



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: October 14, 2010

Agenda Item No. 5: Approval of an Interim Management Plan for the Simpson Lane Project (CA Mine ID #91-58-0025), 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 Simpson Lane Project is located on a 105-acre parcel of agricultural land located at 1638 Simpson Lane adjacent to the north side of the Yuba River South Levee. The site is immediately north of the community of Linda, and approximately one mile southeast of Marysville. The site is relatively flat and was formerly completely occupied by peach orchards. The project involves mining of alluvial sand and replacement of the excavated volume with fill material suitable for agricultural purposes. The approved reclamation plan indicates that excavation and backfilling would occur in phases and will eventually entail removal and subsequent replacement of soil over approximately 73 acres of the subject parcel. The total volume of sand to be removed during the course of all surface mining activities is estimated to exceed 3 million cubic yards.

Surface mining operations have not occurred at the Simpson Lane site during the past year. Extraction and soil backfilling operations occurred in the central portion of the site (northeastern Phase 1 area) during 2008. During this time the operator removed a significant volume of sand from the site, and imported an approximately equal amount of topsoil backfill material. Backfilling to original grade and site grading activities were noted to have been completed in mid 2009. Also during 2009 the landowner planted young peach trees on approximately 22 acres on the northeastern portion of the site. The remainder of the property is occupied by grasses and small shrubs that have established themselves following removal of the peach orchard which formerly occupied the site.

An inspection of the Simpson Lane Project site was performed on September 29, 2010. No violations or corrective measures were noted at time of inspection, and no acreage was deemed disturbed.

On April 5, 2010, the SMGB office received a proposed IMP for the Simpson Lane site from the operator for review and approval consideration. After a preliminary review SMGB staff requested additional information from the operator and provided recommendations for revisions to the proposed IMP. Additional information and revised documents were subsequently provided by the operator on May 6, May 27 and July 20, 2010, and such documents were subsequently reviewed by SMGB and OMR staff.

EXECUTIVE OFFICER'S ANALYSIS: Mineral production at Teichert's Simpson Lane Project 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 Simpson Lane Project for a period of up to five years.

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 approve the Interim Management Plan for the Simpson Lane Project, CA Mine ID #91-58-0025, for a period of five years from today, and adopt Resolution No. 2010-10.

Respectfully submitted:

Stephen M. Testa
Executive Officer