



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: July 8, 2010

Agenda Item No. 3: Approval of an Interim Management Plan for the Marysville Facility (CA Mine ID #91-58-0019), Teichert Aggregates (Operator), Ms. Lillie Noble (Agent), County of Yuba.

INTRODUCTION: The State Mining and Geology Board (SMGB) acts as the lead agency for Yuba County, pursuant to the Surface Mining and Reclamation Act of 1975 (SMARA). Interim Management Plans (IMPs) are approved by the SMARA lead agency for a period of time not to exceed five years, and may be, upon termination of the original IMP and at the discretion of the lead agency, renewed by the lead agency for another period not to exceed five years.

REGULATORY AUTHORITY: IMPs are required pursuant to Public Resources Code (PRC) Section 2770(h)(1) which states:

“Within 90 days of a surface mining operation becoming idle, as defined in Section 2727.1, the operator shall submit to the lead agency for review and approval, an interim management plan...The interim management plan shall provide measures the operator will implement to maintain the site in compliance with this chapter, including, but not limited to, all permit conditions.”

“Idle” as defined under PRC Section 2727.1 is:

“to curtail for a period of one year or more surface mining operations by more than 90 percent of the operation’s previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date.”

Renewal of IMPs by SMARA lead agencies is addressed in PRC Section 2770(h)(2) which states:

“The interim management plan may remain in effect for a period not to exceed five years, at which time the lead agency shall do one of the following:

- (A) Renew the interim management plan for another period not to exceed five years, if the lead agency finds that the surface mining operator has complied fully with the interim management plan,*
- (B) Require the surface mining operator to commence reclamation in accordance with its approved reclamation plan.”*



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BACKGROUND: Teichert's Marysville Facility is situated immediately adjacent to the historic Yuba Goldfields approximately five miles northeast of Marysville, California, and two miles south of the Yuba River. Alluvial sand and gravel mining operations commenced at the Marysville facility in November of 2002, and due to economic conditions extraction activities ceased on the site as of January 2009. The site is relatively flat with about 18 feet of overall natural relief. Historic dredged tailing mounds ranging up to about 45 feet in height are located to the north and west of the site. The subject property is irregular in shape, encompasses about 590 acres, and is divided into three phases of material extraction.

An inspection of the Marysville Facility surface mining operation was performed on December 15, 2009. No violations or corrective measures were noted at time of inspection, and approximately 254 acres were deemed disturbed.

On April 5, 2010, the SMGB received a proposed IMP from the operator for the Marysville Facility. After a preliminary review, SMGB staff requested further information and clarification from the operator regarding portions of the IMP. On May 6, 2010, the operator provided the requested information, and such documents were subsequently reviewed by SMGB and OMR staff.

EXECUTIVE OFFICER'S ANALYSIS: Mineral production at Teichert's Marysville Facility has been curtailed by more than 90 percent of the operation's previous maximum annual mineral production for a period exceeding one year. In addition, the operator has indicated intent to resume surface mining operations at a future date. The operator has submitted an IMP to its lead agency, the SMGB, for review and approval. The operator utilized the SMGB's IMP form. The IMP provides measures the operator will implement to maintain the site in compliance with SMARA, including, but not limited to, all permit conditions. Office of Mine Reclamation and SMGB staff have reviewed the IMP and consider it adequate in meeting the minimum requirements of SMARA and the SMGB's regulations.

EXECUTIVE OFFICER'S RECOMMENDATION: The Executive Officer recommends that the SMGB approve the IMP for the Teichert Marysville Facility for a period of up to five years, with the following two conditions:

1. Item Nos. 6.a. and 6.b. of the IMP form shall be revised to read "1/1/10" and "7/8/15 or prior", respectively; and
2. Item Nos. 7.a. and 7.b. of the IMP form shall be revised to include the requested production information. [Note: production information included on the IMP form is proprietary and will be kept confidential pursuant to PRC Section 2207(g)]

SUGGESTED MOTION LANGUAGE:

To approve the Interim Management Plan:

Mr. Chairman, in light of the information before the State Mining and Geology Board today, I move that the Board conditionally approve the Interim Management Plan for the Teichert Marysville Facility, CA Mine ID #91-58-0019, and adopt Resolution 2010-07, for a period not to exceed five years. The conditions of approval are incorporation of the Executive Officer's recommended revisions to Item Nos. 6.a., 6.b., 7.a. and 7.b. of the IMP form, as discussed in the Executive Officer's Report.

Respectfully submitted:

Stephen M. Testa
Executive Officer