



June 7, 2016

GIS, Environmental, & Engineering Services

71410

William D. Solinsky, RPF
Forester III, THP Administration
CAL FIRE
P.O. Box 944246
Sacramento, CA 94244-2460

**RE: Timberland Conversion Permit Application (Revision 1)
Proposed R. Brown and Sons Quarry Expansion
Willow Creek, California**

Dear Mr. Solinsky:

Attached please find the revised application for a Timberland Conversion Permit (TCP) on the form you provided last week. The TCP is requested to cover a 39-acre expansion area of the R. Brown and Sons Quarry in Willow Creek, California. CAL FIRE staff have determined that a TCP/Timber Harvesting Plan (THP) will be required for future quarry operations. The Quarry is located in Section 1, Township 6 North, Range 04 East, HB&M, approximately three miles west of Willow Creek on Highway 299 West. The general site location is shown on Figure 1. The boundary of Assessor's Parcel No. (APN) 316-061-011 is depicted on Figure 2. The mine is currently operating.

The original Reclamation Plan (RP-99-01) for the R. Brown and Sons Quarry was completed, underwent California Environmental Quality Act (CEQA) review, and was approved by Humboldt County in 1999. A request to renew and extend the Conditional Use Permit was submitted to the Humboldt County Planning Department in July 2014. The request was approved on October 16, 2014, with revised Conditional Use Permit CUP-14-013X, Surface Mining Permit SMP-14-001X, and Reclamation Plan RP-14-001X. No TCP was required for the initial mine operations. Reclamation Plan No. RP-99-01, Reclamation Plan Addendum RP-14-001X, Conditional Use Permits CUP-99-01, and Conditional Use Permit CUP-14-013X are included in Appendix A.

In March 2016, R. Brown and Sons Quarry submitted a Mining and Reclamation Plan Addendum (see Appendix A) to Humboldt County to expand the mining operation to connect the original two cells and provide additional resources and improve final reclamation grade and contour. The original mine areas and proposed expansion area are depicted on Figure 3. Humboldt County has initiated CEQA scoping. During a site visit with interested agencies, CAL FIRE representatives determined that a TCP and THP would be required.

R. Brown and Sons will continue operating under the original conditions outlined in UP-185-78, CUP-99-01, and SMP-14-001X, as well as Reclamation Plan RP-14-001X, on APN 316-061-011. This document amends Reclamation Plan No. 99-01 to include an approximately 39-acre expansion, along with modification of final contours and updates to meet current SMARA standards. Should

Mr. William Solinsky
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discrepancies exist between the two documents, the Reclamation Plan Amendment will supersede Reclamation Plan No. 99-01 and RP-14-001X. CEQA review will be limited to the expansion area and revised topography, and will not include review of previously permitted mining operations.

Mining operations were initiated on the site in 1999. The remaining mining activity is estimated to be completed in 2047, at which time the site will be reclaimed as timberland. The site is zoned TPZ.

The Humboldt County General Plan permits mining as an allowed use in TPZ and has determined that rezoning is not required for the mine expansion.

Thank you for time and review of this situation. Please call me at 530-223-2585 if you have questions on the enclosed.

Sincerely,

VESTRA Resources, Inc.

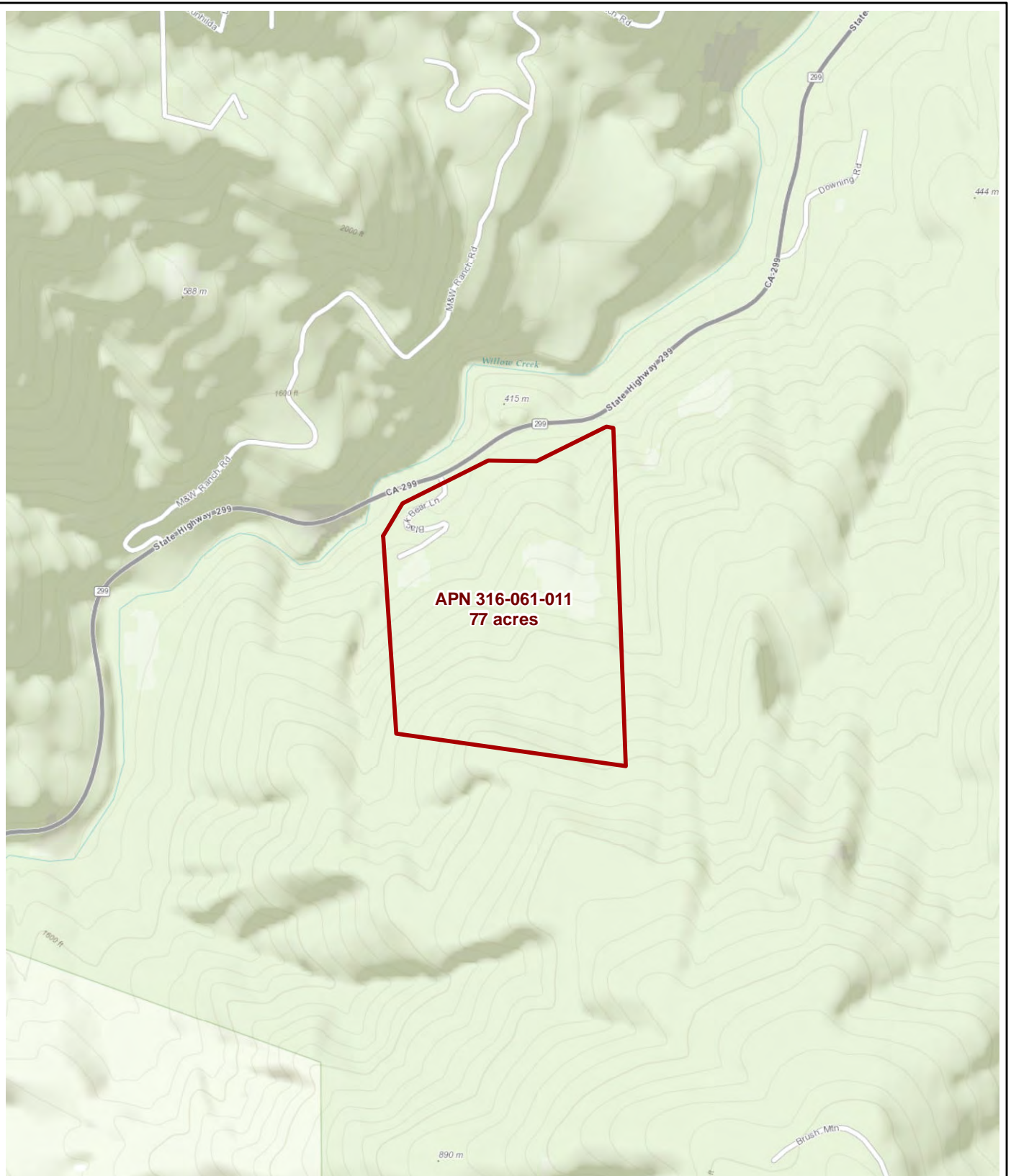


Wendy Johnston, RPF 2032
Project Manager

CC: Kevin Brown/R. Brown and Sons (w/o attachments)
Michael Wheeler/Humboldt County Planning Department (w/o attachments)
Heather Brent/CAL FIRE (w/o attachments)
Chris Poli/CAL FIRE (w/o attachments)

TCP Application





 Approximate Parcel Boundary

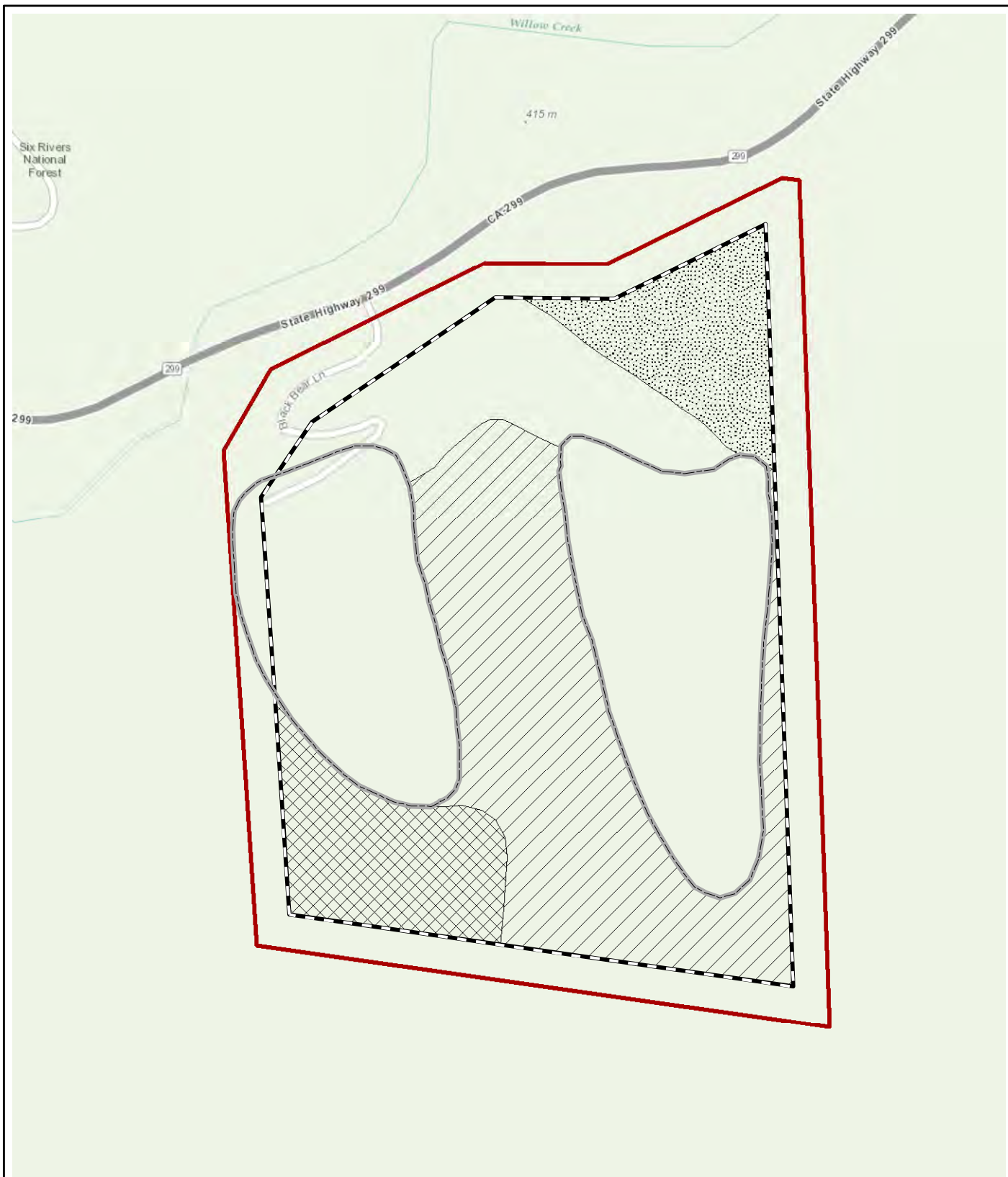








0 500 1,000 2,000 Feet



SOURCE: MICROSOFT 2010

FIGURE 2
PROPERTY BOUNDARY
R. BROWN AND SONS QUARRY
HUMBOLDT COUNTY, CALIFORNIA



- | | |
|---|---|
|  Current Permitted Area |  Reserved Area - No Activity |
|  Target Buffer Area |  Single Rock Removal Only |
|  Proposed Expansion Area |  Approximate Parcel Boundary |



SOURCE: MICROSOFT 2010

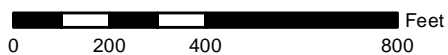


FIGURE 3
ORIGINAL MINE AREAS AND
PROPOSED EXPANSION AREA
R. BROWN AND SONS QUARRY
HUMBOLDT COUNTY, CALIFORNIA



- Approximate Parcel Boundary
- AG-B-5(5) - Agriculture Exclusive Special Building Site 5(5)
- AG-B-7(1) - Agriculture Exclusive Special Building Site 7(1)
- AE-B-5(40) - Agriculture Exclusive Special Building Site 5(40)
- AE - Agriculture Exclusive
- TPZ - Timber Production Zone
- U - Unclassified



SOURCE: MICROSOFT 2010

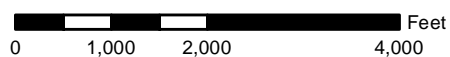
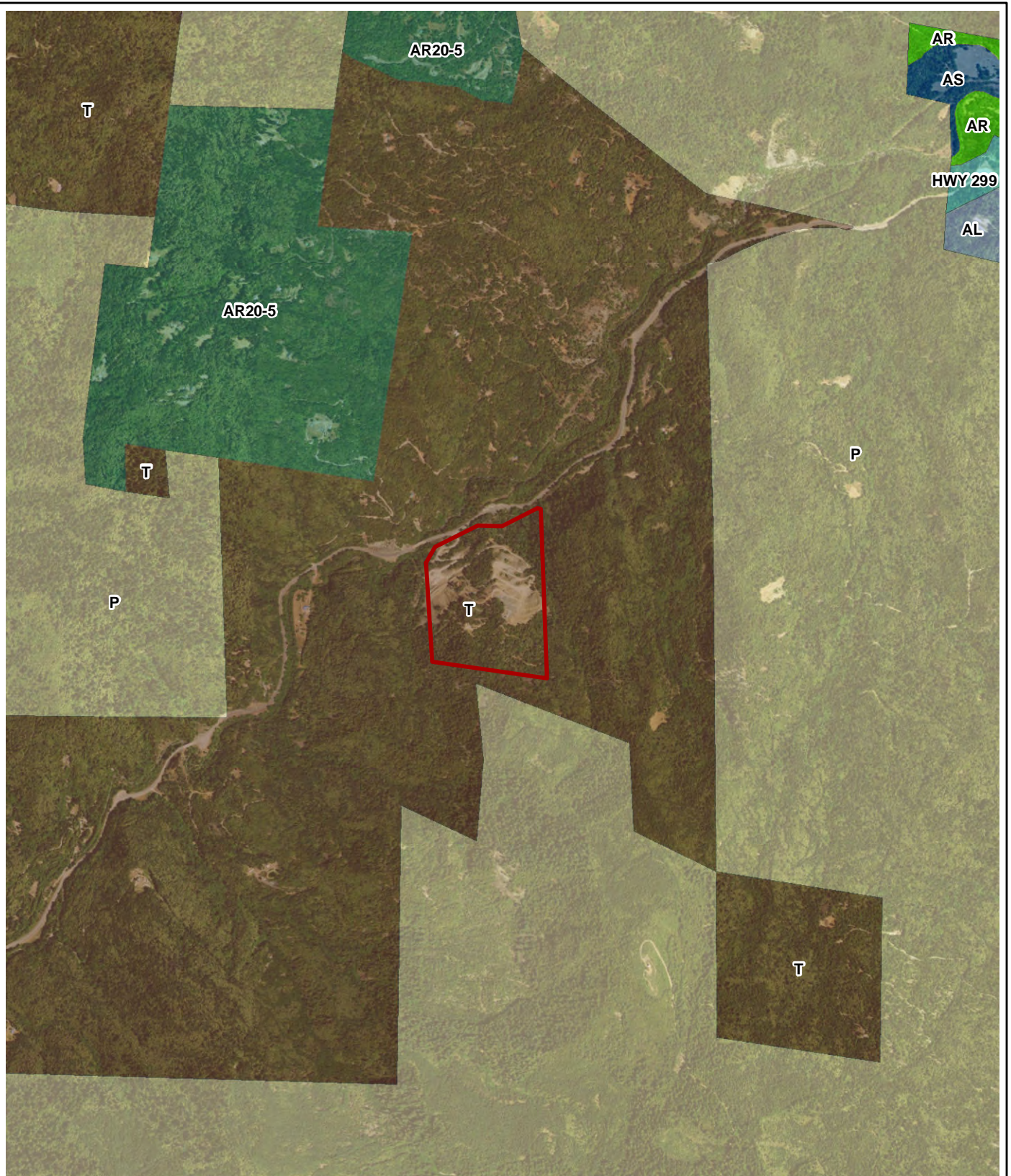




FIGURE 3
 HUMBOLDT COUNTY
 ZONING DESIGNATIONS
 R. BROWN AND SONS QUARRY
 HUMBOLDT COUNTY, CALIFORNIA







 Approximate Parcel Boundary

 AL - Agricultural Land

 AR - Agricultural Rural

 AR20-5 - Agricultural Rural 20-5 Acres per Dwelling

 AS - Agricultural Suburban

 HWY 299

 P - Public Lands

 T - Timberland



SOURCE: MICROSOFT 2010

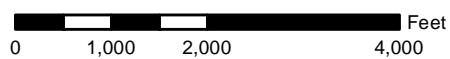


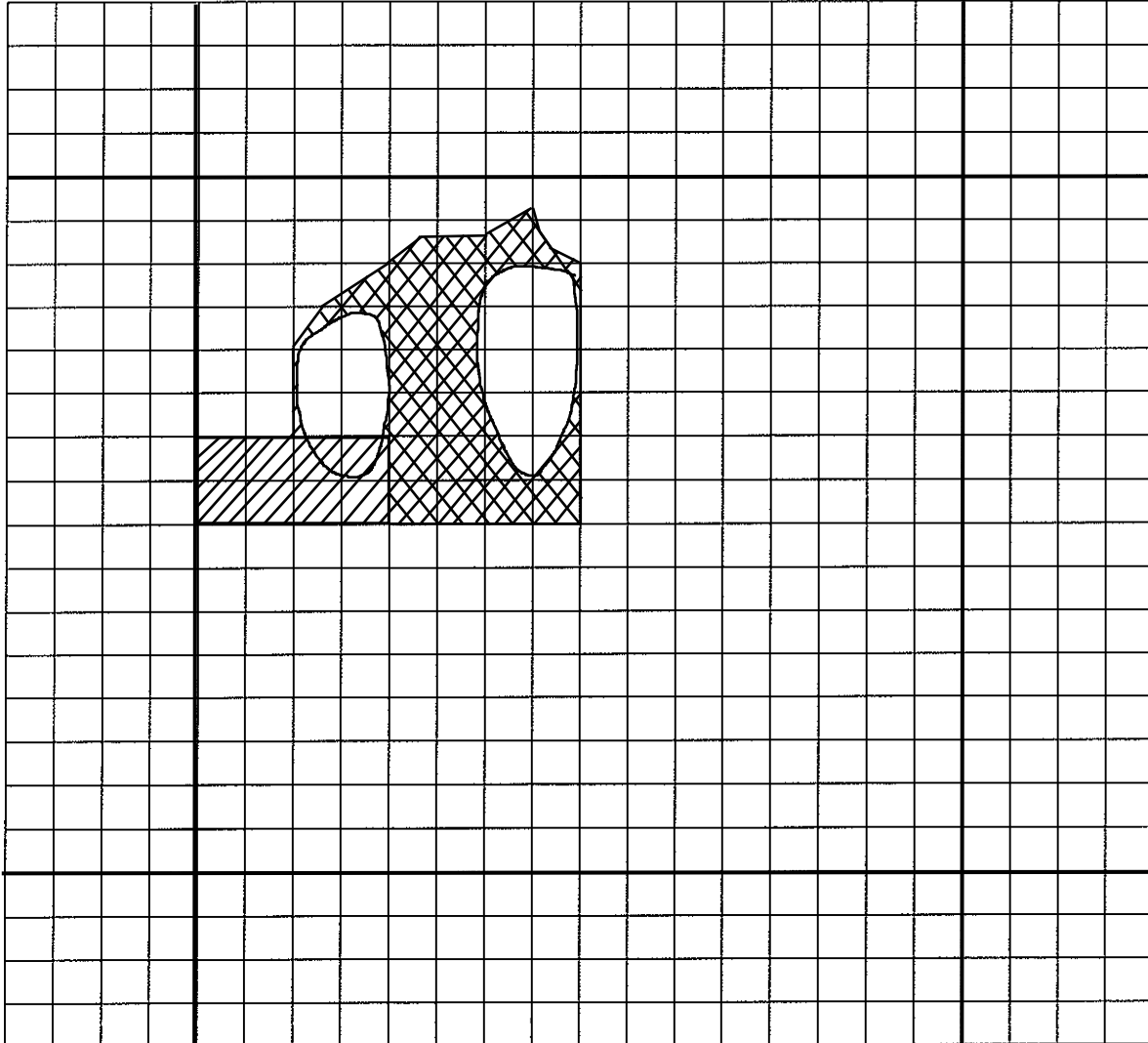
FIGURE 4
HUMBOLDT COUNTY
LAND USE ELEMENT
R. BROWN AND SONS QUARRY
HUMBOLDT COUNTY, CALIFORNIA



TIMBERLAND CONVERSION PLAT

Applicant(s) Name(s) _____

Section(s) _____ Township _____ Range _____ B&M



Scale _____ inch(es) = 1 mile

Show section numbers in center of section on plat. Entire plat may be used as one section or as halves of adjoining sections if needed for large-scale detail.

Show the conversion area not in a Timberland Production Zone or the Coastal Zone by _____ / / / / / / / / / /

Show the conversion area in a Timberland Production Zone by _____ xxxxxxxxxxxxxxxx

Show the area in a Coastal Zone by _____ horizontal black lines

(do not use color shading - it will not photocopy)

Show the timbered area to be cut for conversion only. (Show to the nearest practical boundaries, such as regular 40 acre land subdivision, main roads, streams, or ridges within your property.)

Continuation Sheet/Brown & Sons Quarry TCP Application and Plan

Application

Item 15.a. Timberland Base.

A total of 39 acres will be removed from timber production for the life of the mine project, approximately 30 years. Following mine closure and reclamation, the site will be returned to timber.

The total number of acres of commercial timberland existing in Humboldt County is approximately 1,020,300 acres. The temporary loss of 39 acres of low site timberland (0.0038 percent) is considered de minimis.

Item 15.b. Effects on Adjacent Timberlands.

The land use of the property and adjoining parcels is "Timberland." On the south side of the highway, a majority of adjacent land is managed by the U.S. Forest Service. On the north side of Willow Creek, all lands are zoned "AR20-5," which is defined as "Agricultural, Rural, 20-5 Acres per Dwelling." See Figure 4.

Timberland Conversion Plan

Item 6

The site is an active rock quarry. As such, stormwater discharges are covered under NPDES permit CAS000001/Order 2014-0057-DWQ *General Permit for Storm Water Discharges Associated with Industrial Activities*. The permit requires stormwater monitoring and use of BMPs onsite through the preparation of a SWPPP (attached as Appendix B). Roads are already constructed onsite and maintained per the SWPPP and County Use Permit. Logging and conversion of the site will be gradual and trees removed only when required as mining moves into a new area.

The mining activities onsite are regulated by the County, OMR, and RWQCB. The site is inspected annually by the County to determine compliance with the Mining and Reclamation Plan and Financial Assurance Cost Estimates, which are also overseen by OMR. Stormwater discharges are monitored by the RWQCB through the NPDES permit system. Due to the porosity of the onsite material and BMPs installed, offsite discharge is rare.

Item 8

Trees and brush will be removed with an excavator as mining advances. Trees and brush will be stockpiled for chipping to be used at the time of reclamation. Reclamation will proceed from the top to the bottom and is regulated via County Use Permit and the Mining and Reclamation Plan.

The proposed Mining and Reclamation Plan Amendment (the subject of this conversion permit) is included as Appendix A. Included with and attached to the proposed Amendment are the current Mining and Reclamation Plan, County Use Permit, and 2016 Financial Assurance Cost Estimate for reclamation of the site.

TIMBERLAND CONVERSION PERMIT APPLICATION AND PLAN

APPLICATION

1. Pursuant to Public Resources Code §§4621-4628 and those regulations contained in Title 14, California Code of Regulations, §§1100 et seq., I (we)

R. Brown & Sons Quarry

Name (s)	
406 Brown Way, Willow Creek, CA	95573
Address (s)	Zip

hereby apply to the Director of Forestry and Fire Protection for a Timberland Conversion Permit to exempt the timberland described herein, and shown on the attached map or plat as a part of this application, from forest practice stocking requirements for a conversion to a non-timber growing use and/or to enable final immediate zoning from TPZ.

2. Property Description of area to be converted and/or rezoned from TPZ.

Subdivision(s)	Section	TWP	RNG	B&M
SW 1/4	1	6N	4E	Humboldt
S 1/2 of NE 1/4	1	6N	4E	Humboldt
SE 1/4 and S 1/2 of NE 1/4	1	6N	4E	Humboldt

3. Acres of timberland to be converted 39 acres (temporarily)
-

4. The owner(s) of record of this timberland is (are) Roger D. & Nancy A. Brown Trust,
P.O. Box 406, Willow Creek, CA 95573
-

5. The recorded interest in this timberland is held under deed dated 06/29/2005,
recorded in Vol. 25 at page 78 of official records in Humboldt
County. Assessor's Parcel Number 316-061-011-000
-

6. This timberland is assessed in the name(s) of : Roger D. & Nancy A. Brown Trust
-

7. I (we) intend to use this timberland in the future for Mining of hard rock
-

8. Conversion will begin about June, 2017 and be completed by
June, 2047
-

9. Is all or part of conversion area in a Timberland Production Zone (TPZ) and is this an application for an immediate rezone?
_____ Yes X No. If yes, show the area in TPZ with diagonal black lines on the conversion plat or map, and complete the following items a through e.
- a. Is a check or money order for \$100 payable to the California Department of Forestry and Fire Protection enclosed with this rezoning application as required?
_____ Yes _____ No
- b. Has application for immediate rezoning from TPZ been made to the county or city having property tax jurisdiction?
_____ Yes _____ No
- c. If applied for, has the county or city tentatively approved immediate rezoning from TPZ? _____ Yes _____ No. If yes, give date _____, 20____
- d. Is there any other property zoned TPZ within one mile of the boundary of the TPZ area proposed for immediate rezoning? _____ Yes _____ No
- e. Are there any proximate non-TPZ lands (on or off the property containing the TPZ proposed for rezoning) suitable for the proposed conversion use?
_____ Yes _____ No. If no, explain why such non-TPZ lands are not suitable.

*Humboldt County General Plan permits mining as an allowed use in TPZ and has determined that rezoning is not required for the mine expansion.

10. a. Is a check or money order for the basic ~~\$600.00~~ CDF timberland conversion fee (payable to the California Department of Forestry and Fire Protection) enclosed with this application? X Yes _____ No (See Title 14, §1104.3 CCR)
- b. Is a check or money order for the \$1,250.00 Fish and Game impact fee (§711.4(d)(3), Fish and Game Code) payable to the State of California enclosed?
_____ Yes X No *Paid through CEQA (PENDING)
- _____ I will submit the fee when notified seven days in advance of filing the Notice of Determination and issuance of the permit.
11. Is any of the conversion area in a Coastal Zone as provided for by the California Coastal Act of 1976? _____ Yes X No. If yes, show the area in the Coastal Zone by horizontal black lines on the conversion plat or map and complete the following item a.
- a. Has the Coastal Zone permit for the proposed conversion use been issued?
_____ Yes _____ No If Yes, date of issuance N/A .

12. What element(s) of the county or city general plan applies(y) to the area within the timberland proposed for conversion is located?
The area is designated as "Timberland" in the Humboldt County Land Use Element (see Figure 5)
13. What is the zoning classification for all or part of the proposed conversion area that is neither TPZ nor Coastal Zone (use the designated zone term such as Agriculture – Forest, not a letter – number designation)? SW corner of parcel zoned "Unclassified" (see Figure 4)
14. Does the county, city or a district have permit, zoning, or other approval jurisdiction for the project that is the purpose of the conversion? X Yes ____ No. If yes, complete the following items a. through d.
- Name of local government entity Humboldt County.
 - Name the type of permit, zoning or approval required Use Permit, Reclamation Plan Amendment; see Appendix A
 - Has the local government prepared an environmental impact report or negative declaration? If yes, which document was prepared and was it submitted to the State Clearinghouse as required by the California Environmental Act (CEQA) and regulations? X Yes ____ No. Type of Document Mitigated Negative Declaration State Clearinghouse Number? PENDING* (the Timberland Conversion Permit cannot be issued until this is done and local government adopts the documents). *Lead agency is Humboldt County. County will file the CEQA document as soon as initial scoping is complete.
 - Has the local government granted the necessary permits, zoning or approvals required for this project? ____ Yes X* No.
If no, explain in the appropriate section of the Timberland Conversion Plan.
*Review in process; see attached Mining and Reclamation Plan Amendment.
15. a. Timberland Base. How many acres of commercial timberland will be removed from the timberland base in the county where the conversion will happen? Provide the number of acres of commercial timberland existing in the county and the percentage of that to be converted, and include a discussion of the cumulative effects of such a proposed change. See Continuation Sheet, attached.
- b. Effects on Adjacent Timberlands. What is the land use and zoning of the contiguous parcels around the conversion area? Include a map of the area and the contiguous parcels. See Continuation Sheet, attached; also refer to Figure 4.
16. All property owners must sign the following affidavit unless the owner is a partnership, corporation, or other organization, in which case the signer must be a partner, corporate officer, or organization officer respectively. An owner's agent may sign the affidavit, if power of attorney designating the agency, and signed by all the owners, a partner, or corporate or organization officer, for these respective kinds of ownerships accompanies the application. If the affidavit or power of attorney is signed in a state other than California, the signature(s) must be notarized.

AFFIDAVIT

I (We) own the herein described property, and declare a bona fide intent as defined in §1100(b), Title 14, California Code of Regulations to successfully complete conversion of the herein described timberland for the stated purpose in accordance with the conversion plan and plat or map, all hereby acknowledged as a part of this application, and in accordance with the timberland conversion permit, timber harvesting plan, and conditions required through the California Environmental Quality Act and related regulations.

I (We) understand that a failure to comply with the specifications contained in the permit and Timberland Conversion Plan can result in enforcement actions by the Department of Forestry and Fire Protection.

I (We) understand that if the conversion fails or is abandoned, that I (we) can be required to restock with trees those areas that do not comply with forest practice stocking requirements. I (We) understand that if I (we) fail to do so, the Director of Forestry and Fire Protection can have the restocking done, including necessary site preparation, and charge me (us) with the costs.

I (We) declare under penalty of perjury that I (we) have fully read this application, conversion plan and plat or map, and that the information given herein is correct to the best of my (our) knowledge.

Executed on June 8, 2016, at Willow Creek,

State of California.

Signature(s) of Property Owner(s)

Title(s)

ABrown Owner/President

Roger Brown

(Please print name)

TIMBERLAND CONVERSION PLAN INSTRUCTIONS

Applicants must complete the General section of this plan and such additional sections as may be appropriate for the specific future use to which the timberlands are to be converted. You may insert supplemental pages including maps to provide complete answers or explain a use not covered. Code the supplemental or continued answers by using the appropriate question number, such as General-7, Grazing-5, etc. Additional information may be required as appropriate.

The Timber Harvesting Plan, upon approval by the Director of Forestry and Fire Protection for the timber operations for this timberland conversion, thereby becomes a part of this conversion plan.

In addition to the Timber Harvesting Plan itself, either the Director or the environmental review process may describe measures to reasonably ensure the success of the conversion or to provide additional environmental protection. When the applicant agrees to these stipulations as conditions for the issuance of the Timberland Conversion Permit, they shall become a part of the Timberland Conversion Plan, either incorporated therein or attached as a supplement thereto.

GENERAL

Timberland Owner(s)

1. The responsible person who may be contacted if different from those given in the application section.

Kevin Brown	P.O. Box 406, Willow Creek, CA 95573	530-629-3702
(Name)	(Address)	(Phone)

2. Have you received professional advice or assistance in planning this conversion?

 X Yes No. List name and address of people professionally trained in land management who are advising you on this conversion.

Wendy Johnston, RPF	VESTRA Resources, Inc.	5300 Aviation Drive, Redding, CA 96002
(Individual Name)	(Firm or Agency Name)	(Address)
Registered Professional Forester (RPF) No. 2032 / Environmental Scientist		Phone: 530-223-2585
(Profession or Occupation)		

3. Do you have or can you obtain sufficient financial resources to carry out this conversion? X Yes No

Should the conversion fail or be abandoned do you have or can you obtain sufficient financial resources to return the land to timber production? X* Yes No

*Financial Assurance Mechanisms for reclamation are required by the County and State of California Office of Mine Reclamation

4. How will the timber be logged? (Will all or only some trees be cut? Will area be tractor-logged or cable-logged, etc?) Describe: Soft and hard wood will be removed with an excavator or track dozer as mining progresses. Material will be piled to be chipped for use in reclamation.
-
-
5. Slope percent ranges in gradient generally 30 % to 60%. Slopes face generally toward the (direction, N, NE, etc) North
-
6. Erosion Control Plan. Describe special measures to be taken during and after logging, including road and skid road construction, methods to prevent erosion, protect soil, and protect local streams, ponds, or lakes on or near the conversion area, monitoring by whom and when, action planning in case the monitoring finds additional needs for erosion control actions, when reporting to CDF will be necessary, include who will be responsible for which tasks, and include a map locating the erosion controls. EXPLAIN IN DETAIL: See Continuation Sheet, Item 6; also refer to the Mining and Reclamation Plan included in Appendix A.
-
-
7. a. Is an erosion control plan required by a local government entity?
X* Yes No *An SWPPP is required by Order No. 2014-0057-DWQ/NPDES CAS000001.
- b. If yes, the approved erosion control plan must be enclosed and incorporated into this plan.
8. Describe methods of slash disposal and woody vegetation treatment, and any additional land treatment measures that will be taken: See Continuation Sheet, Item 8; also refer to the Mining and Reclamation Plan included in Appendix A.
-
9. If conversion fails, or is abandoned for any reason, how will the area be returned to timber growing use to meet the purpose of the Forest Practice Act? Describe land preparation, seeding or planting measures, pest control measures, and weed abatement/competition control. Explain when the services of a Pest Control Advisor would be required: See Mining and Reclamation Plan (Appendix A). OMR requires a bond be posted (see Use Permit Addendum, attached) to cover third-party-completed reclamation. The 2016 FACE and Financial Assurance Mechanisms are included in Appendix A.
-
- 10 Area on which conversion will be completed within 5 years: N/A acres.
 Date by which logging will be completed: 2040 (likely)
 Date by which final conversion to new use will be completed: Year 1 through Year 30
 NOTE: Conversion Permits are issued for 5 years and may be extended for just cause.

11. What assurances can you give that this conversion is feasible: The mine is a successful operation and is attempting to expand. Past reclamation activities are successful.

12. Describe the specific plans for development of the new use: See the proposed Mining and Reclamation Plan Amendment (attached as Appendix A).

List and attach any documents and sketches illustrating or showing proposed new use:

- a. Appendix A: Proposed Mining and Reclamation Plan Amendment
- b. Appendix A: County Use Permit
- c. Appendix A: Current Mining and Reclamation Plan
- d. Appendix A: 2016 FACE
- e. Appendix B: SWPPP
- f. Appendix C: CEQA Initial Study
- g.
- h.

N/A
AGRICULTURE-GRAZING

The following additional information is needed for lands to be devoted to agricultural purposes including grazing:

1. Has the suitability of the soil for the intended agricultural use been determined through examination by and consultation with farm advisors, Natural Resources and Conservation Service district specialists, or other qualified professionals? _____
Yes _____ No. If "Yes" give name and title of specialists and describe findings: _

2. Describe the soils now supporting timber or other woody vegetation: (clay, loam, sand, decomposed granite, etc.) _____

Give soil series if known: _____

3. Describe soil treatments necessary or desirable for the new use: (ripping, discing, soil conditioners, fertilizers, mulch, etc., and rate of application) _____

4. How will other woody vegetation left after logging be eliminated? (Check method)

Mechanical clearing _____ Chemical eradication _____ Burn _____

Other (specify) _____

5. How will natural woody growth be prevented from revegetating the area? (Check method) Mechanical removal _____ Reburn _____ Chemical eradication _____

Other (specify) _____

6. What kind and rate of application of seed or kind and spacing of planting stock will be used? _____

7. If conversion is for grazing, what kind and number of livestock are being grazed now on this property? _____

What kind and number of livestock will be grazed after conversion is completed? ____

8. What water developments exist right now on the property? _____

9. What additional water developments are planned for conversion? _____

10. What length of fence exists now in connection with the conversion area? _____

11. How much additional length of fence will be added in connection with conversion? _____

12. Describe buildings or improvements now on property where conversion is planned, such as a residence, barn or other farm structures: _____

12. Describe buildings or improvements to be added in connection with conversion: _____

N/A
SUBDIVISION

Applicable only for lands in Timberland Production Zone. See item 8, informational page.

The following additional information is needed for lands to be devoted to real estate subdivisions:

1. Has "Combined Notice of Intention" per §11010, Business and Professions Code been filed with State Division of Real Estate? _____ Yes _____ No
If yes, date filed _____

2. Is area approved for subdivision? _____ Yes _____ No
If yes, by which local governing authority? _____

3. Name the fire protection jurisdiction in which the subdivision will be (name of incorporated city, fire district, or other, name and describe) _____

4. Will meeting fire protection standards of the fire protection jurisdiction, or of the safety element of the county or city general plan and county or city ordinance be a condition for county or city approval of the final subdivision map?
_____ Yes _____ No (if not, this may be made a condition of the Timberland Conversion Permit.)
5. Provide a copy of proposed general development plan and indicate plan is included by marking an "X" here: _____

N/A
RECREATION

The following additional information is needed for lands to be devoted to recreational development:

1. Provide evidence of county or district zoning and approval with this plan, and list copies of document(s) submitted herewith showing such approval:
 - a. _____
 - b. _____
 - c. _____
2. Are documents attached with this conversion plan: _____ Yes _____ No
3. Does your plan comply with local health and sanitation requirements and have approval? _____ Yes _____ No. If yes, by which local governing authority?

4. Will your plan meet county road standards and have county approval of the roads?
_____ Yes _____ No
5. Provide copy of development plan and indicate plan is included by marking an "X" here: _____

N/A
WATER DEVELOPMENT PROJECTS

The following additional information is needed for lands to be devoted to reservoirs or other water development projects:

1. Is the reservoir to be built and operated for private use or by a government agency?

2. If for a public agency, show name of agency: _____

3. If privately owned and operated, do you have a permit, certificate, or similar document(s) from the State (California) Department of Water Resources?
_____ Yes _____ No
4. Is a reservoir to be built under the Agricultural Conservation program?
_____ Yes _____ No. If so, have you filed the application? _____ Yes _____ No

Attach copy of application, document of approval, or copy of evidence of professional planning and design and indicate it is attached by marking an "X" here: _____

5. Provide a map showing the high water line in relation to your property and indicate map is included by marking an "X" here: _____
6. Is a permit to appropriate water required from the State Water Resources Control Board? _____ Yes _____ No
7. If 6 above is "Yes", has application been made? _____ Yes _____ No
8. If 7 above is "Yes", give date of application: _____

MINING

The following information is needed for lands to be devoted to mining purposes:

1. Describe kind of material that will be mined or removed: Hard rock

2. Has an assay or feasibility report been made to determine the quality and the economics of the venture? _____ Yes X No
If yes, summarize findings: The mine has operated successfully since 1999 and demand for material is increasing.

3. Describe the nature and extent, if necessary, of surface disturbance: Substantial disturbance resulting in removal of rock. See proposed Mining and Reclamation Plan Amendment (Appendix A).

