



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT



ARNOLD
SCHWARZENEGGER
GOVERNOR

For Meeting Date: March 13, 2008

Agenda Item No. 8: Report on Public Complaint Pertaining to the Timberhitch Pits (CA Mine ID #91-47-0055), Larry Manley (Agent), C. H. McMillan Sand and Gravel (Operator), Siskiyou County.

INTRODUCTION:

When the State Mining and Geology Board (SMGB) receives a complaint, a determination is quickly made as to whether immediate action is required. Immediate action is defined as a "situation where a lead agency does not act to assure SMARA compliance and irreparable environmental damage or substantial endangerment to the public health appears imminent". When immediate action is not considered necessary, a technical review by the Department of Conservation, Office of Mine Reclamation (OMR) or discussion of the violation(s) at the SMGB's next Regular Business Meeting may be undertaken.

BACKGROUND:

Receipt of Public Complaints: The SMGB received a written public complaint dated June 12, 2007, from an adjacent land owner for a surface mining operation known as Timberhitch Pits (CA Mine ID #91-47-0055) located in Siskiyou County. It was alleged that the operation has been in a state of non-compliance with SMARA, and the County acting as lead agency has failed to adequately enforcement SMARA and bring this site into compliance.

EXECUTIVE OFFICER'S RECOMMENDATION: The Department of Conservation, Office of Mine Reclamation's (OMR) report was not available at the time this report was prepared, and thus no recommendation is offered at this time.

Respectfully submitted:

Stephen M. Testa
Executive Officer



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