Fees/Deposit:

| Actual Cost Initial Deposit (L629) | $9,900.00 |

PLEASE NOTE: This is a deposit only. The basic review fees for this application are charged on an “actual cost” basis. Your project will be charged at the hourly and mileage rate(s) as provided in the County Code Section 16.0228B(b) ($64 to $250/hr) as well as any other costs incurred by the County in processing your project. These costs include, but are not limited to, any required advertising, mailings, and notices. Other divisions and departments will be charging to the deposit listed above. You are responsible for all charges made to the project account. If account funds are depleted, an additional deposit will be required. If an additional deposit is required, it must be paid to allow staff to continue processing. Any failure to pay the required deposit will result in suspension, and possible termination of the project review process as well as sending your account to collections. After the review is completed, a minimum deposit balance will be required for condition compliance processing. For more information on fees, please review the County Fee Ordinance and contact County Planning.

In addition to the deposit listed above, other fees may be required for reviews by County Fire, Environmental Health Services, Code Enforcement, Surveyor, Public Works and special report reviews by Building and Safety. State Fish and Game fees as noted on the attached pages may be required before your project can be approved.

Mining Activities and Administration Requirements: (Refer to Division 8, Chapters 82.17 and 88.03 of the County Development Code, Public Resources Code Sections 2207 and 2710 et seq., and California Code of Regulations Section 3500 et seq., – the statutes and state regulations are collectively known as the Surface Mining and Reclamation Act of 1975, “SMARA”).

The provisions of SMARA are made part of the County Development Code by reference with the same force and effect as if the provisions were specifically and fully contained in the Development Code; except that when the provisions of the Development Code are more restrictive than corresponding State provisions, the Development Code shall prevail.

General Business:

No person shall conduct surface mining operations unless the County has first approved a Mining Conditional Use Permit and/or Reclamation Plan and Financial Assurances. For recognition of vested rights and acknowledgment of certain exemptions relating to these requirements, refer to Division 8, Chapter 88.03 of the Development Code or contact County Planning/Mining staff. The County’s regulations implement and enforce SMARA requirements where applicable. The intent of the Development Code and SMARA is to create and maintain an effective and comprehensive surface mining and reclamation policy with appropriate regulation of surface mining-related activities so as to assure that:

1. Adverse environmental effects are prevented or minimized;
2. Mined lands are reclaimed to a usable condition that is readily adaptable for alternative land uses;
3. The production and conservation of minerals are encouraged, while preserving values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment;
4. Residual hazards to the public health and safety are eliminated;

5. Granting of any exceptions will not result in creating a nuisance or conflict with existing laws or ordinances.

The Mining and/or Reclamation Plan shall describe the phasing of reclamation in relation to the phases of the mining operation. When mining operations cease, the landowner and/or the mining company shall be responsible for the commencement and completion of reclamation in accordance with the approved reclamation plan.

The Mining Conditional Use Permit and/or Reclamation Plan application and process provides the County the opportunity to review the proposed project before its implementation. Conditions of Approval may be required of the project prior to its final approval or implementation.

The Mining Conditional Use Permit and/or Reclamation Plan will be reviewed by the Planning Director and considered by the Planning Commission by means of a public hearing. Actions of the Planning Commission may be appealed to the Board of Supervisors within ten days following the date of the action. Appeals must be made by means of a separate application and may require an additional fee. Action by the Board of Supervisors is final.

Along with the completion of the application that is included with this Information Package, if required, you will be asked to submit:

1. A Biota Report covering the entire project area including the area to be mined, processing and stockpile areas, equipment maintenance and storage areas, and private access roads.
3. A Mining/Reclamation Operating Plan – an outline for the plan is included with this Information Package.
4. Two Plot Plans (one mining plot and one reclamation plot) – details to be on the plan are included in the respective checklists.

Please review Public Resources Code Section 2772 and use this information sheet to develop a checklist and assemble the materials that will be required for the submittal of your Mining Conditional Use Permit and/or Reclamation Plan application and bring it with you when you submit your application (California Department of Conservation, Division of Mine Reclamation has developed a Reclamation Plan content checklist in addition to a list of general considerations at: http://www.conservation.ca.gov/dmr/SMARA%20Mines/Pages/quarterly_reports.aspx).

**GENERAL PROCEDURES**

1. **Submit application and fees** – County staff will use the checklist to determine whether your application may be accepted as complete. The County’s Mining/Reclamation Plan Conditional Use Application must be filled out and is contained in this packet.
2. **Determination of Application Completeness** – County staff will determine whether the materials you have submitted are adequate or if additional materials or reports are required.
3. **Environmental Action Determination** – County staff will prepare an Environmental Initial Study in compliance with the California Environmental Quality Act (CEQA). It is through the Initial Study that the determination is made as to what type of environmental determination will be required. If an Environmental Impact Report (EIR) is required, staff will contact you to explain the process and the costs.
4. **Application processing** – The project planner will have the project and materials reviewed by all appropriate departments and agencies. Public Resources Code Section 2772.1(b)(1) allows the Division of Mine Reclamation opportunity to determine completeness within 30 days receipt of the application materials before the County can complete the review. Any required corrections, questions or revisions to the plans or other materials will be reviewed by the project planner and then provided to you.
5. **Recommendations, conditions of approval and final report** – The project planner will prepare these materials for consideration by the Planning Director before Planning Commission action.
CHECKLIST OF SUBMITTAL MATERIALS

Please utilize this checklist as you assemble the materials for the submittal of your application. The reclamation plan shall include a table of contents or chart identifying the page number, chapter, appendix, or other specific location in the reclamation plan where the content is intended to meet SMARA and Development Code requirements as applicable. **If your submittal package does not contain all of the information listed below, your application will not be taken**

**in and receipted for processing.** If you have any questions about the items requested or if you wish to obtain information on processing schedules, please call the Application Intake Center at (909) 387-8311.

Maps, diagrams or calculations that require preparation in accordance with the Professional Engineers Act (Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code), the Geologist and Geophysicist Act (Chapter 12.5 (commencing with Section 7800) of Division 3 of the Business and Professions Code), and the Professional Land Surveyors' Act (Chapter 15 (commencing with Section 8700) of Division 3 of the Business and Professions Code) shall be prepared by a California-licensed professional, shall include his or her license number and name, and shall bear the signature and seal of the licensee.

**Section A – Fees/Deposit**

1. _____ Check or money order made payable to San Bernardino County for the amount of **$9,900.00.**

   Provide one copy of the following receipts or a letter from the agency stating such fees are not applicable:

2. _____ Receipt from the Environmental Health Services Division (DEHS) of payment of required review fees. Contact DEHS at (800) 442-2283 for fee amount, applicability and payment prior to application submittal

3. _____ Receipt from the appropriate fire jurisdiction of payment of required review fees. You may contact County Fire at (909) 386-8400 to see which jurisdiction you're in.

   **Note:** If your project is within a designated Geologic Hazard Area, you may be required to pay the Building and Safety Division review fees to review any required geologic reports. You will be notified when you will need to complete this part of the process. The fee amount will is established by the County Fee Ordinance.

   The fees listed above (2 - 3) for DEHS, County Fire and Building and Safety are in addition to the “actual cost” deposit. Additional fees will be required if there is an appeal action.

**Section B - County Documents:**

4. _____ Two copies of the completed Mining/Reclamation Conditional Use Permit Application.

5. _____ Completed Hazardous Waste Site Certification form contained in this packet.

6. _____ Signed and **notarized** original of the Statement of Responsibility for all owners of the property

7. _____ **One completed** Financial Responsible Party Information form.

**Section C – Other Documents:**

8. _____ **One copy** of the recorded Grant Deed for EACH parcel, or deeded easement. A notarized copy of any lease for the site or road easements.

9. _____ **One copy** of the appropriate assessor's map obtained from the Assessor's Office.

10. _____ **One copy** of the United States Geological Survey (USGS) Map of the project area clearly showing project boundaries and labeled with the quadrangle map name and applicant's name. The USGS map may be purchased at a local blueprint company and is not available at County offices. **(NO ENLARGED COPIES)**

11. _____ **One copy** of any letter or document received from the County or other agency regarding this project.

Section D – Mining and Reclamation Plan:

13. _____ Two copies each of the Mining and Reclamation Plans. Refer to the checklist for the requirements included with this Information Package. Additional copies may be required.

Section E – Special Studies:

14. _____ One copy of any biota report (see approved Biologist List) covering the entire project area including areas to be mined, processing and stockpile areas, equipment maintenance and storage area and private access roads.

15. _____ One copy of any other studies prepared for this project. If, applicable.

Section G – Financial Assurance Estimate and Financial Instruments:


Section H – Additional Materials

Technical studies for traffic, noise, hazardous materials or other issues may be required to process your application. You may check with Land Development Traffic at (909) 387-8186, County Fire Hazardous Materials at (909) 386-8401 prior to submittal to see if these studies will be required.

Section I – Mining Plot Plan:

The plot plan is a drawing to scale at 1” = 200’ on one sheet (minimum size of 24” x 36”) of the entire land parcel showing buildings, improvements, other physical features and all dimensions. Remember that reviewing parties and Planning Commission are not familiar with the property and will need this information to evaluate your project. If the plans are not legible or do not contain the information listed below, your application will not be accepted for processing. Submit two copies of each plan. Use the following checklist to be sure that your plans include all of the required elements.

Mining Plan Checklist:

1. _____ Identification: Indicate names, addresses and telephone numbers of the mine operator, land owner, applicant, representative, owners of mineral rights, civil engineer, soil engineer, geologist, map preparer, lessee, date of map preparation and date of latest map amendment, if applicable. Also, include the name of the Mine and California Mine ID Number (if assigned), and the mineral(s) to be mined.

2. _____ Utilities: Indicate names, address and telephone numbers of – water company – sewage disposal – electric – gas – telephone. If no utility company, indicate method of supply.

3. _____ Legal Description: Complete legal description of the property including number of acres. Include the Assessor’s Parcel Number (APN). If a portion of a large parcel is being developed, include a detailed legal description of that portion.

4. _____ North Arrow: Indicate north (pointing to top or right hand side of the plan), date of drawing and the scale. Use an Engineer’s Scale (1” to 200’).

5. _____ Dimensions: Show all property lines and dimensions. Also, show boundary lines of the Mining area within property line dimensions if only a portion of the property is being utilized. The property corners must be staked in the field, surveyed with GPS coordinates and easily identified by inspection personnel.

6. _____ Legend: Include a legend depicting all lines and symbols.

7. _____ Roads/Easements: Indicate location, names, centerline, gradients, widths of streets, and recorded road, utility, and drainage easements on the property. If none exist, indicate by a note that no easements exist. If the property not on a road or easement; show access to property.

8. _____ Drainage:

_____ Show the location, width and direction of flow of all drainage courses on site.

_____ Show the location and details of all facilities to control on-site storm runoff, erosion and sedimentation such as water courses, culverts, drainpipes, settling ponds, retarding basins, ditches and dikes, including gradients.

9. _____ Grading/Topographic Information - Show existing surface contours on-site and bordering the mined and disturbed areas.

10. _____ Land Use District: Indicate Land Use District zoning for project and all adjacent property.

11. _____ Structures (Adjacent Areas): Indicate any existing development on adjacent property. Show distance of existing structures on adjacent properties that are within 20 feet of the project property line. Indicate
type of construction and approximate age (if known) of any existing structures. – If none exist, please note on the plan.

12. _____ Structures (Mining Area): For all existing and proposed structures, including but not limited to power poles, towers, fences, trash enclosures, signs, septic systems, and processing equipment:
   _____ Locate by distance in relation to other structures and property lines, and indicate existing structures that are to remain or to be removed.
   _____ Indicate height, building footprint dimensions including eave overhang projections, square footage of each story and number of stories.
   _____ Indicate the type of construction for both proposed and existing structures.

13. _____ Vicinity Map: Show location within the general vicinity, indicating nearest cross streets and community name.

14. _____ Signage: Provide a dimensioned side elevation of any proposed identification sign including the proposed “copy” (wording). Include distance from both top and bottom of sign to grade. Refer to the County Development Code for information on allowable type and size of sign. If no sign is to be built, please note on plan.

15. _____ Parking: Show all parking areas in detail for structures within Mining boundaries; dimensions and indication of surfacing materials.

16. _____ Plant and Tree Protection: If no protected or endangered trees exist on the site, please note on the plans. Show location, number, size, and type of all native trees, including unbranched cacti, yuccas, palms and Joshua’s, and indicate whether any of the following trees are to be removed, salvaged and/or transplanted:
   Valley or Mountain Areas – Six inches or greater in diameter or 19 inches in circumference measured at 4.5 feet above average ground level of the base.
   Desert Areas – All Joshua trees and all species of century plants, Nolinas and yuccas; Creosote rings that are 10 feet, or greater in diameter; Smoke tree’s and Mesquites that are two (2) inches or greater in diameter, and six (6) feet or greater in height. All plants protected by the State Desert Native Plants Act shall be protected in accordance with that ordinance.

Deceased salvaged or transplanted plants will require replacement with nursery stock.

17. _____ Mining Operation:
   _____ Show the mine design, including ramps.
   _____ Depict separate mining phases where applicable.
   _____ Show the location of mine with dimensions from property lines.
   _____ Show Mine design ground surface contours.
   _____ Show maximum and minimum elevation of the mining operation and bench elevations.
   _____ Show the location of processing and storage areas.
   _____ Show the location of operating equipment and structures.
   _____ Show the boundaries of areas to be mined, waste dumps, stockpiles, tailing ponds, retarding basins, and settling ponds including crest, toe and slopes.
   _____ Show a detailed drawing of plant site and buildings.
   _____ Show the proposed dates for the initiation and termination of mining.

18. _____ Cross Sections: (1” = 50”) Show the progression of stripping and excavating including elevations and dates or phases. Show the overburden, mineral deposits, groundwater level at mean sea level (MSL) and details of the working face of the operation. Provide at least one cross section through buildings and processing equipment.

Reclamation Plan Checklist: scale (1” to 200”) Mines that have not been active but date back prior to January 1, 1976 which have been established by vested rights only needs a Reclamation Plan (Note: “Vested Rights” can only exist when recognized in a Public Hearing). A Reclamation Plan is a separate dimensioned drawing, to scale, on one sheet of at least 24” x 36”. The following information must be included on the Reclamation Plan. All written information should be shown across the bottom or along the right hand side of the drawing.

1. _____ Identification: Indicate names, addresses and telephone numbers of the mine operator, land owner, applicant, representative, owners of mineral rights, civil engineer, soil engineer, geologist, map preparer,
lessee, date of map preparation and date of latest map amendment. Also, include the name of the Mine, Mine ID # and the Mineral to be mined.

2. **Utilities**: Indicate names, address and telephone numbers of - water company - sewage disposal - electric - gas - telephone - If no utility company, indicate method of supply.

3. **Legal Description**: Complete legal description of the property including number of acres. Include APN’s. If a portion of a large parcel is being developed, include a detailed legal description of that portion.

4. **North Arrow**: Indicate north (pointing to top or right hand side of the plan), date of drawing and the scale. Use an Engineer’s Scale (1” to 200’,)

5. **Dimensions**: Show all property lines and dimensions. Indicate boundary lines of mine within property if only a portion of the property is being utilized. The property corners must be staked in the field and easily identified by inspection personnel.

6. **Legend**: Include a legend depicting all lines and symbols.

7. **Land Use District**: Indicate Land Use District for project and all adjacent property.

8. **Vicinity Map**: Show location within the general vicinity.

9. **Reclamation Plan**:
   - Show the boundaries of disturbed areas to be reclaimed, including acreage.
   - Show reclaimed ground surface contours.
   - Show original and post reclamation drainage including critical areas within or near the project areas such as lakes, streams or wetlands. Show *direction of flows with arrows*.
   - Show erosion and sediment control structures or treatment such as water bars, berms, siltation ponds, diversions, etc.

   Show a Revegetation Plan including names of plant species, size and spacing of plants, and the method of planting and irrigation.

   Show the ultimate physical condition of the site and specify proposed uses or potential uses of the mined land after reclamation.

   **Indicate the time frame for completion, for reclaiming the land.**

   Show post-mining safety features such as fences, gates, signs, etc.

10. **Show cross sections: (1” = 50’)**. Throughout the reclaimed mined and disturbed areas, waste dumps, tailings, ponds, and building sites. Establish Ground water level by mean sea level (MSL)
SURFACE MINING CUP/RECLAMATION TEXT OPERATING PLAN OUTLINE

The following information should be submitted in written form and supplemented with graphics to illustrate descriptions.

Some items may not pertain to your operation and should be identified. All other information is required at the time of filing.

**PROPRIETARY INFORMATION SHOULD BE CLEARLY IDENTIFIED AND SUBMITTED SEPARATELY. THE INFORMATION WILL NOT GO INTO THE PUBLIC FILE IF HANDLED IN THIS MANNER.**

**MINING**

1. **Mining Operation Introduction** - Describe the proposed mining operation, and history of the area if known; include how the removal of vegetation and overburden will occur and where it will be stockpiled; how the mineral commodity will be extracted and the equipment that will be used; any proposed phasing of the operation, including dates.

2. **Mine Waste**: Describe
   a. The type(s) of waste to be produced, i.e., topsoil, overburden, tailings, sediment, waste rock, domestic garbage, chemicals, oil and grease, etc.
   b. The amount of each type of waste to be produced per year and during the life of the operation.
   c. The disposal method and site, for each type of waste.

3. **Describe the Planned Ore Processing Methods to be used on Site** - Dry screening, flotation, amalgamation, wet screening, crushing/grinding, washing, mechanical separation, smelting, leaching, batch plant, other.

4. **Production Water Data** -
   a. **Fresh Water** - State the maximum and average quantity of water to be used in gallons per minute and acre-feet per year. Indicate all sources of water (including drinking water), such as wells, ponds, diversions, municipal water supply, etc. State how much water will be recycled and how much will be fresh/day. Provide documentation for legal procurement.
   b. **Wastewater** - Indicate the volume of excess or wastewater in gallons per minute, or acre feet, that will have to be contained and/or disposed of during the mining operation. Include excess processing water, mine drainage, storm runoff from disturbed or utilized areas and any other water which will be handled on the site. Describe possible contaminants, including processing chemicals, detergents, acid drainage, turbid (muddy) water, fuel oil or gasoline, and runoff water which may contain fertilizer or other soil amendments. Describe the disposal methods.

5. **Erosion and Sedimentation Control** - Describe methods to prevent erosion and/or sedimentation of adjacent property due to waters discharged from the site. Also describe methods to protect stockpiles of mined materials from water and wind erosion.

6. **Blasting** - Describe the procedures for the storage of explosives and methods to reduce any blasting effects on off-site structures or residents.

**RECLAMATION**

1. **Land Use** - Describe existing land use of site and surrounding area, including distance to the nearest development.

2. **Visibility** - Describe the visibility of the proposed operation from surrounding area, considering highways, residences, commercial developments and recreation areas. Discuss proposed mitigation, considering landscaping, berms, fences modification of operation, etc.

3. **Vegetation** - Describe the type of vegetation which grows on and around the site. This can be checked with the U.S. Soil Conservation Service or the San Bernardino County Agricultural Commissioner. State the number of trees on site with a 6" or larger diameter trunk, at the base. (Note Joshua and Yuccas on the plan)

4. **Wildlife** - List species occurring on and around the site.

5. **Reclamation and Reclamation Schedule** - Describe how all disturbed areas will be reclaimed (backfilled, regraded, topsoiled, and revegetated, etc.) Provide a schedule of the phasing of the reclamation, dates for each phase, and a description of the treatments. Indicate when reclamation is expected to begin (month and year or phase) and when it will be completed. If reclamation is to be accomplished concurrent with mining, indicate at what time during the mining process or phase (give approximate dates) it will be undertaken and accomplished. Explain what reclamation will be undertaken in each phase. Describe the time lag which will occur between completion of each mining phase and the beginning of reclaiming the land which was subject to that mining phase.
6. **Revegetation** - Describe plant species and/or seed to be used; rate of seed application and/or spacing of plants; planting methods; time of year for planting; types and amounts of fertilizers, mulch, lime, etc.; site preparation (ripping, diskng, soil additives, etc.); and irrigation system.

7. **Cleanup** - Describe methods and timing for removal, disposal or utilization of residual equipment, structures, refuse, etc.

8. **Post-Reclamation and Future Mining** - Describe what the mined site will look like after it has been reclaimed. Describe how reclamation of site may affect future use of the property and adjacent or nearby property for mining purposes. Describe proposed subsequent uses for the reclaimed mined land as reclaimed.

9. **Slopes and Slope Treatment** - Discuss how cut and fill slopes, waste piles, and tailings will be stabilized to prevent landslides, earth flows, rock falls, and erosion (i.e., revegetation, benching, scaling, slope reduction, etc.)

10. **Ponds, Reservoirs, Tailings, Wastes**
    a. Describe how ponds, tailings, and/or mine wastes will be reclaimed (regraded, dewatered, capped, revegetated, removed, etc.).
    b. If any dams or embankments are to remain after reclamation, describe type of dam, permeability, foundation characteristics, stored volume and design criteria (including design criteria for seismic hazards); provide a cross section through dams or embankments showing design characteristics.

11. **Soils and Fine Textured Waste** - Describe the soils on the site. Describe the method of removal, storage, and replacement of topsoil; the mean thickness of topsoil or fines on the site before and after reclamation; determine whether soil or mine waste needs to be supplemented to encourage plant growth.

12. **Drainage and Erosion Controls** - Describe how post-reclamation drainage will differ from the original site condition; discuss the possible effect of changes in the drainage on runoff, erosion sedimentation, streamflow, and streambank stability.

13. **Public Safety** - Describe what measures will be taken to ensure public safety (fences, gates, signs, hazard removal, etc.)

14. **Monitoring and Maintenance**
    a. Describe any baseline monitoring that has been done to document present environment.
    b. Describe maintenance program to ensure that revegetation is successful, and that public safety measures, water quality, erosion control treatments, etc., are maintained.
    c. Indicate who will be responsible for carrying out the maintenance and monitoring program.

15. **Reclamation Assurance** - Describe financial assurance mechanism(s) to guarantee reclamation of the site (bonding, letter of credit, trust fund, etc.).

**GEOLOGY**

1. **Describe geology** of the site and surrounding area, considering principal rock formations, overburden materials, principal ore minerals and principal non-ore minerals.

2. **Describe any geologic conditions which could adversely affect the project**, considering earthquake faults, Special Studies Zones, County Fault Hazard Zones, ground shaking, landslides, mudflows, Liquefaction Hazard Areas, differential settlement, hydroconsolidation, collapsible or expansive soils, wind erosion, water erosion, sedimentation, and inundation due to earthquake-induced dam failure. Discuss proposed mitigation. Provide a copy of a Geologic Map covering the project site.

**HYDROLOGY/GROUND WATER**

1. **Surface and Groundwater**:
   a. Describe the climatic conditions in and around the site, including annual rainfall and temperature extremes.
   b. Describe drainage patterns on the site, size of area that drains into site, proposed alteration of drainage patterns.
   c. Describe methods for positive drainage through the site and efforts to minimize adverse effects on adjacent property.
   d. If site is within a recognized floodway, 100 year floodplain, or an area subject to flashflooding, then describe methods to protect project from flood damage and to insure that project will not intensify flooding effects on surrounding property.
   e. Describe groundwater, depth, permeability fault barriers; structural constrictions in the basins, quantity, quality, and direction of flow.
   f. If groundwater is pumped by wells for use on, around, or downstream of the site, describe any adverse effects that may occur to the quantity, quality, or depth of groundwater, and methods to minimize these effects.
   g. If site is within or upstream of a groundwater recharge area, discuss the potential for the project to increase siltation or recharge area or to otherwise decrease its absorptive qualities. Describe methods to protect recharge area from these effects.
h. If the operation will introduce any toxic substance, contaminate, or otherwise degrade the quality of stream runoff or ground water from the site, then describe methods to minimize these effects.

i. If there are any stream gauging stations within the site, then describe methods to preserve or relocate the stations. Coordinate with the following agencies’ County Flood Control, Water Conservation District Office, or the United States Geological Survey in San Bernardino.

Maps to be Included and Referenced in Mining CUP/Reclamation Plan Outline

1. **General Location Map** - (Included in application) Show the projects general location in relation to San Bernardino County. (Scale is approximately 1"=20 miles) Figure 1.

2. **Vicinity Map** - (i.e., AAA Map of Southern California, San Bernardino) Show the projects location in relation to Towns, Highways, or other major reference points. Show access route into property. This is the same map that is made a part of the Mine and Reclamation Plot Plans. (Scale is approximately 1"=6.25 miles) Figure 2.

3. **Extent of Holdings Map** - U.S.G.S. Quadrangle Map. (7.5 minute series) Show the extent of all property leased, owned, patented, un patented, or otherwise under your control. Show all access roads. All points must be easily referenced to a section line. Show how each portion of the land is owned. Show file number and boundaries of any property already permitted. (Figure 3)

4. **Location map** - Show the limits of the holdings to be permitted. Show all access roads. (Figure 4)

FINANCIAL ASSURANCE FORMS AND GUIDELINES

Public Resources Code Section 2773.1 requires a reclamation financial assurance cost estimate for review on a form approved by the State Mining and Geology Board, which can be found at the California Department of Conservation, Division of Mine Reclamation’s website at:

http://www.conservation.ca.gov/dmr/SMARA%20Mines/Pages/quarterly_reports.aspx

REFERENCE DEFINITIONS

1. **AB 3098 List.** The Division of Mine Reclamation periodically publishes a list of mines regulated under SMARA that meet provisions set forth under California's Public Resources Code, Section 2717(b). This list is generally referred to as the AB 3098 List, in reference to the 1992 legislation, that established it. Sections 10295.5 and 20676 of the Public Contract Code preclude mining operations that are not on the AB 3098 List from selling sand, gravel, aggregates or other mined materials to state or local agencies.

2. **Minerals.** Include any naturally occurring chemical element or compound, or groups of elements and compounds, formed from organic and inorganic processes. Clay, sand, gravel, rock decomposed granite, slats, alumina, silica, alkali, topsoil or growth medium, organic humus and gems represent the aggregate of different materials.

3. **Produced Minerals.** Produced Minerals as defined in California Code of Regulations (CCR) Section 3501 includes all minerals sold, given or otherwise moved off the site of the operation, as defined in the approved reclamation plan. Recycled products (e.g. broken concrete, bricks, asphaltic concrete, etc.) or stockpiles of mineral products that remain on the site are not produced minerals for purposes of CCR Section 3695(b).

4. **Construction and demolition.** (C&D) is waste material that is produced in the process of site clearing activities, construction, renovation, or demolition of structures of all types to include roads and bridges. Waste material includes, but is not limited to concrete, asphalt, wood, metals, gypsum wallboard and brick.

5. **Exploration or prospecting.** Exploration or prospecting includes the activities in search for minerals by geological, geophysical, geochemical or other techniques, including, but not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of minerals present.

6. **Surface Mining Operations.** Surface mining operations include all, or any part of, the process involved in the mining of minerals on mined lands, borrow pitting, segregation and stockpiling of mined materials (and recovery of the same).

7. **Mined Lands.** Include the surface, subsurface, and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.
NOTE:

On April 18, 2016, Governor Edmund G. Brown Jr. signed SB 209 (Pavley) and AB 1142 (Gray) into law and thereby enacted significant changes to SMARA. A number of components of reclamation plans, among other measures changed including the replacement of the Office of Mine Reclamation (“OMR”, a department that was created in 1991 within the California Department of Conservation) with the Division of Mine Reclamation (DMR). Many SMARA-related documents may still reference OMR, which now shall serve as inference to DMR for most instances.

END OF OUTLINE

Note: State Fish and Wildlife fees may be required before your project can be approved.

If your project is subject to these fees, you will have to submit your payment (https://www.wildlife.ca.gov/Conservation/CEQA/Fees depending on project specifics) to the Clerk of the Board of Supervisors within five (5) days after the date of conditional approval. The project planner will then be able to complete the final paperwork at the appropriate time.

If you have any questions concerning the Environmental Filing Fee due to the State, please visit the California Department of Fish and Wildlife Web-Site:
https://www.wildlife.ca.gov/Conservation/CEQA

No Effect Determination (NED) Process. For additional explanation to the regulations and procedures regarding NEDS, please see the No Effect Determinations Detailed instructions at the following link: https://www.wildlife.ca.gov/Conservation/CEQA/NEDhtml
TO SURFACE MINING APPLICANTS:

The Surface Mining and Reclamation Act (SMARA) require mine operators to obtain a permit from the lead agency and a lead agency approved reclamation plan and financial assurance before conducting surface mining operations. Additionally, Public Resources Code Section 2207 and California Code of Regulations Section 3697 require a new mining operation to submit an initial report to the Department of Conservation (Department) before one of the following occurs:

1) COMMENCEMENT OF OPERATIONS or
2) 30 DAYS FROM PERMIT APPROVAL

These requirements apply to all mining operations in the State, including operations on Federal lands such as the Bureau of Land Management and U.S. Forest Service. SMARA defines lead agencies as the city or county that has approval authority for the operation or reclamation plan.

The Department's office of Mine Reclamation has supplied lead agencies with the New Mining operation Report form (MRRC-3). Please contact your lead agency or this office to obtain the form and instructions. As stated in the instructions for this form, the completed report with the required reporting fee should be sent to the following address:

Department of Conservation
Office of Mine Reclamation
801 K Street, MS 09-06
Sacramento, CA 95814-3529

Since the State Mining and Geology Board can annually adjust the initial reporting fee, this office should be contacted to determine the current reporting fee required. The initial reporting fee adopted by the Board for 1995 is $500.

Public Resources Code Section 2207 requires that once an operation is permitted, annual reports and reporting fees must be filed with the Department up to and including the year reclamation is certified complete by the lead agency. Currently, the annual reporting fee ranges from $50 to $2,000, depending on mine status and production.

If you have question regarding SMARA, the Public Resources Code, or the California Code of Regulations requirements, please contact your lead agency or this office at (916) 323-9198.
MINING/RECLAMATION CONDITIONAL USE PERMIT
APPLICATION

This application is for a: (check where applicable)

☐ Mining operation  ☐ Asphalt batch plant  ☐ Reclamation Plan
☐ Milling operation  ☐ Concrete batch plant  ☐ Other ______
☐ Sand/gravel pit  ☐ Screening plant

1. Applicant: ____________________________

Mailing address: ____________________________

Street/P.O. Box

City   State   Zip   Telephone (8 A.M.-5 P.M.)

E-mail Address                        Fax. No.

2. Engineer/Representative: ____________________________

Mailing address: ____________________________

Street/P.O. Box

City   State   Zip   Telephone (8 A.M.-5 P.M.)

3. Land owner: ____________________________

Mailing address: ____________________________

Street/P.O. Box

City   State   Zip   Telephone (8 A.M.-5 P.M.)

4. Operator: ____________________________

Mailing address: ____________________________

Street/P.O. Box

City   State   Zip   Telephone (8 A.M.-5 P.M.)

Parcel No.(S):
Total acres of parcel(s):

Project or mine legal location section(s):

Township       Range       SBBM ☐ or MDBM ☐ (check one)
Township       Range       SBBM ☐ or MDBM ☐ (check one)
Township       Range       SBBM ☐ or MDBM ☐ (check one)
Township       Range       SBBM ☐ or MDBM ☐ (check one)

Note: If more than one person is involved in the ownership of the property, a separate page must be attached to this application which lists the names and addresses of all persons having interest in the ownership of mineral rights. All applicants for a surface mining permit who are not also the record owner(s) of the property must submit a signed statement by the property/mineral rights owner(s) authorizing them to act on their behalf.
The applicant agrees to pay all accumulated charges for this project. The applicant also agrees to defend, indemnify and hold harmless the County, its agents, officers and employees from any claim, action or proceeding attacking or seeking to set aside, void or annul the approval of all or part of the matters applied for, or any other claim, action or proceeding relating to or arising out of such approval. This requirement includes the obligation to reimburse the County, its agents, officers and employees for any court costs or attorney fees which the County, its agents, officers or employees are required by a court to pay as a result of such claim, action or proceeding. The County agrees to notify the applicant of any such claim, action or proceeding promptly after the County becomes aware of it. The County agrees to cooperate in the defense provided by the applicant. The County may, at its own expense, participate in the defense of the claim, action or proceeding, but such participation will not relieve the applicant of applicant's defense and indemnification obligations.

The applicant/owner/developer agrees to pay all accumulated charges for this project, if this is an actual cost application. Your project will not be approved, finaled, or vested until all charges are paid in full.

APPLICANT'S CERTIFICATION OF FILING: (Legal owner of the property must sign)

I certify under penalty of perjury that I am the owner of record, or as noted below and the owner of record has knowledge of and consents to the proposed surface mining permit application for this property. I further certify that the information contained herein is true and correct to the best of my knowledge.

☐ Owner of Possessory Interest or Mineral Rights.

☐ Legal Owner(s) (all individual owners must sign as their names appear on the deed to the land). Attach separate sheet with additional signatures if needed.

☐ Corporate Officer(s) empowered to sign for the corporation. Include document verifying corporate officer status.

☐ Owner's Legal Agent having Power of Attorney for this action (a certified Power of Attorney document must accompany the application form)

Dated ___________________________, 20________

________________________________________________________
Signature

________________________________________________________
Print Name

________________________________________________________
Title

________________________________________________________
Company

FOR OFFICIAL USE ONLY

SECTION _____________ Township___________ Range___________ All: NE: NW: SE: SW:

Describe proposed use __________________________________________________________:

Index No. ___________________________________________ City's sphere __________________________

Land Use District ______________________________________

Land Use Map ______________________________________

Filing date ______________________________________

Airport Land Use Compatibility: AR1, AR2, AR3, AR4 (circle one)
MINING/RECLAMATION SUMMARY FORM

DATE: _____

Please print or type all requested information.

MINING OPERATION

1. Name of Mine and ID #: ____________________________________________
   List any other names or applications this mine may have been known by:
   ____________________________________________

2. Mineral commodity mined ______________________________________________________________________________

3. List claim number(s) ___________________________________________________________________________________

4. Location of Mine: Township/Range/Section(s) ______________________________________________________________
   SBBM ☐ or MDBM ☐ (check one)
   Latitude __________ Longitude __________ (As taken from the center point of the project area)

5. Maximum total yearly production: (Check either tons or cu yds, whichever is used)
   
<table>
<thead>
<tr>
<th>Ore</th>
<th>Waste</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5,000 - 25,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25,000 - 50,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>50,000 - 100,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>100,000 - 250,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>250,000 - 500,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>500,000 - 1,000,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Over 1,000,000 (tons) ☐ (cu yds) ☐/yr</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. Type of operation (check where applicable):
   ☐ Open pit ☐ Alluvial terrace
   ☐ Single bench ☐ Hillside
   ☐ Multi bench ☐ Hardrock
   ☐ Drill and blast ☐ Metallic
   ☐ Shovel/truck ☐ Non-metallic
   ☐ Loader/truck ☐ Sand and gravel
   ☐ Underground ☐ Quarry
   ☐ Flow way channel ☐ Other _____

7. Mine dimensions
   Highest elevation __________ Maximum depth __________ Minimum length __________
   Overall slope angle __________ Maximum slope angle __________ Minimum width __________
   Angle of repose for native or host materials ________________________________
   Bench height __________ Safety berm width and height ________________________
8. Check any of the following items that may be conducted at or constructed on the mine or project site.

- Access roads
- Asphalt batch plant
- Bag house (dry)
- Blasting
- Concrete batch plant
- Conveyors
- Crushers
- Explosive storage
- Fencing
- Asphalt batch plant
- Office site
- on-site living quarters
- Parking area
- Plant site
- Screening
- Sheds
- Stockpiles
- Tailings dams
- Tanks (water/fuel)
- Truck Scale
- Water wells
- Waste dumps
- Other

9. Operating times

Operation is: Continuous ☐ Seasonal ☐ Intermittent ☐

If seasonal or intermittent, check months of operation:

- January ☐ April ☐ July ☐ October
- February ☐ May ☐ August ☐ November
- March ☐ June ☐ September ☐ December

Operating times:

- Operating days/week ____________________________ Daily hours of operation ____________________________
- Starting date ____________________________ Operating life ____________________________
- Termination date ____________________________
- Maximum number of employees at any one time ____________________________

10. Size of operation:

- Total holding in acres ____________________________ Total acres to be permitted ____________________________
- Total acres to be disturbed and reclaimed (including roads) ____________________________

- Total acres:
  - Owned ______ acres
  - Patented ______ acres
  - Unpatented ______ acres
  - Leased ______ acres
  - Sub-leased ______ acres
  - Other ______ acres

11. Site access:

Describe all access routes into the mine site, including all roads off your property used in connection with mine production or waste disposal

______________________________________________________

(Use additional paper if necessary, as all routes must be completely described. If access is a leased or temporary easements submit documentation that access will be available through final reclamation)

12. List number and types of vehicles and equipment associated with the project and the number of truck trips/day for each type of vehicle.

______________________________________________________
13. Water quality/supply:

   Source of fresh water
   Total gallons of water to be used per day
   Gallons per day recycled:   Gallons per day fresh:
   Chemicals to be used:
   Method of chemical disposal:
   Proposed sewage system:

14. Energy

   Electricity to be consumed by the project/month   KWH.
   Natural gas to be consumed by the project/month   cu ft.
   Other fuels to be consumed by the project (list type and quantity):

15. Describe in general the type of vegetation and the percentage of the site that it covers. List the animals that you have seen or that are known to occur on the site.

16. Describe in general the topography (i.e., slopes, landforms, landscape) and relief of the site.

17. Describe any drainage channels that exist on the site.

18. Describe any alteration and/or improvements on the site.

19. Describe the land uses on the adjacent land in each direction. Note any major or important natural or man-made features on the adjacent land; for example, major highways, stream channels or other notable features.

   North:
   East:
   South:
   West:

20. Describe the site alterations that will be produced by your proposed project. For instance, describe topographic changes, storm flows that will have to be channelized, lengths of new roads and/or easements and other such changes.

21. If your project requires any permits from other agencies, please identify the agency and type of permit. Some agencies or departments that you may have to obtain permits from are listed below.

   ♦ Air Pollution Control
   ♦ County Environmental Health Division
   ♦ State Regional Water Quality Control Board
   ♦ BLM
   ♦ Fish and Wildlife
   ♦ Forest Service
Type of permit: ________________________________

RECLAMATION

22. Time for reclamation to start: ________________________________

Time for reclamation to be completed: ________________________________

Times reclamation phases:

<table>
<thead>
<tr>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
</tr>
</thead>
<tbody>
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</tr>
</tbody>
</table>

23. Reclamation methods (check where applicable):

- Backfilling and grading [ ]
- Rehabilitation of drainage [ ]
- Stabilization of slopes [ ]
- Equipment and refuse removal [ ]
- Resoiling and revegetation [ ]
- Mitigate hazards [ ]

24. Proposed or potential use of the land after reclamation: ________________________________
HAZARDOUS WASTE SITE CERTIFICATION

This certificate must be submitted with all Development Case Applications except for legislative acts such as General Plan Land Use District changes.

INSTRUCTIONS

The applicant for this development project shall consult the most current list of identified hazardous waste sites at http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm to determine whether the development project is located on a site included on the list.

CERTIFICATION

The undersigned owner, applicant or legal representative of the lands for which this development project application is made, hereby certifies under penalty of perjury, and in accordance with Section 65962.5(e) of the Government Code of the State of California that he (she) has consulted the most current and appropriate Hazardous Waste and Substances Sites (CORTESE) List and further certifies that the site of the proposed development project:

☐ Is not located on a site which is included on the CORTESE list dated: ______________________

OR

☐ Is located on a site included on the CORTESE list dated: ______________________.

List all of the Assessor Parcel Numbers (APNs) of the project property:

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

Printed Name of Person Certifying this Review

__________________________________________  ____________________________
Signature of Person Certifying this Review                  Date
FINANCIALLY RESPONSIBLE PARTY INFORMATION

Please print your responses.

The Financially Responsible Party is the individual or legal entity that will sign the Financially Responsible Party Agreement (attached), which agreement establishes the entity that: is responsible for all permit processing costs associated with the project application; will receive project accounting during the application processing; is responsible for paying for consultants necessary to complete the processing of the project application; is deemed the owner of funds held in the project trust fund; and indemnifies the County for legal challenges to project approval.

Have you ever had a Trust Account with San Bernardino County Land Use Services? ☐ Yes ☐ No

If yes, what name was used? ______________________________________________________________

Financially Responsible Party Name: ________________________________________________________

The Financially Responsible Party is a (choose one): ☐ Company/Organization  ☐ Individual

If Company/Organization, type, i.e. corporation, LLC, partnership: _______________________________

Are you registered with the California Secretary of State? ☐ Yes ☐ No

If yes, what is your entity number? _______________________________

If Company/Organization, Contact Name: ______________________________________________________

Mailing Address: ________________________________________________________________________
______________________________________________________________________________________
City        State   Zip
Home/Business Phone: ______________________________  Cell Phone: __________________________

Email: ________________________________________________________________________________

What is your preferred method for receiving invoices: ☐ Email  ☐ U.S. Mail

If you are not the Financially Responsible Party, do you have notarized authorization to encumber the Financially Responsible party? ☐ Yes ☐ No  (Please attach a copy of the authorization.)

--------------------------------------------------------- For Office Use Only -----------------------------------------------------

Project Number: _____________________  Type of Application: _________________________
Received By: _________________________________________________ Date: _________________
Entered By: _________________________________________________ Date: _________________
FINANCIALLY RESPONSIBLE PARTY AGREEMENT

This Agreement is entered for the benefit of San Bernardino County by and through the San Bernardino County Land Use Services Department (LUSD) by _____________________________________________ (Financially Responsible Party) in reference to LUSD application processing costs associated with a Project. [If the Financially Responsible Party is a legal entity (e.g. corporation or partnership), the representative must supply notarized authorization that he/she is approved to financially encumber that legal entity.]

1. The Financially Responsible Party will pay the security deposit required at the time of Project submittal in an amount established by the County Code or by LUSD policy; will pay monthly invoices within twenty-five (25) days from invoice date, subject to LUSD stopping work until payment is received; and agrees to be responsible for payment of all permit processing costs associated with the Project application.

2. If it is deemed necessary by LUSD to utilize consultant services, the Financially Responsible Party will pay a deposit to cover consultant costs prior to execution of the contract with the consultant, with charges against the contract with the consultant to be billed on an hourly basis against the deposit.

3. Financially Responsible Party agrees that all funds deposited in the Project Trust Account will be held by the County in an account under the name of Financially Responsible Party, and that the Financially Responsible Party shall be considered the owner of all funds in said account.

4. Financially Responsible Party agrees that the LUSD is not required to issue any clearances or permits without receipt of full payment of fees, unless waived by the Board of Supervisors, by Board Action.

5. Financially Responsible Party agrees that if there is an outstanding amount on any other LUSD application for which the Financially Responsible Party is the applicant, the depositor, of the Financially Responsible Party, subsequent applications will not be accepted until such amounts are paid.

6. Financially Responsible Party agrees that LUSD may refund any funds remaining in the project trust account at the completion of work to the Financially Responsible Party.

7. The Financially Responsible Party agrees that the person or entity designated as the Financially Responsible Party maintains that designation until the project is completed and all legal challenges to the County’s approval have been resolved, or the County is notified, and accepts, a Change of Financial Responsibility form (available on the San Bernardino County LUSD website).

8. Indemnification. In compliance with Development Code §81.01.070, the Financially Responsible Party agrees, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action.
relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

The Financially Responsible Party shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

Although the County may, at its sole discretion, participate at its own expense in the defense of any such action, such participation shall not relieve the Financially Responsible Party of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The Financially Responsible Party’s indemnification obligation applies to the indemnitees’ “passive” negligence but does not apply to the indemnitees’ “sole” or “active” negligence or “willful misconduct” within the meaning of Civil Code Section 2782.

The Financially Responsible Party agrees that it’s indemnification obligations under this agreement remain in effect even though a court may order the County to set aside its approvals of the project.

9. In the event of a transfer of project or property, the Financially Responsible Party shall notify the County within two (2) working days, in writing and by telephone as follows:

Land Use Services Department  
Attn: Administrative Manager  
385 N. Arrowhead Avenue, 1st Floor  
San Bernardino, CA 92415-0187  
(909) 387-4000

Executed on the __________ day of ________________________, 20_______

______________________________________________  
Financially Responsible Party (Please print and sign)