



**PUBLIC WORKS
ENGINEERING DEPARTMENT**
P.O. Box 1609 Mammoth Lakes, CA 93546
(760) 965-3653
cbrownlee@townofmammothlakes.ca.gov

LONG VALLEY MINERAL MATERIAL SITE (LVMMS)
RECLAMATION OPERATION
RIGHT OF ENTRY– INDEMNITY AGREEMENT
ANNUAL FACILITY USER PERMIT

The Long Valley Material Mineral Site is being operated in cooperation with the United States Forest Service (USFS) to provide a community service by providing a location for construction projects to deposit earth materials and beginning to reclaim the pit area that has been operated for over 40 years.

Right of Entry for dumping materials is provided to named contractor or agency and he/she agrees to the following:

1. An executed (no-fee) Right of Entry – Indemnity Agreement Facility User Permit is required to be on file with the Town.
2. All users of the facility are required to provide daily load tickets that include trucking company, construction site contractor, and project name and address where the material is from, date, and quantity.
3. The only materials being delivered, dumped and accepted at the site include dirt, soil overburden, subsoil, and rock.
4. Material delivered to the site shall be moistened to provide for dust control.
5. Materials that will not be accepted include asphalt, some concrete, rebar, woody material, and any other form of construction debris. All such material must be deposited in the local landfill.
6. It is further agreed that in the event material is dumped on the site and is determined to be unacceptable by the Town, it will be promptly removed at no cost to the Town or the Forest Service.
7. The User shall assume the defense of and indemnify and save harmless the Town of Mammoth Lakes, the USFS (United States), and each of their directors, officers, employees, and agents, from and against any and all claims, losses, damages, expenses and liability of every kind, nature and description, directly or indirectly arising from the delivery and the materials that are delivered and placed at the Site that do not meet the requirements of item 3 above.
8. A copy of the Right of Entry – Indemnity Agreement Facility User Permit shall accompany any and all vehicles involved in the depositing of materials at the (LVMM) Site.

9. The USFS has required the Town to collect fees as part of the Special Use Permit to cover costs for the operation and reclamation activities. The fees are due on demand and must be paid in full for any project in Town to receive a final grading inspection. After 25 days, late fees and interest will accrue at the maximum rate provided by the law.
10. The Contractor is required to hand a padlock and key over to the Town of Mammoth Lakes Public Works Department before the Contractor starts the trucking operation. When the Contractor is ready contact the Public Works Department and the lock will be placed into the lock sequence at the gate.

By my signature on this agreement, I certify, under penalty of perjury under the laws of the State of California, that I have read and understand the requirements for the use of the LVMM Site, and that the information provided is true and correct.

| | | | |
|----------------------------|--|-----------------------------------|--|
| Contractor / Agent: | | | |
| Name: | | Phone: | |
| Address: | | Email: | |
| Contractor License No: | | TOML Business Tax Certificate No: | |
| Trucking Company: | | | |
| Name: | | Phone: | |
| Address: | | Email: | |
| Contractor License No: | | TOML Business Tax Certificate No: | |

_____ Date: _____

Contractor Signature

_____ Date: _____

Colin Brownlee, Engineering Assistant
Town of Mammoth Lakes Public Works Department

EXHIBIT "A"

Long Valley Mineral Material Site (LVMMS)

Reclamation Operation

User Fees 2013

| | |
|------------------------------------|------------------|
| End Dump | \$65.00 per load |
| SUPER 10 | \$65.00 per load |
| Standard 10 Wheel Truck or Smaller | \$50.00 per load |