



# **STATE MINING AND GEOLOGY BOARD**

## **EXECUTIVE OFFICER'S REPORT**

**For Meeting Date: March 8, 2012**

**Agenda Item No. 13: Office of Mine Reclamation, Lead Agency Review Team (LART) Reports on County of Nevada, County of San Diego, City of Chula Vista and City of Oceanside.**

**INTRODUCTION:** In 2007, the Department of Conservation, Office of Mine Reclamation (OMR) established the Lead Agency Review Team (LART). An overview of the LART program was previously presented to the State Mining and Geology Board (SMGB) in July 2009. The LART has completed its lead agency review report for the Counties of Nevada and San Diego, and the Cities of Chula Vista and Oceanside. LART will provide a summary of the results of its review of these four SMARA lead agencies.

**BACKGROUND:** California is the only state in the conterminous United States where surface mine reclamation is not regulated at the state level. Most states also maintain permitting authority when it comes to mining regulation; whereas, in California permitting authority is decided at the local level. SMARA pursuant to Public Resources Code (PRC) Section 2728 defines a lead agency as a city, county, San Francisco Bay Conservation and Development Commission (BCDC), or the SMGB which has the principal responsibility for approving a surface mining operation or reclamation plan. Under the California Surface Mining and Reclamation Act of 1975 (SMARA), there are currently 113 lead agencies: 52 counties, 50 cities, and the SMGB.

In 2007, the SMGB published Information Report IR 2006-07 titled "*Report on SMARA Lead Agency Performance Regarding Mine Reclamation.*" This evaluation assessed the lead agency's performance of periodic mine inspections, adjustment of annual financial assurances and enforcement of the preparation of Interim Management Plans should a surface mine site be characterized as idle for a period exceeding one year. Based on this review, the overall performance of SMARA lead agencies was found to significantly vary throughout the state. For the most part, overall performance was found to be poor, reflecting a number of factors including primarily financial constraints, and limited or absence of technical expertise.

A summary of the progress made by LART since 2007, as of March 2011, is summarized on Table 1. As of March 2011, LART has commenced review of eighteen SMARA lead agencies.



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**Table 1**  
**Summary of LART Progress as of March 2011**

	Mines Visited	Total Mines	Prep Work Started	Prep Work Completed	Field Work Started	Field Work Completed	Exit Conference	Report to OMR Management	Report back from OMR Management	Report to Lead Agency	Response received from Lead Agency	Report to OMR Management	Report back from OMR Management	Report to SMGB
Sutter	7	7	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Santa Cruz	8	8	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Tuolumne	4	7	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Napa	3	4	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nevada	10	12	✓	✓	✓	✓	✓	Mar-11						
Truckee	2	2	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mono	18	19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Alpine	3	4	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Alameda	9	10	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Merced	9	27	✓	✓	✓	✓	✓	Mar-11						
Lake	6	14	✓	✓	✓	✓	✓	✓						
San Diego	17	29	✓	✓	✓	Mar-11								
Oceanside	2	2	✓	✓	✓	Mar-11								
Chula Vista	1	1	✓	✓	✓	Mar-11								
Sacramento	16	26	✓	✓	✓	✓	Mar-11							
Amador	18	25	✓	✓	✓	✓	Mar-11							
Yolo	4	10	✓	✓	✓	✓	✓							
Mendocino	15	36	✓	✓	✓	Mar-11								
	152	243												

The LART reports for the Counties of Nevada and San Diego, and the Cities of Chula Vista and Oceanside, have been completed.

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**EXECUTIVE OFFICER'S RECOMMENDATION:** The information being provided by OMR is for the SMGB's information. No recommendations are provided by the Executive Officer at this time.

Respectfully submitted:



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Stephen M. Testa  
Executive Officer

## **Exhibit A**

# **LART Report on the County of Merced**

