

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE:
February 15, 2022

TYPE OF AGENDA ITEM:
 Regular Timed
 Consent

DEPARTMENT: Department of Public Works
APPROVING PARTY: Tim Beals
PHONE NUMBER: 530-289-3201

AGENDA ITEM: Discussion and direction on proposed rulemaking of the Department of Conservation impacting surface mining operations and permitted mines.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other
 DOC Rulemaking Notice/Email with link

BACKGROUND INFORMATION: See attached-The Board should review the proposed rules and determine if a formal written response is appropriate.

FUNDING SOURCE: General Fund
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND: Unknown
AMOUNT: \$ One Time Expense

ARE ADDITIONAL PERSONNEL REQUIRED?

 Yes, -- --
 No

IS THIS ITEM ALLOCATED IN THE BUDGET? Yes No

IS A BUDGET TRANSFER REQUIRED? Yes No

SPACE BELOW FOR CLERK'S USE

BOARD ACTION:

- Approved
- Approved as amended
- Adopted
- Adopted as amended
- Denied
- Other
- No Action Taken

- Set public hearing
For: _____
- Direction to: _____
- Referred to: _____
- Continued to: _____
- Authorization given to:

Resolution 2022- _____
 Agreement 2022- _____
 Ordinance _____
 Vote:
 Ayes:
 Noes:
 Abstain:
 Absent:
 By Consensus

COMMENTS:

CLERK TO THE BOARD

DATE

Jill Molaris

From: Tim Beals
Sent: Wednesday, February 9, 2022 4:46 PM
To: Jill Molaris
Subject: FW: Publication of Formal Rulemaking (PRC 2774.2.5)

From: Tim Beals
Sent: Wednesday, February 9, 2022 3:48 PM
To: BOS <BOS@sierracounty.ca.gov>
Cc: Heather Foster <hfoster@sierracounty.ca.gov>; Brandon Pangman <bpangman@sierracounty.ca.gov>; Melissa Kinneer <mkinneer@sierracounty.ca.gov>
Subject: FW: Publication of Formal Rulemaking (PRC 2774.2.5)

Board members. Brandon just received word of this new rulemaking process(see below) that may represent significant issues for surface mines-both private land permits and reclamation plans/bonds and just reclamation plans/bonds for approved mining operations occurring on Federal lands (County has jurisdiction for both).

We are reviewing this rulemaking process but we are told it requires significant process-based requirements that will have a significant fiscal burden to the small mine operators in California-and will impact most, if not all, of the County permitted mines. There is a deadline for comments and if we do not have time between the Board meeting of February 15 and March 1 to formally adopt comments, I may be adding this as an emergency addition on February 15. Just an FYI and please review the link provided below if you wish to view the proposed text.

Thanks.

Tim

From: Brandon Pangman <bpangman@sierracounty.ca.gov>
Sent: Wednesday, February 9, 2022 2:59 PM
To: Tim Beals <tbeals@sierracounty.ca.gov>
Subject: FW: Publication of Formal Rulemaking (PRC 2774.2.5)

Here, I believe, is the rulemaking notice from the Div. of Mine Reclamation that Nash Gonzalez (Mendocino Co. Planning Director) called about today. I will start digging into it....



Brandon Pangman
Assistant Director
Planning & Building Department
Sierra County, California
(530) 289-3251
bpangman@sierracounty.ca.gov

From: The Division of Mine Reclamation <DMR-Regulations@conservation.ca.gov>
Sent: Monday, January 24, 2022 4:08 PM

To: Brandon Pangman <bpangman@sierracounty.ca.gov>

Subject: Publication of Formal Rulemaking (PRC 2774.2.5)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



California
**Department of
Conservation**
Mine Reclamation

Dear SMARA Lead Agency-

The Department of Conservation's Division of Mine Reclamation (DMR) has released a set of proposed regulations for formal rulemaking on January 21, 2022. The 45-day public comment period is currently open and will end **March 7, 2022**. These regulations would require the submission of specific SMARA related documents to DMR via an electronic online database in a required format.

- The text of the proposed regulations and rulemaking documents are available at the Department of Conservation website at:
<https://www.conservation.ca.gov/index/Pages/rulemaking.aspx>
- Comments on the proposed regulations should be sent to: DMR-Regulations@conservation.ca.gov

We look forward to your comments!

Sincerely,

April Balestreri
Reporting Unit Manager

California Department of Conservation, Division of Mine Reclamation
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(916) 323-9198
www.conservation.ca.gov/dmr