year successes and failures and altering the plans as needed for monitoring noxious weeds.
5. The Forest Service will provide NSM with laminated photos of weeds of concern. These are weeds not yet found in the area. It will be the responsibility of NSM to look for these weeds or any other unusual looking vegetation. If anything unusual is found then the Forest Botanist will come and identify these plants.
6. The Forest Botanist will identify areas currently infested with weeds. When infested areas are being cleared, efforts must be made not to spread the seeds of invasive species such as ripgut brome (*Bromus diandrus*) outside of an already infested area. In addition

cleaning of equipment as mentioned above, workers should take care to inspect, remove, and properly dispose of weed seed and plant parts found on their clothing between work sites. Proper disposal means bagging the seeds and plant parts and incinerating them or removing them from site.

7. To prevent the spread of noxious weeds:
 - a) Follow up noxious weed surveys will be conducted.
 - b) The timing and duration of the invasive weed surveys will be up to the discretion of the Forest Service Botanist and NSM. Ideally, weed surveys will be conducted bi-monthly between March and July. These surveys will be quick in nature and intended to detect new infestation.
 - c) Any new or expanding infestation of invasive species will be removed.
8. A restoration plan will be developed and approved by the Forest Service Botanist and NSM.
9. For excavations outside of active workings, measures must be taken to avoid the entrapment of small mammals, reptiles or amphibians. If excavations are to remain open for more than 12 hours, they must include some means for small mammals, reptiles and amphibians to escape. This can be accomplished by placement of any material (log, branch, long piece of wood etc.) that will effectively function as a ramp that will reasonably allow trapped individuals to crawl or walk out. Before an excavation is backfilled, it must be checked to ensure that there are no live individuals inside. Backfilling cannot occur until the excavation is clear of all live individuals.
10. All appropriate BMP's will be followed to minimize sediment into water courses.
11. If any work is done in riparian areas, the 5 step screening process outlined in the Forest Plan for Riparian Conservation Areas (RCA) will be followed.
12. Soil and Water Conservation Practices Handbook, FSH 2509.22 will be followed to minimize impacts to soil and riparian areas.
13. Except for materials hauling and access to the site along Forest Service Road 4N32, neither NSM nor its employees or contractors shall use mechanized equipment of any kind to disturb soils or vegetation outside the bounds of the project area.

C.5 Soil and Water Quality Mitigation Measures

Forest Plan Direction, Strategies and Tactics for Protection of Soil and Water Quality Resources

All applicable Angeles National Forest Land Management Plan (Forest Plan) standards and guidelines will be followed (refer to plan standards in Forest Plan, Part 3).

See also Table A-2 in Appendix Sub-section C.4, Avoidance and Mitigation Measures for Wildlife and Plants, for Angeles National Forest program strategies and tactics relevant to mining and soil/water resource management. These include WAT 1 - Watershed function, WAT 3 - Hazardous Materials, and ME 1 - Minerals management.

Best Management Practices

All applicable Best Management Practices (BMPs) should be identified and followed in all ground-disturbing activities within the quarries. These include, but are not limited to, Practice 3-1 (Water Resources Protection on Locatable Mineral Operations), as described in Section 12.32, *Water Quality Management for Forest System Lands in California*, September 2000.

Additional Minimization and Avoidance Measures

To mitigate for impacts to soil and water quality, the following measures are included in the Proposed Action. These are in addition to or complementary to mitigation measures and reclamation activities listed for other resources and required by other agencies in Appendices A, C, and D of this EA. For example, certain mitigations to reduce impacts to scenery resources such as mulching and silt fences will also reduce soil erosion.

- In accordance with the Spill Prevention, Control, and Countermeasures Plan on file for this operation and incorporated into the Plan of Operations (April 2007), storage facilities for materials capable of causing water pollution if accidentally discharged will be located to prevent any spillage into waters or channels leading into water that would result in harm to fish or wildlife or to human water supplies. The only potentially hazardous material used in this mining operation is diesel fuel and petroleum-based lubricants. Waste lubricant will be disposed of to a licensed recycler. Trucks dispensing fuel will be placed on a containment facility designed to hold the entire amount of fuel in case of a spill.
- Operator will take precautions to control runoff and erosion and to prevent entry into surface water for all disturbed areas, including waste dumps. Waste dumps will be located within the quarry boundaries, and runoff will be routed away from waste dumps.
- Operator will perform road maintenance to protect surface resources and prevent erosion. Maintenance of access roads will be done in accordance with Forest Service "Minimum Standards for Road Construction" (included in the Plan of Operations), which provides for the following actions to protect water quality:
 - No material will be sidecast unless included as a part of the road fill.
 - Fill material will be appropriately compacted where road remains open during winter months.
 - Appropriate road surface drainage techniques will be employed, including waterbars diverting flow to undisturbed surface in order to reduce runoff erosion.
- Benches will be provided wherever necessary to control drainage on slopes.

- Operator will shape quarries and locate stockpiled topsoil and excavated non-commercial material to minimize the passage of runoff across disturbed surfaces. Stockpiles will be stabilized by compaction if necessary to prevent erosion. Stockpiled topsoil will be seeded as necessary to stabilize the soil.
- Disturbed areas will be reclaimed and revegetated at the earliest opportunity (and in no event less than once a year in the fall growing season).
- Treat berms at edges of mining quarries and along access road fill slopes (for example, using mulching, seeding, etc.), to prevent erosion and sedimentation travel onto adjacent areas.
- Settling ponds, where sediment is collected within the quarries, should be cleaned out and sediment deposited and stabilized in areas of the quarry that will prevent sediment from being transported away from the quarry site to adjacent lands. Designate debris/sediment disposal sites within the quarries, and follow soil stabilization procedures outlined by the Reclamation Plan and State/federal reclamation standards.
- Where needed, install silt fencing or other sediment trapping materials to minimize the transport of sediment off site.
- Operator will maintain and operate the quarries in full compliance with all State conditions of the Surface Mining Permit issued under SMARA, including State requirements for stormwater runoff and other water pollution plans and all mitigation measures in the Mitigation Monitoring Program (see Appendix D).
- Quarries and Plan of Operations will be inspected annually to ensure that protection of soil and water quality resources is provided.

Appendix D: State and Local Mitigations and Conditions

D.1 State Mining & Geology Board Regulations: Article 9, Reclamation Standards

(Excerpts, as Applicable to Acton Clay Quarries)

Pursuant to a formally adopted Memorandum of Understanding (MOU) entered into by the State of California, the USDA Forest Service, and the Bureau of Land Management (October 19, 1992), it is agreed that “Lead agencies and the Forest Service and/or BLM will work cooperatively to insure that conditions required of operators (as defined by Federal law, and by SMARA and any other relevant regulations and ordinances) in minimizing adverse environmental impacts conform to all applicable local, State, and Federal regulations” (MOU, Item (1) at page 4).

The Surface Mining and Reclamation Act (SMARA) requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources. **Following are excerpts of reclamation standards** required by SMARA that are applicable to the Reclamation Plan for the Acton Clay Quarries. These policies are found in California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1.

NSM’s mining operations and reclamation activities will be conducted in compliance with these standards, as well as all other applicable State, federal, and local laws, and mitigation measures included as part of the Proposed Action.

§ 3700. Applicability. Reclamation of mined lands shall be implemented in conformance with the standards in this Article.

(a) The standards shall apply to each surface mining operation to the extent that:

(1) they are consistent with required mitigation identified in conformance with the California Environmental Quality Act, provided that such mitigation is at least as stringent as the standards; and

(2) they are consistent with the planned or actual subsequent use or uses of the mining site.

(b) Where an applicant demonstrates to the satisfaction of the lead agency that an exception to the standards specified in this article is necessary based upon the approved end use, the lead agency may approve a different standard for inclusion in the approved reclamation plan. Where the lead agency allows such an exception, the approved reclamation plan shall specify verifiable, site-specific standards for reclamation. The lead agency may set standards which are more stringent than the standards set forth in this Article; however, in no case may the lead agency approve a reclamation plan which sets any standard which is less stringent than the comparable standard specified in this Article.

§ 3702. Financial Assurances

Lead agencies shall require financial assurances for reclamation in accordance with Public Resources Code section 2773.1 to ensure that reclamation is performed in accordance with the approved reclamation plan and with this article.

§ 3703. Performance Standards for Wildlife Habitat.

Wildlife and wildlife habitat shall be protected in accordance with the following standards:

(a) Rare, threatened or endangered species as listed by the California Department of Fish and Game, (California Code of Regulations, Title 14, sections 670.2 - 670.5) or the U. S. Fish and Wildlife Service, (50 CFR 17.11 and 17.12) or species of special concern as listed by the California Department of Fish and Game in the Special Animals List, Natural Diversity Data Base, and their respective habitat, shall be conserved as prescribed by the federal Endangered Species Act of 1973, 16 U.S.C. section 1531 et. seq., and the California Endangered Species Act, Fish and Game Code section 2050 et seq. If avoidance cannot be achieved through the available alternatives, mitigation shall be proposed in accordance with the provisions of the California Endangered Species Act, Fish and Game Code section 2050 et seq., and the federal Endangered Species Act of 1973, 16 U.S.C. section 1531 et seq.

(b) Wildlife habitat shall be established on disturbed land in a condition at least as good as that which existed before the lands were disturbed by surface mining operations, unless the proposed end use precludes its use as wildlife habitat or the approved reclamation plan establishes a different habitat type than that which existed prior to mining.

§ 3704. Performance Standards for Backfilling, Regrading, Slope Stability, and Recontouring.

Backfilling, regrading, slope stabilization, and recontouring shall conform with the following standards:

(b) Where backfilling is required for resource conservation purposes (e.g., agriculture, fish and wildlife habitat, and wildland conservation), fill material shall be backfilled to the standards required for the resource conservation use involved.

(c) Piles or dumps of mining waste shall be stockpiled in such a manner as to facilitate phased reclamation. They shall be segregated from topsoil and topsoil substitutes or growth media salvaged for use in reclamation.

(d) Final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, shall not exceed 2:1 (horizontal:vertical), except when site specific geologic and engineering analysis demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the proposed end use, and when the proposed final slope can be successfully revegetated.

(e) At closure, all fill slopes, including permanent piles or dumps of mine waste and overburden, shall conform with the surrounding topography and/or approved end use.

(f) Cut slopes, including final highwalls and quarry faces, shall have a minimum slope stability factor of safety that is suitable for the proposed end use and conform with the surrounding topography and/or approved end use.

§ 3705. Performance Standards for Revegetation.

Revegetation shall be part of the approved plan, unless it is not consistent with the approved end use.

(a) A vegetative cover suitable for the proposed end use and capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer shall be established on disturbed land unless an artificially maintained landscape is consistent with the approved reclamation plan. Vegetative cover or density, and species-richness shall be, where appropriate, sufficient to stabilize the surface against effects of long-term erosion and shall be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover and species richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of mining activities. However, for areas that will not be reclaimed to prior conditions, the use of data from reference areas in lieu of baseline site data is permissible.

(c) Where surface mining activities result in compaction of the soil, ripping, disking, or other means shall be used in areas to be revegetated to eliminate compaction and to establish a suitable root zone in preparation for planting.

(d) Prior to closure, all access roads, haul roads, and other traffic routes to be reclaimed shall be stripped of any remaining roadbase materials, prepared in accordance with subsection 3705(g), covered with suitable growth media or topsoil, and revegetated. When it is not necessary to remove roadbase materials for revegetative purposes, lead agencies may set a different standard as specified in section 3700(b) of this Article.

(g) Native plant species shall be used for revegetation, except when introduced species are necessary to meet the end uses specified in the approved reclamation plan. Areas to be developed for industrial, commercial, or residential use shall be revegetated for the interim period, as necessary, to control erosion. In this circumstance, non-native plant species may be used if they are not noxious weeds and if they are species known not to displace native species in the area.

(h) Planting shall be conducted during the most favorable period of the year for plant establishment.

(i) Soil stabilizing practices shall be used where necessary to control erosion and for successful plant establishment.

(k) Noxious weeds shall be managed: (1) when they threaten the success of the proposed revegetation; (2) to prevent spreading to nearby areas; and (3) to eliminate fire hazard.

(m) Success of revegetation shall be judged based upon the effectiveness of the vegetation for the approved end use, and by comparing the quantified measures of vegetative cover, density, and species-richness of the reclaimed mined-lands to similar parameters of naturally occurring vegetation in the area.

§ 3706. Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control.

(a) Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act, Water Code section 13000, seq., and the Federal Clean Water Act, 33 U.S.C. section 1251, et seq.

(b) The quality of water, recharge potential, and storage capacity of ground water aquifers which are the source of water for domestic, agricultural, or other uses dependent on the water, shall not be diminished, except as allowed in the approved reclamation plan.

(c) Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of a surface mining operation to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board or the State Water Resources Control Board.

(d) Surface runoff and drainage from surface mining activities shall be controlled by berms, silt fences, sediment ponds, revegetation, hay bales, or other erosion control measures, to ensure that surrounding land and water resources are protected from erosion, gullyng, sedimentation and contamination. Erosion control methods shall be designed to handle runoff from not less than the 20 year/1 hour intensity storm event.

§ 3709. Performance Standards for Building, Structure, and Equipment Removal.

(a) All equipment, supplies and other materials shall be stored in designated areas (as shown in the approved reclamation plan). All waste shall be disposed of in accordance with state and local health and safety ordinances.

(b) All buildings, structures, and equipment shall be dismantled and removed prior to final mine closure except those buildings, structures, and equipment approved in the reclamation plan as necessary for the end use.

§ 3710. Performance Standards for Stream Protection, Including Surface and Groundwater.

(a) Surface and groundwater shall be protected from siltation and pollutants which may diminish water quality as required by the Federal Clean Water Act, sections 301 et seq. (33 U.S.C. section 1311), 404 et

seq. (33 U.S.C. section 1344), the Porter-Cologne Act, section 13000 et seq., County anti-siltation ordinances, the Regional Water Quality Control Board or the State Water Resources Control Board.

§ 3711. Performance Standards for Topsoil Salvage, Maintenance, and Redistribution.

When the approved reclamation plan calls for revegetation or cultivation of disturbed lands, the following performance standards shall apply to topsoil salvage, maintenance, and redistribution activities:

(a) All salvageable topsoil suitable for revegetation shall be removed as a separate layer from areas to be disturbed by mining operations. Topsoil and vegetation removal shall not precede surface mining activities by more than one year, unless a longer time period is approved by the lead agency.

(b) Topsoil resources shall be mapped prior to stripping and the location of topsoil stockpiles shall be shown on a map in the reclamation plan. If the amount of topsoil needed to cover all surfaces to be revegetated is not available on site, other suitable material capable of sustaining vegetation (such as subsoil) shall be removed as a separate layer for use as a suitable growth media. Topsoil and suitable growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation purposes.

(c) Soil salvage operations and phases of reclamation shall be carried out in accordance with a schedule that: (1) is set forth in the approved reclamation plan; (2) minimizes the area disturbed; and (3) is designed to achieve maximum revegetation success allowable under the mining plan.

(d) Topsoil and suitable growth media shall be used to phase reclamation as soon as can be accommodated by the mining schedule presented in the approved reclamation plan following the mining of an area. Topsoil and suitable growth media that cannot be utilized immediately for reclamation shall be stockpiled in an area where it will not be disturbed until needed for reclamation. Topsoil and suitable growth media stockpiles shall be clearly identified to distinguish them from mine waste dumps. Topsoil and suitable growth media stockpiles shall be planted with a vegetative cover or shall be protected by other equally effective measures to prevent water and wind erosion and to discourage weeds. Relocation of topsoil or suitable growth media stockpiles for purposes other than reclamation shall require prior written approval from the lead agency.

(e) Topsoil and suitable growth media shall be redistributed in a manner that results in a stable, uniform thickness consistent with the approved end use, site configuration, and drainage patterns.

§ 3712. Performance Standards for Tailing and Mine Waste Management.

State Water Resources Control Board mine waste disposal regulations in Article 1, Subchapter 1, Chapter 7 of Title 27, California Code of Regulations, shall govern mine waste and tailings, and mine waste disposal units shall be reclaimed in conformance with this article.

D.2 County of Los Angeles Mitigations and Conditions

The following conditions and stipulations to mitigate adverse environmental impacts were proposed by the County of Los Angeles and made part of the conditions under which the County issued a 20-year permit (Surface Mining Permit 00-21-(5)) to North Star Minerals, Inc. authorizing mining operations in the Acton Clay Quarries. (See the project record for the complete listing of all conditions and stipulations in the SMARA permit.)

These measures are incorporated into the proposed Plan of Operations to be considered for approval by the Forest Service, in accordance with the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), the California Surface Mining and Reclamation Act (SMARA) and all other applicable federal, State, and local laws and regulations. (See also the Memorandum of Understanding (MOU) for surface mining and reclamation coordination between the State of California, the Forest Service, and the Bureau of Land Management, signed on October 19, 1992. The MOU is filed in the project record.)

NSM is required to comply with these and all other conditions listed and made part of the SMARA permit issued by the County.

1. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings and signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not pertinent information about said premises [Condition #12].
2. The permittee [NSM] shall comply with all of the mitigation measures included in the attached Mitigation Monitoring Program and Project Changes/Conditions due to Environmental Evaluation. (See Appendix Subsection D.3 of this EA.)
3. Temporary slopes shall not be created that will interfere with the construction of the finished slopes conforming to the requirements of the reclamation plan [Condition #16].
4. The permittee shall implement measures as approved by the Los Angeles County Director of Public Works to prevent erosion of adjacent lands by waters discharged from the site of mining operations and the off-site discharge of sediment [Condition #18].
5. Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion [Condition #19].
6. The removal of vegetation and overburden in advance of surface mining shall be kept to a minimum [Condition #20].
7. The permittee shall implement all reasonable and practicable measures to protect the habitats of fish and wildlife during surface mining operations [Condition #22].
8. No surface mining operation or structure shall be located within 50 feet of any stream bed without approval of the Los Angeles County Flood Control District or the county engineer, whichever agency has jurisdiction. Where approval is requested, a comprehensive flood-hazard analysis evaluating the effect surface-mining operations will have on drainage and erosion on adjacent property shall also be submitted. [Condition #24, excerpt].
9. All activities of mining and processing minerals shall be conducted in a manner such that dust, vibrations, smoke, dirt, odors and bright lights do not exceed levels compatible with uses of adjacent lands [Condition #26].

10. Dust suppression measures shall be undertaken on all unpaved roads providing access to the site pursuant to the approved Reclamation Plan [Condition # 27].
11. All topsoil removed in surface mining operations shall be stored at the site of mining operations and shall be used in future reclamation of the site [Condition #30].
12. Benches shall be provided wherever necessary to control drainage on slopes, or to provide for access, or for public safety [Condition #31].
13. Prior to the commencement of any surface mining operation, the area to be used for such operations shall be enclosed with a fence as required by Chapter 11.48 of the County Code. Such fencing may be limited to the area currently being used for such operations; provided, however, that the operation shall be continuously enclosed as excavation progresses. [Condition #32].
14. Permittee shall be responsible for assuring that exiting trucks are legally loaded. [Condition #34].
15. Unless otherwise specified in the approved reclamation plan, the permittee shall complete reclamation of land affected by surface mining operations within one year of completion of mining operations on such lands [Condition #35].
16. Blasting operations are prohibited between the hours of 7:00 p.m. and 7:00 a.m. in conformance with the provisions of the County Noise Ordinance [Condition #37].
17. If night lighting is used, all lighting must be directed downward and not visible from the town of Acton [Condition #38].
18. Operations shall be conducted in such a manner as to prevent or minimize flooding or alteration of the natural drainage system [Condition #39].
19. Mining, screening, and product transportation shall not be commenced during a second state smog alert [Condition #53].

**D.3 Los Angeles County: Mitigation Monitoring Program
and Project Changes/Conditions due to Environmental Evaluation**

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United States
Department of
Agriculture

Forest
Service

Santa Clara/Mojave
Rivers Ranger District

33708 Crown Valley Road
Acton, CA 93510
661-269-2808 Voice
626-447-8992 TTY

File Code: 2830

Date: February 6, 2014

Larie Richardson
Operator
North Star Minerals Inc.
501 S First Ave.
Arcadia, CA 91006

Dear Mr. Richardson:

This Supplemental Information Report (SIR) documents the review of new information related to the Twenty-Year Plan of Operations (POO) North Star Mineral, Inc. (NSM) Acton Clay Quarries and associated Environmental Assessment (EA). The purpose of this review is to determine whether this new information could affect the quality of the human environment in a significant manner or to a significant extent not already considered in the EA. This review is to determine if there exist any additional effects as a result of your proposal and if those effects would require a supplemental EA or further NEPA analysis and/or whether this new information could change my decision.

New Information

In a meeting between Northstar Minerals Inc. owners and Santa Clara Mojave River Ranger District employees, NSM formally submitted information on the need for a 3.0 acre land swap to amend its current clay mining operations in the Acton Clay Quarries with a reference map dated December 10, 2010. The associated acres for the acreage exchange in the Gray Quarry are shown in Figure 1 attached to this document. The existing POO includes mitigation measures for land and resource protection, which are disclosed in the Appendices of the 2008 EA.

The current and proposed mining operations are a re-entry into land mined by previous owners, to remove uncommon variety high-alumina clay ore used for the manufacturing of cement. The current operation consists of a total disturbance of approximately 24 acres over a period of 20 years. Approximately 14 of the 26 acres are in the Gray Quarry, and the remaining is in the White Quarry. The amendment to the POO would allow 3.0 acres of undisturbed land within the 14 acre gray quarry to be swapped for an adjacent 3.0 acres.

Activities at the operation would continue to consist of crushing and screening ore, and hauling ore out Forest Service Road 4N32 onto Aliso Canyon Road. The existing POO incorporates detailed reclamation activities that would prevent or control damage to the environment and forest surface resources during and at the conclusion of the mining operation. These activities include control of erosion and water runoff, reshaping and revegetation of disturbed areas, and various measures to reduce impacts to visual resources throughout the approved 20-year mine life of the POO (see Reclamation Plan Summary in Appendix A of the 2008 EA).



The Proposed Action includes no new construction of haul or access roads nor would it change the prescribed management for the area as described in the Angeles National Forest Land and Resource Management Plan (LRMP) (USDA 2005). The proposed action includes no net increase in disturbed area.

Review of the Environmental Assessment and Associated Policy

The purpose for this action is to make locatable mineral material available, as provided by statute. The statutes authorizing this use of National Forest System lands and resources include the 1872 Mining Law, as amended (30 U.S.C. 21-54), and its implementing regulations at 36 CFR part 228; the Mining and Minerals Policy Act of 1970; the Federal Land Policy and Management Act of 1976, and Forest Service policy as described in Forest Service Manual 2800.

This action responds to the proposed amendment to the current Plan of Operations (POO) submitted by NSM to swap 3.0 acres of undisturbed land included in their current plan of operations at the Acton Quarry for an adjacent 3.0 acres, while protecting surface resources. Under U.S. mining laws, NSM has a statutory right to extract locatable minerals (clay) as proposed in accordance with the General Mining Law of 1872. The Forest Service has the responsibility to protect surface resources of National Forest System lands to the extent practicable. Forest Service mining regulations require mining operations to be conducted so as, where feasible, to minimize adverse impacts on National Forest System surface resources (36 CFR 228.8).

The action supports forest goal 4.1a - Administer Minerals and Energy Resource Development while protecting ecosystem health. The national forests have an essential role in contributing to an adequate and stable supply of mineral and energy resources while continuing to sustain the land's productivity for other uses and its capability to support biodiversity goals. The desired condition is to manage mineral developments that facilitate mining operations while minimizing adverse impacts to surface and groundwater resources and protecting or enhancing ecosystem health and scenic values. The action is consistent with forest strategy ME 1 – Mineral Management. It provides access to mineral resources in an environmentally and sustainable manner, while minimizing adverse impacts to biological resources. This action is consistent with the forest's land management plan since there is no increase in net disturbance and the project will reduce impacts to visual resources.

The action also contributes to meeting the goal of supporting environmentally sound minerals development and reclamation. The Mining and Minerals Policy Act of 1970 states that it is the policy of the Federal Government to foster and encourage the development of economically sound and stable domestic mining, minerals, metal, and mineral reclamation industries; and the orderly and economic development of domestic mineral resources, reserves, and reclamation of metals and minerals to help assure satisfaction of industrial, security, and environmental needs. The current POO for Acton Clay Quarries, approved in 2008, allows for the active mining of 10 acres at a given time of NSM's 24 acre authorized area. NSM maintains multiple claims that total 2,260 acres. Operations over the years have seen development reach the limit of the area available. Under the proposed land swap, total amount of mined area will remain unchanged. Effects should be similar or unchanged from the previous environmental analysis (2008).

Environmental Effects

The purpose of this review is to determine whether the proposed land swap could affect the quality of the human environment in a significant manner or to a significant extent not already considered in the EA.

Air Quality

Since the proposed activities and total disturbed area will not change, the project is expected to have little to no change in effects on air quality. Based on this information and incorporating the applicable air quality mitigation measures with the proposed use, it is believed the adverse effects to air quality would be similar to that described in the original EA (2008).

Biological Resources

A memo to file dated July 15, 2013 signed by Wildlife Biologist Peter Johnston states that the proposed land swap is not expected to change the species affected, nor the degree to which the species may be affected. Therefore, incorporating and referencing the BE/BA and MIS report completed in 2008, which indicate minimization requirements previously set forth, allows a determination of that identified in the original EA (2008).

Cultural Resources

A Section 106 PA form dated December 14, 2012 signed by Heritage Program Manager Darrell Vance states that previous heritage resource inventory of the Area of Potential Effect for the subject undertaking has been reviewed and determined adequate for the purpose of historic property identification per standards of the Preservation Act for Undertaking on the National Forests of the Pacific Southwest Region (PA). Therefore, following the existing inventory, the project may be implemented without further consultation under Section 106 of the National Historic Preservation Act of 1966.

Geology, Soils, Hydrology

Since the proposed activities and total disturbed area will not change, the project is expected to have little to no change in effects on geology, soils and hydrology. The land being proposed for exchange and for mining activity is within the same watershed and drains into the same drainage and is directly adjacent to the existing land approved for activity, with the same soils and geology. Based on this information and incorporating the applicable mitigation measures with the proposed use, it is believed the adverse effects to geology, soils and hydrology would be similar to that described in the original EA (2008). In addition, the mine complies with all state BMPs and other state laws, regulation, and policy per the annual SMARA (Surface Mining and Reclamation Act) inspection reports, including appropriate soil erosion control measures.

Land Use and Public Recreation

Since the proposed activities and total disturbed area will not change, the project is expected to have little to no change in effects on recreation. Based on this information and incorporating the applicable mitigation measures with the proposed use, it is believed the adverse effects on recreation would be similar to that described in the original EA (2008).

Visual Resources

Since the proposed activities and total disturbed area will not change, the project is expected to have little to no change in effects on visuals however the project is expected to reduce impacts to

visual resources. Based on this information and incorporating the applicable mitigation measures with the proposed use, it is believed the adverse effects on visual resources would be similar to or less than that described in the original EA (2008).

Conclusions

Based on the review of the EA and the proposed amendment provided by Northstar Minerals Inc., I believe the potential effects from the 3.0 acre land swap will not affect the quality of the human environment in a significant manner or to a significant extent not already considered in the existing EA. This report is for analysis purposes and also serves as my decision to approve your request for a land swap and to amend the existing Plan of Operations (POO). Please file this amendment, approved on February 06, 2014, with an associated map attached in Figure 1. The amended POO will expire on the original expiration date of 12/31/2029, which includes time for completion of all required reclamation. Updates to the reclamation plan shall be coordinated with the appropriate Los Angeles County representative as the SMARA lead agency.

If there are additional proposed changes as mentioned in a recent meeting with Northstar Minerals Inc. owners, including the change in location of a scale, this would need to be submitted under a new written proposal and analyzed separately to be included in a newly approved and amended plan of operations. If you have any questions, comments or concerns please contact Tasha Hernandez, District Resources Officer, at (661)-269-2808 extension 242.

Sincerely,

/s/ Wilburn M. Blount
WILBURN M. BLOUNT
District Ranger

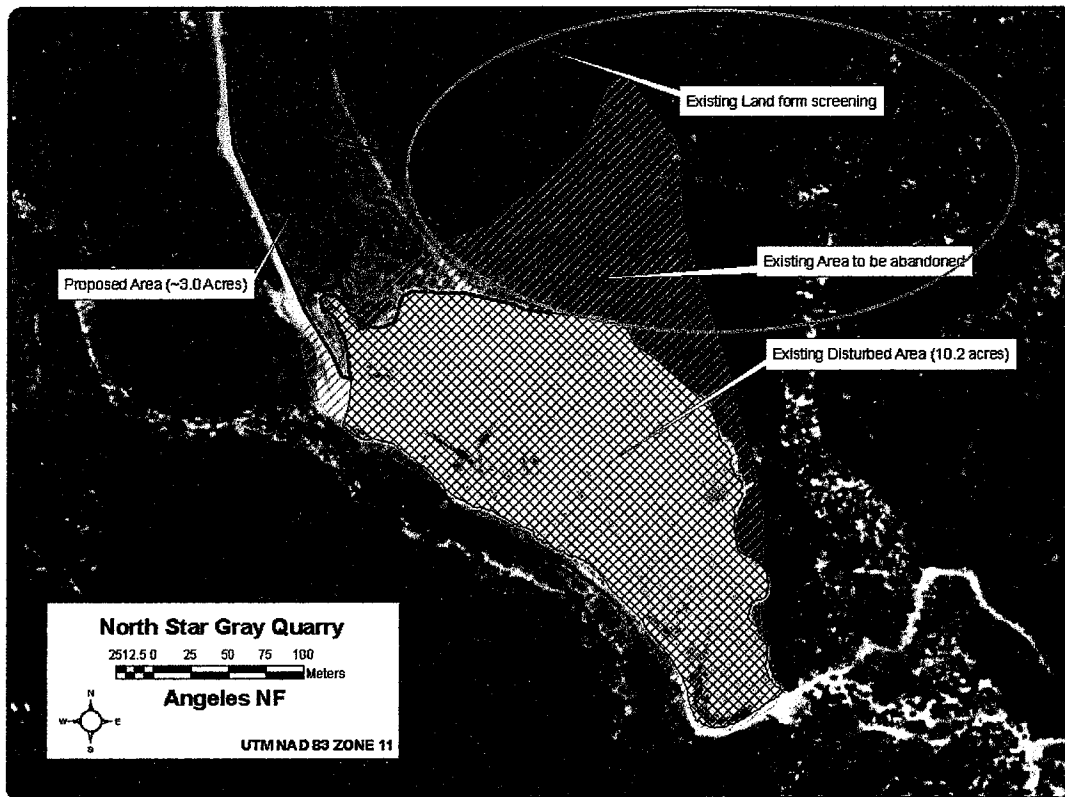


Figure 1: Map of Acreages to be exchanged in the Gray Quarry under a POO Amendment.

EXHIBIT R-2002 ACTON TOWN COUNCIL LETTER

ACTON TOWN COUNCIL

**P.O. BOX 810
ACTON, CA 93510**

FAX TRANSMITTAL SHEET

FAX NUMBER: (661)269-1556

TO: COMPANY: LOS ANGELES REGIONAL PLAN DATE: 04/03/02
ATTN: FAX #: PAGE _ OF _

FROM: NAME: DICK MORRIS, VICE PRESIDENT

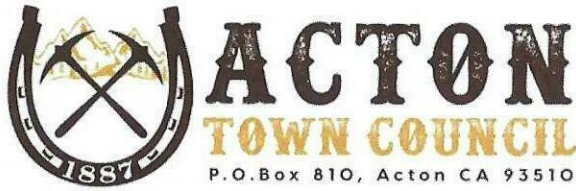
**SUBJECT: SM00-21
MESSAGE:**

**THE ACTON TOWN COUNCIL HAS REVIEWED THE RENEWAL IN THE
APPLICATION FOR "NORTH STAR MINERALS." WE HAVE NO OPPOSITION TO
THEIR PROJECT AS PRESENTED ON THIS DATE.**

WE REQUEST TO BE ADDED TO THE FINDINGS LIST.

THANK YOU,

**DICK MORRIS
VICE PRESIDENT**



January 6, 2025

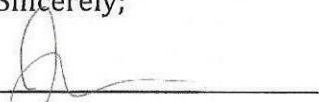
Scott Richardson, Operations Manager
North Star Minerals Inc.
501 S. 1st Avenue, Suite N
Arcadia, CA 91006
Electronic transmission of one (1) page to:
northstarminerals@gmail.com

Subject: Acton Town Council Comments on the North Star Minerals Surface Mining Permit.

Dear Mr. Richardson;

The Acton Town Council understands that North Star Minerals Inc (North Star) has applied for a Surface Mining Permit from the Los Angeles County Department of Regional Planning, that this permit will allow North Star to continue its existing operations, that it does not authorize North Star to increase the size of its existing operations beyond the existing disturbed footprint, and that it will expire on December 30, 2029. It is based on this understanding that the Acton Town Council has voted to not oppose the Surface Mining Permit; therefore, we take the same position that the prior Acton Town Council took in 2002 when it first considered North Star's Surface Mining Permit Application.

Sincerely;


Jeremiah Owen, President
The Acton Town Council