




COUNTY OF HUMBOLDT

AGENDA ITEM NO.
C-19

For the meeting of: April 28, 2015

Date: March 12, 2015

To: Board of Supervisors

From:  Thomas K. Mattson, Public Works Director

Subject: 2015 Financial Assurances for Reclamation of Surface Mining Operations

RECOMMENDATION(S): That the Board of Supervisors adopt 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.


SOURCE OF FUNDING: Road Fund

DISCUSSION:

On November 7, 1995, the Board 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 un-reclaimed 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.

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

Prepared by Doug Dinsmore, Natural Resources Division

CAO Approval 

REVIEW:

Auditor _____ County Counsel Sm Human Resources _____ Other _____

TYPE OF ITEM:

- Consent
- Departmental
- Public Hearing
- Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. C-13

Meeting of: June 17, 2014

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Lovelace Seconded by Supervisor Bass

Ayes Sundberg, Lovelace, Fennell, Bohn, Bass

- Nays _____
- Abstain _____
- Absent _____

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

Dated: April 28, 2015

By: 
Kathy Hayes, Clerk of the Board

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 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 \$111,026.98 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. _____ (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 proceedings, Meeting of April 28, 2015

RESOLUTION NO. 15-47

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. 14-49, was adopted by the Humboldt County Board of Supervisors on June 17, 2014; and

WHEREAS, funds pledged by the Humboldt County Department of Public Works for reclamation of certain surface mining operations listed in Resolution 14-49 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 2015 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 August 7, 2014.

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

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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RESOLUTION NO. 15-47

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:

2015 Pledge of Revenue for Humboldt County Operated Surface Mining Operations

CA MINE ID #	GRAVEL BAR	\$ PLEDGED
91-12-0021	Worswick Bar [Fernbridge, Eel River]	\$2,894.74
91-12-0022	PL Bar [Dyerville, Eel River]	\$3,959.94
91-12-0050	Branstetter Bar [Capetown, Bear River]	\$3,072.32
91-12-0059	Cook Bar [North Fork Mattole River]	\$2,927.97
91-12-0060	Charles Bar [Larabee Creek]	\$5,139.24
91-12-0061	PL Bar [Van Duzen River]	\$2,600.75
91-12-0068	Fort Seward (Ranch) Bar [Eel River]	\$3,484.86
	ROCK QUARRY	
91-12-0024	Drewry Pit [Bell Springs, Walker Ridge]	\$14,342.72
91-12-0025	Monument Pit	\$10,706.63
91-12-0026	Brannan Mountain Pit	\$13,515.62
91-12-0027	Dyerville Pit [Fort Seward]	\$5,320.32
91-12-0028	Hansen Pit [Hansen-Degnan]	\$10,706.63
91-12-0055	Moore Rock Quarry	\$6,668.50
91-12-0056	Bald Hills Road Pit #2	\$6,024.45
91-12-0065	Russ Quarry #1	\$6,309.27
91-12-0085	Kercher Quarry [Alderpoint]	\$13,353.02
Total		\$111,026.98

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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RESOLUTION NO. 15-47

SECTION 5. - Resolution No. 14-49 is hereby rescinded and superseded by this Resolution.

Dated: April 28, 2015



ESTELLE FENNELL, Chair
Humboldt County Board of Supervisors

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

AYES:	Supervisors	Sundberg, Lovelace, Bohn, Fennell, 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 a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

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