Minerals

IF IT CAN’T BE GROWN
IT HAS TO BE MINED

Metals
Paint
Ceramics
Fertilizers
Pharmaceuticals
Chemicals
Electronics
Green Energy
National Defense
County Impact

Dispatch from W. H. Storms - State Mineralogist (1892):

“No portion of California has more diversified mineral wealth than the County of San Bernardino.”

“The mines are scattered all over its thousands of square miles of territory, and have already added millions of dollars to the wealth of the State and the world.”

“San Bernardino County would undoubtedly take first place in adding to the mineral wealth of California.”
Regulation Need

47,000 abandoned mine sites exist statewide.

2006 - San Bernardino County man (41) dies after walking into an adit and fell 50 feet down an internal mine shaft.
Legislation

SURFACE MINING RECLAMATION ACT OF 1975 and associated Regulations “SMARA”

- The California Legislature declared that the extraction of minerals is essential to the continued economic well-being of the state and the needs of society, and
- Reclamation of mined lands will permit continued mining of minerals and provide for the protection and subsequent beneficial use of mined and reclaimed land.
Key Issues

- Public Health and Safety
- Conservation of the Environment
- Conservation of Mineral Resources
- Financial Assurances
- Enforcement and Due Process
SMARA § 2770(a): “No person shall conduct surface mining operations unless a permit is obtained from, a reclamation plan has been submitted to and approved by, and financial assurances for reclamation have been approved by, the lead agency for the operation pursuant to [SMARA]”
SMARA § 2735. “Surface mining operations” means all, or any part of, the process involved in the mining of minerals… by removing overburden and mining directly from… mineral deposits, open-pit mining…, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine.

Surface mining operations shall include, but are not limited to:

(a) Inplace distillation or retorting or leaching.
(b) The production and disposal of mining waste.
(c) Prospecting and exploratory activities.
Permitting

SMARA § 2732.5. “Permit” means any authorization from, or approval by, a lead agency, the absence of which would preclude surface mining operations.

SMARA § 2776. No person who has obtained a vested right to conduct surface mining operations prior to January 1, 1976, shall be required to secure a permit pursuant to [SMARA] as long as the vested right continues and as long as no substantial changes are made in the operation.
SMARA requires that every lead agency with active mining shall adopt a mining ordinance in accordance with state policy –

- Establish procedures for the review and approval of reclamation plans and financial assurances
- Issuance of a permit to conduct surface mining operations

Must be approved by the State Mining & Geology Board including the Mineral Resource Management Policies
Reclamation Standards

Structural Removal
Surface and Groundwater Protection
Topsoil Salvage
Tailings and Waste Management
Closure of Underground Openings
Backfilling and Re-contouring
Slope Stability
Revegetation
Erosion Control
Agricultural Lands
Wildlife Habitat
San Bernardino County is the “lead agency” for administering SMARA, which is made part of the Development Code in full.

For purposes of surface mining and reclamation, the provisions of the Development Code apply to all public and private properties in the unincorporated areas of the County.
Jurisdiction

LAND USE JURISDICTION:
Federal........................................... 79%
(BLM, Military, USFS, Parks)
Incorporated Cities................... 4%
State........................................... 2%
COUNTY................................. 15%

SMARA “Lead Agency” JURISDICTION:
Incorporated Cities............... 4%
COUNTY JURISDICTION........ 96%
SMARA § 2207(e). The lead agency, or the [State Mining & Geology Board] when acting as the lead agency, may impose a fee upon each mining operation to cover the reasonable costs incurred in implementing [SMARA].

County’s Fee Ordinance
Participants

Board of Supervisors
Planning Commission
Land Use Services
Resource Agencies
Transportation Agencies
Department of Conservation
State Mining & Geology Board
Operators
Agents
Consultants
Public
CEQA

Reclamation Plan
- Defined as a Project
- One Public Hearing

SMARA Exclusions
- Noise
- Dust
- Hours of Operation
- Traffic
- Aesthetics
2013 Mine Report

- 46 Active
- 47 Idle or in Reclamation
- 6 new mines
- 5 mines closed
- 12,000 acres disturbed
- 10 Enforcement Actions
- $35 Million in Financial Assurances
Restoration

Before          After

Success

Certified Reclaimed

04/17/2007
Questions

Where's the Gold?