

PLANNING COMMISSION
MERCED COUNTY

In the matter of

RESOLUTION NO. 97-2

ADOPTING RECLAMATION PLAN
REQUIREMENTS FOR SURFACE
MINING AND RECLAMATION
PROJECTS

WHEREAS, the Planning Commission and the Planning and Community Development Department have been designated the Planning Agency for the County Board of Supervisors; and

WHEREAS, the Planning Commission may hold public hearings and approve, conditionally approve or deny Conditional Use Applications for surface mining projects and Reclamation Plans; and

WHEREAS, standard application requirements of Reclamation Plans would assist both applicants and the Planning Commission in processing and reviewing surface mining and reclamation projects; and

WHEREAS, these standard application requirements of Reclamation Plans may be updated from time to time;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby adopts the attached list of standard Application Requirements of Reclamation Plans for surface mining and reclamation projects at a regular meeting held on August 13, 1997, by the following vote:

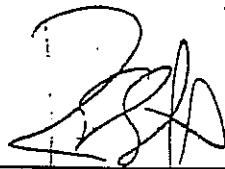
Commissioners:

AYES: John Adame, Robert King, Paul Moyer, Lynn Tanner

NOES: None

ABSENT: Steve Sloan

By



Robert E. Smith
Planning and Community Development Director
Secretary of the Planning Commission

MERCED COUNTY PLANNING COMMISSION
STANDARD APPLICATION REQUIREMENTS OF RECLAMATION PLANS

I. Large Mining Operations

A. Documentation

1. Name and address of the operator.
2. Name and address of the agent to receive written correspondence.
3. Statement by the person submitting the plan of acceptance of responsibility for reclaiming the land in accordance with the reclamation plan.
4. Name and addresses of all surface and mineral interests on the property to be mined.
5. Legal description of the property.

B. Engineering Data

1. Engineering analysis of critical gradient and final slope approaching or exceeding the critical gradient.
2. Description of general geology of the area.
3. Detailed description of geology on the mining site.
4. Soil type and water depth as indicated by soil boring down to two feet below the deepest point of the proposed excavation. Planning Director may waive this requirement if the soil boring provides no valuable data for end use.
5. Financial Assurance Estimate (FAE) prepared by a licensed professional in the amount sufficient to cover the cost of reclaiming the disturbed area for the first year of operation.

C. Narrative

1. Environmental setting and effect of reclaimed land on surrounding property.
2. Quantity and type of materials to be mined.
3. Date of initiation and termination of operation.
4. Maximum anticipated depth of excavation, average depth of overburden and resource material.
5. Description and plan of surface mining to be employed, equipment and methods, fate of overburden, location of stockpiles, equipment, ponds and drainage.
6. Description of dust control and air pollution control.
7. Estimated noise levels of equipment at property lines in the four primary directions.
8. Source of water and estimated water usage.
9. Economic analysis of benefits of surface mining outweighing preservation of prime agricultural land.
10. Phasing and time schedule for completion of mining and reclamation of each portion indicating maximum extent of unreclaimed area at any given time.
11. Description of reclamation to meet statewide reclamation standards of State Public Resources Code Section 2773 (b) and Title 14 of the California Code of Regulations Section 3503 (wildlife habitat, backfilling, regrading, slope stability, revegetation, drainage, erosion control, agricultural reclamation, equipment removal, streambed protection, resoiling, mine waste management).
12. Description of proposed or potential use after reclamation.

D. Site Maps (including a bar scale)

1. Boundaries and topography
2. Two transverse cross sections indicating existing and ultimate land form.
3. Location of all streams including alterations, roads, railroads, and utilities within or adjacent to project site.
4. Location of all access roads and proposed access roads to be constructed during the operation parking, landscaping and land use buffers between mining operation and surrounding uses.
5. Structures, equipment, stockpiles, ponds during various phases of the operation.
6. Mining and reclamation phases related to the FAE.

A. Documentation

1. Mine name, ID number, location.
2. Name, address and phone number of mine operator, agent, property owner and owner of mineral rights.
3. Legal description and assessor's parcel number of mining operation.
4. Statement by the person submitting the plan of acceptance of responsibility for reclaiming the land in accordance with the reclamation plan.

B. Narrative

1. Mineral, quantity mined per year, duration, starting and ending dates, maximum mining depth, acres to be mined, disturbed and reclaimed.
2. Mining description, time schedule, post-mining use, contaminant control, streambed effect.
3. Project's effect on future mining.
4. Revegetation proposal and monitoring program.
5. Description of wildlife habitat, backfilling, regrading, slope stability, recontouring, revegetation, drainage, diversion structures, waterways, erosion control, agricultural land reclamation, equipment removal, streambed protection, resoiling, mine waste management.

C. Site Maps (including a bar scale)

1. Boundaries and topography
2. Two transverse cross sections indicating existing and ultimate land form.
3. Location of all streams including alterations, roads, railroads, and utilities within or adjacent to project site.
4. Location of all access roads and proposed access roads to be constructed during the operation, parking, landscaping and land use buffers between mining operation and surrounding uses.
5. Structures, equipment, stockpiles, ponds during various phases of the operation.
6. Mining and reclamation phases related to the FAE.

SURFACE MINING AND RECLAMATION ACT OF 1975
 ARTICLE 1. GENERAL PROVISIONS. SECTION 2710 et seq.
 ARTICLE 2. DEFINITIONS. SECTION 2725 et seq.
 ARTICLE 3. DISTRICT COMMITTEES. SECTION 2740 - 2741.
 ARTICLE 4. STATE POLICY FOR THE RECLAMATION OF MINED LANDS. SECTION 2755 et seq.
 ARTICLE 5. RECLAMATION PLANS AND THE CONDUCT OF SURFACE MINING OPERATIONS.
 SECTION 2770 et seq., as amended.

CCR TITLE 14 (REGISTER 85, NO. 18-5-4-85)
 CHAPTER 8. MINING AND GEOLOGY
 SUBCHAPTER 1. STATE MINING AND GEOLOGY BOARD
 ARTICLE 1. SURFACE MINING AND RECLAMATION PRACTICE. SECTION 3500 et seq.
 ARTICLE 9. RECLAMATION STANDARDS. SECTION 3700 et seq.

PROJECT: _____
 CUP#: _____ CHECKLIST BY: _____
 DATE: _____

Mining Operation and Closure

YES NO ? N/A

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SMARA 2770.5 100-year flood, Caltrans contact.

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SMARA 2772(c)(1) Name and address of operator/agent.

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SMARA 2772(c)(2) Quantity & type of minerals to be mined.

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SMARA 2772(c)(3) Initiation and termination date.

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SMARA 2772(c)(4) Maximum anticipated depth of mining.

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SMARA 2772(c)(5) Size, legal description, including map with boundaries, topography, geology, streams, channel cross-sections, topsoil stockpiles, roads, equipment storage, RR, utilities within or adjacent to mine.

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SMARA 2772(c)(6) Mining plan and time schedule that provides for completion of mining on each segment so that reclamation can be concurrent or phased ASAP.

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SMARA 2772(c)(9) Impact of reclamation on future mining

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CCR 3502(b)(2) Public health and safety (exposure).

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CCR 3713(b) All portals, shafts, tunnels, or openings, gated or protected from **public entry**, but preserve access for wildlife.

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CCR 3502(b)(5) Disposition of old equipment.

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CCR 3709(a) Equipment stored in designated area and waste disposed of according to ordinance.

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CCR 3709(b) Structures and equipment dismantled and removed.

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CCR 3713(a) Drill holes, water wells, monitoring wells completed or abandoned in accordance with laws.

YES NO ? N/A

End Land Use

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SMARA 2772(c)(7)

Description of proposed subsequent use or potential use.

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SMARA 2772(c)(8)

Description of reclamation measures adequate for proposed end use.

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CCR 3707(a)

Return prime ag to prime ag, unless exempted.

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CCR 3707(c)

Productivity rates equal pre-project or similar site for two consecutive years. Rates set forth in plan.

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CCR 3708

Other ag capable of sustaining crops common to area.

Geotechnical Requirements

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CCR 3502(b)(3)

Final slopes: consider physical properties and landscaping. Stability analysis for final slopes that approach critical gradient.

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CCR 3704(f)

Final cut slopes have minimum factor of safety for end use and conform with surrounding topography

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CCR 3502(b)(4)

Disposition of fill materials considered. Foundation fills for end use in conformance with current engineering technology.

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CCR 3704(a)

For urban use, fill compacted in accordance with UBC, local grading ordinance, or other methods approved by the lead agency.

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CCR 3704(b)

For resource conservation, compact to standard for that end use.

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CCR 3704(d)

Final reclamation fill slopes not exceed 2:1, except when allowed by site-specific engineering analysis, and can be revegetated.

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CCR 3704(e)

At closure, final landforms of fills conform with surrounding topography or end use

Hydrology and Water Quality

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CCR 3710(a)

Surface and groundwater protected in accordance with Porter-Cologne and Clean Water Acts (RWQCB/SWRCB).

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CCR 3706(b)

Water quality, recharge, and groundwater storage that is accessed by others shall not be diminished, except as allowed by plan.

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CCR 3503(b)(2)

Substantially prevent siltation of groundwater recharge areas.

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SMARA 2773(a)

Site-specific sediment and erosion control criteria for monitoring compliance with approved reclamation plan.

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CCR 3503(a)(3)

Erosion control facilities constructed and maintained where necessary.

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CCR 3503(b)(1)

Settling ponds used where they will provide significant benefit to water quality.

YES NO ? N/A

CCR 3503(e) Grading and revegetation to minimize erosion and convey surface runoff to natural drainage courses or interior basins. Spillway protection.

CCR 3706(c) Erosion and sedimentation controlled during all phases of construction, operation, reclamation, and closure of surface mining operation to minimize siltation of lakes and water courses per RWQCB/SWRCB.

CCR 3706(d) Surface runoff and drainage controlled to protect surrounding land and water resources. Erosion control methods designed for not less than 20 year/1 hour intensity storm event.

CCR 3706(e) Altered drainages shall not cause increased erosion or sedimentation.

SMARA 2773(a) Sediment and erosion control monitoring plan specific to property.

SMARA 2772(c)(8)(A) Description of contaminant control and mine waste disposal.

CCR 3503(d) Disposal of mine waste and overburden shall be stable and not restrict natural drainage without suitable provisions for diversion.

CCR 3503(a)(2) Overburden stockpiles managed to minimize water and wind erosion.

CCR 3712 Mine waste and tailings, and mine waste disposal units governed by SWRCB/IWMB (Article 1, Subchapter 1, Chapter 7, Title 27, CCR).

CCR 3710(b) In-stream mining conducted in accordance with Fish and Game Code Section 1600 et seq, Section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act of 1899.

SMARA 2772(c)(8)(B) Rehabilitation of streambanks/beds to minimize erosion.

CCR 3502(b)(6) Temporary stream and water diversions shown.

CCR 3710(c) In-stream channel elevations and bank erosion evaluated annually using extraction quantities, cross-sections, aerial photos.

CCR 3706(a) Mining and reclamation to protect downstream beneficial uses.

CCR 3706(f)(1) Stream diversions constructed in accordance with Fish and Game Code

CCR 3706(f)(2) Stream diversions constructed in accordance with Federal Clean Water Act and Rivers and Harbors Act of 1899.

CCR 3706(g) All temporary stream diversions eventually removed.

Environmental Setting and Protection of Fish and Wildlife Habitat

CCR 3502(b)(1) Environmental setting and impact of reclamation on surrounding land uses. (Identify sensitive species, wildlife habitat, sensitive natural communities, e.g. wetlands, riparian zones, etc.)

YES NO ? N/A

CCR 3705(a) Vegetative cover, suitable to end use, self-sustaining. Baseline studies documenting cover, density and species richness.

CCR 3503(c) Protection of fish and wildlife habitat (all reasonable measures).

CCR 3703(a) Sensitive species conserved or mitigated.

CCR 3703(b) Wildlife habitat at least as good as pre-project, if approved end use is habitat

CCR 3703(c) Wetlands avoided or mitigated at 1:1 minimum.

CCR 3704(g) Piles or dumps not placed in wetlands without mitigation

CCR 3710(d) In-stream mining not cause fish to be trapped in pools or off-channel pits, or restrict migratory or spawning activities.

CCR 3713(b) All portals, shafts, tunnels, or openings, gated or protected from public entry, but **preserve access for wildlife.**

Resoiling and Revegetation

CCR 3503(f) Resoiling (fine material on top plus mulches).

CCR 3704(c) Mine waste stockpiled to facilitate phased reclamation and separate from growth media.

CCR 3711(a) All salvageable topsoil removed. Topsoil and vegetation removal not precede mining by more than one year.

CCR 3711(b) Topsoil resources mapped prior to stripping, location of stockpiles on map. Topsoil and growth media in separate stockpiles.

CCR 3711(c) Soil salvage and phases set forth in plan, minimize disturbance, designed to achieve reveg success.

CCR 3711(d) Topsoiling phased ASAP. Topsoil stockpiles not be disturbed until needed. Topsoil stockpiles clearly identified and planted with vegetation or otherwise protected.

CCR 3711(e) Topsoil redistributed in stable site and consistent thickness

CCR 3707(b) Segregate and replace topsoil by horizon.

CCR 3705(e) Soil altered or other than native topsoil, requires soil analysis. Amend if necessary.

CCR 3707(d) Fertilizers and amendments not contaminate water.

SMARA 2773(a) Revegetation plan specific to property. Monitoring plan.

CCR 3503(a)(1) Removal of vegetation and overburden preceding mining kept to a minimum.

CCR 3503(g) Revegetation and plant survival (use available research).

YES NO ? N/A

YES	NO	?	N/A		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(a)	Vegetative cover, suitable to end use, self-sustaining. Baseline studies documenting cover, density and species richness.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(b)	Test plots if success has not been proven previously.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(c)	Decompaction of site.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(d)	Roads stripped of roadbase materials, resoiled and revegetated, unless exempted.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(f)	Temporary access not bladed. Barriers installed.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(g)	Use native plant species, unless exotic species meet end use.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(h)	Plant during correct season.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(i)	Use soil stabilizing practices and irrigation, when necessary to establish vegetation.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(j)	If irrigated, demonstrate self-sustaining without for two year minimum.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(k)	Weeds managed.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(l)	Plant protection measures, fencing, caging.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CCR 3705(m)	Success quantified by cover, density and species-richness. Standards proposed in plan. Sample method set forth in plan and sample size provide 80 percent confidence level, as minimum.

Administrative Requirements

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SMARA 2772(c)(10)	Applicant statement accepting responsibility for reclamation per the reclamation plan.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SMARA 2773.1	Performance (financial) assurances.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SMARA 2774(b)	Annual inspection.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SMARA 2776	All mining operations since 1/1/76 included in reclamation plan.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SMARA 2777	Amended reclamation plans required prior to substantial deviations to approved plans.

Public Resources Code

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21151.7	EIR required for cyanide heap leaching.
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