

# Pre-Rulemaking Discussion

## Surface Mining and Reclamation Act/Financial Assurance Cost Estimate Form

The State Mining and Geology Board (SMGB) is preparing to undertake rulemaking to make significant revisions to regulations governing the Surface Mining and Reclamation Act. The purpose of this document is to outline the SMGB's immediate regulatory goals, and to solicit specific input on how best to accomplish these goals. **The SMGB will be accepting comments until October 07 at 5pm. Please see the bottom of this document for information about submitting comments.**

### **Regulatory Goals and Questions**

#### **Regulatory Goal # 1: *Establish upcoming rulemaking priorities and engage stakeholders***

- Based on recent statutory revisions, is there any regulatory language stakeholders would like to see further clarified during the rulemaking process?
- What regulatory changes are necessary to implement the recent statutory changes?
- What issues should the SMGB consider when developing priorities for rulemaking?
- What could the SMGB do to increase public participation in the rulemaking process?

#### **Regulatory Goal # 2: *Clarify standards for financial assurance cost estimates***

- Should cost estimates be prepared using standardized labor costs, such as prevailing wage?
- Should cost estimates be prepared using standardized equipment costs and production rates, such as those published in the Caltrans Equipment Rental Rate and Labor Surcharge manual and the Caterpillar Performance Handbook?
- Should justification of grading calculations be required, such as recent surveyed topography?
- Should a reduction of the cost estimate be allowed for salvage value of plant structures?
- Should content and/or format of third party estimates be standardized?

### **Comment Submission:**

Written submissions may be provided to the SMGB by:

Mail:

Department of Conservation

801 K Street, MS 20-15

Sacramento, CA 95814

ATTN: Surface Mining Regulation

Or Email:

[smgb@conservation.ca.gov](mailto:smgb@conservation.ca.gov)

Additional comment periods will be announced when formal rulemaking for specific regulatory packages are noticed to the public. When submitting comments via email, be sure to use

**[SMGB@conservation.ca.gov](mailto:SMGB@conservation.ca.gov)**.