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**PLUMAS COUNTY**  
**ZONING ADMINISTRATOR**  
Minutes of the Regular Meeting of May 14, 2025

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The Plumas County Zoning Administrator convened in a meeting on May 14, 2025, at 10:02 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Tracey Ferguson, presiding. Associate Planner, Marco Velazquez, is in attendance.

**I. PUBLIC COMMENT OPPORTUNITY**

No public comment is presented.

**II. INTERIM MANAGEMENT PLAN – PTL TRANS DG PIT – PLUMAS SIERRA PARTNERS, LLC (applicant/owner); APN 025-100-036; T.23N/R.14E/S.30 MDM**

The request for approval of an Interim Management Plan (IMP) (MR 3/7/89-02) to allow recognition of the PTL Trans DG Pit (CA Mine ID# 91-32-0022) as an idle mine zoned Agricultural Preserve (AP) and General Forest (GF), located at 77413 Meadow Way, Portola, is presented. Associate Planner, Marco Velazquez, gives a presentation as reflected in the Staff Report. Tracey Ferguson, Zoning Administrator, notes that in the list of exhibits in the staff report (page 5), Exhibits 2 and 3 are flip-flopped. The 2024 annual inspection report should be Exhibit 2, and the Reclamation Plan MR 3/7/89-02 approved on May 3, 1989, should be Exhibit 3. Velazquez notes that this IMP application for five years would be the first IMP for the PTL Trans DG Pit, after which they are allowed two renewals of five years each, for a total idle mine status of fifteen years.

Linda Judge with Plumas Sierra Partners, applicant representing the PTL Trans DG Pit, questions how the IMP is considered an amendment to the Permit to Mine/Reclamation Plan when they go to the State (California Department of Conservation, Division of Mine Reclamation) regarding the review and implementation of the Reclamation Plan. Ferguson responds that getting the IMP in place puts the PTL Trans DG Pit in good standing with the State, noting that this IMP is a long time coming. In addition, the State had no comments on the IMP. Continuing, Ferguson explains that the IMP as an amendment to the Permit to Mine/Reclamation Plan is procedural.

The public hearing is opened at 10:13 a.m.

Adjacent property owner, Warren Simison, states that it is his understanding that the State is ultimately in control of the permitting process for reclamation. Ferguson responds that is not correct. The County, as Lead Agency under the Surface Mining and Reclamation Act (SMARA), is the controlling party. Continuing, Ferguson explains aspects of the Permit to Mine/Reclamation Plan are reviewed by the State Division of Mine Reclamation, but the State looks to the Lead Agency, in this case specifically the Plumas County Planning Department, as the authority in the local government process to work with the mine operator to ensure reclamation is conducted properly pursuant to the County-approved Reclamation Plan.

Continuing, Simison touts the benefits the community has enjoyed from Plumas Sierra Partners' handling of the property as far as land stewardship goes. There has been a long history of problems for the community at this site. There are probably about two miles of property line between Plumas Sierra Partners' property and the community, with maybe thirty properties, and they have dealt with constant problems of trespassing and vandalism with individuals attempting to obtain access to the property for off-road and recreational uses. They were cutting fences and driving off-road vehicles through the neighbor's property. Plumas Sierra Partners has virtually eliminated that hassle by putting up substantial fencing and signage and sort of patrolling the area. There has been a drastic reduction in trespassing and vandalism of private property, which has been a big improvement and benefit to the community.

Continuing further, Simison states that about three years ago Hat Creek Construction was proposing to expand the mine from 6 acres to 250 acres, and there were many properties right alongside what would have been a 24-hour operation. Plumas Sierra Partners saved the community by purchasing the property from Hat Creek.

Lastly, Simison asks that the approval of the IMP be expedited.

There being no further comments, the public hearing is closed at 10:18 a.m.

Ferguson states the property has two Assessor Parcel Numbers (APNs) but is one legal parcel. Staff notes the mine is located entirely on APN 025-100-036. In the IMP under Site Description, it needs to be noted that the mine is located on APN 025-100-036, not 025-050-055. Page one of the IMP correctly shows only APN 025-100-036.

Ferguson also notes that the CA Mine ID# shown on Page 1 needs to be corrected to be 91-32-0022. Linda Judge corrects, initials, and dates the Mine ID# on the IMP.

Concerning the Conditions of Approval (Exhibit 5), Ferguson requests that ***CA Mine ID# 91-32-0022*** be inserted in the first sentence in Condition #1. Also, the date October 17, 2022, should be ***September 1, 2022***, and ***“reclamation plan” should be capitalized and amended to read “Permit to Mine/Reclamation Plan”***, and the header of Exhibit 5 needs to be amended to add PTL Trans DG Pit CA Mine ID# 91-32-0022.

Condition #1 add “*...and further amended by the applicant and Zoning Administrator on May 14, 2025.*”

In Condition #2, Ferguson proposes changing it to read, ***“The operator/owner shall repair the minor rilling on the mine cut face and install BMPs as noted in the June 12, 2024, surface mining inspection report (Recommendations/Requirements #3) before the annual inspection is conducted in 2025.”***

In Condition #3 regarding mine inspections, the California Public Resources Code states “...an annual mine inspection shall be conducted in intervals of no more than 12 months. The Plumas County Code (PCC 9-5.13) states, “...in no event shall fewer than one inspection be conducted in any calendar year.” Ferguson states she is going to go with State law and strike the PCC reference.

In Condition #4 Ferguson inserts “*... to the Plumas County Planning Department (Lead Agency)...*”

Ferguson edits Condition #5 to read, “Pursuant to ***Plumas County Code (PCC)*** Sec. 9-5.12, Annual report requirements ...”

In Condition #6 Ferguson strikes “PCC 9.5.11(e)” and inserts ***“Pursuant to PRC 2770(h)(2), the Interim Management Plan may remain in effect for a period not to exceed five (5) years from the date of approval by the Zoning Administrator (May 14, 2025), at which time the Zoning Administrator shall do one of the following:***

***A) Renew the interim management plan for an additional period not to exceed five years, which may be renewed for one additional five-year renewal period at the expiration of the first five-year renewal period, if the lead agency finds that the surface mining operator has complied fully with the interim management plan.***

***B) Require the operator to commence reclamation in accordance with its approved reclamation plan.”***

Regarding the IMP itself, in the attached notes under Section 9.a. “Site Description” under IV. “Reason for Request” it states, “The prior owner, Hat Creek Construction, was seeking approval to amend the 1989 special use permit for the 10 acre DG and sand mine to increase the size of the mine from 10 acres to 226 acres, however, the permit was not approved due to environmental issues and opposition from the community which led to the sale of the property to Plumas Sierra Partners, LLC.” Ferguson explains that this statement is not completely accurate. The Hat Creek Construction application was never deemed complete, and the County never got to the environmental review stage. On May 26, 2021, Hat Creek

Construction withdrew their application and requested a refund. Ferguson amends the “Reason for Request” by stating **“...however, the permit was withdrawn by Hat Creek Construction on May 26, 2021. Plumas Sierra Partners, LLC, purchased the property on April 22, 2021.”**

There is discussion in regard to the Financial Assurance Cost Estimate (FACE) as part of the IMP attachments. Ferguson states Planning Department staff will get the full IMP package straight and amend the attachments list and append the correct documents to be accurate. Ferguson notes, by SMARA statute, that within 30 days following the IMP approval, the Lead Agency (Plumas County) must provide the State notice and copy of the IMP, so it needs to be wrapped up by June 14<sup>th</sup>, which is a Saturday, so June 16<sup>th</sup>. Ferguson continues staff will need to provide the approved IMP to the State no later than June 16, 2025, pursuant to PRC 2770(h)(4)(g).

## **DECISION**

Zoning Administrator, Tracey Ferguson, determines that the approval of the Interim Management Plan is not a project subject to the California Environmental Quality Act pursuant to Section 2770(h)(1) of the Public Resources Code; and approves the Interim Management Plan (IMP) and considers the approval an amendment to the Permit to Mine/Reclamation Plan (MR 3/7/89-02) for Plumas Sierra Partners, LLC, subject to the conditions of approval outlined in Exhibit 5, as amended, along with the following findings (A through E) with amendments to Findings B, C, and E, as follows:

## **CONDITIONS**

### **Plumas County Planning Department**

1. The Interim Management Plan for CA Mine ID #91-32-0022 located approximately 0.5 miles northeast of the community of Portola, one quarter mile north of State Route 70, and accessed by a gated driveway located at the north terminus of Meadow Way - 77413 Meadow Way, Portola APN 025-100-036-000 - shall be in conformance with the Interim Management Plan application dated September 1, 2022, which was subsequently updated by the applicant on September 22, 2024, and further amended by the applicant and Zoning Administrator on May 14, 2025; and the Permit to Mine/Reclamation Plan approved on May 3, 1989.
2. The operator/owner shall repair the minor rilling on the mine cut face and install BMPs as noted in the June 12, 2024, Surface Mining Inspection Report (Recommendations/Requirements #3) before the annual inspection is conducted in 2025.
3. Pursuant to California Public Resources Code (PRC) Section 2774(b)(1) an annual mine inspection shall be conducted in intervals of no more than 12 months.
4. Pursuant to PRC Sec. 2773.4(d)(1)(A) the operator shall provide an annual financial assurance cost estimate to the Plumas County Planning Department (Lead Agency) for review within 30 days of an annual inspection being conducted.
5. Pursuant to Plumas County Code (PCC) Sec. 9-5.12, Annual report requirements, and PRC 2207, a Mining Operation Annual Report shall be submitted annually by the owner or mine operator to the Plumas County Planning Department (Lead Agency) and to the California Department of Conservation, Division of Mine Reclamation.
6. Pursuant to PRC 2770(h)(2), the Interim Management Plan may remain in effect for a period not to exceed five (5) years from the date of approval by the Zoning Administrator (May 14, 2025), at which time the Zoning Administrator shall do one of the following:

- A) Renew the interim management plan for an additional period not to exceed five years, which may be renewed for one additional five-year renewal period at the expiration of the first five-year renewal period, if the lead agency finds that the surface mining operator has complied fully with the interim management plan.
- B) Require the operator to commence reclamation in accordance with its approved reclamation plan.

## FINDINGS

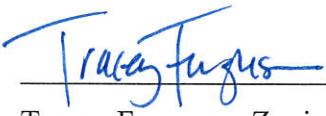
- A) The Interim Management Plan is consistent with the provisions of the Permit to Mine/Reclamation Plan MR 3/7/89-02.
- B) The mine has remained idle for several years and has been found to be maintained in generally good condition based on the annual mine inspection on June 12, 2024.
- C) The Interim Management Plan is consistent with the 2035 Plumas County General Plan. There is no proposed change in land use from the current, idle-mine status.
- D) The Interim Management Plan is consistent with applicable provisions of the California Public Resources Code Section 2770(h).
- E) The Interim Management Plan is consistent with applicable provisions of Plumas County Code Section 9-5.11, Interim management plans. However, the Plumas County Planning Department (Lead Agency) notes and is aware that (Plumas County Code) Section 9-5.11(e) is inconsistent with Public Resources Code Section 2770(h)(2) and, therefore, defers to State law.

**Zoning Administrator Notation:** Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) calendar days of the decision. If the tenth day lands on a Saturday, Sunday, or County holiday, the end of the appeal period will be the next working day. The appeal shall be based on relevant information stated or submitted at or prior to this meeting by (a) the applicant; (b) any owner of real property within 300 feet of the exterior boundaries of the property involved who was present at the hearing or who presented written testimony before the Zoning Administrator, or who may be adversely affected by the decision of the Zoning Administrator; (c) such other person whom the Board determines to have been adversely affected by the decision; or (d) any County department head whose department has an interest in the decision (Plumas County Code, Title 9, Chapter 2, Article 10, Section 9-2.1001). Appeals shall be filed with the Clerk of the Board of Supervisors, paying the fee according to the Planning & Building Services Fee Schedule.

## ADJOURN

There being no further business, the meeting adjourns at 11:19 a.m. The next regularly scheduled meeting of the Zoning Administrator is set for June 11, 2025, in the Planning & Building Services Conference Room, located at 555 Main Street, Quincy.

  
Heidi Wightman, Dept. Fiscal Officer II

  
Tracey Ferguson, Zoning Administrator