



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 23-209 **Version:** 1 **Name:**
Type: Resolution **Status:** Passed
File created: 2/10/2023 **In control:** Public Works
On agenda: 3/21/2023 **Final action:** 3/21/2023
Title: 2023 Financial Assurances for Reclamation of Surface Mining Operations

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. 2023 FACE Update Resolution, 3. Resolution No. 23-43 - Public Works - Reclamation of Surface Mining.pdf

Date	Ver.	Action By	Action	Result
3/21/2023	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

2023 Financial Assurances for Reclamation of Surface Mining Operations

RECOMMENDATION(S):

That the Board of Supervisors:

1. 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; and
2. Direct the Clerk of the Board to return a certified copy of the Resolution to the Humboldt County Department of Public Works for further processing.

SOURCE OF FUNDING:

Road Fund (1200)

DISCUSSION:

On Nov. 7, 1995, the Board of Supervisors adopted Resolution 95-97a, which authorized the Humboldt County Planning Department or the California Department of Conservation to use funds pledged by

the Humboldt County Department of Public Works (“Public Works”) to reclaim any surface mining operations left un-reclaimed by Public Works. The amounts pledged for the listed quarries must be reviewed and, if necessary, updated annually in accordance with Public Resources Code Section 2773.1(a)(3). Public Works staff 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 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 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 the California Department of Conservation would be involved in hiring a private contractor to reclaim the site and these funds would be withdrawn accordingly for performing the reclamation work.

Accordingly, staff 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:

Expenditures (Fund, Budget Unit)	FY 22-23 Adopted
Budgeted Expenses 1200325	\$177,519.51
Total Expenditures	\$177,519.51
Funding Sources (Fund, Budget Unit)	FY 22-23 Adopted
Road Fund 1200888	\$177,519.51
Total Funding Sources	\$177,519.51

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:

This resolution requires Public Works to pledge \$177,519.51 as a contingency under the Road Fund.

STAFFING IMPACT:

None

STRATEGIC FRAMEWORK:

This action supports your Board’s Strategic Framework priority of providing for and maintaining infrastructure and creating opportunities for improved safety.

OTHER AGENCY INVOLVEMENT:

The California Department of Conservation and the Humboldt County Planning and Building

Department.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors may choose not to adopt the proposed resolution. However, this alternative is not recommended because not having a financial mechanism in place to reclaim the Public Works surface mining operations would place the County out of compliance with the SMARA regulations.

ATTACHMENTS:

1. 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)

PREVIOUS ACTION/REFERRAL:

Board Order No.: NA

Meeting of: March 22, 2022

File No.: 22-147