



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**C-20**

For the meeting of: March 22, 2016

Date: January 8, 2016

To: Board of Supervisors

From: *(Signature)* Thomas K. Mattson, Public Works Director

Subject: 2016 Financial Assurances for Reclamation of Surface Mining Operations

RECOMMENDATION(S): That the Board of Supervisors:

1. Adopts the attached resolution authorizing the annual adjustment of funds pledged by the Humboldt County Department of Public Works to complete reclamation of the department's surface mining operations as required by state law.
2. Directs the Clerk of the Board to return a certified copy of the Resolution to the Public Works Department.

SOURCE OF FUNDING: Road Fund

DISCUSSION:

On November 7, 1995, the Board of Supervisors adopted Resolution 95-97a, which authorized the Humboldt County Planning Department or California Department of Conservation to use funds pledged by the Department of Public Works to reclaim any surface mining operations left unreclaimed by Public Works. The amounts pledged for the listed quarries need to be updated annually in accordance with Public Resources Code Section 2773.1(a)(3). Public Works has prepared the attached updated resolution for the Board's consideration.

Prepared by Robert Vogt, Natural Resources Division

CAO Approval

*(Signature: Amy Nissen)*

REVIEW:

Auditor \_\_\_\_\_ County Counsel *Sm* Human Resources \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:

- Consent
- Departmental
- Public Hearing
- Other \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. C-19

Meeting of: April 28, 2015

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Fennell* Seconded by Supervisor *Bass*

Ayes *Sundberg, Fennell, Lovelace, Bohn, Bass*  
Nays \_\_\_\_\_  
Abstain \_\_\_\_\_  
Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *March 22, 2016*

By: *(Signature: Kathy Hayes)*  
Kathy Hayes, Clerk of the Board

California's Surface Mining and Reclamation Act (SMARA) requires that all surface mining operations are reclaimed after rock removal is completed and that all mining agencies pledge funds in the form of a financial assurance to guarantee that reclamation will occur. The attached resolution states that Public Works shall pledge funds in the form of gas tax revenues in amounts necessary to reclaim upland quarries and gravel quarries, which are active, and in use by Public Works. Public Works has never failed to complete reclamation of one of its surface mining operations in over forty (40) years of operations and the department expects to continue this record of reclaiming its aggregate resource sites at the termination of use. If Public Works failed to complete reclamation of one of its active sites, the Humboldt County Planning and Building Department or California Department of Conservation would be involved in hiring a private contractor to reclaim the site and funds would be withdrawn from those specifically pledged and set aside.

Public Works recommends approval of the attached resolution to allow Public Works to meet the financial assurance requirements of the Surface Mining and Reclamation Act.

FINANCIAL IMPACT:

The requested action has no financial impact to the County's General Fund. This resolution requires Public Works to pledge \$149,494.15 as a contingency under the Road Fund.

The requested action conforms to the Board of Supervisors' core roles by providing for and maintaining infrastructure and creating opportunities for improved safety.

OTHER AGENCY INVOLVEMENT: California Department of Conservation; Humboldt County Planning and Building Department.

ALTERNATIVES TO STAFF RECOMMENDATIONS: None identified.

ATTACHMENT: Resolution No. 16-36 (Authorizes the Humboldt County Planning and Building Department or California Department of Conservation to use Funds Pledged by the Humboldt County Department of Public Works to Complete Reclamation of Rock and Gravel Quarry Sites)

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceeding, Meeting of March 22, 2016

RESOLUTION NO. 16-36

**RESOLUTION AUTHORIZING THE HUMBOLDT COUNTY PLANNING AND BUILDING DEPARTMENT OR CALIFORNIA DEPARTMENT OF CONSERVATION TO USE FUNDS PLEDGED BY THE HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS TO COMPLETE RECLAMATION OF ROCK AND GRAVEL QUARRY SITES**

**WHEREAS**, Resolution No. 15-47, was adopted by the Humboldt County Board of Supervisors on April 28, 2015; and

**WHEREAS**, funds pledged by the Humboldt County Department of Public Works for reclamation of certain surface mining operations listed in Resolution 15-47 need to be updated; and

**WHEREAS**, Public Resources Code, Section 2710 et. seq., requires that rock and gravel quarries be reclaimed; and

**WHEREAS**, Section 3806.1 of Article 10 of the Financial Assurance Mechanism Emergency Regulations requires a county to adopt a resolution establishing a pledge of revenue; and

**WHEREAS**, this pledge of revenue shall be used to satisfy the requirements of Section 2773.1 of the Public Resources Code; and

**WHEREAS**, the pledge of revenue shall contain the types and sources of pledged revenue, the period of time that each source of revenue is pledged to be available, the calculated amount of the financial assurances, and the authorization for the Humboldt County Planning and Building Department or California Department of Conservation to use the pledged funds to complete the reclamation if the Department of Public Works fails to do so; and

**WHEREAS**, Section 3806.1(c)(3) allows the County to pledge types of guaranteed revenues acceptable to the Planning and Building Department and State Mining & Geology Board.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

SECTION 1. - That all of the recitations contained herein are true and correct.

SECTION 2. - The Board of Supervisors directs the Department of Public Works to pledge its allocated share of gas tax revenues in the amounts shown in Section 4, which are calculated to be the amounts necessary to reclaim each active surface mining site on which the County has Borrow Agreements or owns in-fee plus a 10% contingency. Updated reclamation costs for 2016 were based on new Financial Assurance Guideline requirements issued by the State Mining and Geology Board and stipulated in a Lead Agency Notification Letter dated September 17, 2015.

SECTION 3. - Each specific site pledge shall be pledged for a period of five years beyond that stated in each Borrow Agreement.

SECTION 4. - The Planning and Building Department or California Department of Conservation – Office of Mine Reclamation is authorized to use the funds to complete the reclamation of the following sites in the event that the Department of Public Works fails to complete said activities:

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
 Certified copy of portion of proceeding, Meeting of March 22, 2016

RESOLUTION NO. 16-36

**2016 Pledge of Revenue for Humboldt County Operated Surface Mining Operations**

<b>CA MINE ID #</b>	<b>GRAVEL BAR</b>	<b>\$ PLEDGED</b>
91-12-0021	Worswick Bar [Fernbridge, Eel River]	2,933.06
91-12-0022	PL Bar [Dyerville, Eel River]	4,015.30
91-12-0050	Branstetter Bar [Capetown, Bear River]	3,113.48
91-12-0059	Cook Bar [North Fork Mattole River]	2,966.82
91-12-0060	Charles Bar [Larabee Creek]	5,213.47
91-12-0061	PL Bar [Van Duzen River]	2,634.36
91-12-0068	Fort Seward (Ranch) Bar [Eel River]	3,532.62
	<b>ROCK QUARRY</b>	
91-12-0024	Drewry Pit [Bell Springs Road]	14,556.20
91-12-0025	Monument Pit [Monument Road]	10,861.94
91-12-0026	Brannan Mountain Pit [Willow Creek]	13,715.87
91-12-0027	Fort Seward Pit [Dyerville Loop Rd]	5,389.45
91-12-0028	Hansen-Degnan Pit [Kneeland Road]	10,861.94
91-12-0055	Moore Pit [Showers Pass Road]	6,759.20
91-12-0056	Bald Hills Pit #2 [Bald Hills Road]	6,104.84
91-12-0065	Russ Quarry #1 [Murphy Meadow]	6,394.22
91-12-0085	Kercher Quarry [Alderpoint Road]	13,550.67
91-12-0086	Cañon Creek Quarry [Maple Creek Rd]	36,890.74
Total		\$149,494.15

SECTION 5. - Resolution No. 15-47 is hereby rescinded and superseded by this Resolution.

Dated: March 22, 2016



MARK LOVELACE, Chair  
 Humboldt County Board of Supervisors

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceeding, Meeting of March 22, 2016

RESOLUTION NO. 16-36


Adopted on motion by Supervisor Fennell, seconded by Supervisor Bass, and the following vote:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA    )  
County of Humboldt     )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
\_\_\_\_\_  
By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California