



## **PUBLIC MEETING AGENDA**

**Desert Construction, Inc. Peacock Material Source Aggregate Mine Reclamation Plan**

**January 19, 2023**

**2:00pm**

**Virtual Meeting**

**Dial (US) +1 346 248 7799**

**Meeting ID: 886 7232 3358**

**Passcode: 327280**

**<https://us06web.zoom.us/j/88672323358?pwd=MFhtNFo4VlE0MkY4ZFRmVFFmSk9vQT09>**

## **MEETING REQUIREMENTS**

Pursuant to A.R.S. § 27-1229, The Arizona State Mine Inspector (ASMI) has scheduled this public meeting on a proposed reclamation plan for Desert Construction, Inc. Peacock Material Source Aggregate mining operation.

**At the start of the meeting, the Mine Inspector will request that members of the public place their phones/devices on mute for the duration of the meeting.**

To ensure all relevant comments are addressed in this meeting, the ASMI requires that your questions be written and submitted to the ASMI prior to the meeting, or submitted in the chat box during the meeting for those who are video conferencing.

The ASMI will review the comments and questions. ***Please be aware that comments must pertain to the contents of the reclamation plan and if the proposed plan meets the administrative and technical criteria for approval or denial as provided by the Aggregate Minded Land Reclamation Act.*** Please understand that the Mine Inspector's Office is not a mine-permitting agency and does not have jurisdiction regarding zoning, water, air, dust, traffic and noise regulation. Those concerns must be brought to the attention of the corresponding regulatory agencies.

Further, The Act requires that the ASMI maintain a record of this public meeting, which will include the Agenda, any written comments submitted by the public and an electronic recording or transcript of this meeting.

## **SUMMARY OF RELEVANT REGULATIONS**

To clarify the purpose and intent of this meeting, the following sections provide a brief summary of the Aggregate Mined Land Reclamation Act. The Law was established in the year 2005 and became effective January 1, 2006. The Arizona State Mine Inspector is responsible for aggregate mined land reclamation. "Reclamation" means measures that are taken on surface disturbances at exploration operations and aggregate mining units to achieve stability and safety consistent with postaggregate mining land use. A.R.S. § 27-1201 (14)

A.R.S. § 27-1273 outlines the approval criteria for a reclamation plan:

A. The state mine inspector shall approve a reclamation plan for aggregate mining units if the plan provides for reclamation measures for surface disturbances that are:

1. Necessary to achieve a safe and stable condition suitable for the postaggregate mining land use objectives stated in the reclamation plan.
2. Compatible with good engineering practices regarding erosion control and seismic activity for the applicable seismic zone.

B. In evaluating the reclamation plan, the inspector shall consider the technical and economic practicability of the proposed reclamation measures, taking into account the site-specific circumstances at the aggregate mining unit and the proposed postaggregate mining land use objectives as stated in the reclamation plan, including:

1. Grazing and other agricultural land use objectives.
2. Developed water resources, water management projects and planned and existing underground water storage facilities.
3. Fish or wildlife habitat.
4. Forestry.
5. Historic preservation.
6. Industrial or commercial uses, including tourism.
7. Recreational uses.
8. Residential uses.
9. Scientific or educational uses.
10. Aggregate mining or re-mining, except that the proposed postaggregate mining use of aggregate mining or re-mining does not relieve an owner or operator from complying with or implementing the reclamation plan requirements under this chapter.
11. Water course channelization.
12. Other appropriate postaggregate mining land use objectives.

C. The postaggregate mining land use objective stated in the reclamation plan need not be the same use of the land that existed before the aggregate mining facility was located on the site.

## **PLAN APPROVAL PROCESS**

Once a proposed reclamation plan or substantial change is submitted, it is first reviewed by the ASMI staff to ensure that the mandated contents of the reclamation plan are administratively complete. Once the ASMI staff has found the plan to be administratively complete, the plan is then sent to a qualified private consultant and/or engineer to ensure that the plan meets the technical criteria and requirements of the chapter and rules adopted by the Inspector.

If the plan is found to be Technically Complete by the consultant, it is eligible to go through the public meeting process where adjacent private property owners are informed of the public meeting.

**PUBLIC COMMENT PERIOD**

**MEETING ADJORNMENT**