



State Mining and Geology Board
2014-2015 Annual Report
Pertaining to the
Surface Mining and Reclamation Act



Department of Conservation
Natural Resources Agency

February 2016



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Governor
State of California

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Cover Photo: Former aggregate extraction pond and process water discharge area within the Yuba Goldfields near the community of Hallwood in Yuba County showing revegetating shorelines. (Photo credit: Will Arcand)

2014-2015 ANNUAL REPORT

Pertaining to the Surface Mining and Reclamation Act

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STATE MINING AND GEOLOGY BOARD 2014-2015 ANNUAL REPORT Pertaining to the SURFACE MINING AND RECLAMTION ACT EXECUTIVE SUMMARY

The 2014-2015 *Annual Report of the State Mining and Geology Board* (Annual Report) is prepared for both the Governor and the State Legislature, as is provided for in statute pursuant to Public Resources Code (PRC) Section 2717. Reporting periods follow the State's fiscal year calendar from July 1st of one year to June 30th of the following year.

The State Mining and Geology Board (SMGB) is housed within the Department of Conservation (DOC), and is granted certain responsibilities and obligations under several statutes. The SMGB's general authority is granted under PRC Sections 660-678. The SMGB serves as a regulatory, policy and appeals body representing the State's interests in geology, geologic and seismologic hazards, conservation of mineral resources and reclamation of lands following surface mining activities, according to its statutory jurisdiction.

The SMGB is composed of nine members appointed by the Governor, and confirmed by the Senate, for four-year staggered terms. By statute, SMGB members must have specific professional backgrounds in geology, mining engineering, environmental protection, groundwater hydrology and rock chemistry, urban planning, landscape architecture, mineral resource conservation, and seismology, with one non-specialized member representing the general public. At the close of this reporting period, all Board member positions were filled. Also, the Governor appointed a new Board Chair, Gideon Kracov, in March 2015, after the term of prior Board Chair Ignacio Gonzales expired.

This Annual Report summarizes activities and actions set forth by the SMGB during the 2014-2015 reporting period, and also presents "legislative recommendations" where the SMGB believes improvements can be made to further carry out the purposes and requirements of the Surface Mining and Reclamation Act (SMARA).

The SMGB, in concert with the DOC, the California Geological Survey (CGS) and the Office of Mine Reclamation (OMR), and its stakeholders, has been fully engaged in implementing the legislative mandates of SMARA. SMARA-related activities occupied the majority of the SMGB's time and resources during the 2014-2015 reporting period. The SMGB serves as a SMARA lead agency for two counties, ten cities, and marine dredging operations within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC), encompassing 45 individual surface mining operations. The SMGB also is responsible for reviewing and accepting mineral resource lands classification reports prepared by CGS, and for designating such lands as regionally significant.

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**STATE MINING AND GEOLOGY BOARD
ANNUAL REPORT
2014 – 2015**

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INTRODUCTION

The *State Mining and Geology Board* (SMGB or Board) is composed of nine members appointed by the Governor, and confirmed by the Senate, for four-year staggered terms. By statute, SMGB members must have specific professional backgrounds in geology, mining engineering, environmental protection, groundwater hydrology and rock chemistry, urban planning, landscape architecture, mineral resource conservation, and seismology, with one non-specialized member representing the general public. At the close of this reporting period, all Board member positions were filled. Also, the Governor appointed a new Board Chair, Gideon Kracov, in March 2015, after the term of prior Board Chair Ignacio Gonzalez expired.

The SMGB is housed within the Department of Conservation (DOC), and is granted certain responsibilities and obligations under several statutes. The SMGB's general authority is granted under Public Resources Code (PRC) Sections 660-678. The SMGB serves as a regulatory, policy and appeals body representing the State's interests in geology, geologic and seismologic hazards, conservation of mineral resources and reclamation of lands following surface mining activities, according to its statutory jurisdiction.

In March 2015, the SMGB adopted its 2015-2016 Strategic Plan, after taking public comment. The Strategic Plan presents a Mission Statement, supported by four Goals: Mineral Conservation and Reclamation, Lead Agency, Geohazards and Administration. Each of the Goals is sustained by a list of Strategies and Objectives for achieving those Goals. Then, a list of priority Objectives with a timeline is presented for Years 2015 and 2016. This streamlined document organized and better focused the Board's activities. The SMGB's next Annual Report will summarize compliance with the Strategic Plan, which was too new to be meaningfully incorporated into the 2014-2015 Annual Report.

To enable the SMGB to meet its responsibilities most effectively, it has established standing committees to gather information and formulate recommendations on a variety of topics. The Committees were restructured in March 2015 to match the four Strategic Plan Goals, and now consist of the Mineral Conservation and Reclamation Committee, the Board Lead Agency Standards Committee, the Geohazards Committee, and the Policy and Administration Committee. The full SMGB, and these Committees, meet in regularly scheduled sessions on a monthly or as-needed basis.

The 2014-2015 *Annual Report of the State Mining and Geology Board* (Annual Report) is prepared for both the State Legislature and the Governor, as is provided for in statute pursuant to PRC Section 2717. Reporting periods follow the State's fiscal year calendar from July 1st of one year to June 30th of the following year. This Annual Report summarizes activities and actions set forth by the SMGB during the 2014-2015 reporting period, and also presents "legislative recommendations" where the SMGB believes improvements can be made for the future well-being of the State's people and wise use of its natural resources under the Surface Mining and Reclamation Act of 1975 (SMARA). A Supplemental Annual Report for the same annual reporting period which emphasizes the SMGB's work under the Alquist-Priolo Earthquake Fault Zoning Act and Seismic Hazards Mapping Act, may be provided under separate cover.

SMARA (PRC Sections 2710 et seq.) along with its associated regulations (California Code of Regulations (CCR) Section 3500 et seq.) provides a comprehensive surface mining and reclamation policy for the regulation of surface mining operations and mineral conservation. SMARA encourages the production, conservation, and protection of the State's mineral resources, and assures that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. In addition, PRC Section 2207 also provides annual reporting requirements for all mines in the State.

SMGB ROLE IN PROTECTION OF MINERAL RESOURCES

As California's population continues to grow, its communities face increasingly difficult and complex land use decisions. The production of mineral resources -- so necessary to support an ever expanding population -- must compete with other land uses such as agriculture, timber production, urban development, renewable energy, and recreational, sensitive ecological or scenic areas. The rapid growth of many communities and the incompatibility of mining with most other land uses sometimes results in heated conflicts within those communities. Often, the mineral resource is needed by the very use which threatens it. For example, construction grade aggregate deposits, which are the sources for the construction and repair of roads, houses, and commercial buildings, often are built over before the resource can be extracted.

The objectives of these processes are to provide local agency decision makers with information on the location, need, and importance of mineral resources within their jurisdiction, and to require that this information be considered in local land use planning decisions. These objectives are met through the adoption of local Mineral Resource Management Policies (MRMP) that provide for the conservation and prudent development of these mineral deposits.

California's construction industry is greatly dependent on readily available aggregate deposits that are within a reasonable distance to market regions. Aggregate is a low unit-value, high bulk-weight commodity; therefore, aggregate for construction must be obtained from nearby sources in order to minimize costs to the consumer. If nearby aggregate sources do not exist, then transportation costs quickly can exceed the value of the aggregate. Transportation cost is one of the most important factors considered when defining the market area for an aggregate mine operation.

In an effort to address this issue, SMARA provides for a method by which mineral lands may be "Classified" by the State Geologist, and "Designated" by the SMGB. These Classification and Designation processes are methods by which an inventory of the State's most valuable mineral deposits can be compiled and made available to local communities for inclusion in their land use decision making.

Classification

Classification is the method by which the State Geologist, in accordance with a time schedule and based upon guidelines adopted by the SMGB, geologically evaluates the State's lands and categorizes those lands as: (1) having little or no mineral deposits; (2) areas containing significant mineral deposits; and, (3) areas containing mineral deposits, the significance of which requires further evaluation. These determinations by the State Geologist are made based

solely on geologic factors, and without regard to existing land use or land ownership. Mineral Classification information is transmitted to the SMGB by the State Geologist, and then is provided to locally affected jurisdictions (cities and counties) by the SMGB in a Classification Report.

In some regions, large portions of the areas classified as having significant mineral deposits are already committed to other various urban uses, which prohibit access to the underlying resources. As an additional aid to local planning agencies, classification reports prepared for metropolitan areas also highlight non-urbanized portions of the classified mineral lands as Aggregate Resource Areas (ARA). These non-urbanized ARA's contain mineral deposits that remain potentially available for future use, and facilitate estimating the volume of aggregate material that is practically available in the region. ARA's may be considered for Designation by the SMGB.

Designation

Designation is the process by which the SMGB, based on analyses by the State Geologist and the CGS, information gathered from local communities, the mining industry, and other government agencies such as the Governor's Office of Planning and Research, determines that a particular mineral classified deposit is of regional (multi-community) or statewide economic significance. In contrast to Classification, which inventories mineral deposits without regard to existing land use, the purpose of Designation is to identify those areas that are of prime importance in meeting the future needs of the study region and that remain available from a land use perspective.

Designation is the State's effort to conserve mineral resources in regions of expected rapid urbanization or other land uses that might prevent surface mining activities, and therefore result in a loss of the mineral resource to the community. To avoid dictating to local communities where future aggregate mines should be located, mineral designated areas generally contain resources (un-permitted deposits) that are far in excess of the region's 50-year demand. This attempts to provide maximum flexibility to local governments in making land use decisions, while still conserving an adequate amount of construction aggregate for the future.

Mining Ordinances

SMARA requires each lead agency (City, County, or City and County) to have a surface mining and reclamation ordinance that is in accordance with statute. To ensure ordinances are in compliance with SMARA and the SMGB's regulations, the SMGB has authority to review and certify that these local ordinances meet SMARA requirements. Based on a review of the State's mineral resource management program (SMGB Information Report 2007-03), it was concluded that the Mining Ordinance review and certification program was working well, with an effective compliance rate of 100 percent.

SMARA requires that lead agencies periodically revise their respective mining ordinances to keep them consistent with legislative and regulatory changes. The SMGB is required to re-certify these ordinances before they become effective. The SMGB reviewed and certified two mining ordinances during the 2014-2015 reporting period. A summary of mining ordinances certified by the SMGB from January 2000 through June 2015, is provided in Table 1:

Table 1
SMGB Certified Surface Mining and Reclamation Ordinances
January 2000 through June 2015

SMARA Lead Agency	City Or County	SMGB Certification Date	SMGB Resolution Number	Ordinance Number
Azusa	City	1/14/2000	Resolution 99-47	Ordinance No. 99-010
Bakersfield	City	3/9/2000	Resolution 2000-02	Ordinance No. 3943
Chula Vista	City	7/10/2003	Resolution 2003-03	Ordinance No. 2921
Claremont	City	12/14/2006	Resolution 2006-13	Ordinance No. 2007-02
Colusa	County	9/11/2003	Resolution 2003-04	Ordinance No. 659
Contra Costa	County	7/13/2000	Resolution 2000-08	Ordinance No. 2000-18
Fremont	City	2/10/2000	Resolution 2000-01	Ordinance No. 2352
Glenn	County	5/12/2005	Resolution 2005-05	Ordinance Nos. 1083 and 1171
Hayward	City	11/15/2004	Resolution 2004-09	Ordinance No. 04-12
Jackson	City	9/11/2003	Resolution 2003-05	Ordinance No. 627
Lake	County	7/13/2000	Resolution 2000-07	Ordinance No. 2533
Los Angeles	City	7/13/2000	Resolution 2000-06	Ordinance No. 173106
Madera	County	12/14/2006	Resolution 2006-10	Ordinance No. 525G
Mammoth Lakes	City	5/10/2001	Resolution 2001-05	Ordinance No. 01-02
Modoc	County	1/14/2000	Resolution 99-48	Ordinance No. 236-85
Oakland	City	6/19/2003	Resolution 2003-02	Ordinance No. 12496
Orange	County	6/11/2015	Resolution 2015-04	2014 Edition
Oxnard	City	10/11/2001	Resolution 2001-06	Ordinance No. 2579
Pacifica	City	5/12/2006	Resolution 2006-03	Ordinance Nos. 670-C.S. and 711-C.S.
Poway	City	11/15/2004	Resolution 2004-11	Ordinance No. 609
Rancho Cordova	City	7/23/2004	Resolution 2004-06	Ordinance No. 22-2004
Riverside	County	12/13/2012	Resolution 2012-05	Ordinance No. 555.19
Sacramento	City	6/15/2000	Resolution 2000-03	Ordinance No. 2000-005
Sacramento	County	9/11/2008	Resolution 2008-06	Ordinance Nos. SCC-1391 and SZC-2008-0019
San Bernardino	City	12/14/2000	Resolution 2000-14	Ordinance No. MC-1084
San Diego	City	7/13/2000	Resolution 2000-05	Ordinance No. 18802
San Jacinto	City	12/9/2004	Resolution 2004-12	Ordinance No. 04-08
Santa Clara	County	1/9/2014	Resolution 2014-03	Ordinance Section Nos. 2.10.040 and 4.10.370
Siskiyou	County	6/11/2015	Resolution 2015-05	Ordinance No.15-06
Tracy	City	11/9/2000	Resolution 2000-12	Articles 37 and 38 of the City Code
Truckee	City	1/11/2001	Resolution 2001-01	Ordinance No. 2000-04
Tulare	County	6/15/2000	Resolution 2000-04	Ordinance No. 3238
Yolo	County	12/13/2001	Resolution 2001-08	Ordinance No. 1276
Yolo-Cache Creek	County	2/5/2009	Resolution 2009-02	Ordinance No. 1376

Mineral Resource Management Policies (MRMP)

SMARA lead agencies are required to incorporate Mineral Resource Management Policies (MRMP) into their General Plans upon revision of their plans. Thirty-six lead agencies have mineral classified or mineral designated lands within their jurisdictions. MRMPs are required to be sent to the SMGB for review prior to their incorporation into local General Plans.

SMGB ACTIVITIES DURING THE REPORTING PERIOD TO PROTECT MINERAL RESOURCES

Statutory Changes

No statutory changes were implemented during this reporting period.

Regulatory Changes

On July 1, 2015, amendments to CCR Section 3550.15 (Construction Aggregate Resources, Palm Springs Production-Consumption Region) became effective. Such amendments were based on the SMGB's November 14, 2013 adoption of pertinent regulatory language.

Designation of Mining Lands and Designation Reports

On August 14, 2014, the SMGB adopted amended regulatory language for designation of mineral lands within the San Luis Obispo-Santa Barbara Production-Consumption Region.

On August 14, 2014, the SMGB adopted amended regulatory language for designation, and termination of designation, of mineral lands within the Stockton-Lodi Production-Consumption Region.

On August 14, 2014 and March 12, 2015, the SMGB adopted amended regulatory language for designation, and termination of designation, of mineral lands in the North San Francisco Bay Production-Consumption Region.

On November 13, 2014, the SMGB approved Designation Report No. 12 "*Designation of Regionally Significant Aggregate Resources in the San Gabriel Valley Production-Consumption Region.*"

On February 12, 2015 the SMGB approved Designation Report No. 13 "*Update of Mineral Lands Designation for Portland Cement Concrete Grade Aggregate in the Palm Springs Production-Consumption Region.*"

Mineral Classifications and Classification Reports

On January 8, 2015, the SMGB accepted CGS Special Report 231 "*Update of the Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the Temescal Valley Production Area, Riverside County, California.*"

Guidelines and Policies

On August 14, 2014, the SMGB approved a Checklist for Review of Mineral Resources Management Policies at its regular business meeting. See http://www.conservation.ca.gov/smgb/Guidelines/Documents/MRMP_Checklist_021115.pdf

On June 11, 2015, the SMGB approved an amended Model Surface Mining and Reclamation Act Mining Ordinance. See http://www.conservation.ca.gov/smgb/Guidelines/Documents/MODELORD_Rev_061115.pdf

Ordinances

On June 11, 2015, the SMGB certified the County of Orange's Amended Sand, Gravel and Mineral Extraction Code (2014 edition) as being in conformance with SMARA.

On June 11, 2015, the SMGB certified the County of Siskiyou's Amended Surface Mining Ordinance (No. 15-06) as being in conformance with SMARA.

Review of MRMPs

No Lead Agency MRMPs were commented on during the 2014-2015 reporting period.

Classification Petitions

No new petitions for classification were considered during the 2014-2015 reporting period.

SMGB SMARA LEAD AGENCY OVERSIGHT AND RESPONSIBILITIES

SMARA provides for a three-tiered approach to accomplish its administration and enforcement. The primary entity responsible for the SMARA's enforcement is the local "lead agency" - that is, the city or county in which a surface mine operates. The lead agency is responsible for assuring that all surface mine operations within its jurisdiction are in full compliance with SMARA. SMARA prescribes specific responsibilities and powers to the lead agency. Specific duties of lead agencies which are charged with the primary administration and enforcement of SMARA are to:

- Review and approve reclamation plans that meet the minimum requirements established by SMARA and the SMGB's reclamation performance standards (regulations) for surface mines;
- Approve financial assurances, subject to review annually, that are sufficient to pay for the costs of full reclamation of the lands disturbed by surface mining operations according to the requirements of the approved reclamation plan;
- Approve local permits for mining operations;

- Conduct an annual inspection of each surface mine to confirm that the operation is in compliance with the requirements of SMARA and its approved reclamation plan, and to remedy the situation if the operation is not in compliance;
- Issue Administrative Penalties to operators who do not come into compliance;
- Close operations that do not attain compliance;
- Maintain a surface mining ordinance that is in accordance with SMARA;
- Incorporate MRMP into their General Plans if there are mineral “classified” or mineral “designated” lands within the lead agency’s jurisdiction.

Should a lead agency fail to bring, or become incapable of bringing one or more surface mining operations into compliance, statute allows for the Director of the DOC to commence enforcement at individual surface mining sites. SMARA prescribes specific responsibilities and powers to the Director. The DOC is also responsible for providing technical reviews of reclamation plans and financial assurances to lead agencies to ensure that the requirements of SMARA have been addressed in the reclamation plans prior to their formal approval by the lead agency.

The third tier of enforcement lies with the SMGB. Under SMARA, the SMGB is provided authority to hear appeals of enforcement actions taken by the Director against surface mine operators, as well as appeals of certain decisions made by a lead agency regarding reclamation plans and financial assurances. In addition, the SMGB is provided authority to assume a lead agency’s SMARA authority, in whole or in part with exception to permitting, when a lead agency’s actions are in violation of the statute, or if the lead agency defaults on its SMARA responsibilities and obligations. The SMGB may also exempt from the requirements of SMARA specific surface mining operations that are of limited scope and duration, and cause little land disturbance. In addition, promulgation of regulations that clarify and make more specific SMARA statutes also lies within the SMGB’s authority, as does setting annual mine fees.

Since 2002, the SMGB has exercised its assumption of lead agency authority for three counties, several cities without certified mining ordinances, and all marine dredging operations within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). With a total of 45 surface mine sites statewide during the reporting period, the SMGB serves as one of the larger SMARA Lead Agencies in the state. At each of these surface mining operations, the SMGB conducts annual inspections, reviews and approves financial assurance cost estimates, and undertakes compliance and enforcement actions when deemed necessary.

SMARA affects 116 jurisdictions comprised of 61 Cities and 55 Counties (Table 2), excluding those directly overseen by the SMGB (Table 3):

Table 2 SMARA Lead Agencies			
County	County	City	City
Alameda	Orange	Amador City	Needles
Alpine	Placer	Anaheim	Oakland
Amador	Plumas	Apple Valley	Oceanside
Butte	Riverside	Atascadero	Oroville
Calaveras	Sacramento	Azusa	Oxnard
Colusa	San Benito	Bakersfield	Pacifica
Contra Costa	San Bernardino	Banning	Palmdale
Del Norte	San Diego	Barstow	Paso Robles
Fresno	San Joaquin	Chula Vista	Perris
Glenn	San Luis Obispo	Claremont	Poway
Humboldt	San Mateo	Colton	Rancho Cordova
Imperial	Santa Barbara	Corona	Redding
Inyo	Santa Clara	Fontana	Redlands
Kern	Santa Cruz	Fremont	Rialto
Kings	Shasta	Fresno	Riverside
Lake	Sierra	Grass Valley	Sacramento
Lassen	Siskiyou	Hayward	Saint Helena
Los Angeles	Solano	Healdsburg	San Bernardino
Madera	Sonoma	Highland	San Diego
Marin	Stanislaus	Ione	San Jacinto
Mariposa	Sutter	Irwindale	San Marcos
Mendocino	Tehama	Jackson	Santa Maria
Merced	Trinity	Lake Elsinore	Santa Rosa
Modoc	Tulare	Lake Forest	Santee
Mono	Tuolumne	Lathrop	Taft
Monterey	Ventura	Lompoc	Tracy
Napa	Yolo	Los Angeles	Truckee
Nevada		Mammoth Lakes	Twenty Nine Palms
		Monrovia	Upland
		Montague	Yreka
		Mount Shasta	

**SMGB LEAD AGENCY OVERSIGHT AND ACTIVITIES
DURING THE REPORTING PERIOD**

Annual Mine Fee Schedule

Pursuant to PRC Section 2207(d) the SMGB is required to impose by regulation an annual reporting fee on each active and idle surface mining operation. On April 9, 2015, the SMGB accepted the fee schedule that was prepared and presented for the 2014 Reporting Calendar Year. The amount requested for the 2014 Reporting Calendar Year was \$4,533,324; this amount represented an increase of \$89,037 over the amount requested for the 2013 Reporting Calendar Year. Using the prescribed formula defined in CCR Section 3698(c), the estimated amount of fees collected for the 2014 Reporting Calendar Year was \$2,850,232. These figures

included a Cost of Living Adjustment (COLA) of 2.0 percent as taken from the 2014 Consumer Price Index (CPI). The result was an increase in fees for the mine production categories listed in CCR Section 3698 for the 2014 Reporting Calendar Year.

SMARA Exemptions

On August 14, 2014, the SMGB granted a one- time exemption from SMARA for the Ford Ranch Quarry #3 located in the County of Humboldt, with the conditions that the applicant attain all necessary permits and meet permit conditions set forth by the County, and any other agencies that have jurisdiction over any aspects of the project.

On April 9, 2015, the SMGB granted a one- time exemption from SMARA for the Department of Fish and Wildlife, Region 1 – Northern, for the Lower Clear Creek Aquatic Habitat and Mercury Abatement Project located in the County of Shasta, with the following two conditions: 1) the project obtains all necessary permits, other than a SMARA permit, for the areas to be mined before conducting surface mining operations, and 2) the project comply with any and all permit conditions and requirements set forth by the County of Shasta and any other agencies that have jurisdiction over any aspect of the project. The SMGB also expressed specific concerns regarding the fate and transport of mercury during disturbance and extraction, final disposition, storage, sampling and analytical programs, concentration distributions, and mercury removal processes.

SMARA Lead Agency Review

During the 2014-2015 annual reporting period, the SMGB at its November 13, 2014, regular business meeting issued a 45-Day Notice to Correct Deficiencies pursuant to PRC Section 2774.4(a) to the County of Riverside. This consideration reflected review of the OMR Lead Agency Review Team report for the County of Riverside. The County of Riverside's response to the 45-Day Notice to Correct Deficiencies was reviewed and heard on April 9, 2015. The SMGB determined that the County addressed the deficiencies to their satisfaction, but requested that the County report back to the SMGB in the spring of 2016.

Restoration of Lead Agency Authority to County of Alpine

On February 12, 2015, the SMGB restored SMARA lead agency authority to the County of Alpine, upon the County's request. The SMGB had assumed this responsibility 2011. The SMGB made findings under Public Resources Code Section 2774.4(b) that such restoration to the County was warranted.

SMGB as a SMARA Lead Agency Activities

During the reporting period the SMGB served as a lead agency under SMARA for a total of 45 individual surface mining operations located in California. However, as of June 2015, the SMGB served as lead agency under SMARA for 42 individual mining operations. Of these 42 surface mining operations, 24 are located within two counties (County of El Dorado and County of Yuba), 10 are located within cities that do not have certified surface mining ordinances, and 8 are marine dredging operations located within the San Francisco Bay and bay delta areas.

Several images showing surface mining sites located within the jurisdiction of the SMGB as a SMARA lead agency are presented in Figures 1 through 5:



Figure 1. Former aggregate extraction pond and process water discharge area within the Yuba Goldfields near the community of Hallwood in Yuba County showing revegetating shorelines. (Photo credit: Will Arcand)



Figure 2. Diamond Quarry located in El Dorado County. (Photo credit: Will Arcand)



Figure 3. Atkinson Pit No. I located in the City of Compton. This former open pit clay mine is being reclaimed via backfilling to the adjacent street level for industrial land use. (Photo credit: Will Arcand)



Figure 4. Overview of a portion of the Super Creek Quarry within the City of Desert Hot Springs where the operator mines Palm Springs Gold decorative rock. (Photo credit: Will Arcand)



Figure 5. Satellite image of San Francisco Bay and surrounding areas showing locations of San Francisco BCDC marine dredging operations (in red) under the jurisdiction of the SMGB. (Modified after Google Maps, 2009)

The status of all surface mining operations under the jurisdiction of the SMGB as a SMARA lead agency, as of June 30, 2015, is summarized below in Table 3:

**Table 3
SMGB SMARA LEAD AGENCY SURFACE MINES**

CA ID No.	Mine Name	Status	Primary Commodity	Local Lead Agency
91-07-0006	Richmond (Chevron) Quarry	Mining Completed - Reclamation In Progress	Franciscan Rock, Recyclable Concrete and Asphaltic Material	City of Richmond
91-09-0001	Bear Creek Quarry	Active	Serpentinite Rock	County of El Dorado
91-09-0002	Weber Creek Quarry	Idle	Serpentinite Rock	County of El Dorado
91-09-0003	Diamond Quarry	Active	Limestone	County of El Dorado
91-09-0004	Chili Bar Slate Mine	Active	Slate	County of El Dorado
91-09-0005	Cool Cave Quarry	Active	Limestone	County of El Dorado
91-09-0006	Timm Mine	Idle	Specimen Gold	County of El Dorado
91-09-0009	Somerset Sand Pit	Active	Granitic Sand	County of El Dorado
91-09-0010	Lawyer Pit	Active	Granitic Sand	County of El Dorado
91-09-0012	Snows Road Quarry	Active	Alluvial Sand and Gravel, Placer Gold	County of El Dorado
91-09-0015	Marin Quarry	Idle	Granodiorite	County of El Dorado
91-09-00XX	Big Cut Mine	Unpermitted Illegal Mining Operation	Sand, Gravel, Placer Gold	County of El Dorado
91-19-0004	Atkinson Pit I	Mining Completed - Reclamation In Progress	Clay	City of Compton
91-27-0006	Lapis	Active	Beach Sand	City of Marina
91-33-0002	Avalon Mine	Active	Granitic Rock, Sand and Gravel	City of Jurupa Valley
91-33-0003	Super Creek Quarry (Painted Hills)	Active	Decorative Stone	City of Desert Hot Springs
91-33-0029	Philadelphia Recycling Mine	Mining Completed, Reclamation in Progress	Fill Dirt	City of Jurupa Valley
91-33-0031	Garnet Pit	Active	Alluvial Sand	City of Palm Springs
91-33-0062	Pyrite Quarry	Active	Granitic Rock, Sand and Gravel	City of Jurupa Valley
91-38-0001	Alcatraz, Presidio, Point Knox	Active	Marine Sand	San Francisco BCDC

**Table 3 (Continued)
SMGB SMARA LEAD AGENCY SURFACE MINES**

CA ID No.	Mine Name	Status	Primary Commodity	Local Lead Agency
91-38-0002	Point Knox South	Active	Marine Sand	San Francisco BCDC
91-38-0003	Point Knox Shoal	Active	Marine Sand	San Francisco BCDC
91-38-0004	Alcatraz South Shoal	Active	Marine Sand	San Francisco BCDC
91-38-0005	Hanson Suisun Bay	Active	Marine Sand	San Francisco BCDC
91-38-0006	Hanson Suisun Bay Middleground Shoal	Active	Marine Sand	San Francisco BCDC
91-38-0007	Jerico Suisun Bay Middle Ground Shoal	Active	Marine Sand	San Francisco BCDC
91-38-0011	MT&B Marine Oyster Shell Mining	Active	Marine Oyster Shells	San Francisco BCDC
91-43-0003	Azevedo Quarry	Closed – Reclamation in Progress	Ultramafic Rock	City of San Jose
91-56-0034	Santa Paula Materials	Active	Sand and Gravel, Recyclable Materials	City of Santa Paula
91-58-0001	Western Aggregates	Active	Alluvial Sand and Gravel	County of Yuba
91-58-0002	Knife River Hallwood	Active	Alluvial Sand and Gravel	County of Yuba
91-58-0003	Cal Sierra Development	Active	Placer Gold	County of Yuba
91-58-0004	Sperbeck Quarry	Active	Metabasalt	County of Yuba
91-58-0006	Teichert Hallwood	Active - Reclamation In Progress	Alluvial Sand and Gravel	County of Yuba
91-58-0007	Wheatland Clay	Active – Reclamation in Progress	Clay	County of Yuba
91-58-0011	Dantoni Pit	Active	Alluvial Sand and Gravel	County of Yuba
91-58-0013	Parks Bar Quarry	Active	Metabasalt	County of Yuba
91-58-0019	Teichert Marysville (Yuba-Hoffman)	Idle	Alluvial Sand and Gravel	County of Yuba
91-58-0021	Blue Point Mine	Reclamation Complete - Post Reclamation Monitoring	Alluvial Sand and Gravel	County of Yuba
91-58-0022	Silica Resources	Active	Alluvial Sand and Gravel	County of Yuba
91-58-0023	Silica Resources #2	Active	Alluvial Sand and Gravel	County of Yuba
91-58-0025	Simpson Lane	Idle	Alluvial Sand and Gravel	County of Yuba

During the 2014-2015 reporting period, SMGB SMARA Lead Agency staff conducted 48 annual inspections of surface mining operations, completed 48 annual inspection reports, and presented 48 annual inspection reports to the SMGB at their regularly scheduled meetings. These annual inspections were completed for the mine sites listed in Table 3 above (except Azevedo Quarry, which came under SMGB jurisdiction on January 8, 2015), plus four mine sites in Alpine County, plus three mine sites not under SMGB jurisdiction that were inspected by SMGB staff due to local lead agency financial conflicts of interest. In addition, SMGB SMARA Lead Agency staff reviewed 20 revised financial assurance cost estimates that were provided by mine operators directly under SMGB SMARA Lead Agency jurisdiction. An additional 20 financial assurance cost estimates that were not updated by mine operators during the reporting period were reviewed by SMGB staff as part of the annual inspection process. The 8 BCDC marine dredging operations do not require annual financial assurance cost estimate updates.

Two amended reclamation plans and their associated California Environmental Quality Act (CEQA) documents were approved by the SMGB during the 2014-2015 reporting period. On August 14, 2014, the SMGB approved an Amended Reclamation Plan and adopted a Mitigated Negative Declaration for the Super Creek Quarry, which is operated by the Painted Hills Mining Company within the City of Desert Hot Springs. On April 9, 2015, the SMGB approved an Amended Reclamation Plan and Certified a Final Environmental Impact Report for the Western Aggregates, LLC surface mining operation within Yuba County.

One interim management plan (IMP) was approved by the SMGB during the reporting period. On July 14, 2014, the SMGB approved an IMP for the Fredericksburg Gravel Pit operated by Teichert Materials in the County of Alpine.

One surface mining operation was found by the SMGB to be reclaimed as required by SMARA during the reporting period. On November 13, 2014, the SMGB approved site closure and authorized release of the financial assurance mechanism for the Big Gun Quarry which is located in the City of Rocklin.

During the reporting period, SMGB staff issued six Notices of Violation (NOV) to surface mining operations under the jurisdiction of the SMGB as a SMARA lead agency. Five of these NOVs were issued for failure to provide required revised financial assurance cost estimates. Four of the five mine operators who received these NOVs promptly submitted the required revised estimates. The remaining NOV remains unresolved with further enforcement action pending. One NOV was issued for conducting surface mining operations (stockpiling) outside of the approved reclamation plan boundary. The operator of the subject mine promptly submitted a proposed amendment to the approved reclamation plan to include the encroachment area, and such amendment was deemed to be a non-substantial deviation and was subsequently approved administratively by SMGB staff.

On February 27, 2015, SMGB staff issued a NOV to a property owner for conducting surface mining operations without an approved permit or reclamation plan. Such mining operations consisted of excavation and export of sand from a flood control channel adjacent to orchards maintained by the property owner. As a result of this NOV the property owner immediately ceased mining operations and commenced the process of procuring necessary permits in order to maintain the drainage and flood control channel adjacent to the affected agricultural (orchard) property.

SMGB's Findings Pertaining to Western Aggregates, LLC Vested Rights

On August 14, 2014, the SMGB adopted findings pertaining to Western Aggregates, LLC. (Western) surface mining operation located in the County of Yuba. On August 6, 2009, the SMGB commenced the special public hearing to determine whether Western had vested rights for 4,125 acres, which included its current surface mining operations, located in the Yuba Goldfields. At its public hearing held on September 11, 2009, the SMGB accepted the findings set forth by CGS, and determined that substantial evidence existed that demonstrated Western had vested rights for all Sections with exception to Sections 25, 30, and the southwest corner of Section 34. The SMGB at its February 11, 2010, regular business meeting considered limitations in terms of annual production associated with this determination of vested rights, and determined that no limitations or restrictions on annual production would be imposed. On March 10, 2010, the SMGB adopted findings and determination pursuant to CCR Article 15, Section 3964. Following the determination of the SMGB in granting vested rights to Western, William and Elfriede Calvert (Calvert) and A. Teichert & Son Inc. (Teichert) brought writs of mandate in Superior Court alleging that the SMGB had abused its discretion in granting vested rights to Western. The Court, in its September 13, 2013, ruling concluded that the SMGB did not err in its determination to grant Western vested rights, but noted that the SMGB's findings did not address whether expansion, relocation or other modifications to Western's facilities effected a substantial change in its operations, and thus remanded to the SMGB to consider and make findings on this one issue. The SMGB at its August 14, 2014 regular business meeting, adopted findings on this one issue as requested by the Court, and determined that any expansion, relocations and/or modifications of Western's facilities since 1976 to the date of the SMGB's determination of Western's vested operations were not substantial changes under SMARA.

SMGB "LEGISLATIVE RECOMMENDATIONS"

The SMGB is required by PRC Section 2717 to report to the Governor and Legislature and on an annual basis offer "legislative recommendations" for consideration with regard to SMARA. SMARA has been amended 30 times since its enactment in 1975. The statute is unique in two respects:

- (1) Mining is regulated locally by cities and counties (referred to as lead agencies) as allowed with an adopted SMARA ordinance approved by the SMGB, and
- (2) A process is provided for the conservation of mineral resources and reclamation of mined lands to minimize adverse effects on the environment and to protect public health and safety.

Based on observations of the current statewide implementation of this law, it is apparent that further improvement is needed. The SMGB has found that the overall SMARA program can be streamlined while maintaining the intent of the law. Current duplicative efforts by the State and local lead agencies can be minimized or eliminated, and various unintended and adverse consequences of the current statutory and regulatory language can be alleviated. Efforts to legislatively address these issues commenced in 2015 with the introduction of two SMARA reform bills. As both proposed bills are still under consideration, the SMGB is deferring specific "legislative recommendations" for a future annual report.