

CALIFORNIA's SURFACE MINING & RECLAMATION ACT (SMARA)

by

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Office of Mine Reclamation



SMARA INTENT

- ✘ 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.

SMARA INTENT - CONTINUED

- + (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.**

SMARA APPLIES TO...

- ✘ **Anyone, including government agencies, engaged in surface mining operations, which includes, but is not limited to,**
 - + prospecting & exploratory activities**
 - + dredging & quarrying**
 - + streambed skimming**
 - + borrow pitting**
 - + stockpiling of mined materials (and recovery of same)**

SMARA - KEY ELEMENTS

- ✘ Mineral land classification/designation
- ✘ Permit to mine (except if vested rights)
- ✘ Reclamation plan
- ✘ Annual inspections
- ✘ Enforcement/penalties
- ✘ Financial assurances
- ✘ State oversight

VESTED RIGHTS

- ✘ Lead agency determination
 - + If, prior to January 1, 1976 a person
 - ✘ Relied upon a permit or other authorization (if required)
 - ✘ Diligently commenced mining and incurred substantial liabilities
- ✘ Vested rights determination requires
 - + Reasonable notice
 - + Public hearing
- ✘ Permit not required
- ✘ Reclamation plan & financial assurances required

WHO ADMINISTERS SMARA

- ✘ Lead Agencies
- ✘ Department of Conservation
 - + Office of Mine Reclamation
 - + State Mining and Geology Board
 - + California Geological Survey

LEAD AGENCY RESPONSIBILITIES

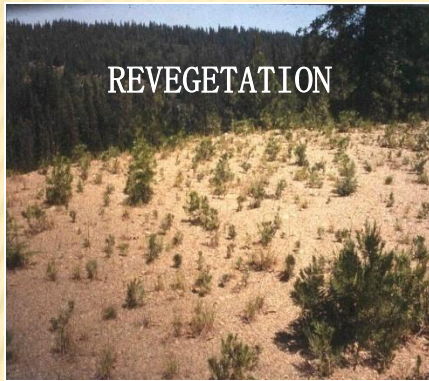
- ✘ Adopt Mining Ordinance
- ✘ Issue Permit to Mine
- ✘ Vested rights determination
- ✘ Approve Reclamation Plans
 - + Approve Amendments and IMPs
- ✘ Approve Financial Assurances
 - + Review annually
- ✘ Conduct Annual Inspections
- ✘ Enforcement

LEAD AGENCY RESPONSIBILITIES - CONT.

- ✘ Forward Reclamation Plan to State for 30 day review
 - + Certify that Plan Complies with SMARA
 - + Submit all Information at One Time
- ✘ Forward Financial Assurance to State for 45 day review
- ✘ Forward Copies of Approved Permits and Inspection Reports to State

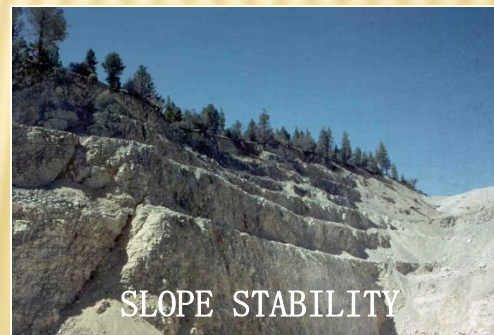
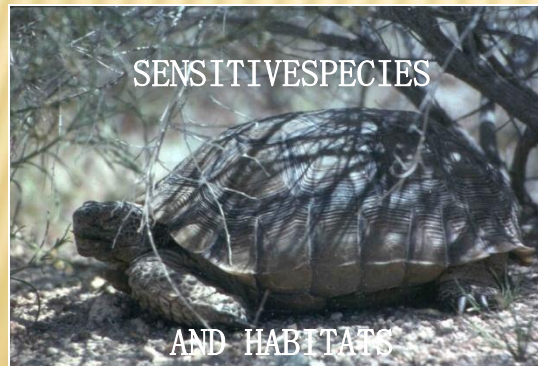
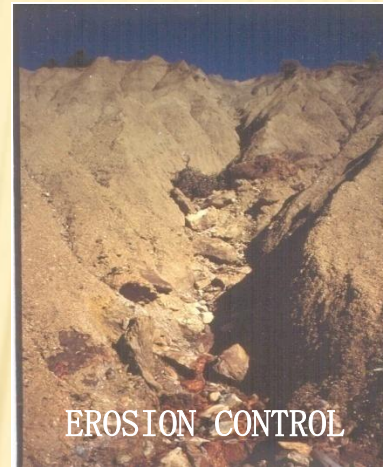
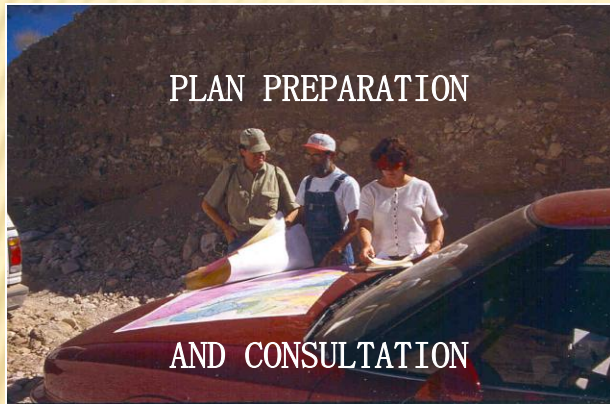
WHAT IS A RECLAMATION PLAN ?

- ✘ Plan Submitted by Operator
- ✘ Use Permit Application, Conditions of Approval
- ✘ CEQA Documentation, Mitigation Measures
- ✘ Associated Geotechnical, Hydrological, and Biological Reports



RECLAMATION is the process by which adverse impacts of mining are minimized so that mined lands can be used for a beneficial land use. Some

key components of reclamation include slope stabilization, erosion control, mitigation of impacts to sensitive species and habitats, and revegetation.



RECLAMATION PLAN REQUIREMENTS

- ✘ Name and Address of Operator/Agent
- ✘ Quantity and Type of Minerals to be Mined
- ✘ Initiation and Termination Date
- ✘ Maximum Depth of Mining
- ✘ Size, Legal Description, **Maps**
- ✘ Mining Plan and Time Schedule
for **phased reclamation**



PHASING MINING & RECLAMATION

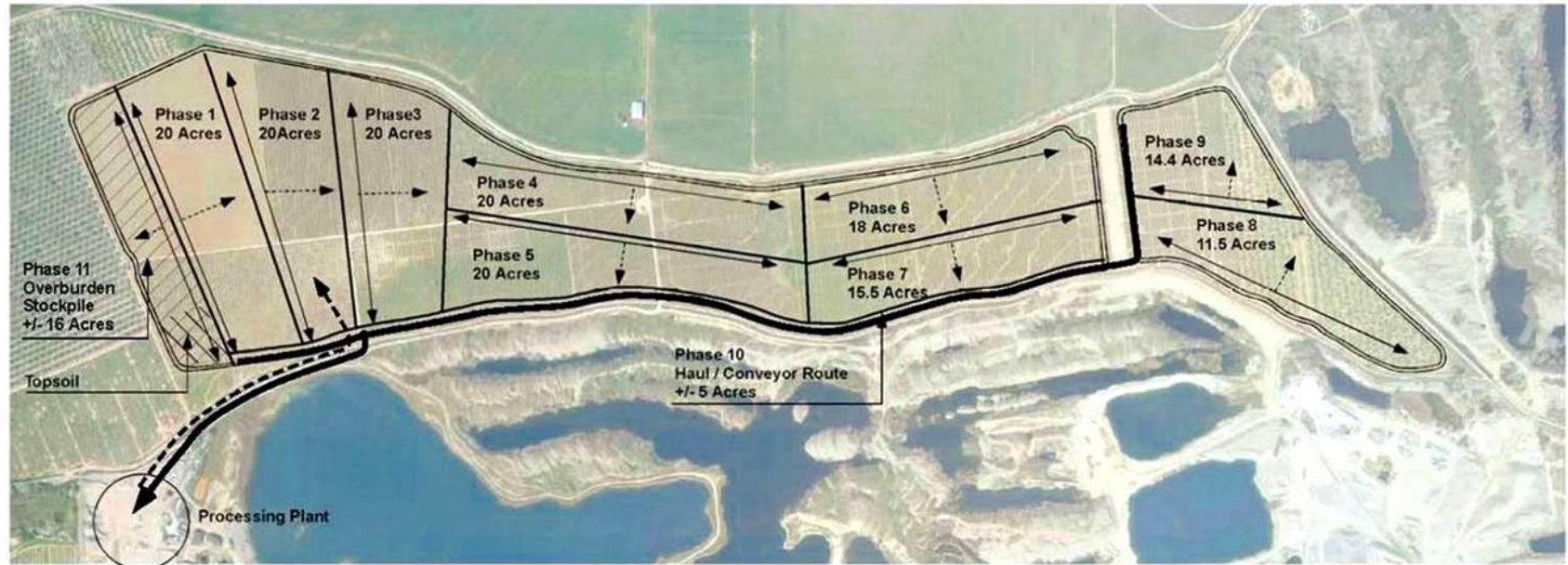


Exhibit 5
Mining Plan: Phasing

LEGEND (see text for explanation)

- | | | | | | |
|--|---------------------------|--|-----------------------|--|-----------------|
| | Property Boundary | | Direction of Mining | | Wash Water Line |
| | Overburden Stockpile Area | | Haul / Conveyor Route | | |
| | Topsoil | | | | |

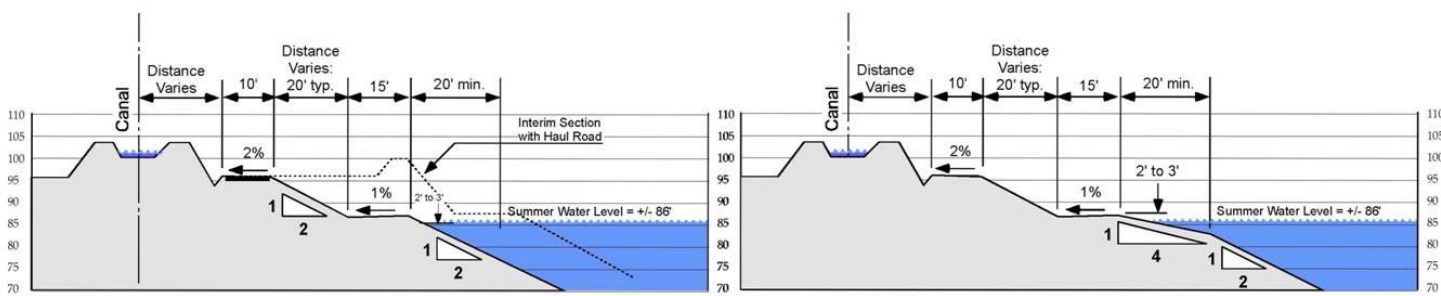
Date: 1/10/05
 North

 Scale: 0' 200' 400'

 4 Acres

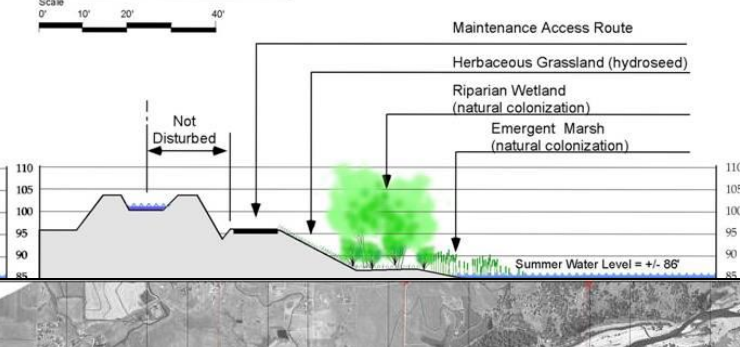
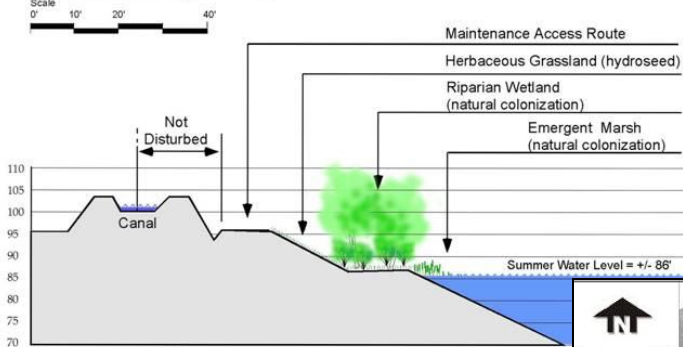
This document is an exhibit and the checks and permits, etc., under preparation should be made available to the public. It is not intended for distribution outside the project area.

Cross Sections



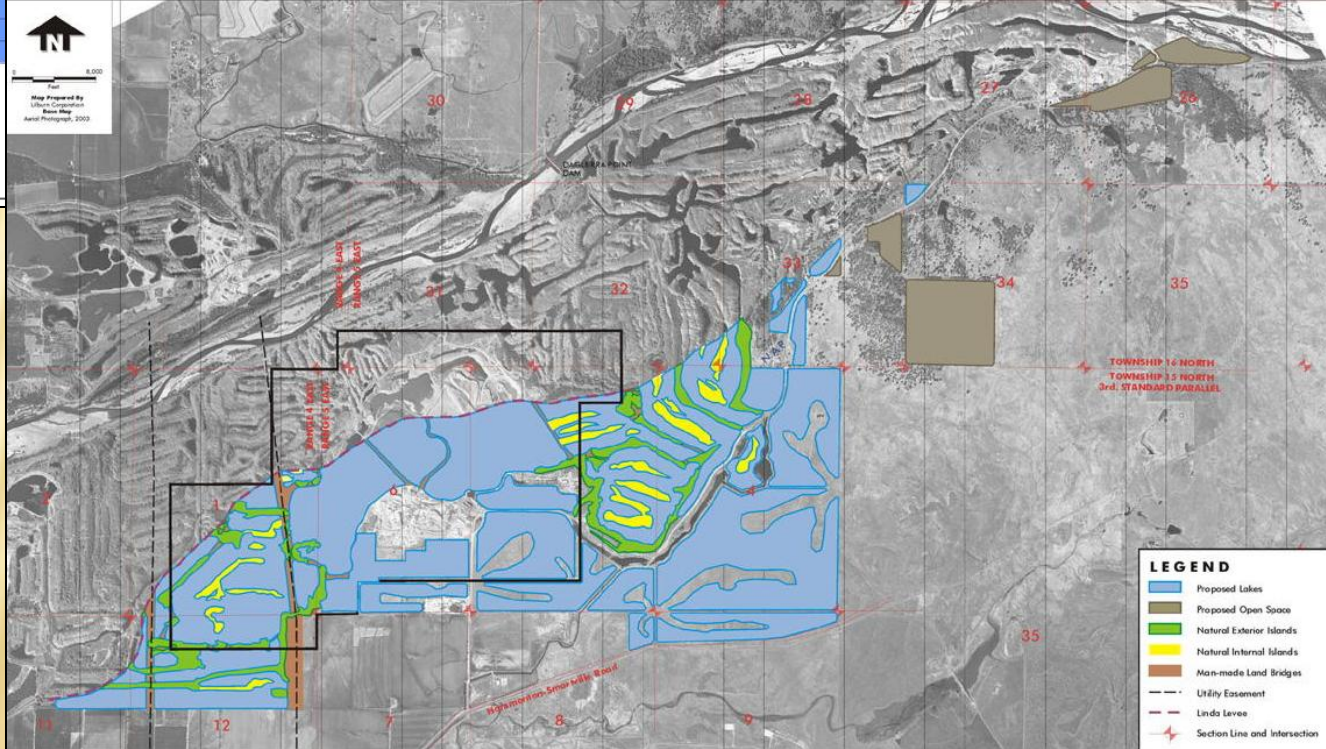
Section C: Mining Grades

Section D: Mining Grades



Section C: Revegetation

Exhibit 7C
Sections



Conceptual Model of Final Reclaimed Condition

Restricted Disclosure/Distribution
Confidential!
Prepared in Settlement
of Litigation

Final Reclaimed Condition

Location of enhancement activities outside the 80-01 secondary or north of the Linda levee are for conceptual design purposes. They should not be construed as permitted Enhancement Plan obligations.

RECLAMATION PLAN REQUIREMENTS

- ✘ Impact of Reclamation on Future Mining
- ✘ Public Health and Safety
- ✘ Designated Areas for Equipment and Waste
- ✘ Structures and Equipment Dismantled, Removed
- ✘ Drill Holes, Wells Properly Closed
- ✘ Tailing and Mine Waste Management

RECLAMATION PLAN REQUIREMENTS

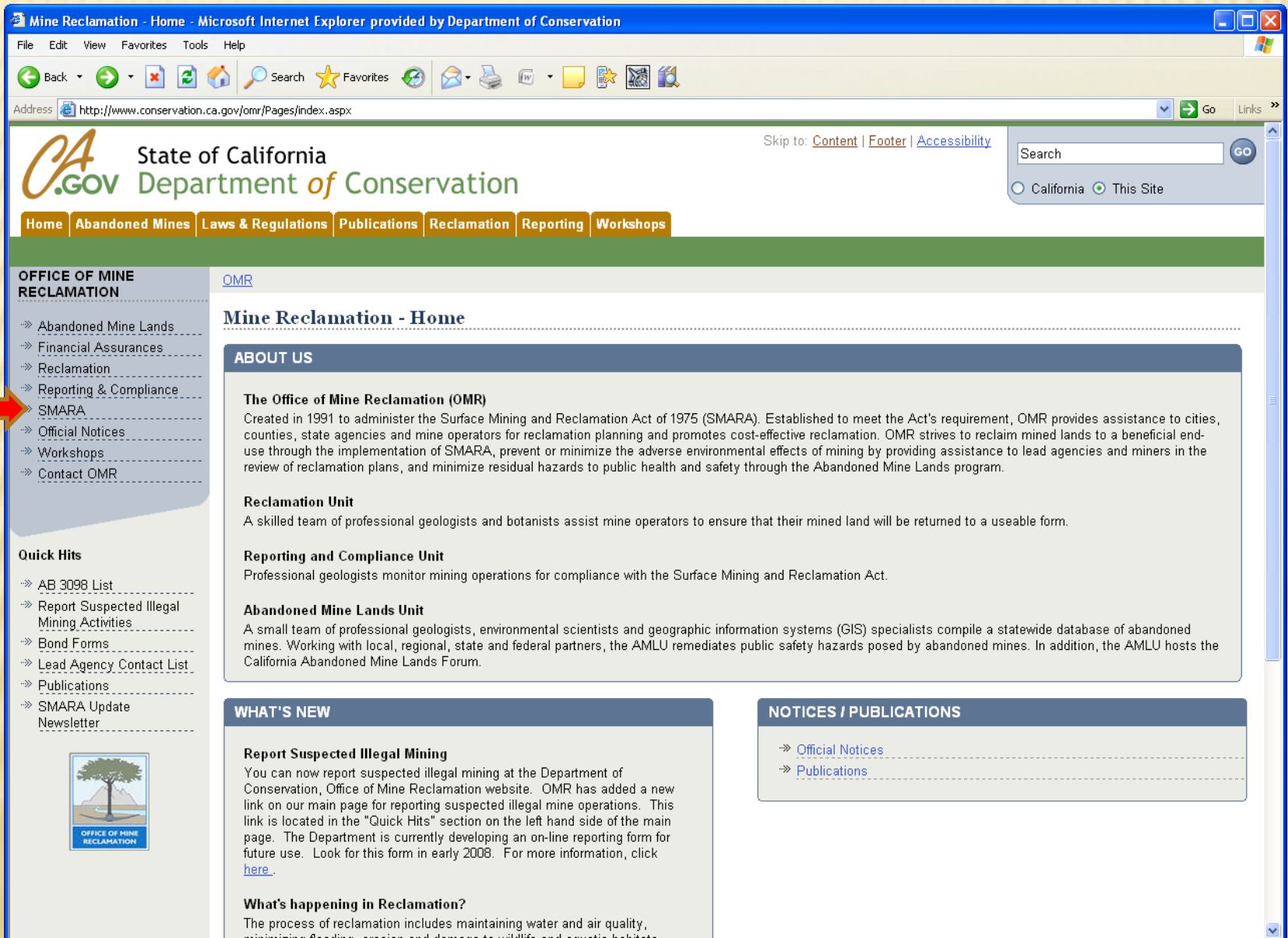
- ✘ Geotechnical analysis: cut slopes stable, fill slopes not exceed 2:1
- ✘ Drainage, diversion structures, and waterways
- ✘ Stream protection, including surface and ground water
- ✘ Wetlands avoided or mitigated
- ✘ Sediment and Erosion Control Plan

RECLAMATION PLAN REQUIREMENTS

- ✘ Environmental studies to identify impacts to sensitive species and habitats
- ✘ End Use
- ✘ Topsoil salvage, maintenance, and redistribution
- ✘ Revegetation plan with performance standards



FOR MORE INFORMATION, VISIT OUR WEBSITE



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Address <http://www.conservation.ca.gov/omr/Pages/Index.aspx>

State of California
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- Abandoned Mine Lands
- Financial Assurances
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- Reporting & Compliance
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- Official Notices
- Workshops
- Contact OMR

Quick Hits

- AB 3098 List
- Report Suspected Illegal Mining Activities
- Bond Forms
- Lead Agency Contact List
- Publications
- SMARA Update Newsletter



QMR

Mine Reclamation - Home

ABOUT US

The Office of Mine Reclamation (OMR)
Created in 1991 to administer the Surface Mining and Reclamation Act of 1975 (SMARA). Established to meet the Act's requirement, OMR provides assistance to cities, counties, state agencies and mine operators for reclamation planning and promotes cost-effective reclamation. OMR strives to reclaim mined lands to a beneficial end-use through the implementation of SMARA, prevent or minimize the adverse environmental effects of mining by providing assistance to lead agencies and miners in the review of reclamation plans, and minimize residual hazards to public health and safety through the Abandoned Mine Lands program.

Reclamation Unit
A skilled team of professional geologists and botanists assist mine operators to ensure that their mined land will be returned to a useable form.

Reporting and Compliance Unit
Professional geologists monitor mining operations for compliance with the Surface Mining and Reclamation Act.

Abandoned Mine Lands Unit
A small team of professional geologists, environmental scientists and geographic information systems (GIS) specialists compile a statewide database of abandoned mines. Working with local, regional, state and federal partners, the AMLU remediates public safety hazards posed by abandoned mines. In addition, the AMLU hosts the California Abandoned Mine Lands Forum.

WHAT'S NEW

Report Suspected Illegal Mining
You can now report suspected illegal mining at the Department of Conservation, Office of Mine Reclamation website. OMR has added a new link on our main page for reporting suspected illegal mine operations. This link is located in the "Quick Hits" section on the left hand side of the main page. The Department is currently developing an on-line reporting form for future use. Look for this form in early 2008. For more information, click [here](#).

What's happening in Reclamation?
The process of reclamation includes maintaining water and air quality, minimizing erosion and degradation to wildlife and aquatic habitats

NOTICES / PUBLICATIONS

- [Official Notices](#)
- [Publications](#)