

California Department of Conservation  
Division of Mine Reclamation

# **Lead Agency Review and Assistance (LARA) Program**

## **Final Report**

Prepared for:

**City of Rancho Cordova**

(lead agency under the  
Surface Mining and Reclamation Act of 1975)

February 2022



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**LIST OF ABBREVIATIONS AND ACRONYMS USED IN THIS REPORT**

<b>Acronym</b>	<b>Term</b>	<b>Description</b>
AR	Annual Report	Document from a surface mine operator to the Division of Mine Reclamation noting mining activity for the previous calendar year due on July 1 of each year with the required fee
CCR	California Code of Regulations	Regulations adopted, amended, or repealed by state agencies pursuant to the Administrative Procedure Act
CEQA	California Environmental Quality Act	California statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible
City	City of Rancho Cordova	SMARA lead agency for this Lead Agency Review and Assistance Program review
CUP	Conditional Use Permit	Development permit issued by the lead agency to mine operators
DMR	Division of Mine Reclamation	Division within the California Department of Conservation established in 2017 under Senate Bill 209 (Pavley)
DOC	California Department of Conservation	A State of California department comprised of four divisions: Land Resources Protection; Mine Reclamation; California Geological Survey; and California Geologic Energy Management Division
FACE	Financial Assurance Cost Estimate	Estimate of the financial cost to reclaim a mining operation pursuant to the requirements of the mine's approved reclamation plan
FAM	Financial Assurance Mechanism	Financial instrument established by the mine operator that is subject to forfeiture under certain conditions
IN	Inspection Notice	See NOCI
IR	Inspection Report	Regulatory form MRRC-1 to be used by the lead agency to document site inspections as required by PRC Section 2774(b)
LARA	Lead Agency Review and Assistance	Program designed as both a review of each lead agency's SMARA program and an extension of the Division of Mine Reclamation's education and outreach efforts
NOCI	Notice of Completion of Inspection	Notice that accompanies the annual inspection report submitted by a lead agency to the Division of Mine Reclamation that includes prescribed information as required under PRC Section 2774(b)
PRC	Public Resources Code	Those provisions of current statutory laws relating to the conservation, utilization, and supervision of natural resources, including mines and mining, oil and gas, and forestry

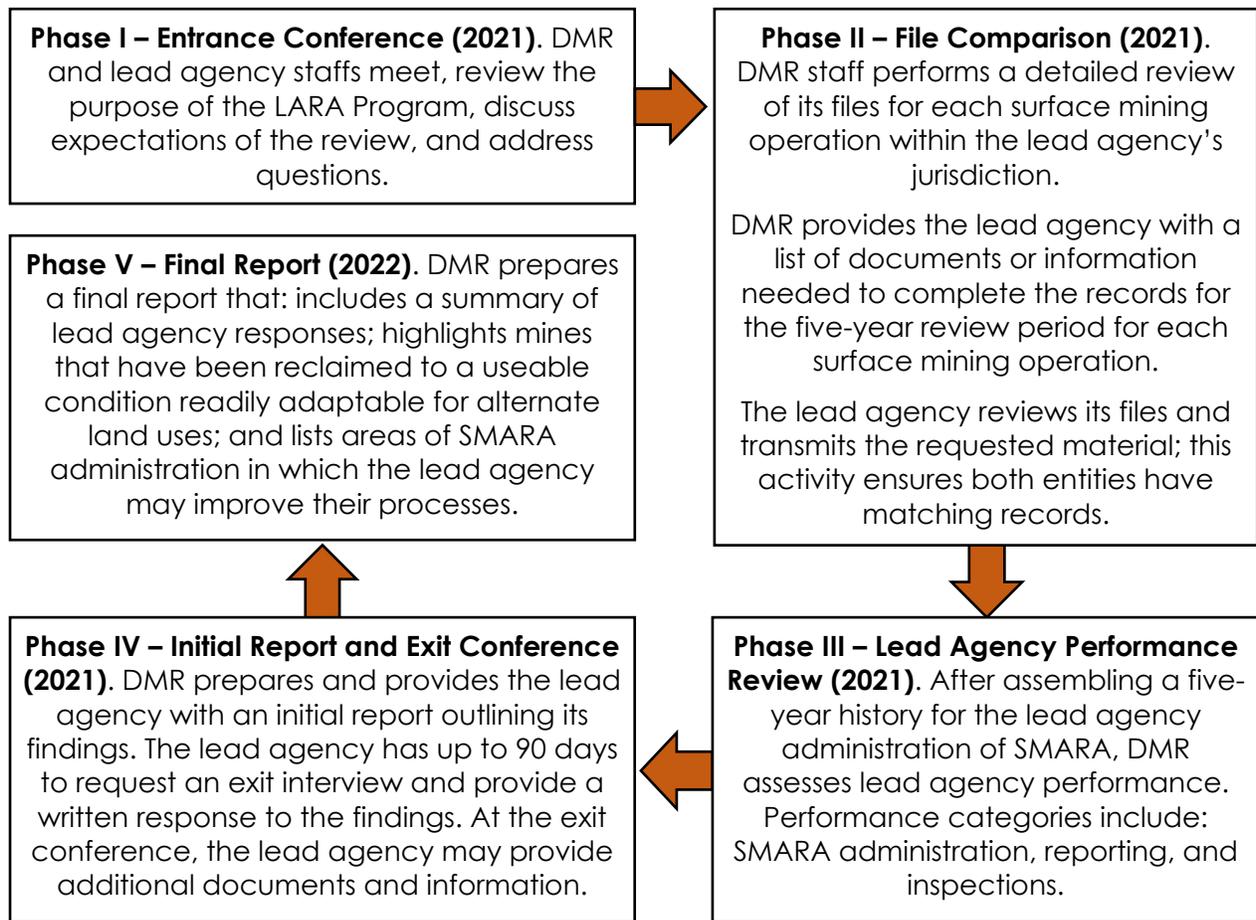
<b>Acronym</b>	<b>Term</b>	<b>Description</b>
RP	Reclamation Plan	Plan describing how mined lands will be reclaimed to a usable condition that is readily adaptable for alternate land uses and create no danger to public health or safety
SMARA	Surface Mining and Reclamation Act of 1975	Statute enacted in 1975 and effective in 1976 that governs surface mine operations in California; it is codified in PRC Sections 2710 through 2796.5
SMGB	State Mining and Geology Board	Regulatory, policy, and hearing body that represents the State's interests in geology, geologic, and seismologic hazards, conservation of mineral resources, and reclamation of mining lands
SOA	Statement of Adequacy	Statement by the lead agency that it finds the Financial Assurance Cost Estimate adequate; the lead agency submits the SOA when the Financial Assurance Cost Estimate is sent to the Division of Mine Reclamation for review and comment

## EXECUTIVE SUMMARY

This Initial Report provides recommendations from the Department of Conservation's Division of Mine Reclamation (DMR), pursuant to DMR's Lead Agency Review and Assistance (LARA) Program, to the City of Rancho Cordova (City), as lead agency under the Surface Mining and Reclamation Act of 1975 (SMARA; Public Resources Code [PRC] Section 2710 et seq.). The goal of the LARA Program is to ensure effective local administration of SMARA through vetted Reclamation Plans (RPs), comprehensive annual mine inspections, and rigorously reviewed cost estimates, in addition to uniform application of mining laws and regulations throughout California.

This Initial Report reviews the City's administration of the core requirements of SMARA during the five years from 2015 through 2019 (hereafter referred to as the review period) for the two (2) existing surface mines within the City's jurisdiction. The first two years of the review period (i.e., 2015 and 2016) preceded the substantial changes to SMARA that took effect in 2017 and 2018 (see Attachment C). Figure ES-1 identifies the steps in the LARA Program review process, which are described in detail in the body of the Initial Report.

**Figure ES-1. LARA Program Review Process Flowchart with Phase Completion Date**



Based on its LARA Program review, DMR staff presents the following recommendations to the City. (For details, see Section III of this Initial Report.)

## **A. Reclamation Plans, Reclamation Plan Amendments, and Interim Management Plans**

- 1. Recommendation #1.** Per Public Resources Code (PRC) Section 2772.1, "...the lead agency shall submit the reclamation plan or plan amendment to the supervisor for review." The City needs to follow SMARA procedures (PRC Section 2772.1) by submitting RPs and RP amendments (RPAs) to DMR for review and comment.
- 2. Recommendation #2.** Upon approval of a RP or RPA, and pursuant to PRC Section 2772.7, lead agencies must:
  - "record a 'Notice of Reclamation Plan Approval' with the county recorder. The notice shall read: 'Mining operations conducted on the hereinafter described real property are subject to a reclamation plan approved by the \_\_\_\_ (lead agency), a copy of which is on file with the \_\_\_\_.'"
  - "...the notice shall also include the name of the owner of record of the mine operation, the name of the lead agency, and the acknowledged signature of the lead agency representative."

## **B. Financial Assurances**

- 3. Recommendation #3.** Operator submittals and lead agency approvals of Financial Assurance Cost Estimates (FACEs) for new RPs, RPAs, and following annual inspections, must comply with PRC Sections 2773.1, 2773.4, and 2774.2.5. Specific to the City and focused on post-2017 SMARA requirements:
  - The City shall ensure that each surface mining operator submits a FACE annually for review, either:
    - within 30 days of an annual inspection being conducted pursuant to Section 2774, an operator shall provide an annual FACE to the lead agency for review (PRC Section 2773.4(d)(1)(A))
    - within 30 days of the applicable inspection date (i.e., a date requested by the operator pursuant to PRC Section 2207 or a date set by the lead agency pursuant to Section 2774(c)) should the lead agency fail to cause the inspection of the surface mining operation (PRC Section 2773.4(d)(1)(B))
  - For FACE submittals to DMR and per PRC Section 2773.4, the City's process must include a statement that the FACE is "adequate, complete, and consistent with Section 2773.1, Article 11 (commencing with Section 3800) of Subchapter 1 of Chapter 8 of Division 2 of 14 CCR and the SMGB Guidelines adopted pursuant to PRC Section 2773.1."
  - Following approval, the City must provide electronic copies of the approved FACE to DMR.

## C. Annual Inspections, Inspection Reports, and Inspection Notices

**4. Recommendation #4.** In compliance with current SMARA requirements (PRC Section 2774(b)(1)), the City must:

- Cause surface mining operations to be inspected in intervals of no more than 12 months
- Provide a Notice of Completion of Inspection (NOCI) to the supervisor [of DMR] within 90 days of conducting the inspection
- Ensure that the notice contains a statement regarding the surface mining operation's compliance with SMARA and a copy of the completed inspection form
- Specify, as applicable, all the following:
  - (A) Aspects of the surface mining operation, if any, that were found to be inconsistent with this chapter but were corrected before the submission of the inspection form to the supervisor
  - (B) Aspects of the surface mining operation, if any, that were found to be inconsistent with this chapter but were not corrected before the submission of the inspection form to the supervisor
  - (C) A statement describing the lead agency's intended response to any aspects of the surface mining operation found to be inconsistent with this chapter but were not corrected before the submission of the inspection form to the supervisor
  - (D) A statement as to whether the surface mining operation is out of compliance with an order to comply or stipulated order to comply issued by the lead agency

## D. General and Findings and Requirements

**5. Recommendation #5.** The City must establish and maintain in-house measures and procedures to ensure organized record-keeping and monitoring of surface mining reclamation under its jurisdiction. SMARA regulations at Title 14, California Code of Regulations (CCR) Section 3504, state in part, "[T]he lead agency shall forward a copy of each permit and approved reclamation plan and financial assurance instrument to the director of the Department of Conservation." Additional documents that must be submitted to DMR include:

- Approved RPs or RPAs within 60 days of their approval
- IMPs at the time of approval
- FACEs within 30 days of their approval
- Notices of Violation at the time of issuance
- Stipulated Orders to Comply at the time of issuance

- Orders imposing an administrative penalty at the time of issuance
- NOCIs, including the completed inspection form, at the time of issuance
- Permits at the time of approval

Additional documents that should be submitted to DMR include:

- Administrative decision at the time of issuance following an appeal of an Order to Comply
- Notices to an operator of a violation or failure to comply with an Order to Comply or Stipulated Order to Comply
- Vested rights determinations

PRC Section 2774.2.5 requires that these approved documents be submitted to DMR in electronic format.

- 6. Recommendation #6.** Per statute (PRC Section 2774(a)), the City must update its existing surface mining ordinance and submit the updated ordinance to the State Mining and Geology Board (SMGB) for certification to comply with SMARA. This would ensure that the ordinance is consistent with the recent changes to the SMARA statutes (see Attachment C).

## I. INTRODUCTION

### A. Purpose and Scope

The Department of Conservation's Division of Mine Reclamation (DMR) presents this Initial Report on the City of Rancho Cordova (City) as part of DMR's Lead Agency Review and Assistance (LARA) Program. This Initial Report provides the results of a review of the City's administration of the core requirements of the Surface Mining and Reclamation Act of 1975 (SMARA; Public Resources Code [PRC] Section 2710 et seq.).<sup>1</sup> The review:

- Is based on the records of two existing (and not yet reclaimed) surface mining operations within the City's jurisdiction (see Table 1 and Figure 1)
- Covers the period from 2015 through 2019 (hereafter the review period)

**Table 1. City of Rancho Cordova Surface Mines for the LARA Program Review**

Mine ID #	Mine Name	Commodity	Total Excavated Area (acres) <sup>1</sup>
<b>34-0047</b>	Grantline West Mining Operation	Sand, Gravel, and Cobbles	155
<b>34-0048</b>	White Rock / Rio del Oro Mining Project	Sand, Gravel, and Cobbles	132

Notes:

- <sup>1</sup> Approximate value (rounded to whole acres) averaged over the 5-year review period (2015-2019) from data presented in operators' annual reports.

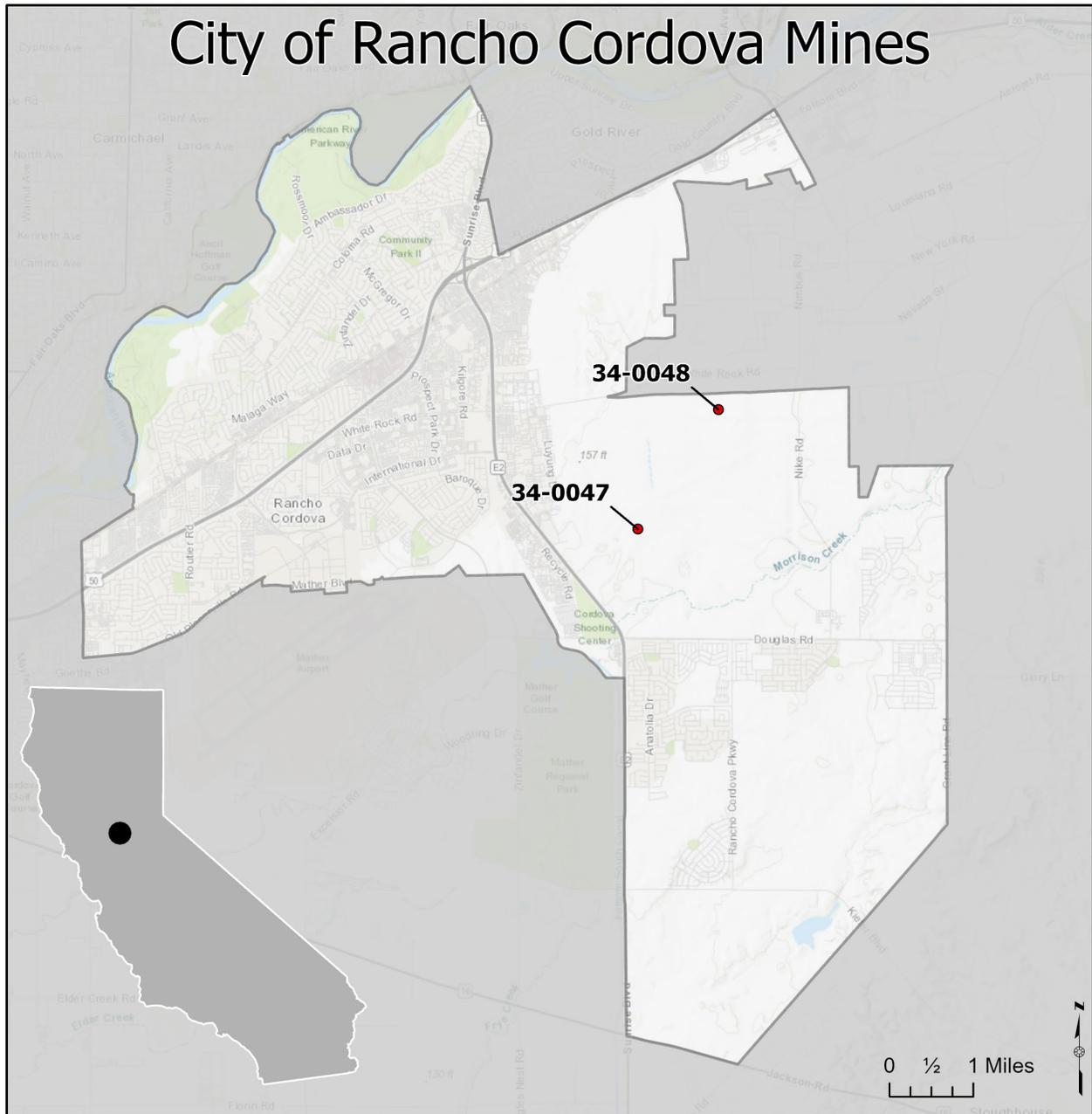
During the review period, which included substantial changes to SMARA that took effect in 2017 and 2018 (see Attachment C), SMARA lead agencies core requirements included:

- Review and approval of reclamation plans (RPs), RP amendments (RPAs), and interim management plans (IMPs)
- Issuance of permits or other mining authorizations
- Review and approval of financial assurances
- Enforcement of mine operator's annual reporting requirements
- Conducting and completion of annual inspection requirements for all mining operations within the lead agency's jurisdiction

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<sup>1</sup> This report does not include a review of the City's mining ordinance or its administration of the California Environmental Quality Act (CEQA).

**Figure 1. Existing Surface Mines in the City of Rancho Cordova Jurisdiction during Review Period (2015-2019) \***



\*See Mine identification legend in Table 1.

## B. Regulation of Surface Mines in California

### 1. Overview

SMARA recognizes both the need for mined materials and the need to manage surface mining operations as reflected in the Legislature's statement of intent described under PRC Section 2712, which states:

*It is the intent of the Legislature to create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that:*

- a) Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.*
- b) The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.*
- c) Residual hazards to the public health and safety are eliminated.*

### 2. Lead Agency's Role

Lead agencies have the primary responsibility for the administration and enforcement of SMARA. Lead agency responsibilities include:

- Establishing mineral resource management policies and mining ordinances to be incorporated in their general plan
- Issuing a mining permit or other authorization to mine, including determining the nature and scope of vested mining rights where appropriate
- Reviewing and approving RPs, RPAs, IMPs, FACEs, and financial assurance mechanisms (FAMs) that meet minimum SMARA requirements
- Conducting inspections of surface mines in their jurisdiction to ensure compliance with SMARA
- Taking appropriate actions to ensure compliance under SMARA including the enforcement of reporting requirements under PRC Section 2207
- Submitting information to DMR pursuant to SMARA requirements
- Seizing financial assurances and completing reclamation after determining an operator's financial incapacity or abandonment of the operation

#### Surface Mining Operation Permits

California is unique among states in that the permitting of surface mines occurs through local governments acting as the lead agency. PRC Section 2774 requires that every lead agency shall adopt ordinances in accordance with state policy that establish procedures for the issuance of a permit to conduct surface mining operations. PRC Section 2732.5 defines a permit as "any authorization from, or approval by, a lead

agency, the absence of which would preclude surface mining operations." PRC Section 2735 defines "surface mining operations" as "all, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine." The lead agency issues permits for surface mining operations.

### Reclamation Plan (RP)

RPs and RP amendments (RPAs) that meet minimum SMARA requirements provide a foundation for the lead agency's regulation of ongoing mining operations. Lead agencies are required to:

- Review, analyze, and certify RPs as complete and in compliance with SMARA
- Submit RPs and RP amendments to DMR for review prior to approval
- Respond to any DMR comments
- Provide a final response to DMR comments at least 30 days prior to the approval
- Provide a 30-day notice of the approval hearing or administrative approval
- Provide the official copy of the approved RP or plan amendment, including an index showing any permit conditions of approval or binding mitigation measures within 60 days of approval
- File the approval of the RP with the County Recorder upon approval

RPs also provide a basis for the calculation of the financial assurances.

### Interim Management Plan (IMP)

IMPs shall be considered an amendment to the surface mining operation's approved RP and shall only provide for necessary measures the operator will implement during its idle status to maintain the site in compliance with SMARA PRC Section 2770(h). The IMP may remain in effect for a period not to exceed five years, at which time the lead agency shall do one of the following:

- Renew the IMP for an additional period not to exceed five years, which may be renewed for one additional five-year period at the expiration of the first five-year renewal period, if the lead agency finds that the surface mining operation has complied fully with the IMP.
- Require the operator to commend reclamation in accordance with the approved RP.

The lead agency review process for the IMP and subsequent submittal to DMR are detailed in PRC Section 2770(h). When the lead agency owns and operates the surface mining operation (e.g., a borrow pit) and that operation is solely for use by that lead agency, the lead agency shall include in its RP maintenance measures that become effective when the borrow surface mining operation is idle. The maintenance measures

shall maintain the site in compliance with SMARA while the borrow pit is idle (PRC Section 2770.1).

### Financial Assurances

The FACE is prepared following approval of RPs or RPAs as well as 30 days following the annual inspection. The FACE represents the cost for the lead agency or DMR to complete reclamation of all disturbed lands in accordance with the approved RP utilizing third party contracts in the event the operator is unable to do so. Any adjustments to the cost estimate for reclamation must be reflected in the Financial Assurance Mechanism (FAM) for the surface mining operation. The FAM must always remain at least equal to the annually approved FACE. The lead agency must:

- Review on an annual basis the FACE, based on the approved RP and site conditions to ensure that it is adequate to complete reclamation to reduce potential liability to local or state government
- Adjust the FACE if necessary, to reflect, among other things, the expansion or a decrease in mining disturbances
- Submit to DMR a determination that the FACE submitted for comment is adequate, complete, and consistent with PRC Section 2773.1, Title 14, California Code of Regulations (14 CCR), Section 3800, and the State Mining and Geology Board (SMGB) Financial Assurance Guidelines
- Respond to any comments from DMR within 30 days
- Provide a 30 days' notice of the approval hearing or administrative approval
- Approve or deny within 60 days of receipt of DMR comments or consultation
- Provide a final response to DMR comments within 30 days of approval

Following lead agency approval of the FACE, the operator has 30 days to submit an appropriate and adequate FAM to the lead agency and DMR. The lead agency and DMR have 15 days to review the operator-submitted FAM to ensure it is proper form and meets the requirements of SMARA.

### Annual Inspection, Inspection Notice, and Notice of Completion of Inspection

Annual inspections help to ensure SMARA compliance and that specific deviations from the approved RP are identified and handled timely and appropriately. Current statutes require that lead agencies must:

- Conduct annual inspections to ensure compliance with SMARA and the mining operation's RP
- Document mine conditions in Inspection Reports (IR) and Inspection Notices (IN; now referred to as a Notice of Completion of Inspection or "NOCI" under PRC Section 2774(b)(1))

- Submit the IR and the NOCI regarding the surface mining operation's compliance with PRC Section 2774(b)(1) and PRC Section 2774(b)(2) to DMR within 90 days of conducting the annual inspection.

### **3. Surface Mine Operator's Role**

Under SMARA, surface mine operators must:

- Prepare RPs and RPAs, including IMPs, that meet minimum SMARA requirements
- Maintain their surface mining operation in compliance with SMARA, the approved RP, permit conditions related to reclamation condition, conditions of approval, and minimal acceptable practices for reclamation pursuant to 14 CCR Section 3503
- Comply with annual reporting and reporting fee provisions pursuant to PRC Section 2207. This includes the submission of an Annual Report (AR) to DMR noting specific operational aspects for the previous calendar year with the report due on July 1 of each year along with the required fee
- Prepare and submit to the lead agency within 30 days of the annual inspection a FACE that meets minimum SMARA requirements pursuant to PRC Section 2773.1
- Maintain a FAM in an amount equal to or greater than the approved FACE

### **4. Division of Mine Reclamation's Role**

DMR was created to provide backstop to enforcement, provide oversight of operators, and assist and provide document review for local governments that administer SMARA within their respective jurisdictions. The primary focus of DMR is on existing surface mining operations and the return of those mined lands to a usable and safe condition. Among other responsibilities, DMR reviews and comments on proposed RPs, RPAs, and FACES received from the lead agency after the lead agency certifies these documents are complete and compliant with SMARA. DMR also processes mining operators' ARs and fees as required in PRC Section 2207. If necessary, DMR initiates compliance actions that encourage SMARA compliance where the lead agency fails to take appropriate actions. Legacy abandoned mines (prior to 1976) are addressed through DMR's Abandoned Mine Lands Unit.

## **C. Lead Agency Review and Assistance Program**

### **1. Background**

The LARA Program was developed following extensive input from lead agencies and other stakeholders. In December 2015 and January 2016, DMR held stakeholder workshops in four cities-Redding, San Luis Obispo, Santa Ana, and Sacramento-that provided an overview of the proposed LARA Program. Comments received during the workshops influenced final development of the LARA Program and the LARA Guidelines.

## 2. Program Goal

The goal of the LARA Program is to assist local agencies in effective administration of SMARA through vetted RPs, comprehensive annual mine inspections, and rigorously reviewed cost estimates in addition to uniform application of mining laws and regulations throughout California.

## 3. Legislative Amendments Since 2016

Amendments to SMARA that became effective in 2017 and 2018 are reflected in LARA Program implementation where applicable (see Attachment C for summary of new legislation). The LARA Program review period for this report covers the City's administration of SMARA between 2015 and 2019; therefore, any statutory amendments that occurred in 2016 or 2017, went into effect in 2017 or 2018, and do not apply to review years 2015 and 2016.

## D. City of Rancho Cordova

### 1. General Plan and Surface Mining Ordinance

#### General Plan

The City's General Plan is intended "to provide decision makers with a solid foundation for land use and development decisions." The City's General Plan (available at <https://www.cityofranhocordova.org/departments/community-development/planning/planning-division-document-library>) contains city-wide goals, policies, programs and actions within 12 general plan elements, three appendices, and several General Plan Maps. Most relevant to the LARA Program review and SMARA implementation is the Natural Resources Element document, which presents a general discussion of the mineral resources located within the City and lists the goals, policies, and programs that apply:

**Goal NR.6:** Support the environmentally sensitive extraction of minerals and the subsequent reclamation of mined areas

**Policy NR.6.1** – Ensure that the environmental effects of mining and reclamation on aquifers, streams, scenic views, and surrounding residential uses are prevented or minimized.

- **Action NR.6.1.1** – Regulate surface mining operations as required by SMARA, PRC Section 2207 (relating to annual reporting requirements), and SMGB regulations for surface mining and reclamation practice.
- **Action NR.6.1.2** – Coordinate mining operations and urban development to minimize conflicts between residents and mining, particularly where mining is required before urbanization.

- **Action NR.6.1.3** – Require inactive mined lands to be reclaimed to a usable condition that is readily adaptable to the future, anticipated land uses.

**Policy NR.6.2** – Eliminate residual hazards to the public health and safety.

- **Action NR.6.2.1** – Establish and require minimum setbacks of future and reauthorized surface mining from adjoining residential land uses.
- **Action NR.6.2.2** - Prohibit the use of cyanide-leaching systems for gold extraction

**Policy NR.6.3** – While mining activities are anticipated to be phased out within the City, the City recognizes the right of these uses to continue and will require setbacks, buffers, screening, and other appropriate measures to allow for the continued operation of mining activities.

### **Surface Mining Ordinance**

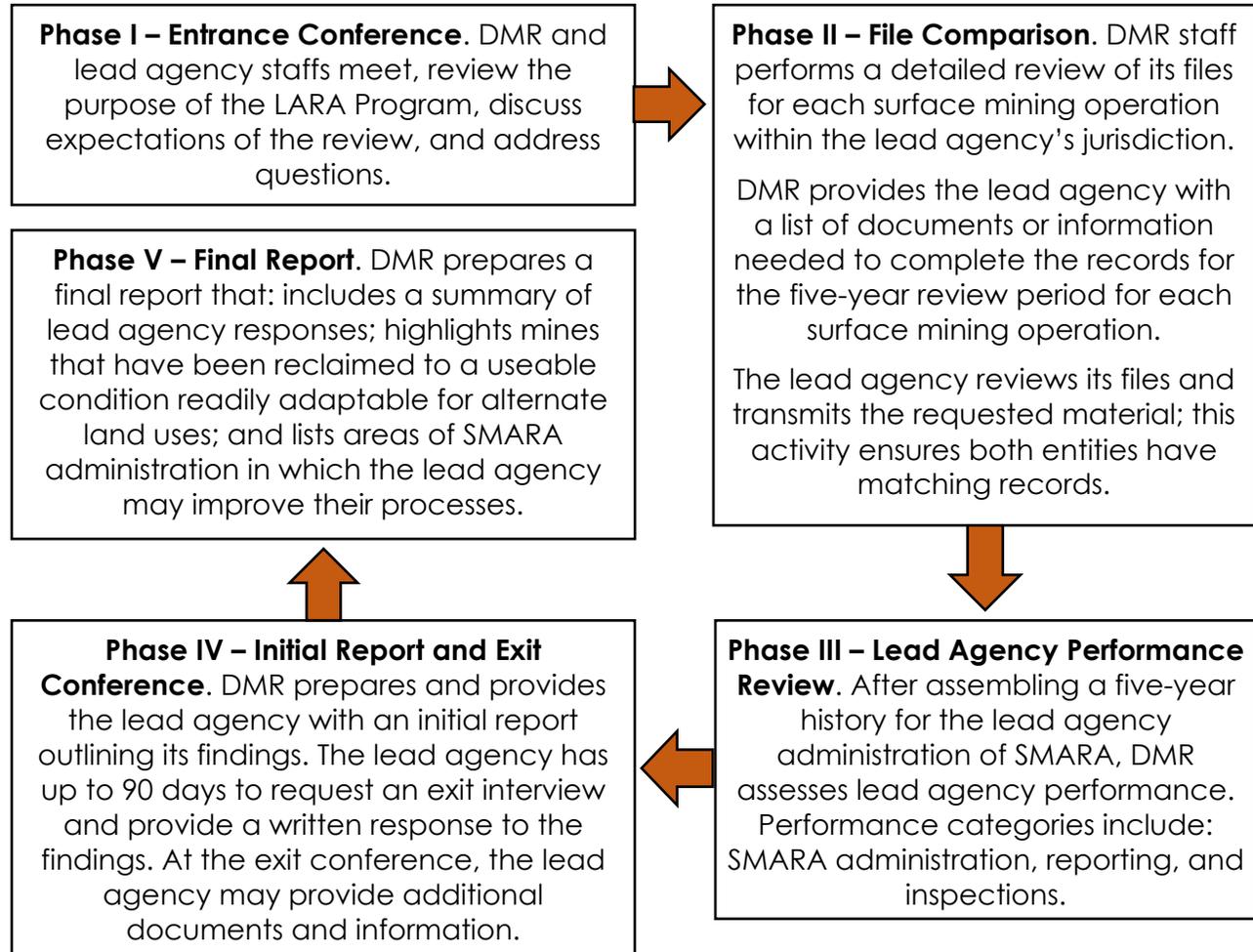
Title 20, Chapter 20.04 of the City's Surface Mining and Reclamation Ordinance constitutes the comprehensive mining regulations in relation to SMARA. On July 23, 2004, the SMGB certified the City's mining ordinance (Ordinance number 22-2004). It is posted on the SMGB's and the City's website:

<https://www.conservation.ca.gov/smgb/reports/Documents/Ordinances-City/RanchoCordova.pdf>.

## II. LEAD AGENCY REVIEW AND ASSISTANCE PROGRAM REVIEW ACTIVITIES

The LARA Program review process consists of the five phases identified in Figure 2.

**Figure 2. LARA Program Review Process Flowchart**



### A. Phase I: Entrance Conference

On August 30, 2021, DMR and City staffs held an introductory meeting (Entrance Conference). The purpose of the meeting was to introduce staffs of the City and DMR, provide an overview of the LARA Program, discuss LARA Program review and mutual expectations, and answer any questions. Meeting participants were:

#### City of Rancho Cordova

- Albert Stricker, Director of Public Works
- Quoc Nham, Senior Civil Engineer

**Division of Mine Reclamation**

- Carol E. Atkins, Manager, Environmental Services Unit
- Cameron Campbell, Mine Supervisor
- Katherine Faulkenberry, Environmental Scientist
- Amy Gomes, Environmental Scientist
- Anji Amachree, Engineering Geologist

Current DMR and City contacts for the LARA Program review are listed in Attachment E.

**B. Phase II: File Comparison**

DMR staff inventoried the contents of its mine files for the two existing surface mining operations subject to SMARA within the City's jurisdiction and within the review period (Table 1 and Figure 1 above identify the existing surface mining operations in City). To ensure that files maintained by the City and DMR contain the same operative documents as well as routine and non-routine submittals for each mining operation, DMR staff requested from the City on August 30, 2021 any documents missing from DMR's files. The City responded by submitting several of these missing documents on September 6, 2021, and January 12, 2022 for DMR to consider in preparation of the final report

Examples of non-routine submittals and supporting documents include:

- Current approved RP (as amended, if applicable)
- Current approved Conditional Use Permit (CUP) and Conditions of Approval
- Comment letters from DMR regarding a RP or RPA
- Documents certifying RPs and RPAs as complete and ready for review
- Response letters from the City (if DMR commented on a document)
- City hearing notices
- Final responses to comments (if DMR commented on a document)
- Any documents related to compliance actions during the review period

Examples of annual routine submittals include:

- Operator's AR and fee payment
- FACE, with the associated Statement of Adequacy (SOA) and responses to any DMR comment letters
- FAM
- IRs with the associated IN or NOCI

## C. Phase III: Performance Review

### 1. Reclamation Plans and Amendments, Permits, Interim Management Plans, and Compliance Actions

SMARA Section 2770 requires that a person shall not conduct surface mining operations unless a permit is obtained from, a RP has been submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for operation (unless exempted by SMARA). The City oversees two mines (see Figure 1 above). Table 2a provides details on the permits and RPs, Table 2b provides details on the review process for the RPAs, and Table 2c provides details on the IMPs for the surface mining operations within the jurisdiction of this lead agency. Attachment A presents the detailed chronology for the LARA Program review period for each mine's SMARA-related activities. Both mines had RPAs, CUP renewals, and IMPs that were processed during the review period.

The Grantline West Mining Operation (34-0047) became idle in 2009, and the IMP was approved in 2011. Mining resumed in 2016. The RPA for 34-0047 was considered, submitted to DMR for review, and approved by the lead agency in 2017. There is anecdotal information that a renewal to the IMP was submitted to the lead agency; however, it was removed from consideration by the operator.

White Rock, aka Rio del Oro Mining Project, (34-0048) had an IMP approved in 2016, and mining resumed in late 2017/early 2018. The RPA for 34-0048 was considered and approved by the lead agency; however, it was not submitted to DMR for review. The lead agency cited PRC Section 2777 for not transmitting the RPA to DMR for review.

Lastly, no compliance actions were taken for either mine during this period.

**Table 2a. Permits, Reclamation Plans, and Reclamation Plan Amendments**

Mine ID # / Name	Initial CUP & Approval Date	Current CUP & Approval Date	CUP Expiration Date	Initial RP & Approval Date	Current RP/RPA & Approval Date	RPA Expiration Date
<b>34-0047</b> / Grantline West Operation	RC-04-145 7/18/2005	RC-04-145 2/6/2017	RC-04-145 7/18/2027	RC-04-145 7/18/2005	RC-04-145 2/6/2017	RC-04-145 7/18/2029
<b>34-0048</b> / White Rock / Rio del Oro Mining Project	RC-06-224A 7/26/2007	RC-06-224A 12/5/2016	RC-06-224A 6/1/2021	RC-06-224A 7/26/2007	RC-06-224A 12/5/2016	RC-06-224A 6/1/2021

Abbreviations: CUP = Conditional Use Permit; RP = Reclamation Plan; RPA = Reclamation Plan Amendment

**Table 2b. Reclamation Plan Amendment Activities**

Mine ID # / Name	LA sent RP Document to DMR for review	DMR sent comment within 30 days	LA responded to DMR comments	LA notified DMR of public hearing 30 days prior	LA approved the RPA	LA recorded approved RPA with County Clerk
<b>34-0047</b> / Grantline West Operation	4/25/2016	6/16/2016 <sup>1</sup>	1/23/2017	1/23/2017	2/6/2017	NS
<b>34-0048</b> / White Rock / Rio del Oro Mining Project	NS <sup>2</sup>				12/5/2016 <sup>3</sup>	NS

Abbreviations: DMR = Division of Mine Reclamation; LA = Lead Agency; NS = not submitted; RP = Reclamation Plan; RPA = Reclamation Plan Amendment

Notes:

1 DMR required more than 30 days to provide comments.

2 RPA was not submitted to DMR for review; DMR received final approved copy on 1/30/2021.

3 RPA was approved for a 5-year period, with an optional 5-year renewal thereafter.

**Table 2c. Interim Management Plans**

Mine ID # / Name	Mine Idle	IMP Submitted to LA	IMP Issued	IMP Renewal	Mining Resumed
<b>34-0047</b> / Grantline West Operation	1/1/2009	5/6/2010	7/11/2011	NA	7/2016
<b>34-0048</b> / White Rock / Rio del Oro Mining Project	6/1/2016	8/17/2016 <sup>1</sup>	12/5/2016	NA	late 2017-early 2018 <sup>2</sup>

Abbreviations: CUP = Conditional Use Permit; IMP = Interim Management Plan; NA = Not Applicable

Notes:

1 Date reported in IR for August 30, 2016 site inspection.

2 Estimate reported in IR for August 29, 2018 site inspection.

## 2. Financial Assurances

Financial assurances under SMARA consist of the initial and annual FACE and FAM. The FAM is required to be equal to or greater than the FACE. Tables 3a and 3b present and compare FACE and FAM values for the City's active surface mining operations during the LARA Program review period (2015-2019). The FACE information came from FACE documents provided by the City of Rancho Cordova either during the annual review process or from the City-approved FACES submitted by the lead agency during the LARA Program document exchange phase.

**Table 3a. Financial Assurances (2015-2019): Grantline West Mining Operation (34-0047)**

Calendar Year	FACE Document Date	FACE Amount	FAM Document Date	FAM Amount <sup>1</sup>	FAM/FACE Relationship
2015	P: 10/2015 S: 11/16/2015 LA-A: 9/16/2021	\$1,173,386.75 <sup>2</sup>	2/22/2016	\$1,173,386.75	=
2016	P: 8/2016 S: 2/3/2017 LA-A: 9/16/2021	\$1,490,067.78	3/1/2017	\$1,490,067.78	=
2017	P: 9/22/2017 S: 1/19/2018 LA-A: 9/16/2021	\$1,423,930.59	3/8/2018	\$1,423,930.59	=
2018	P: 9/14/2018 S: 12/20/2018 LA-A: 9/16/2021	\$1,439,623.24	3/5/2019	\$1,439,623.24	=
2019	P: 12/11/2019 S: 12/18/2019 LA-A: 9/16/2021	\$1,505,125.00	NS	NS <sup>3</sup>	NC/NS

Abbreviations: FACE = Financial Assurance Cost Estimate; FAM = Financial Assurance Mechanism; LA-A: Lead Agency-Approved FACE Submitted to DMR; NC = Not Calculated; NS = Not Submitted;

P = Date Prepared; S = Date DMR received FACE to review and provide comments.

Notes:

<sup>1</sup> FAM dates are given for the dates the mechanism became effective or was notarized.

<sup>2</sup> No SOA was included with the submission of the Initial FACE.

<sup>3</sup> FAM has not been submitted by Operator or the City.

**Table 3b. Financial Assurances (2015-2019): White Rock aka Rio del Oro Mining Project (34-0048)**

Calendar Year	FACE Document Date	FACE Amount	FAM Document Date	FAM Amount <sup>1</sup>	FAM/FACE Relationship
2015	P: 7/2015 S: 11/16/2015 LA-A: 9/16/2021	\$953,630.00 <sup>2</sup>	1/5/2016	\$953,630.00	=
2016	P: 8/2016 S: 2/3/2017 LA-A: 9/16/2021	\$906,347.00 <sup>2</sup>	3/29/2017	\$906,347.00	=
2017	P: 9/22/2017 S: 12/28/2017 LA-A: 9/16/2021	\$827,479.00	3/29/2017	\$906,347.00	+
2018	P: 9/26/2018 S: 11/20/2018 LA-A: 9/16/2021	\$862,731.00	11/29/2018	\$862,731.00 <sup>3</sup>	=
2019	P: 9/25/2019 S: 10/29/2019 LA-A: 9/16/2021	\$877,639.00	1/8/2020	\$877,639.00	=

Abbreviations: FACE = Financial Assurance Cost Estimate; FAM = Financial Assurance Mechanism; LA-A: Approved by Lead Agency; NC = Not Calculated; NS = Not Submitted; P = Date Prepared; S = Date DMR received FACE to review and provide comments.

Notes:

1 FAM dates are given for the dates the mechanism became effective or was notarized.

2 No SOA was included with the submission of the Initial FACE.

3 The incorrect FAM was initially submitted to the lead agency. The operator caught the error and submitted the correct FAM to the lead agency on 3/22/2019.

### 3. Annual Inspection, Inspection Report (IR), Inspection Notice (IN or NOCI)

The City is required to inspect all mines annually (PRC Section 2774(b)). Table 4 below contains a Performance Summary for each of the two mines within this jurisdiction. The City conducted 10 out of 10 expected annual inspections. The City transmitted to DMR 10 out of 10 IRs and 10 out of 10 IN/NOCI during the review period (100 percent).

**Table 4. Lead Agency Document Submittal Performance Summary (2015-2019)**

Mine ID # – Name	IR (annual)	IN / NOCI	SOA	FACE Form	LA Approved FACE	FAM	Enforcement Actions
34-0047 – Grantline West Operation	5/5	5/5	4/5	5/5	5/5	4/5	0
34-0048 – White Rock / Rio del Oro Mining Project	5/5	5/5	3/5	5/5	5/5	5/5	0
<b>Summary: Records Submitted</b>	10/10	10/10	7/10	10/10	10/10	8/10	0
<b>Summary: % Submitted</b>	<b>100%</b>	<b>100%</b>	<b>70%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>0</b>

Abbreviations: FACE = Financial Assurance Cost Estimate; FAM = Financial Assurance Mechanism; IN = Inspection Notice; IR = Inspection Report; LA = Lead Agency; NOCI = Notice of Completion of Inspection; SOA = FACE Statement of Adequacy.

#### **D. Phase IV: Initial Report**

The Initial Report was provided to the City for review on November 18 2021.

#### **E. Phase V: Final Report**

The Final Report was released and posted to the Department of Conservation website in February 2022 .

##### **1. Summary of Lead Agency Responses to the Initial Report**

The City submitted several missing documents to DMR to consider in preparation of the final report on September 16 2021, and January 12 2022.

##### **2. Reclamation During Review Period**

During the review period, no surface mining operations completed reclamation to a useable condition readily adaptable for alternate land uses pursuant to 14 CCR Section 3805.5.

##### **3. Review of the Lead Agency's SMARA Administration**

Section III presents the DMR staff's findings and recommendations to the lead agency.

### III. FINDINGS AND RECOMMENDATIONS TO LEAD AGENCY

Presented below are DMR staff's findings and recommendations to the lead agency following staff's review of the City's administration of the core requirements of SMARA during the LARA Program review period (2015–2019).

#### A. Reclamation Plans, Reclamation Plan Amendments, and Interim Management Plans

1. **Finding #1.** The two surface mining operations under the City's jurisdiction had approved RPs and permits and each amended their RP during the LARA Review period.
  - 34-0047: The City followed SMARA RPA process; DMR required more than 30days to provide comments.
  - 34-0048: The City did not follow SMARA RPA process as the RPA was not submitted to DMR for review. According to the City Council Staff Report relating to the RPA, City staff believes that "SMARA only requires approval by the Lead Agency (the City) if the Lead Agency determines that there is a 'substantial deviation' from the approved plan" and that in this case "there is no 'substantial deviation' requiring an amendment to the Reclamation Plan." This quote, and the procedures followed by the City, demonstrates the City's misinterpretation of statute. All RPAs must follow the approval process described under PRC Section 2772.1, regardless of whether the amendment is a substantial deviation or not. That process includes submission to DMR for review and potential comment. The proposed renewal and extension of the permit required an amendment to Section 3.2 of the RP, which proposed the extension of the operation's life by an additional 10 years, which was the operation's initially approved lifespan.

**Recommendation #1.** Per PRC Section 2772.1, "...the lead agency shall submit the reclamation plan or plan amendment to the supervisor for review." The City needs to follow SMARA procedures (PRC Section 2772.1) by submitting RPs and their amendments to DMR for review and comment.

2. **Finding #2.** There is no evidence that any of the RPs or RPAs from the review period (2015-2019) have been submitted to the county recorder.

**Recommendation #2.** Upon approval of a RP or RPA and pursuant to PRC Section 2772.7, lead agencies must:

- "record a 'Notice of Reclamation Plan Approval' with the county recorder. The notice shall read: 'Mining operations conducted on the hereinafter described real property are subject to a reclamation plan approved by the \_\_\_\_ (lead agency), a copy of which is on file with the \_\_\_\_.'"

- "...the notice shall also include the name of the owner of record of the mine operation, the name of the lead agency, and the acknowledged signature of the lead agency representative."

## B. Financial Assurances

3. **Finding #3.** Lead agencies shall require financial assurance of each surface mining operation to ensure reclamation is performed in accordance with the surface mining operation's approved RP (PRC Section 2773.1(a)). As shown in Table 4, the City's review and submittal process for annual FACE forms to DMR along with the appropriate statement of adequacy was not in complete compliance with SMARA in that:

- During the review period, the City had a 100 percent submittal rate for annual FACE forms that met statutory requirements for submittal to DMR.
- Seven FACE documents were transmitted to DMR with the required statement of adequacy as per CCR Section 3805 (pre-2017) and PRC Section 2773.4(a)(2) (post-2017).
- Based on documents provided, the City did not follow the time requirements within SMARA. FACE submittal should follow annual inspection and should occur within the time period per PRC Section 2773.4(d).

**Recommendation #3.** Operator submittals and lead agency approvals of FACEs for new RPs, RPAs, and following annual inspections, must comply with PRC Sections 2773.1, 2773.4, and 2774.2.5. Specific to the City and focused on post-2017 SMARA requirements:

- The City shall ensure that each surface mining operator submits a FACE annually for review, either:
  - within 30 days of an annual inspection being conducted pursuant to Section 2774, an operator shall provide an annual financial assurance cost estimate to the lead agency for review (PRC Section 2773.4(d)(1)(A))
  - within 30 days of the applicable inspection date (i.e., a date requested by the operator pursuant to PRC Section 2207 or a date set by the lead agency pursuant to Section 2774(c)) should the lead agency fail to cause the inspection of the surface mining operation (PRC Section 2773.4(d)(1)(B))
- For FACE form submittals to DMR and per PRC Section 2773.4, the City's process must include a statement that the FACE is "adequate, complete, and consistent with Section 2773.1, Article 11 (commencing with Section 3800) of Subchapter 1 of Chapter 8 of Division 2 of 14 CCR and the SMGB Guidelines adopted pursuant to PRC Section 2773.1."
- Following approval, the City must provide electronic copies of the approved FACE to DMR.

### C. Annual Inspections, Inspection Reports, and Inspection Notices

4. **Finding #4.** The City conducted 10 out of 10 required annual inspections (100 percent) as determined by submittal of the IR (see Table 4). However, there were instances in which the City was unable to comply with the established timelines within SMARA for processing annual inspections. For example:

- In 2019, mine 34-0047 was not inspected within 12 months of the preceding year.
- The City transmitted 70 percent of Inspection Reports to DMR within statutory timelines (namely, 90 days after the conducting the inspection post-2017 and 30 days after conducting the inspection prior to 2017).

**Recommendation #4.** In compliance with current SMARA requirements (PRC Section 2774(b)(1)), the City must:

- Cause surface mining operations to be inspected in intervals of no more than 12 months
- Provide a notice of completion of inspection to the supervisor [of DMR] within 90 days of conducting the inspection
- Ensure that the notice contains a statement regarding the surface mining operation's compliance with SMARA and a copy of the completed inspection form
- Specify, as applicable, all the following:
  - (A) Aspects of the surface mining operation, if any, that were found to be inconsistent with this chapter but were corrected before the submission of the inspection form to the supervisor
  - (B) Aspects of the surface mining operation, if any, that were found to be inconsistent with this chapter but were not corrected before the submission of the inspection form to the supervisor
  - (C) A statement describing the lead agency's intended response to any aspects of the surface mining operation found to be inconsistent with this chapter but were not corrected before the submission of the inspection form to the supervisor
  - (D) A statement as to whether the surface mining operation is out of compliance with an order to comply or stipulated order to comply issued by the lead agency

### D. General and Findings and Requirements

5. **Finding #5.** The City did not provide to DMR all records requested during the LARA review period.

**Recommendation #5.** The City must establish and maintain in-house measures and procedures to ensure organized record-keeping and monitoring of surface mining

reclamation under its jurisdiction. SMARA regulations at Title 14, California Code of Regulations Section 3504, state in part, "[T]he lead agency shall forward a copy of each permit and approved reclamation plan and financial assurance instrument to the director of the Department of Conservation." Additional documents that must be submitted to DMR include:

- Approved RPs or RPAs within 60 days of their approval
- IMPs at the time of approval
- FACEs within 30 days of their approval
- Notices of Violation at the time of issuance
- Stipulated Orders to Comply at the time of issuance
- Orders imposing an administrative penalty at the time of issuance
- NOCIs, including the completed IR at the time of issuance
- Permits at the time of approval

Additional documents that should be submitted to DMR include:

- Administrative decision at the time of issuance following an appeal of an Order to Comply
- Notices to an operator of a violation or failure to comply with an Order to Comply or Stipulated Order to Comply
- Vested rights determinations

PRC Section 2774.2.5 requires that these approved documents be submitted to DMR in electronic format.

- 6. Finding #6.** The City has a mining ordinance certified by the SMGB per PRC Section 2774.5. It was last certified by the SMGB on July 23, 2004.

**Recommendation #6.** Per statute (PRC Section 2774(a)), the City must update its existing surface mining ordinance and submit the updated ordinance to the SMGB for certification to comply with SMARA. This would ensure that the ordinance is consistent with the recent changes to the SMARA statutes (see Attachment C).

#### **IV. RESOURCES USED IN REPORT PREPARATION**

##### **A. City of Rancho Cordova**

1. City of Rancho Cordova General Plan:  
<https://www.cityofranhocordova.org/departments/community-development/planning/planning-division-document-library>
2. City of Rancho Cordova General Plan 2016 Natural Resources Element:  
<https://www.cityofranhocordova.org/home/showpublisheddocument/13137/636289856405870000>
3. City of Rancho Cordova City Council Agenda: Ordinance 22-2004 and amendments:  
<https://www.conservation.ca.gov/smgb/reports/Documents/Ordinances-City/RanchoCordova.pdf>

##### **B. State of California**

See Attachment C.

# ATTACHMENT A

## SMARA-related Chronologies for each Mine

- A1 — GRANTLINE WEST MINING OPERATION (34-0047) MINE CHRONOLOGY
- A2 — WHITE ROCK aka RIO DEL ORO MINING PROJECT (34-0048) MINE CHRONOLOGY

### **Abbreviations used in Attachment A:**

A = Approved

AR = Mining Operation Annual Report

CUP = Conditional Use Permit

DMR = Division of Mine Reclamation

FACE = Financial Assurance Cost Estimate

FAM = Financial Assurance Mechanism

IMP = Interim Management Plan

IN = Inspection Notice

IR = Inspection Report

NOCI = Notice of Complete Inspection

NOPH = Notice of Public Hearing

RP = Reclamation Plan

RPA = Reclamation Plan Amendment

SOA = FACE Statement of Adequacy

U = Unofficial Copy of Document

X = Official Copy of Document

**A1 – Grantline West Mining Operation (34-0047) Mine Chronology**

DATE	Administrative Activity	RP/RPA/IMP	Permit	FACE	FAM	IR	IN or NOCI	Enforcement
<b>Background Administrative Approvals</b>								
7/18/2005	City approved resolution 81-2005 for CUP No. RC-04-145 (termination date 07/18/2017) and RP No. RC 04-145 (termination date 07/18/2019); Mitigation Monitoring Report Plan for Mitigated Negative Declaration approved; received by DMR 8/11/2005	RP	X					
3/31/2010	Operator submitted an IMP to the City; received by DMR on 5/6/2010	IMP						
5/3/2010	Mine became idle 1/1/2009; DMR received the requested IMP 5/6/2010 and sent back comments on 5/24/2010	IMP						
5/24/2010	DMR sent comments to the City regarding the 5/3/2010 IMP; comments included: a change to the IMP expiration to last 5 years [SMARA 2770(h)(2)] and expired on 7/1/2015, reference the RP in the IMP "erosion control plan," included the frequency of site monitoring activities, provided performance standards for overall site conditions, and included an updated map and photos	IMP						
6/1/2011	DMR sent the City a letter to confirm the receipt of the revised IMP on 3/8/2011; the letter stated that the "revised IMP adequately addresses all those comments" that DMR had sent	IMP						
7/1/2011	The City approved the IMP; DMR received the approved IMP on 1/13/2022 during the LARA Review	IMP						

**A1 – Grantline West Mining Operation (34-0047) Mine Chronology**

DATE	Administrative Activity	RP/RPA/IMP	Permit	FACE	FAM	IR	IN or NOCI	Enforcement
<b>LARA Review Period (2015-2019)</b>								
7/2015	According to the FACE from 1/30/2017, "A renewal of the IMP was submitted to the City in July 2015 and it was under review. With resumption of active mining in July 2016 the 2015 IMP is no longer needed. The operator estimates that the mine production will allow for exiting of the IMP by the end of calendar year 2016 (letter from M. Smith to City, dated July 12, 2016)."	<b>IMP</b>						
7/22/2015	The City conducted an annual inspection; no new or current violations; IR signed on 10/13/2015; received by DMR on 11/16/2015; mine status was reported inactive					<b>X</b>		
10/2015	FACE form prepared; total estimated cost of reclamation was calculated to be \$1,173,386.75; received by DMR on 11/16/2015; no SOA attached; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			<b>X</b>				
10/7/2015	IN transmitted IR for 7/22/2015 inspection; received by DMR on 11/16/2015						<b>IN</b>	
11/16/2015	FACE form dated 10/2015 received by DMR; no SOA attached; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			<b>U</b>				
2/22/2016	FAM of \$1,173,386.75; received by DMR on 2/3/2017				<b>X</b>			

**A1 – Grantline West Mining Operation (34-0047) Mine Chronology**

<b>DATE</b>	<b>Administrative Activity</b>	<b>RP/RPA/IMP</b>	<b>Permit</b>	<b>FACE</b>	<b>FAM</b>	<b>IR</b>	<b>IN or NOCI</b>	<b>Enforcement</b>
1/26/2017	DMR responded to the City's notice regarding the City Council meeting to approve the RPA; the notice did not give DMR the required 30 days' notice; DMR staff reminded the City of the new PRC Section 2772.1 and post-approval procedures	<b>RPA</b>						
2/3/2017	FACE form dated 8/2016 received by DMR on 2/3/2017; SOA received by DMR on 3/15/2017; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			<b>X</b>				
2/6/2017	The City approved RPA and CUP renewal and extension; CUP termination is 7/18/2027; RPA termination date is 7/18/2029; RPA for: on-site processing, stockpiling materials on-site, material removal by truck, and more	<b>RPA</b>	<b>X</b>					
2/27/2017	The City informed DMR of the City Council approval of the RPA plus time extension; Resolution #17-2017	<b>RPA</b>	<b>X</b>					
3/1/2017	FAM amount of \$1,490,067.78; received by DMR on 07/19/2018				<b>X</b>			
3/15/2017	FACE form dated 8/2016 received by DMR on 2/3/2017; SOA received 3/15/2017; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			<b>X</b>				

**A1 – Grantline West Mining Operation (34-0047) Mine Chronology**

<b>DATE</b>	<b>Administrative Activity</b>	<b>RP/RPA/IMP</b>	<b>Permit</b>	<b>FACE</b>	<b>FAM</b>	<b>IR</b>	<b>IN or NOCI</b>	<b>Enforcement</b>
9/22/2017	FACE form prepared; total cost of reclamation was calculated to be \$1,423,930.59; received by DMR with SOA on 7/19/2018; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
10/27/2017	The City conducted an annual inspection; no new or current violations; IR signed on 7/16/2018; received by DMR on 7/19/2018					X		
3/8/2018	FAM amount of \$1,423,930.59; received by DMR on 12/20/2018				X			
5/30/2018	IN transmitted IR for 10/27/2017 inspection; received by DMR on 7/19/2018						IN	
7/19/2018	FACE form dated 9/22/2017 received by DMR with SOA; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
9/14/2018	FACE form prepared; total cost of reclamation was calculated to be \$1,439,623.24; received by DMR with SOA on 12/20/2018; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
10/29/2018	The City conducted an annual inspection; no new or current violations; IR signed on 12/20/2018; received by DMR on 12/20/2018					X		
12/13/2018	IN transmitted IR for 10/29/2018 inspection; received by DMR on 12/20/2018						IN	

**A1 – Grantline West Mining Operation (34-0047) Mine Chronology**

<b>DATE</b>	<b>Administrative Activity</b>	<b>RP/RPA/IMP</b>	<b>Permit</b>	<b>FACE</b>	<b>FAM</b>	<b>IR</b>	<b>IN or NOCI</b>	<b>Enforcement</b>
12/20/2018	FACE form dated 9/14/2018 received by DMR with SOA; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
3/5/2019	FAM amount of \$1,439,623.24; received by DMR on 12/18/2019				X			
11/13/2019	The City conducted an annual inspection; no new or current violations; IR signed on 12/18/2019; received by DMR on 12/18/2019					X		
12/11/2019	FACE document prepared; total cost of reclamation was calculated to be \$1,505,125; received by DMR on 12/18/2019; approved FACE and SOA submitted on 9/16/2021 for LARA review			X				
12/18/2019	IN transmitted IR for 11/13/2019 inspection; received by DMR on 12/18/2019						IN	
2/3/2020	DMR sent the City a "No Comment" letter regarding the FACE document received on 12/18/2019			X				
9/16/2021	DMR received approved FACE dated October 2015			A				
9/16/2021	DMR received approved FACE dated August 2016			A				
9/16/2021	DMR received approved FACE dated 9/22/2017			A				
9/16/2021	DMR received approved FACE dated 9/14/2018			A				

DATE	Administrative Activity	RP/RPA/IMP	Permit	FACE	FAM	IR	IN or NOCI	Enforcement
9/16/2021	DMR received the SOA for the FACE dated 12/11/2019			X				
9/16/2021	DMR received approved FACE dated 12/11/2019			A				
1/14/2022	DMR Received the approved IMP dated 3/8/2011	A - IMP						

**A2 – White Rock aka Rio del Oro Mining Project (34-0048) Mine Chronology**

<b>DATE</b>	<b>Administrative Activity</b>	<b>RP/RPA/IMP</b>	<b>Permit</b>	<b>FACE</b>	<b>FAM</b>	<b>IR</b>	<b>IN or NOCI</b>	<b>Enforcement</b>
<b>Background Administrative Approvals</b>								
7/26/2007	The City approved resolution no. 101-2007 for RP and Permit of Project RC-06-224; expired on 07/27/2017	<b>RP</b>	<b>X</b>					
<b>LARA Review Period (2015-2019)</b>								
7/2015	FACE form prepared; total estimated cost of reclamation was calculated to be \$953,630.00; received by DMR on 11/16/2015; no SOA attached; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			<b>X</b>				
7/28/2015	The City conducted an annual inspection; no new or current violations; IR signed on 10/13/2015; received by DMR on 11/16/2015					<b>X</b>		
10/7/2015	IN transmitted IR for 7/28/2015 inspection; received by DMR on 11/16/2015						<b>IN</b>	
11/16/2015	FACE form dated 7/2015 received by DMR; no SOA attached; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			<b>U</b>				
1/5/2016	FAM amount of \$953,630.00 posted; received by DMR on 2/3/2017				<b>X</b>			
8/2016	FACE form prepared; total estimated cost of reclamation was calculated to be \$906,347.00; received by DMR on 2/3/2017; no SOA attached; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			<b>X</b>				
8/17/2016	Operator submitted an IMP to the City; no receipt stamp by DMR, but letter is dated 11/4/2016	<b>IMP</b>						

**A2 – White Rock aka Rio del Oro Mining Project (34-0048) Mine Chronology**

<b>DATE</b>	<b>Administrative Activity</b>	<b>RP/RPA/IMP</b>	<b>Permit</b>	<b>FACE</b>	<b>FAM</b>	<b>IR</b>	<b>IN or NOCI</b>	<b>Enforcement</b>
8/30/2016	The City conducted an annual inspection; no new or current violations; IR signed on 1/30/2017; received by DMR on 2/3/2017					X		
10/14/2016	IN transmitted IR for 8/30/2016 inspection; received by DMR on 2/3/2017						IN	
11/4/2016	IMP transmitted by the City to DMR for review; no DMR date receipt; according to the IMP transmittal letter to DMR, the site became idle on 6/1/2016; the City provided 30-day notice for consent item at 12/5/2016 City Council meeting	<b>IMP NOPH</b>						
11/29/2016	DMR sent the City a "no comment" letter regarding the IMP	<b>IMP</b>						
12/5/2016	City Council approved time extension for RP RC-06-224A, CUP, and COA 022508 (RC 06-224A) in Resolution 137-2016; expiration on 6/1/2021 with optional "5 year renewal thereafter"	<b>RPA</b>	X					
12/5/2016	City Council approved IMP (RC 06-224) in Resolution 139-2016; expiration of 6/1/2021; DMR received 1/30/2017	<b>IMP</b>						
1/26/2017	The City sent the Notices of Approved IMP, RP and Permit to DMR along with copies "of the approved IMP and Surface Mining and Reclamation Plan permit staff report, resolution, and plans;" the notice is dated 1/26/2017; DMR received 1/30/2017	<b>IMP RPA</b>	X					

## A2 – White Rock aka Rio del Oro Mining Project (34-0048) Mine Chronology

DATE	Administrative Activity	RP/RPA/IMP	Permit	FACE	FAM	IR	IN or NOCI	Enforcement
2/3/2017	DMR received FACE form dated 8/2016; no SOA included; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			U				
3/29/2017	FAM amount of \$906,347.00 posted; received by DMR on 12/28/2017				X			
8/28/2017	The City conducted an annual inspection; no new or current violations; IR signed on 12/22/2017; received by DMR on 12/28/2017					X		
9/22/2017	FACE form prepared; total estimated cost of reclamation was calculated to be \$827,479.00; received by DMR with SOA on 12/28/2017; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
12/28/2017	DMR received FACE form dated 9/22/2017 and SOA; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
12/28/2017	IN transmitted IR for 8/28/2017 inspection; received by DMR on 12/28/2017						IN	
8/29/2018	The City conducted an annual inspection; no new or current violations; IR signed on 10/24/2018; received by DMR on 11/20/2018					X		
9/26/2018	FACE form prepared; total estimated cost of reclamation was calculated to be \$862,731.00; received by DMR with SOA on 11/20/2018; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
10/16/2018	IN transmitted IR for 8/29/2018 inspection; received by DMR on 11/20/2018						IN	

**A2 – White Rock aka Rio del Oro Mining Project (34-0048) Mine Chronology**

<b>DATE</b>	<b>Administrative Activity</b>	<b>RP/RPA/IMP</b>	<b>Permit</b>	<b>FACE</b>	<b>FAM</b>	<b>IR</b>	<b>IN or NOCI</b>	<b>Enforcement</b>
11/20/2018	DMR received FACE form dated 9/26/2018 and SOA; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
11/29/2018	FAM amount of \$862,731.00 posted; received by DMR on 10/29/2019; LA only received FAM on 3/22/2019 because the operator had originally submitted the wrong form; the FAM that the LA sent to DMR previously was the FAM from the previous year				X			
8/28/2019	The City conducted an annual inspection; this is not the final IR/IN, a revised one was sent in on 12/5/2019; no new or current violations; IR signed on 10/29/2019; received by DMR on 10/29/2019					U		
9/25/2019	FACE form prepared; total estimated cost of reclamation was calculated to be \$877,639.00; received by DMR with SOA on 10/29/2019; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
10/29/2019	DMR received FACE form dated 9/25/2019 and SOA; approved FACE submitted to DMR on 9/16/2021 during LARA Program review			X				
10/29/2019	IN transmitted IR for 8/29/2019 inspection; received by DMR on 12/5/2019						IN	
12/5/2019	Revised IR/IN submitted; mine now stated as "inactive;" all documents were dated the same as the 8/28/2019 IR; DMR received on 12/5/2019					X	IN	
1/8/2020	FAM amount of \$877,639.00 posted; received by DMR on 1/14/2022				X			
9/16/2021	DMR received approved FACE dated July 2015			A				

**A2 – White Rock aka Rio del Oro Mining Project (34-0048) Mine Chronology**

<b>DATE</b>	<b>Administrative Activity</b>	<b>RP/RPA/IMP</b>	<b>Permit</b>	<b>FACE</b>	<b>FAM</b>	<b>IR</b>	<b>IN or NOCI</b>	<b>Enforcement</b>
9/16/2021	DMR received approved FACE dated August 2016			A				
9/16/2021	DMR received approved FACE dated 9/22/2017			A				
9/16/2021	DMR received approved FACE dated 9/26/2018			A				
9/16/2021	DMR received approved FACE dated 09/25/2019			A				
1/12/2022	DMR received approved FAM dated 1/8/2020				A			

# ATTACHMENT B

## Resources Available to Lead Agencies (as of February 2022)

### LEAD AGENCY REVIEW AND ASSISTANCE (LARA) PROGRAM WEB FILES

- California Department of Conservation Division of Mine Reclamation webpage:  
<https://www.conservation.ca.gov/dmr>
- Information on the LARA Program, including final LARA reports:  
<https://www.conservation.ca.gov/dmr/SMARA%20Mines/Pages/LeadAgencyReview.aspx>
- Access to the LARA Program Review Process Guidelines:  
<https://www.conservation.ca.gov/dmr/SMARA%20Mines/Documents/LARA%20Guidelines.pdf>
- California Department of Conservation State Mining and Geology Board Financial Assurances Guidelines Appendices:  
<http://www.conservation.ca.gov/smgb/Guidelines/Pages/Appendices.aspx>

### SURFACE MINING AND RECLAMATION ACT OF 1975 (SMARA)

#### Statute

- California Public Resources Code and California Code of Regulations for SMARA:  
<https://www.conservation.ca.gov/smgb/Regulations/Documents/DMR-SR-1-Jan-2019.pdf>

#### Rulemaking Updates

- To be alerted to proposed regulatory changes to SMARA, sign up through the Department's website at:  
<https://www.conservation.ca.gov/smgb/Pages/Rulemaking/Overview.aspx>

#### SMARA Inspection Workshops

- The Division's SMARA Inspector Training Workshops and the Inspection Guidance Document, as required under PRC Section 2774(e):  
<https://www.conservation.ca.gov/dmr>

#### Division Points of Contact

- The Division has staff available to assist lead agencies in the Reporting Unit, Engineering Geology Unit, and Environmental Services Unit. An organization chart can be found on the DMR website at: <https://www.conservation.ca.gov/dmr>

## **Reclamation Plan Review and Approval**

- Additional resources can be found on the Division's website, including:
  - Checklist of Reclamation Plan Requirements  
The checklist is organized by topic (i.e., geologic requirements, revegetation requirements, etc.
  - New online Annual Reporting System (including online Annual Report fee payment)
  - Annual Report form and instructions
  - Financial Assurance forms and instructions (FACE and FAMs)
  - Inspection Form and Notice of Completion of Inspection form

## ATTACHMENT C

### Lead Agency Review and Assistance (LARA) Program Summary of Amendments to SMARA Legislation

Effective dates January 1, 2017 and January 1, 2018

**Senate Bill No. 854, Summary:** *Published on June 27, 2018.*

- Establishes electric submittal of official copies of mining operational documents including reclamation plans, reclamation plan amendments, interim management plans, finance assurance documents, notices of violation, orders to comply, stipulated orders, orders imposing an administrative penalty, notices of completion of inspection, permits, vested rights determination and instructs DMR to post these documents on their website.

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB854](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB854)

**Senate Bill No. 809, Summary:** *Published on October 5, 2017.*

- Transfers various duties assigned to the Director of Conservation to the Supervisor of Mine Reclamation, as specified, and transfers various duties assigned to the Department of Conservation to the Division of Mine Reclamation (DMR), as specified.
- Requires an operator to provide the lead agency and Mine Supervisor an updated Financial Assurance Mechanism (FAM) on approved forms, which includes updated requirements, and within 30 days of the lead agency Financial Assurance Cost Estimate (FACE) approval.
- Requires the lead agency and the Supervisor of DMR to notify the operator within 15 days of receipt of the FAM if it does not meet requirements.

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB809](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB809)

**Senate Bill No. 209, Summary:** *Published April 18, 2016.*

- Establishes the DMR within the Department of Conservation under the direction of the Supervisor of Mine Reclamation.
- Raises the amount of the annual reporting fee to \$10,000 per mining operation and raises the maximum amount of the total revenue generated from the reporting fee to \$8,000,000.
- Provides for an operator (after the State Mining and Geology Board (SMGB) has adopted specified regulation) to include a corporate financial test in a Financial Assurance Mechanism.

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB209](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB209)

**Assembly Bill No. 1142, Summary:** *Published on April 18, 2016.*

- Requires reclamation plans filed by an operator of a mining operation with a lead agency include specified reclamation maps; requires a lead agency when submitting a proposed reclamation plan to DMR to incorporate specified items of information and documents in the submitted reclamation plan within certain timeframes; requires certain actions be taken by DMR upon receiving a proposed reclamation plan.
- Requires operator to replace an approved financial assurance only if the financial assurance cost estimate (FACE) identifies a need to increase the amount of the financial assurance; requires a lead agency to submit the FACE for a surface mining operation to DMR for review as specified and requires DMR to take certain actions upon receiving a FACE.
- Requires a lead agency or the SMGB to conduct a specified public hearing if the lead agency has evidence that an operator maybe financially incapable of performing reclamation in accordance with its approved reclamation plan or that the operator has abandoned a surface mining operation without completing reclamation and to take appropriate actions to forfeit the operator's financial assurances.
- Authorizes a lead agency employee conducting mine inspections to have met specified criteria, including having completed mine inspection workshop (by January 1, 2020).
- Imposes new requirements on the lead agency related to the timing of mine inspections.
- Authorizes DMR to establish a training program for lead agency employees who inspect surface mining operations no later than December 31, 2017.
- Lays out process for enforcement actions.

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160AB1142](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB1142)

## **ATTACHMENT D**

### **Lead Agency Staff Comments on Initial Report and Division of Mine Reclamation Staff Responses**

The City of Rancho Cordova did not submit comments on the Initial LARA Report to the Division of Mine Reclamation.

# ATTACHMENT E

## Lead Agency Review and Assistance Program Contacts (as of February 2022)

### **DIVISION OF MINE RECLAMATION**

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